Inventory of International Nonproliferation Organizations & Regimes

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JAMES MARTIN CENTER FOR NONPROLIFERATION STUDIES

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INVENTORY OF INTERNATIONAL NONPROLIFERATION ORGANIZATIONS AND REGIMES

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Part I: Nonproliferation Organizations

International Organizations

United Nations (UN) Overview

Established: 1945
Membership: 192 States
Secretary-General: Ban Ki Moon (2007-)
Deputy Secretary-General: Asha-Rose Migiro (2007 -)

In 1945, representatives of 50 countries met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. Those delegates deliberated on the basis of proposals worked out by the representatives of China, the Soviet Union, the United Kingdom, and the United States at Dumbarton Oaks, United States, in August-October 1944. The Charter was signed on June 26, 1945 by the representatives of the 50 countries. Poland, which was not represented at the Conference, signed it later and became one of the original 51 member states.

As mandated by its Charter, preserving the world peace is the central purpose of the United Nations. Although reference to nuclear weapons is not directly reflected in the Charter, as it was created before their use, halting the spread of arms, reducing, and eventually eliminating all weapons of mass destruction are major goals of the United Nations. Since its establishment, the UN has been an ongoing forum for non-proliferation and disarmament treaties, negotiations, and studies. The principal United Nations organs dealing with international peace and security, arms control, disarmament, and nonproliferation are the UN Security Council (UNSC), the General Assembly (primarily via its First Committee), and the United Nations Office for Disarmament Affairs (UNODA).

The United Nations Security Council (UNSC) under Article 26 of the UN Charter is tasked with the "establishment and maintenance of international peace and security, including through disarmament and the establishment of a system for the regulation of armaments." Composed of 15 member states including the permanent five with veto powers (China, France, the Russian Federation, the United Kingdom, and the United States), the Security Council can determine a threat to the peace, breach of the peace, or act of aggression and may recommend, or decide what measures to take, whether economic, political, or those involving use of force, to maintain or restore international peace and security. As such the Security Council is the only international body that can enforce punitive measures such as sanctions or military action against a state. In the area of nonproliferation, the UNSC has authorized mandatory sanctions against Iraq, the DPRK, and Iran; created the Monitoring, Verification and Inspection Commission (UNMOVIC) in Iraq; and established other important sanctions committees such as the Counter-Terrorism Committee pursuant to Resolution 1373 (2001) and the 1540 Committee pursuant to the landmark resolution 1540 (2004), which addresses the nonproliferation of weapons of mass destruction. For more detail on the Security Council and recent developments in the nonproliferation field, see the Security Council section hereunder.

The United Nations General Assembly (UNGA) is the only truly representative international body that is tasked to consider disarmament and international security issues. On January 24, 1946, the very first General Assembly session passed resolution 1(1) "Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy," which addressed the concerns of the dangers of nuclear proliferation. Since then, the body annually adopts resolutions and decisions on nonproliferation, disarmament, arms control, and security on recommendation by its First Committee. Some of the most notable decisions related to disarmament, nonproliferation, and arms control include the endorsement of the Treaty on the Nonproliferation of Nuclear Weapons (NPT) in 1968; the Biological and Toxin Weapons Convention (BTWC) in 1972; the Chemical Weapons Convention (CWC) in 1992; and the Comprehensive Test Ban Treaty (CTBT) in 1996. The General Assembly has also held three special sessions on disarmament (SSOD) in 1978, 1982, and 1988. For more detail on the General Assembly and recent developments in the nonproliferation field, see the General Assembly section hereunder.

The United Nations Office for Disarmament Affairs (UNODA) was originally established as the Department of Disarmament Affairs (DDA) in 1982 upon the recommendation of the General Assembly's second special session on disarmament (SSOD II) and functioned as a department until 1992. From 1992-1997 it functioned as a Centre under the Department of Political Affairs. The DDA was re-established in 1998 as part of the Secretary-General's program for reform in accordance with his report A/51/950 to the General Assembly. In 2007, the name was changed to the United Nations Office for Disarmament Affairs (UNODA).

The UNODA promotes the goal of nuclear disarmament and non-proliferation and the strengthening of the disarmament regimes in respect to other weapons of mass destruction—chemical and biological weapons. It also promotes disarmament efforts in the area of conventional

weapons, especially land mines and small arms, which are the weapons of choice in contemporary conflicts. It has five branches: Conference on Disarmament Secretariat & Conference Support Branch, the Weapons of Mass Destruction Branch, the Conventional Arms Branch, the Regional Disarmament Branch, and the Monitoring, Database and Information Branch. For more detail on the department's role in nonproliferation and disarmament, see the United Nations Office of Disarmament Affairs section hereunder.

United Nations (UN) Security Council (UNSC)

Membership: 15, including five permanent members (also known as the "P-5"): China, France, Russia, the United Kingdom, and the United States and 10 non-permanent members that serve two-year rotating terms. During 2009 those members are: Austria, Burkina Faso, Costa Rica, Croatia, Japan, Libyan Arab Jamahiriya, Mexico, Turkey, Uganda, and Viet Nam. The presidency of the council rotates monthly, according to the English alphabetical listing of its member states.

Functions: Under Article 26 of the UN Charter, in order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee, plans to be submitted to the UN members for the establishment of a system for the regulation of armaments.

Compliance: Under Chapter VII of the UN Charter, Article 39, the Security Council can determine a threat to the peace, breach of the peace, or act of aggression and may recommend, or decide what measures to take, whether economic, political, or force, to maintain or restore international peace and security.

In the WMD arena, for example, the Security Council imposed sanctions on Iraq with Resolution 687 (1991) until fully in compliance with its obligations under all relevant resolutions, treaties, and agreements to disarm its weapons of mass destruction. These sanctions were reinforced by Resolution 1441 (2002) which gave Iraq a "final opportunity to comply" with its disarmament obligations.

In February 1993 the International Atomic Energy Agency (IAEA) alerted the UNSC that the Democratic People's Republic of Korea (DPRK, or North Korea) was not in compliance with its nuclear safeguards agreement (INFCIRC/403). On March 12, 1993, the DPRK announced its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in a letter to the Security Council president. On April 1, the IAEA Board of Governors formally referred the matter of non-compliance to the Security Council. This decision was suspended in June 1993 when the United States began direct negotiations with the DPRK over its nuclear program. In the meantime, the Security Council passed a resolution on May 11 requesting the DPRK to allow the IAEA to conduct safeguards inspections to verify peaceful-use compliance in relation to that country's obligations under the NPT. North Korea rejected the request on May 12, 1993.

On January 10, 2003, the DPRK once again announced its withdrawal from the NPT, via its official news agency, KCNA. On February 12 of the same year, the IAEA formally referred the matter of North Korean non-compliance with its safeguards and NPT obligations to the Security Council.

In February of 2006, after the recent breakdown of talks between the European 3 (Great Britain, France, and Germany) and Iran, the IAEA Board of Governors voted on a resolution calling for Iran's referral to the Security Council in March.

Sanctions Committees:

These committees are charged with monitoring the implementation of council-established sanctions. Many of the sanctions relate to nonproliferation and disarmament, including:

Resolution 751 (1992), an arms embargo on Somalia;

Resolution 1132 (1997), an arms embargo on Sierra Leone;

Resolution 1267 (1999), an arms embargo, assets freeze, and travel ban on Al-Qaida and the Taliban;

Resolution 1518 (2003), an arms embargo and financial sanctions on specific individuals and entities in Iraq;

Resolution 1521 (2003), an arms embargo on Liberia;

Resolution 1533 (2004), an arms embargo on The Democratic Republic of the Congo;

Resolution 1572 (2004), an arms embargo on Côte d'Ivoire;

Resolution 1591 (2005), an arms embargo on the Sudan;

Resolution 1718 (2006), an arms embargo, assets freeze, and travel ban on the Democratic People's Republic of Korea (DPRK);

Resolution 1737 (2006), a proliferation-sensitive embargo on designated persons and entities in Iran.

UNSC Counter-Terrorism Committee (CTC):

Established pursuant to Resolution 1373 adopted in 2001,

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this ad hoc committee consists of all the members of the council, and seeks to monitor implementation of this resolution with the assistance of appropriate expertise. The current chair of the committee is Ambassador Neven Jurica of Croatia.

Under Resolution 1535 (2004), the Security Council established the Counter-Terrorism Committee Executive Directorate (CTED) to further assist the work of the Committee and thus to strengthen States' capacity to combat terrorism. CTED's mandate was extended until the end of 2010 by Resolution 1805 (2008).

In September 2005, the Security Council adopted resolution 1624 on incitement to commit acts of terrorism, calling on UN Member States to prohibit it by law, prevent such conduct, and deny safe haven to anyone "with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct."

In addition to calling on States to continue international efforts to enhance dialogue and broaden understanding among civilizations, the Council directed the Committee to include in its own dialogue with countries their efforts to implement resolution 1624 (2005).

UNSC 1540 Committee:

Established with a two-year mandate pursuant to Resolution 1540 (April 2004), this committee consists of all 15 members of the Security Council. It is charged with monitoring the implementation of the resolution, which seeks to prevent terrorist acquisition of weapons of mass destruction, their delivery systems, and related materials, with the assistance of appropriate expertise. Its activities include examining national implementation reports, coordinating technical assistance to those countries requesting help in implementing the resolution, and conducting outreach and profile building around the work of the committee. The chair is Ambassador Jorge Urbina of Costa Rica.

The report of the 1540 Committee to the Security Council was submitted on 27 April 2006. After considering the report, the Security Council in its Resolution 1673 extended the mandate of the committee by two years and decided that the committee should intensify its efforts to promote the full implementation of the resolution.

In April 2008, the Security Council unanimously voted to extend the mandate of the 1540 Committee for an additional 3 years. Resolution 1810 required the 1540 Committee to submit a second report to the Security Council no later than 31 July and to complete a comprehensive review of implementation by 31 January 2009. The Committee submitted its report on 8 July, at which point 155 countries and one organization had submitted at least one report. 102 countries had also submitted additional information.

Developments in the Security Council:

2008: On 3 March, the Council adopted Resolution 1803 imposing a new round of sanctions against Iran for refusing to suspend uranium enrichment and to close down its heavy water facility. The preambular paragraphs of the resolution affirm the importance of states' compliance to NPT obligations and stressed the importance of resolving the Iranian nuclear issue and realizing the objective of a Middle East free of weapons of mass destruction. It also expressed concern over Iran's non-implementation of Security Council resolutions.

The resolution furthermore welcomed the agreement between Iran and the IAEA to resolve all outstanding issues concerning Iran's nuclear program and progress made in this regard. It also requested Iran to take immediate steps mandated by the IAEA Board of Governors in its resolution GOV/2006/14. The resolution required all states to exercise "vigilance and restraint" in denying entry or transit of individuals who could assist Iran's nuclear program and nuclear weapon delivery systems. It further extends the freeze of the financial assets of persons or entities supporting Iran's nuclear program and nuclear-weapon delivery systems.

The Security Council on 20 March adopted Resolution 1805 extending the mandate of the Counter-Terrorism Committee Directorate until 31 December 2010. The resolution affirms the Counter-Terrorism Committee's (CTC) decision to support the recommendations contained in the revised "Organizational plan for the Counter-Terrorism Committee Executive Directorate (S/2008/80)." It also required the CTC to submit an annual report on the implementation of the 1805 resolution.

On 25 April, the unanimous adoption of Resolution 1810 extended the mandate of the 1540 Committee for an additional three years and called for a comprehensive review of the status of implementation. The Security Council emphasized the need to enhance ongoing cooperation between the 1540 Committee, the CTC, and the Al-Qaida and Taliban sanctions committee.

On 27 September, the Security Council passed Resolution 1835 calling upon Iran to fulfill without delay its obligations under Resolutions 1737, 1747, and 1803.

2007: On 25 March, the UNSC unanimously passed resolution 1747 tightening economic and political sanctions on Iran for its refusal to halt uranium enrichment. While South Africa, Qatar, and Indonesia proposed amendments, including a South African proposal for a 90-day "time out" to allow more time for negotiations with Iran, no significant amendments were made to the resolution. In addition to measures related to Iran's nuclear program, the resolution also include a

conventional arms embargo affecting organizations such as the Iranian Revolutionary Guard.

Iran continued to insist that its nuclear activities are in compliance with the NPT and continued to call into question both the legitimacy of the UNSC and the legality of the resolution.

The resolution calls for a report from the IAEA within 60 days on whether Iran has complied with the resolution's demands.

In May 2007, the IAEA submitted its report, *Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolutions in the Islamic Republic of Iran*. The report deals with the developments since the IAEA Director General's report of 22 February 2007 on the implementation of the NPT Safeguards Agreement and relevant Security Council resolutions by Iran. The report stated that the Agency was able to verify the non-diversion of declared nuclear material in Iran, but maintains its inability to verify the scope and nature of Iran's nuclear program. In this regard, the report noted that as long as the long-standing issues are resolved and Iran implements the Additional Protocol, the Agency would not be able to determine the history of Iran's nuclear program.

On 29 June 2007, the Security Council adopted Resolution 1762 which terminated the mandate of UNMOVIC under the relevant resolutions.

In November 2007, the IAEA submitted its report, *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran.* The report discussed the status of implementation of the working plan the Agency had concluded with Iran to resolve the outstanding issues related to its nuclear program. The report stated that while the Agency was able to verify the past activities pertaining to the centrifuge program it continues to seek further information to verify the completeness of Iran's declarations. It further stated that Iranian nuclear activities related to enrichment and heavy water is contrary to the relevant UN Security Council resolutions. It also urged Iran to implement the Additional Protocol to enable the Agency to assure the international community of the peaceful nature of Iran's nuclear program.

The Security Council on 10 December 2007 adopted Resolution 1787 extending the mandate of the CTC until 31 March 2008.

2006: On 29 March, the Security Council agreed on a presidential statement that called upon Iran to suspend all uranium enrichment-related and reprocessing activities. This statement marks the first time that the Security Council has directed Iran to address international concerns over its nuclear program. The council unanimously approved the statement requesting the IAEA director-general to report within 30 days on Iran's compliance with its demands. The statement was issued after a flurry of negotiations among the Permanent Five. While there seems to be agreement among the United States, the United Kingdom, and France regarding approaches to the Iranian issue, including strong support for sanctions under Chapter VII, China and Russia have voiced their opposition to such action and stress more diplomatic means to resolving the issue.

On 28 April, the IAEA director-general submitted a report to the Security Council pursuant to the 29 March presidential statement in which he detailed the IAEA's findings on the implementation of safeguards in Iran.

On 27 April, the Security Council adopted Resolution 1673 (2006) thereby extending the mandate of the 1540 Committee by another two years until 27 April 2008. The Council endorsed several of the recommendations made by the 1540 Committee, including the requirement of Resolution 1540 and the importance of all states to fully implement the resolution; the call for all states that have not yet presented a first report on steps they have taken or intend to take to implement Resolution 1540 to submit such a report to the 1540 Committee without delay; and the decision that the 1540 Committee shall intensify its efforts to promote the full implementation by all states of Resolution 1540 through a work program, which includes the compilation of information on the status of states' implementation of all aspects of the resolution, including outreach, dialogue, assistance, and cooperation. According to the resolution, the work program should address in particular all aspects of paragraphs 1, 2, and 3 of Resolution 1540, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts, and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such export and trans-shipment, and in that regard, the pursuit of the ongoing dialogue between the 1540 Committee and states on the full implementation of the resolution are needed, including further actions needed from states to that end and on technical assistance needed and offered. Resolution 1673 also invited the 1540 Committee to explore experience-sharing and lessons learned in the areas covered by Resolution 1540 with states and international, regional, and sub-regional organizations. The final recommendation in the resolution asks the 1540 Committee to submit to the Security Council a report no later than 27 April 2008 on compliance with Resolution 1540.

On 15 July, acting "under its special responsibility for the maintenance of international peace and stability," the Security Council unanimously adopted a resolution imposing sanctions on North Korea for its ballistic missile program, while also condemning Pyongyang's missile

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tests that occurred on 5 July. Resolution 1695 requires all UN member states to stop imports and exports of any material or funds relating to the DPRK's missile programs or WMD. It also demands North Korea "suspend all activities related to its ballistic missile program," and to re-establish a moratorium on the launching of missiles.

On 31 July, the Security Council adopted Resolution 1696, in which it expressed its serious concern over the continued inability of the International Atomic Energy Agency (IAEA) to provide assurances about Iran's undeclared nuclear material and activities after more than three years. The council demanded that Iran suspend all enrichment-related and reprocessing activities, including research and development, and set a deadline (31 August 2006) for Iran to do so or face the possibility of economic and diplomatic sanctions. The council expressed its conviction that such suspension, as well as full, verified Iranian compliance with the IAEA Board of Governor's requirements, would contribute to a diplomatic, negotiated solution that guaranteed Iran's nuclear program was for exclusively peaceful purposes. The council also endorsed the proposals of China, France, Germany, the Russian Federation, the United Kingdom, and the United States, with the support of the European Union's high representative, for a long-term comprehensive arrangement, which would allow for the development of relations with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear program. The resolution was adopted under Chapter VII with a vote of 14 in favor to 1 against (Qatar).

The Democratic People's Republic of Korea conducted a nuclear test on 9 October, 2006. In response, the Security Council passed Resolution 1718 acting under Chapter VII of the UN Charter condemning the test and mandating that "all Member States shall prevent the direct or indirect supply, sale or transfer to the DPRK of any materials relating weapons of mass destruction programs, including the immediate freezing of funds or other financial assets and economic resources which are being engaged in or providing support for, including through other illicit means, DPRK's nuclear-related, other weapons of mass destruction-related and ballistic missile related programs.

On 23 December, after months of threatening action, the UN Security Council adopted resolution 1737, imposing sanctions on Iran for refusal to verifiably suspend uranium enrichment and reprocessing, and allow for further IAEA inspections and the resumption of negotiations. The resolution gave Iran 60 days to suspend "suspect activities" to the satisfaction of the IAEA.

2005: During the first nine months of 2005, the Security Council seized itself of threats to international peace and security caused by instabilities in a number of countries around the world as well as by terrorist acts. Significant resolutions included Resolution 1583 in January on the situation in the Middle East, which extended the mandate of United Nations Interim Force in Lebanon (UNIFIL) through July 31, 2005, and re-affirmed the pressing need "to achieve, a comprehensive, just, and lasting peace" in that region. In July, resolution 1614 further extended the mandate of UNIFIL through January 31, 2006.

Resolution 1611, passed in July, again re-affirmed the role and position of the CTC in ending threats to international peace and security caused by terrorist acts, and condemned the terrorist bombings carried out in London on July 7.

On 29 July, acting under Chapter VII of the UN Charter, the Security Council passed Resolution 1617. The resolution focuses on Al-Qaeda, Osama bin Laden, the Taliban, and associated individuals and groups, and reinforces the "Consolidated List" of suspected individuals and entities as created by Resolutions 1267 (1999) and 1455 (2003) by requiring states to freeze assets, to prevent entry into or transit through said states, and not to supply arms and related materials to any person or entity on the list. The resolution further broadens the scope of the Consolidated List by deciding that any person or group participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of; supplying, selling or transferring arms and related materiel to; recruiting for; or otherwise supporting acts or activities of al-Qaeda, Usama bin Laden, or the Taliban, indicate that they are "associated with" Al-Qaeda, Usama bin Laden or the Taliban. It also extended the mandate of the New York-based Monitoring Team that assists the committee established pursuant to Resolution 1267 for an additional 17months.

During the Security Council Summit 2005 in September, the UNSC passed Resolution 1624, which calls upon states to adopt measures to further restrict terrorist acts, including prohibiting by law "incitement to commit a terrorist act or acts."

2004: During the month of January, the Security Council focused on threats to international peace and security caused by terrorist acts, the situation in the Middle East, the Western Sahara, the Democratic People's Republic of the Congo, and Georgia. Two significant resolutions were passed: Resolution 1525 on the situation in the Middle East, and Resolution 1526 on threats to international peace and security caused by terrorist acts. Resolution 1525 focused on the UNIFIL in support of the territorial integrity, sovereignty, and political independence of Lebanon within its internationally recognized boundaries. The council further stressed the importance of, and the need to achieve, a comprehensive just and lasting peace in the Middle East. Resolution 1526 focused on the role of states, international bodies, and regional organizations in efforts to act under Chapter VII of the Charter of the United Nations to combat threats to

international peace and security caused by terrorist acts. This resolution centered around meeting the specific threat of Al-Qaeda and members of the Taliban and any individuals, groups, undertakings, or entities associated with them, by freezing their funds and other financial assets and economic resources. The council urged all states and relevant international, regional, and subregional organizations to become more directly involved in capacity-building efforts and to offer technical assistance in areas identified in consultation with the Counter-Terrorism Committee (CTC).

During the month of March, the UN Security Council reaffirmed the role and position of the CTC in the global effort to fight terrorism. In the aftermath of the 11 March, 2004 terrorist bombings in Madrid, delegates to an international conference on terrorism in Vienna adopted the "Vienna Declaration," which acknowledges the need to give help to a large number of UN Member States to implement the provisions of Security Council Resolution 1373 and the 12 anti-terrorism treaties.

That landmark resolution, adopted in the wake of the 11 September 2001 terror attacks against the United States, established the CTC and called on member states to prevent and suppress the financing of terrorism, refrain from providing any support to entities or persons involved in terrorist acts, and deny safe haven to those who finance, plan, support, and commit such acts.

On 28 April, the UN Security Council unanimously approved Resolution 1540 by a vote of 15-to-0 to keep chemical, biological, and nuclear weapons out of the hands of terrorists. The resolution seeks to address the threat of weapons of mass destruction being used by non-state actors. It calls on all 191 UN members to draw up legislation and strengthen laws to prevent terrorists and black market agents from being able to "manufacture, acquire, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery." The resolution asks countries to report on their compliance within six months, and it establishes Security Council monitoring for two years. It also recognizes that some countries may require assistance in implementing the provisions of this resolution within their territories and invites states in a position to do so to offer assistance as appropriate in response to specific requests from states lacking the legal and regulatory infrastructure, implementation experience, and resources to fulfill the provisions of the resolution. The measure seeks to criminalize the spread of weapons of mass destruction and to ensure that all countries have strong export controls and are taking steps to secure sensitive materials within their borders.

2003: The Security Council met several times during the first few months of 2003, most notably with regard to the situation in Iraq. During this time, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the IAEA submitted regular reports of their inspections in the country. The council passed two resolutions that pertained specifically to this region, Resolutions 1461 and 1483. Resolution 1461, adopted on 30 January 2003, addressed "the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East."

On 7 March 2003, the executive chair of UNMOVIC, Dr. Hans Blix, reported that "no underground facilities for chemical or biological production or storage were found" in Iraq at that time. Referring to Resolution 1284, which called on the Security Council to "address unresolved disarmament issues and to identify key remaining disarmament tasks," Blix noted that "a sustained inspection and monitoring system [was] to remain in place after verified disarmament to give confidence and to strike an alarm if signs were seen of the revival of any proscribed weapons programs." At the same meeting on 7 March, IAEA Director General Mohamed ElBaredei also submitted his report to the Security Council noting that the agency had "conducted a total of 218 nuclear inspections at 141 sites" and had found "no indication of resumed nuclear activities…nor any indication of nuclear-related prohibited activities at any inspected sites." In the weeks that followed, members of the Security Council voiced different views on the disarmament process and no consensus was reached on the use of force to disarm the country. Intense debate in the council between several delegations, most notably the United States and France, concluded in mid-March as negotiation on Iraq failed to bring about consensus. On 17 March 2003, the council ordered inspectors from the IAEA and UNMOVIC to withdraw from the country as "Operation Iraqi Freedom," led by coalition forces from the United States and United Kingdom, began.

Resolution 1483, adopted 22 May 2003, confronted the situation between Iraq and Kuwait. It reaffirmed the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq. It also lifted all trade, financial, and economic sanctions against the country established by prior UN resolutions.

The council noted a letter of 8 May 2003 from the "Permanent Representatives of the United States of America and the United Kingdom to the President of the Security Council" (S/2003/358) that recognized the specific authorities, responsibilities, and obligations under applicable international law of these states as occupying powers under unified command. The resolution also called upon the authority and relevant organizations to continue efforts to locate, identify, and repatriate all Kuwaiti and third-state nationals as well as the Kuwait archives; the previous Iraqi regime had failed to undertake these efforts. The resolution also "vested the occupation forces in Iraq with broad powers in accordance with

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international law and international conventions" and included powers to search for weapons of mass destruction as well as new forms and methods of work done by UNMOVIC in Iraq. This resolution reaffirmed that Iraq had to meet its disarmament obligations in the aftermath of "Operation Iraqi Freedom." It encouraged the United Kingdom and the United States to keep the council informed of their activities in this regard, and underlined the intention of the Council to revisit the mandates of UNMOVIC and the IAEA as set forth in Resolutions 687 (1991), 1284 (1999), and 1441 (2002).

The council passed two other significant resolutions in addition to Resolution 1483: Resolutions 1472 and 1476. These resolutions call for the termination of the Oil for Food Program and request that the UN transfer $1 billion to the Development Fund for Iraq (DFI) as soon as possible. They also call on international financial institutions to assist in the reconstruction and development of Iraq and welcome creditors to seek a solution to Iraq's debt problems.

During the month of October, the Security Council focused its discussion primarily on the Middle East and Afghanistan. Two significant resolutions were passed, Resolution 1510 on expanding the role of the international effort in Afghanistan, and Resolution 1511 calling for a strengthening of the UN's "vital role" in Iraq.

On 5 October, it held a special emergency meeting to address an Israeli air strike against Syria.

With respect to the situation in Iraq, the council held an important meeting on 15 October at which it unanimously called for "power to be returned to the Iraqi people as soon as practicable." Through Resolution 1511 (2003), and under Chapter VII of the United Nations Charter, the council underscored the temporary nature of the Coalition Authority and determined that the Governing Council of Iraq embodied the sovereignty of that state until the establishment of a representative government was founded and assumed the responsibilities of the Coalition Authority.

The council urged member states and international financial institutions to make substantial pledges at the 23-24 October 2003 International Donors Conference in Madrid. It resolved that the UN should strengthen its vital role in Iraq by providing humanitarian assistance, promoting the economic reconstruction of and conditions for sustainable development in Iraq, and advancing efforts to restore and establish national and local institutions. The council further authorized a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including for the purpose of ensuring necessary conditions for the implementation of the timetable and program as well as to contribute to the security of the United Nations Assistance Mission for humanitarian and economic infrastructure.

In addition to the meetings on Iraq, the council met to discuss the situation in the Middle East between Palestine and Israel as well as Afghanistan. It called on the international community to assist the parties in the Middle East conflict to commit to confidence-building measures to stop the ever-worsening violence. With respect to Afghanistan, the council addressed the fundamental, structural causes of insecurity that remained unresolved. It noted that the trend toward targeting civilian personnel supported the view that the United Nations must also be seen as a target in the ongoing terrorist threats made by forces benefiting from instability in the country.

2002: On 8 November, the council unanimously adopted Resolution 1441, holding Iraq in "material breach" of its obligations under previous resolutions, and decided to afford it a "final opportunity to comply" with its disarmament obligations, while setting up an enhanced inspection regime. The council also decided it would convene immediately upon the receipt of any reports from inspection authorities that Iraq was interfering with their activities and recalled repeated warnings by the council that Iraq would face "serious consequences" as a result of continued violations. UNMOVIC and the IAEA would have "immediate, unimpeded, unconditional and unrestricted access" to any sites in Iraq, including presidential sites.

On 25 November, the first inspectors arrived in Baghdad. On 7 December, one day before the deadline set by Resolution 1441, Iraq handed over to the United Nations the required declaration "of all aspects of its programmes to develop chemical, biological, and nuclear weapons, ballistic missiles and other delivery systems." The executive chair of UNMOVIC, Hans Blix, and the director general of the IAEA, Mohamed ElBaradei, briefed the council in closed consultations on their initial assessment of the declaration and progress of inspections on 19 December.

2001: On 28 September, the UNSC adopted Resolution 1373, which established the CTC. In Resolution 1373, the UNSC called on all states to exchange information on the threat posed by the possession of WMD by terrorist groups, and to adhere to and implement relevant terrorism conventions. It noted with concern the close connection between international terrorism and illegal movement of nuclear materials. It called on states to report to the CTC on the implementation of Resolution 1373.

1998: The Security Council unanimously adopted Resolution S/1172 on 6 June in response to nuclear tests by India on 11 and 13 May and by Pakistan on 28 and 30 May. The resolution called on the two countries to refrain from further nuclear tests, to halt their nuclear weapon programs, and to join both the NPT and the

Comprehensive Test Ban Treaty (CTBT). The resolution also implicitly denied the countries their claimed nuclear-weapon-state (NWS) status.

1995: On 11 April, the Security Council adopted by consensus Resolution 984, which updated the security assurances announced by the NWS on 5-6 April 1995. It goes farther than Resolution 255 (1968) in that it recognizes that the non-nuclear weapon states (NNWS) parties to the NPT want the Security Council, and more specifically the NWS, to act quickly should such states be the victim of an act of nuclear aggression. The new resolution also urged all states to pursue in good faith effective measures relating to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control.

1992: According to the Summit Declaration adopted by the Security Council on 31 January, the proliferation of all WMD constitutes a threat to international peace and security. The members of the council committed themselves to working to prevent the spread of technology related to the research on or production of such weapons and to taking appropriate action to that end. They emphasized the integral role in the implementation of the NPT of fully effective IAEA safeguards, as well as the importance of effective export controls. They would take appropriate measures in the case of any violations brought to their attention by the IAEA. They recognized the importance of all states providing all the information called for in the General Assembly's resolution on the UN register of arms transfers.

1968: On 19 June 1968, the Security Council adopted Resolution 225 which recognized that aggression with nuclear weapons or the threat of such aggression against a NNWS would create a situation in which the council, and above all its NWS permanent members, would have to act immediately in accordance with their obligations under the UN Charter; welcomed the intention expressed by certain states that they will provide or support immediate assistance, in accordance with the charter, to any NNWS party to the NPT that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used; and reaffirmed the inherent right, recognized under Article 51 of the charter, of individual and collective self-defense if an armed attack occurs against a UN member, until the council has taken measures necessary to maintain international peace and security.

Organs Established by the Security Council

i. Monitoring, Verification and Inspection Commission (UNMOVIC) (1999-2007):

UNMOVIC was established pursuant to Security Council Resolution 1284 (1999) to undertake the responsibilities of the former United Nations Special Commission on Iraq (UNSCOM). UNMOVIC is mandated to establish a reinforced, ongoing monitoring and verification system, address unresolved disarmament issues, and assume UNSCOM's assets, liabilities, and archives.

Resolution 1284 was adopted by a vote of 11 in favor to none against, with 4 abstentions (China, France, Malaysia, and the Russian Federation). It required the suspension and lifting of sanctions against Iraq under certain conditions. Once UNMOVIC and the IAEA reported Iraq's cooperation in all respects with the reinforced monitoring system for a period of 120 days, the sanctions would be suspended for 120 days, renewable by the council. If at any time the executive chair of UNMOVIC or the director-general of the IAEA reported that Iraq was not cooperating, or if Iraq was in the process of acquiring any prohibited items, the economic sanctions would be reimposed. According to the resolution, the government of Iraq would be liable for costs incurred by UNMOVIC and the IAEA for their work in Iraq.

On 27 January 2000, the UN secretary-general appointed Hans Blix (Sweden) to be the executive chair of UNMOVIC; he served through June 30, 2003. The executive chair reports every three months on the work of UNMOVIC.

The secretary-general was also asked to appoint experts to a College of Commissioners for UNMOVIC, to meet regularly to review the implementation of relevant council resolutions and advise the executive chair. The commissioners were named by the secretary-general in March 2000, as follows: Abigun Ade Abiodun (Nigeria), Reinhard Böhm (Germany), Ronald Cleminson (Canada), Cong Guang (China), Therese Delpech (France), Robert Einhorn (United States), Yuriy V. Fedotov (Russian Federation), Kostyantyn Gryshchenko (Ukraine), Gunterio G. Heineken (Argentina), Hannelore Hoppe (United Nations-Department of Disarmament Affairs), Takanori Kazuhara (Japan), Roque Monteleone-Neto (Brazil), Annaswamy Narayana Prasad (India), Marjatta Rautio (Finland), Paul Schulte (United Kingdom), and Cheikh Sylla (Senegal).

UNMOVIC's inspectors were withdrawn from Iraq in March 2003, though it maintains work in connection with those parts of its mandate that fall outside of Iraq, and preserves a certain amount of readiness to resume work in Iraq.

On 1 July 2003, the secretary-general of the United Nations appointed Mr. Demetrius Perricos (Greece) as acting executive chair of UNMOVIC. There are more than 300 experts on its roster, and the entity continues to respond to requests for training.

Members of the College of Commissioners as of September 2005 included: Adigun Ade Abiodun (Nigeria); Reinhard Böhm (Germany); Ronald Cleminson (Canada); Thérèse Delpech (France); Yuriy V. Fedotov

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(Russian Federation); Gunterio G. Heineken (Argentina); Hannelore Hoppe (United Nations - Department for Disarmament Affairs); Yongshou Lu (China); Takanori Kazuhara (Japan); Roque Monteleone-Neto (Brazil); Olga Pellicer (Mexico); Annaswamy Narayana Prasad (India); Stephen G. Rademaker (United States); Anatoliy Scherba (Ukraine); Cheikh Sylla (Senegal); and Bryan Wells (United Kingdom of Great Britain and Northern Ireland).

On 29 June 2007, the Security Council adopted Resolution 1762 which terminated the mandate of UNMOVIC under the relevant resolutions.

Point of Contact:

Website: http://www.unmovic.org/

ii. Special Commission on Iraq (UNSCOM) (1991-1999):

UNSCOM was established pursuant to Paragraph 9(b)(I) of UNSC Resolution 687 (3 April 1991), for the purposes of eliminating Iraq's capabilities vis-à-vis WMD and ballistic missiles with a range greater than 150 km, and ensuring that Iraq does not reacquire these capabilities. In the nuclear area, UNSCOM provided assistance and cooperation to the IAEA. Both UNSCOM and the IAEA had extensive rights that enabled them to fulfill the mandate, emanating from Resolution 687 and elaborated upon in the exchange of letters between the UN Secretary-General and the Minister of Foreign Affairs of Iraq in May 1991. Their rights also originated in UNSC Resolutions 707 and 715 (1991), which require the destruction, removal, and rendering harmless of Iraq's capabilities proscribed by the UNSC, and provide for the long-term monitoring and verification of Iraq's compliance with Security Council resolutions.

By the end of 1998, UNSCOM had fielded more than 250 inspection missions. In its operations, it had uncovered elements of Iraq's biological weapons program, advanced chemical weapons capabilities, and missile production facilities. Among other things, it had destroyed 48 operational long-range missiles, 14 conventional missile warheads, 30 chemical missile warheads, 690 tons of chemical weapons agent, the Al-Hakam biological weapons facility, and other biological weapons production equipment and materials. A comprehensive list of UNSCOM's achievements can be found at http://www.un.org/Depts/unscom/Achievements/achievements.html.

On 2 March 1998, the Security Council issued Resolution S/1154 stating it was determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under Resolution 687 (1991) and the other relevant resolutions. In addition, S/1154 endorsed the memorandum of understanding signed by the deputy prime minister of Iraq and the UN secretary-general on 23 February 1998 (S/1998/166), in which procedures for the inspection, of presidential sites were outlined in consultation with UNSCOM and the IAEA. On 9 September, the Security Council condemned Iraq's decision of 5 August 1998 to suspend cooperation with UNSCOM and the IAEA, a development it considered as a contravention of the memorandum signed in February. The resolution (S/1194) also demanded full cooperation and reiterated the Security Council's intention to ensure full compliance by Iraq with all the previous resolutions' obligations. On 5 November, another resolution (S/1205) condemned the 31 October decision by Iraq to cease cooperation with UNSCOM and demanded that Iraq rescind both its decisions of 5 August and 31 October. The Security Council demanded that Iraq cooperate with UNSCOM and the IAEA immediately, completely, and unconditionally. However, following several more weeks of non-compliance, the Special Commission withdrew its staff from Iraq on 15 December 1998. The Security Council sought new ways to re-establish a cooperative relationship with Iraq, including plans for renewed monitoring and verification. Three panels were established in order to focus on the main issues surrounding Iraq: disarmament and current and future ongoing monitoring and verification issues, humanitarian issues, and prisoners of war and Kuwaiti property.

The semi-annual reports of the commission are available at http://www.un.org/Depts/unscom/unscmdoc.htm.

The bulk of UNSCOM's expenses were met directly by supporting governments in the form of contributions in kind of personnel, supplies, and equipment. Operational expenses were met from cash contributions made from various countries and from unfrozen Iraqi assets made available to the UN. Security Council Resolution 986 of 1995 allowed for some funds from the sale of Iraqi oil to be used to meet UNSCOM operating costs. The cash requirements of the commission totaled approximately $25-30 million per year.

The Special Commission consisted of 21 members: Australia, Austria, Belgium, Canada, China, Czech Republic, Finland, France, Germany, Indonesia, Italy, Japan, Netherlands, Nigeria, Norway, Poland, Russia, Sweden, United Kingdom, United States, and Venezuela.

UNSCOM had offices in New York, Bahrain, and Baghdad.

Richard Butler (Australia) completed his two-year tenure as executive chair of the commission on 30 June 1999. Deputy Executive Chairman Charles A. Duelfer (U.S.) served as officer-in-charge until UNMOVIC was established. On 17 December 1999, the Security Council adopted Resolution 1284 replacing UNSCOM with UNMOVIC.

iii. UNSC Military Staff Committee:

Under Article 47 of the UN Charter, this committee can potentially advise and assist the Security Council on the maintenance of international peace and security, and on the regulation of armaments and possible disarmament. The committee has, however, never been constituted.

United Nations (UN) General Assembly (UNGA)

Membership: All 192 UN Member States.

Functions: Under Article 11 of the UN Charter, the General Assembly (UNGA) considers general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and makes recommendations to UN Member States or to the Security Council. The UNGA is the only truly representative body discussing disarmament and international security issues, and its decisions have led to significant developments.

The UNGA has two subsidiary bodies dedicated to disarmament issues: the Disarmament and International Security Committee (First Committee) and the United Nations Disarmament Commission (UNDC). While not subsidiary to the UNGA, the United Nations Institute for Disarmament Research (UNIDIR) and the Advisory Board on Disarmament Matters are also discussed in this section. Additionally, the UNGA receives input through numerous Reporting Mechanisms and Groups of Government Experts. Comprehensive updates on all of these bodies and organs can be found below.

Some major achievements of the UNGA in the field of arms control, nonproliferation, and disarmament include endorsement of the NPT (1968) endorsement of the Convention on the Prohibition of Bacteriological and Toxin Weapons (BTWC, 1972), adoption of the Final Document of the First Special Session on Disarmament (1978), endorsement of the Convention on the Prohibition of Chemical Weapons (CWC, 1992), adoption of the CTBT (1996), and adoption of the Program of Action agreed at the Conference on the Illicit Trafficking of Small Arms and Light Weapons (SALW, 2001).

The General Assembly has held three special sessions on disarmament — in 1978 (resulting in adoption of a consensus report), 1982, and 1988. A fourth special session has been under consideration since 1994, but States have so far been unable to agree on a final agenda for the meeting. Whether or not the total elimination of nuclear weapons, set as a priority at the 1978 special session, should remain the priority goal has repeatedly led to disagreement. (Resolutions/decisions calling for the "Convening of the fourth special session of the General Assembly devoted to disarmament": 49/75I, 50/70F, 51/45C, 52/38F, 53/77AA, 54/54U, 55/33M, 56/24D, 57/61, decision 58/521, 59/71, decision 60/518, 61/60, 62/29, and decision 63/519).

Under the Relationship Agreement between the United Nations and the IAEA and under the IAEA Statute, the IAEA annually submits reports to the UN, which are considered at the UNGA plenary meetings.

On an annual basis, the UNGA adopts resolutions and decisions related to nonproliferation, disarmament, arms control, and international security upon recommendation by its First Committee.

Compliance: While the decisions of the UNGA have no legally binding force for governments, they carry the weight of world opinion on major international issues, as well as the moral authority of the world community. The Security Council may recommend the suspension from exercising rights and privileges of General Assembly Membership when the Council is repetitively taking preventive or enforcement action for conflicts. Though all nations are treated as equals within the UNGA structure, the body can, with the advice of the credentials committee, agree to suspend the voting rights of a member nation's representative. The UNGA can expel a member state, with the council's recommendation, for repeatedly violating the principles of the United Nations Charter. A number of countries have had their voting rights temporarily suspended for falling too far behind in their dues.

Recent Developments:

2008: On 27 October, the General Assembly adopted the report of the International Atomic Energy Agency (IAEA) without a vote. The resolution (63/6) appealed to member states to support the activities of the agency. This was the second year in a row that States had reached consensus and were able to adopt the resolution without a vote.

On 3 November, the General Assembly heard presentations from Tibor Tóth, Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) and Rogelio Pfirter, Director-General of the Organization for the Prohibition of Chemical Weapons (OPCW) on the work of their respective organizations. Resolution 63/13 was adopted by a vote of 64-1-0 (United States against) which placed "Cooperation between the United Nations and the Preparatory Commission for the CTBTO" on the provisional agenda of the 65th session of the UN General Assembly.

On 2 December, the General Assembly adopted 53 resolutions and four decisions on the recommendation of

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its First Committee (Disarmament and International Security).

2007: On 29 October, the General Assembly adopted the report of the International Atomic Energy Agency (IAEA) without a vote. The resolution (62/2) appealed to Member States to support the activities of the agency. Similar resolutions had required votes in each of the previous three years.

On 5 December, the General Assembly adopted 49 resolutions and three decisions on the recommendation of its First Committee.

2006: On 27 April, the secretary-general released his report, "Uniting against terrorism: recommendations for a global counter-terrorism strategy." The report is a follow-up document to the outcome of the Millennium Summit, which calls for member states to reach a universal agreement on a counter-terrorism strategy. The report contains recommendations for building the global counter-terrorism strategy, with an emphasis on specific proposals for strengthening the capacity of the United Nations to combat terrorism.

The recommendations for a strategy seek to both guide and unite member states by emphasizing five operational elements:

- Dissuading groups from resorting to terrorism or supporting it: The first element emphasizes the important principle that terrorism is unacceptable and recognizes the need to address conditions conducive to exploitation by terrorist are essential foundations for building an effective strategy.
- Denying terrorist the means to carry out an attack: This element includes several important measure such as denying financial support; denying access to weapons, including weapons of mass destruction; denying access to recruits and communication lines by countering terrorist use of the Internet; denying terrorist access to travel; denying terrorist access to targets and the desired impact of their targets
- Deterring states from supporting terrorists groups: In its third element, the report calls on all member states to become parties to and implement the 13 universal instruments related to the prevention and suppression of international terrorism and advises states to fully implement Security Council resolutions on counter-terrorism, in particular resolution 1267 (1999) and its successor resolutions, resolutions 1373 (2001) and 1540 (2004).
- Developing a state capacity to prevent terrorism: The fourth element identifies several priority areas on which to focus such as promoting the rule of law, respect for human rights, and effective criminal justice systems, promoting quality education and religious and cultural tolerance, countering the financing of terrorism, ensuring transport security, strengthening state capacity to prevent terrorists from acquiring nuclear, biological, chemical, or radiological materials, ensuring better preparedness for an attack with such materials, and institutionalizing the Counter-Terrorism Implementation Task Force. It also praises the work of the Counter-Terrorism Committee and the creation of the Counter-Terrorism Committee Executive Directorate that reinforces the committee's efforts towards more effective collaboration and state capacity-building. It also emphasizes providing the proper resources to counter terrorism and urges the promotion of a United Nations system-wide coherence in countering terrorism. Member states are urged to conclude, as soon as possible, a comprehensive convention on international terrorism, intended to send a strong signal of international unity and strengthen the moral authority of the United Nations.
- Defending human rights in the context of terrorism and counter-terrorism: The final element stresses the importance of upholding and defending human rights, not only of those suspected of terrorism, but also of those victimized by terrorism and those affected by the consequences of terrorism as essential to all components of an effective counter-terrorism strategy.

2005: On April 13, the General Assembly unanimously approved the International Convention for the Suppression of Acts of Nuclear Terrorism, the first anti-terrorism treaty adopted since the September 11th attacks. The treaty, which places no new restrictions on the use of nuclear weapons by states, will become effective after it is ratified by 22 states.

The secretary-general pressed UN members to adopt another convention during the 60th General Assembly that would provide a simple, universal definition of terrorism and outlaw all forms of terrorism against civilians. That treaty should define a wide range of acts of nuclear terrorism, against a broad set of targets, and require those who plan, threaten, or commit such crimes to be extradited or prosecuted. As yet no agreement exists on the scope or content of such a treaty.

The Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996, entitled "Measures to eliminate international terrorism" completed seven years' drafting work by adopting the draft

convention, by consensus, without amendment. The committee, chaired by the Russian Federation, requested the secretary-general to open the convention for signature at UN headquarters from 14 September 2005 to 31 December 2006. Distinct from prior years, the political will and momentum to conclude the draft texts of the convention was, in part, due to the impetus of the December 2004 High Level Panel Report on *Threats, Challenges and Change* and the secretary-general's March 2005 report, *In Larger Freedom*. An agreement on the text was struck after it was assured that the treaty would not be used to impose a generic definition on terrorism, a highly controversial issue.

The nuclear terrorism convention will join the 12 existing universal anti-terrorism conventions, strengthening the international legal framework in connection with terrorist acts and further promoting the rule of law.

Key provisions of the convention include:

- A wider definition (than the Convention on the Protection of Nuclear Materials) on materials and facilities covering both military and peaceful applications
- The criminalization of those planning, threatening, or carrying out acts of nuclear terrorism; it also requires states to criminalize these offenses via national legislation and to establish penalties in line with the gravity of such crimes
- Conditions under which states may establish jurisdiction for offenses
- Guidelines for extradition and other measures of punishment
- The requirement for states to take all practicable measures to prevent and counter preparations for offenses to take place inside or outside of their territories
- The distinction that the convention does not cover the activities of armed forces during an armed conflict or military exercise.

From September 14-16, under the presidency of H.E. Mr. Jan Eliasson of Sweden, world leaders met in New York for the World Summit 2005—a special High-Level Plenary Meeting of the UNGA. The summit aimed to review progress toward the Millenium Development Goals that governments agreed to in 2000, as well as find consensus toward a shared vision of collective security within the context of the current international peace and security landscape.

Despite intense negotiations, the Peace and Security section of the Summit's Final Outcome Document made no mention of disarmament or the non-proliferation of weapons of mass destruction.

The preamble to the section recognized "that many threats are interlinked, that development, peace, security and human rights are mutually reinforcing, that no State can best protect itself by acting entirely alone and that all States need an effective and efficient collective security system pursuant to the purposes and principles of the Charter."

Upon conclusion of the 2005 World Summit, the 60th UNGA began its regular general debate led by President Jan Eliasson of Sweden on 17 September. In his opening remarks to the debate, Secretary-General Kofi Annan urged the international community to begin to remedy "distressing failures" on nuclear nonproliferation and disarmament. During the plenary, states parties made repeated references to arms control, disarmament, multilateralism, nuclear energy, nuclear weapon free zones, proliferation, and terrorism.

Subsidiary Organs and Bodies Established by the General Assembly

Disarmament and International Security Committee (First Committee)

The First Committee of the United Nations General Assembly debates disarmament, nonproliferation, arms control, and international security issues, recommending resolutions and decisions for adoption by the plenary session of the UNGA.

Several of the resolutions recur in the First Committee year after year with minimal or no change in the text. Below is a summary of developments in the First Committee since 1997, highlighting the new resolutions in each issue area and those that continue to be of major significance. Voting results represent the final vote in the General Assembly. Statements by member states in the First Committee can be found at Reaching Critical Will.

Recent Developments:

2008: The 63rd session of the UNGA First Committee was held from 6-31 October and was chaired by Mr. Marco Antonio Suazo of Honduras. On 2 December, the General Assembly adopted 53 resolutions and four decisions on the recommendation of its First Committee.

In a voting pattern familiar to disarmament and security-related drafts—on nuclear weapons, other weapons of mass destruction, outer space, conventional weapons, regional disarmament and security, and disarmament machinery—recorded votes were sought for 30 drafts, with several requiring separate votes on contentious provisions in the bodies of the texts themselves.

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Nuclear weapons

- Sixteen resolutions and one decision were adopted in the nuclear weapons category, with the only two by consensus concerning nuclear-weapon-free zones: in the region of the Middle East (63/38); and Mongolia's international security and nuclear-weapon free status (63/56).

- The rest in that cluster, requiring recorded votes, addressed: the risk of nuclear proliferation in the Middle East (63/84); decreasing the operational readiness of nuclear weapons (63/41); conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (63/39); nuclear disarmament (63/46); convention on the prohibition of the use of nuclear weapons (63/75); reducing nuclear danger (63/47); advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons (63/49); missiles (63/55); towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments (63/58), for which a vote to retain operative paragraph 4 was also taken; establishment of a nuclear-weapon-free zone in Central Asia (63/63); the Hague Code of Conduct against Ballistic Missile Proliferation (63/64); nuclear-weapon-free southern hemisphere (63/65), for which a separate vote on operative paragraph 6 was taken; United Nations conference to identify appropriate ways of eliminating nuclear dangers in the context of nuclear disarmament (decision); Comprehensive Nuclear-Test-Ban Treaty (63/87); and renewed determination towards the total elimination of nuclear weapons (63/73).

Other weapons of mass destruction

- Three of the five resolutions grouped under other weapons of mass destruction were adopted without a vote. These addressed: biological weapons (63/88), the Chemical Weapons Convention (63/48), and measures to prevent terrorists from acquiring mass destruction weapons (63/60). The resolution on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament (63/36) was adopted by a vote of 175 in favor to 1 against (United States), with 1 abstention (Israel). The draft on measures to uphold the authority of the 1925 Geneva Protocol (63/53) was adopted by a vote of 174 in favor to none against, with 4 abstentions (Israel, Marshall Islands, Palau, United States).

Outer space (disarmament aspects)

- As in years past, a recorded vote was needed to adopt the resolution on the prevention of an arms race in outer space (63/40), which passed by 177 in favor to 1 against (United States), with 1 abstention (Israel). A recorded vote was also taken in adopting the resolution on transparency and confidence-building measures in outer space activities (63/68) by 180 in favor to 1 against (United States), with 1 abstention (Israel).

Conventional weapons

- Acting without a vote, the Assembly recognized the need for Member States to prevent and combat illicit brokering activities (63/67), and expressed concern that if proper measures were not taken, illicit arms brokering would adversely affect the maintenance of international peace and security and prolong conflicts, thereby impeding sustainable economic and social development, and result in the illicit transfers of conventional arms and the acquisition of weapons of mass destruction by non-State actors.

  The Assembly thus called on Member States to establish appropriate national laws to prevent and combat illicit brokering of conventional arms, and materials, equipment and technology that could contribute to the proliferation of mass destruction weapons and their delivery means consistent with international law.

- By a resolution on cluster munitions (63/71), the Assembly recalled the conclusion of negotiations at Dublin on 30 May on the Convention on Cluster Munitions and asked the Secretary-General to render the necessary assistance and to provide the necessary services to fulfill the tasks entrusted to him by the Convention.

- Approaching that issue via the traditional text on the Convention on Certain Conventional Weapons (63/85), the Assembly welcomed States parties' commitment to address the humanitarian problems caused by specific munitions, including cluster munitions, with a view to minimizing their humanitarian impact. The Assembly expressed support for the work of the Group of Governmental Experts to negotiate a proposal to urgently address the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations, and to make every effort to negotiate that proposal as rapidly as possible.

- Maintaining that an enhanced level of

transparency in armaments contributed greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms constituted an important step forward in promoting transparency in military matters, the Assembly reaffirmed its determination to ensure that Register's effective operation (63/69).

Six separate recorded votes were required to retain operative paragraphs 2, 3, 4, 5 (b), 5 and 7, which called upon Member States, with a view to achieving universal participation, to provide the Secretary-General, by 31 May annually, with the requested data and information for the Register, including inviting those in a position to do so to provide additional information on procurement through national production and military holdings and on transfers of small arms and light weapons. Further by those paragraphs, the Assembly asked the Secretary-General, with the assistance of a governmental expert group to be convened in 2009, to prepare a report on the Register's continuing operation and further development.

The resolution as a whole was adopted by a recorded vote of 160 in favor to none against with 22 abstentions.

- Action was postponed on a resolution concerning a possible arms trade treaty, pending review of its program budget implications by the Fifth Committee (Administrative and Budgetary). Approved in the First Committee, the text would establish an open-ended working group to meet in 2009 to further consider those elements in the report of the Group of Governmental Experts where consensus could be developed for inclusion in an eventual legally binding arms trade treaty.

- By a related text on the illicit small arms and light weapons trade, the Assembly underlined that the uncontrolled spread of those weapons in many regions of the world had wide ranging humanitarian and socio-economic consequences and seriously threatened peace, reconciliation, safety, security, stability and sustainable development at individual, local, national, regional and international levels. It encouraged national capacity-building for the implementation of the Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, including those highlighted in the Third Biennial Meeting of States' report. The Assembly also called upon all States to implement the International Tracing Instrument.

  Two separate recorded votes were taken before adoption of the whole text. The first was on operative paragraph 4, which endorses the measures highlighted in the Third Biennial Meeting of States to consider implementation of the small arms Program of Action. The second was on operative paragraph 13, by which the Assembly decided to convene an open-ended meeting of governmental experts for one week, no later than in 2011, to address key implementation challenges and opportunities relating to particular issues, including international cooperation and assistance.

  It adopted the resolution (63/72) as a whole on the illicit small arms and light weapons by a vote of 181 in favor to 1 against (United States), with no abstentions.

- Also adopted by recorded vote was a resolution in the conventional weapons sphere on the Mine Ban Convention (63/42).

- Three additional drafts related to conventional arms were adopted by consensus, including information on confidence-building measures in the field of conventional arms (63/57); problems arising from the accumulation of conventional ammunition stockpiles in surplus (63/61); and assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them (63/66).

Regional disarmament and security

- The Assembly adopted four of five draft resolutions, and one draft decision, by consensus. They addressed: maintenance of international security –- good neighborliness, stability and development in South-Eastern Europe (decision); regional disarmament (63/43); confidence-building measures in the regional and subregional context (63/45); strengthening of security and cooperation in the Mediterranean region (63/86); and regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa (63/78).

- The fifth draft resolution relating to regional disarmament—on conventional arms control at the regional and subregional levels (63/44)—was adopted 175 in favor to 1 against (India), with 2 abstentions (Bhutan, Russian Federation).

Other disarmament measures and international security

- The Assembly also took recorded votes on five draft resolutions related to other disarmament measures and international security. They

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included: promotion of multilateralism in the area of disarmament and non-proliferation (63/50); effects of the use of armaments and ammunitions containing depleted uranium (63/54); compliance with non-proliferation, arms limitation and disarmament agreements and commitments (63/59); consolidation of peace through practical disarmament measures (63/62), on which a separate vote was taken to retain preambular paragraph 10 as written; and developments in the field of information and telecommunications in the context of international security (63/37).

- The Assembly adopted five other resolutions on other disarmament measures and international security without a vote. They were: observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control (63/51); relationship between disarmament and development (63/52); role of science and technology in the context of international security and disarmament; United Nations study on disarmament and non-proliferation education (63/70); and United Nations Disarmament Information Program (63/81).

Disarmament machinery

- Also acting without a vote, the Assembly adopted seven resolutions and one decision related to disarmament machinery on: United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (63/74); convening of the fourth special session of the General Assembly devoted to disarmament (decision); United Nations regional centers for peace and disarmament (63/76); United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (63/77); Report of the Conference on Disarmament; Report of the Disarmament Commission (63/83); United Nations disarmament fellowship, training and advisory services (63/79); and United Nations Regional Centre for Peace and Disarmament in Africa (63/80).

On 24 December, the Assembly adopted the resolution on a possible arms trade treaty (63/240) by a recorded vote of 133 in favor to 1 against (United States), with 19 abstentions. This followed three separate recorded votes to retain operative paragraphs 3,4, and 5.

2007: The 62nd session of the UNGA First Committee was held from 4 October to 2 November and was chaired by Mr. Paul Badji of Senegal.

- The resolution "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (A/C.1/62/L.1) was adopted without a vote.
- Another resolution related to the region, ""The risk of nuclear proliferation in the Middle East" (A/C.1/62/L.2) was adopted by 164 votes in favor. The US was among only three states to cast a "no" vote.
- "Report of the Disarmament Commission" (A/C.1/62/L.3) adopted without a vote.
- "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them" (A/C.1/62/L.5) adopted without a vote.
- The draft decision "United Nations conference to identify appropriate ways of eliminating nuclear dangers in the context of nuclear disarmament" (A/C.1/62/L.6) was adopted by 123 in favor, 3 opposed and 44 abstentions.
- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (A/C.1/62/L.7)
- Iran's proposed resolution, "Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons" (A/C.1/62/L.8).
- The NAC proposed "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" (A/C.1/62/L.9) which was adopted by a vote of 151 in favor, 5 against, and 13 abstentions.

2006: The 61st session of the UNGA First Committee was held from 2 to 31 October and chaired by Ms. Mona Juul of Norway, the first woman to chair the First Committee since the creation of the UN.

During the general debate at the First Committee, the two major emerging developments seemed to be the support for the start of negotiations on a fissile material cut-off treaty (FMCT) and an arms trade treaty (ATT). Constructive discussions that took place at the 2006 session of the Conference on Disarmament (CD) appeared to have opened an opportunity to break the deadlock, with the FMCT as the central issue. Mexico, Switzerland, Japan, Belarus, South Korea, Turkey, the United States and other delegations voiced their support for the start of negotiations on an FMCT without conditions, while New Zealand, Indonesia, Australia, and especially Pakistan stressed that the future treaty must be verifiable.

A proposal to negotiate a new legally binding instrument on international conventional arms trade, promoted by the United Kingdom and Costa Rica, received wide support, Other major recurring topics and issues addressed by the delegations included the reaffirmation of the right to peaceful uses of nuclear energy, a diplomatic solution of the Iranian and North Korean crises, and the need for negative security assurances to be provided by nuclear-weapon states (NWS) to non-nuclear-weapons states (NNWS). When addressing the right to peaceful uses of nuclear energy, several states qualified that such a right should be exercised along with compliance with treaty obligations, and highlighted the importance of the IAEA safeguards in this regard.

In view of the heightened tensions surrounding the North Korean nuclear program and the 10th anniversary of the opening for signature of the Comprehensive Nuclear Test Ban Treaty (CTBT), a number of delegations addressed the importance of the treaty's entry into force and called on the nuclear weapon states to observe a moratorium on nuclear testing in the meantime. A large group of states called for the implementation of the Final Document of the 2000 NPT. However, while many emphasized the need to strengthen the nonproliferation regime, very few states mentioned the next NPT review cycle, which will begin with the May 2007 Preparatory Committee meeting in Vienna.

The First Committee recommended 52 resolutions and two decisions for adoption by the General Assembly. Of these, the draft resolution on an arms trade treaty was the biggest breakthrough of the committee's session, though not without difficulties and certain reservations. Some progress was also possible in the pursuit of adopting fewer resolutions and making those that are tabled more focused and action-oriented. However, disagreements over key substantive issues as nuclear disarmament, negative security assurances, prohibition of the production of fissile material for weapons purposes, and control over the transfer of conventional weapons persisted. Developments, successes and setbacks on key resolutions are discussed in greater detail below.

The draft resolutions adopted by the committee were divided into the following clusters: nuclear weapons (including disarmament, testing and nuclear-weapon-free-zones); other weapons of mass destruction (including missiles); outer space (disarmament aspects); conventional weapons; regional disarmament and security; other disarmament measures and international security, and disarmament machinery.

The following is an updated summary of the major resolutions in each issue area.

Nuclear weapons:

- The following resolutions remained practically the same with similar voting patterns of previous years: "Reducing Nuclear Danger" (61/85) adopted with 105 yes votes, 50 against, and 13 abstentions; "Convention on the Prohibition of the Use of Nuclear Weapons" (61/97) received a 108 votes in favor, 50 against, and 10 abstentions; and finally, "Nuclear disarmament" (61/78) passed with 105 in favor, 45 against, and 78 abstentions.

- "Renewed Determination towards the Total Elimination of Nuclear Weapons" (61/74). This resolution was first tabled by Japan in 2005. In 2006, the draft resolution was not introduced by any state, but issued with 10 co-sponsors and 26 additional sponsors – surprisingly, Japan not being one of them. The draft resolution was adopted by a vote of 169 in favor, 3 against (DPRK, India, and the United States) and 8 abstentions (Bhutan, China, Cuba, Egypt, Iran, Israel, Myanmar, Pakistan).

  Of the changes made in the text compared to 2005, the most notable is a paragraph that condemns the nuclear test announced by the Democratic People's Republic of Korea (DPRK). The resolution was again the most popular among the three on nuclear disarmament, especially among the nuclear-weapons States (NWS); however, the United States voted against it because of the reference to the CTBT.

- "Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons" (61/83) was introduced by Malaysia. The text of this resolution has not changed substantially from past years. A separate vote was requested on operational paragraph 1, which underlines the conclusion of the International Court of Justice (ICJ) regarding the obligation to pursue negotiations on nuclear disarmament. France joined Israel, Russia, and the United States in voting against the paragraph. The resolution as a whole was adopted by a vote of 117 in favor, 27 against, and 26 abstentions.

- The first draft of the New Agenda Coalition's resolution, "Towards a nuclear-weapon-free world: Accelerating the implementation of nuclear disarmament," (61/65) did not differ significantly from the previous year. It featured slightly stronger language on the NPT and a new paragraph condemning all tests by states not yet

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party to the NPT and all further tests by any state. The draft resolution was adopted by a vote of 148 in favor, seven against (DPRK, France, India, Israel, Pakistan, the United Kingdom, and the United States), and 12 abstentions.

- Australia, along with 44 other co-sponsoring states, introduced a draft resolution entitled "Comprehensive Nuclear-Test-Ban Treaty" (61/104). The updated draft demanded that the DPRK not conduct any further tests, while urging other states to refrain from such actions. The sponsors have also deleted the text urging for confidence-building measures among all states, focusing on ratification, particularly by the Annex II states. Many states and organizations offered their support for the implementation of the CTBT, the development of its verification regime, the International Monitoring System (IMS), and stressed a moratorium on nuclear testing. It was adopted with 175 votes in favor, four abstentions (Colombia, India, Mauritius, and the Syria Arab Republic), and two votes against the resolution: the DPRK and the United States). The United States explained its negative vote by the opposition to the treaty, but supported the paragraph that condemned the test carried out by the DPRK.

- "Prohibition of the production of fissile material for weapons purposes" (A/C.1/61/L.23) was introduced by Canada in view of the debate that had taken place at the Conference on Disarmament (CD) during the 2006 session and the US proposal on an FMCT submitted to the CD in summer. This new draft resolution urged the CD to commence the negotiations on an FMCT, regardless of whether there was progress on other issues (the three other major points of contention at the CD are PAROS, NSAs, and nuclear disarmament). Introduction of the resolution seemed to reflect the trend observed during the FC general debate. However, Canada's draft did not call on the negotiation of a verifiable treaty. Such text, emphasizing FMCT over other issues of concern and ignoring the verifiability, ran contrary to the expectations of several states. Canada had to withdraw the resolution, citing the divergence of opinions on the issue and lack of time to bridge the differences.

- "2010 Review Conference of the Parties to the Treaty on the Non- Proliferation of Nuclear Weapons and its Preparatory Committee" (61/70) was introduced by Brazil, as the chair of the 2005 NPT Review Conference. The text of the draft resolution is basically the same as the previous resolution, 56/24, on the first Preparatory Committee for 2005 NPT Review Conference, but the major change is in the location of the first PrepCom. PrepComs are normally held in New York and Geneva, but the 2007 PrepCom will take place in Vienna in April. The resolution was adopted by a vote of 163 in favor, none against, and three abstentions (India, Israel, and Pakistan). The DPRK did not vote on the resolution.

- Following the signing of the Central Asian Nuclear–Weapon-Free Zone (CANWFZ) Treaty in September 2006, Uzbekistan introduced an updated resolution, "Establishment of a nuclear-weapon-free zone in Central Asia," (61/88) co-sponsored by Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan. The resolution notes the readiness of the Central Asian states to continue consultations with NWS on a number of provisions of the treaty. It also recognizes the establishment of the CANWFZ as an effective contribution to combating international terrorism and preventing non-state actors from acquiring nuclear materials and technologies. While the resolution reaffirms the role of the United Nations in the establishment of nuclear-weapon-free zones, it does not give UNDDA any mandate related to the CANWFZ. The draft resolution was adopted by a vote of 128 in favor, three against (France, the United Kingdom, and the United States) and 36 abstentions, including Australia and Canada.

- "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (61/56) sponsored by Egypt, advocates, pending the establishment of the zone, for all states to place all nuclear activities under IAEA safeguards. As in previous years, the resolution was adopted without a vote.

- "The risk of nuclear proliferation in the Middle East" (61/103), which calls for Israel to join the NPT as a NNWS was passed with 156 votes for, six abstentions, and four against the resolution. As in previous years, the United States and Israel voted against; however, this year, several states expressed their concern that while Israel was called by name, Iran was not.

- "Nuclear-weapon-free southern hemisphere and adjacent areas" (Brazil, 61/69) was passed with 168 votes in favor, seven abstentions, and three against. The text of the draft resolution remained

essentially the same, with a separate vote on the operative paragraph five and its last three words. The paragraph welcomes the steps taken to conclude further NWFZ treaties in the Middle East and South Asia. It was retained as a whole. India said that such language contradicted the principles of the establishment of NWFZ on the basis of arrangements freely arrived at among the states of the region concerned and abstained on the resolution. As in previous years, France, the United Kingdom, and the United States voted against because, in their view, the ambiguity regarding the zone's coverage of the high seas had not been sufficiently addressed in the draft.

Disarmament Machinery

- "Convening of the fourth special session of the General Assembly devoted to disarmament" (Indonesia, 60/61), as in previous years, received overwhelming support of the committee. However, this time it was adopted by a vote, rather than without a vote. The US position on this issue deteriorated further compared to previous years, and it was the only country to vote against, while there were no abstentions and 166 votes in favor. The United States did not explain its vote.

- "Report of the Conference on Disarmament," (61/99) sponsored by Poland, Republic of Korea, Romania, Russian Federation, Senegal, and Slovakia, as in previous years was adopted without a vote. The resolution on the Conference on Disarmament (CD) reaffirms the importance of the CD as the only international disarmament negotiation forum.

Other weapons of mass destruction:

- This year's resolutions on the "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Poland, (61/68) and the "Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction" (Hungary, (61/102) were, as in previous years, both adopted without a vote.

- "Missiles" (61/59) was adopted with 105 states in favor, 55 abstentions, and six opposed. This year, Albania, France, Micronesia, and the United Kingdom joined Israel and the United States in voting against the resolution. The resolution called for a third Panel of Governmental Experts, which will report to the General Assembly in 2008,to be convened in 2007.,.

Outer space (PAROS):

- The "Prevention of an arms race in outer space" (Egypt, 61/58), as in years past, continued to express the hope that an ad hoc committee would be established within the Conference on Disarmament to reinvigorate the debate on the adoption of a legally binding document relating to the weaponization of outer space. The United States, however, was the only delegation to vote against and continues to oppose attempts to create such a document, arguing that the existing multilateral arms control regime is sufficient and that there is no need to address a "non-existent threat. "

- "Transparency and confidence-building in outer space activities" (Russia, 61/75) was adopted by an overwhelming majority of 167 yes votes, with only the United States voting against and Israel abstaining. The United States re-stated its usual position that there was no arms race in outer space or intent to weaponize outer space and, consequently, no need to for a new instrument on the issue.

Conventional weapons:

- "Transparency in armaments" (61/77) encourages participation in the UN Conventional Arms Register (UNCAR), which confronts compliance and verification through a major multilateral weapons transparency mechanism; it builds confidence toward legally binding agreements and voluntary transparency. As in previous years, it proved to be a controversial resolution, and a separate vote was taken on seven operative paragraphs (OPs 2, 3, 4, 5, 6, 7b and 9). The draft resolution was adopted as a whole by vote of 143 in favor and 23 abstentions; no delegation voted against.

- "Toward an arms trade treaty: establishing common international standards for the conventional arms" (61/89). This new resolution was introduced by the United Kingdom and co-sponsored by a large number of states. The resolution seeks to pave the way to negotiating a legally binding international instrument that would establish standards for the trade and

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transfer in conventional arms. It requests the UN Secretary-General to submit a report containing the views of member states on the feasibility, scope and draft parameters of the future treaty, and to establish a group of governmental experts who would also examine the feasibility, scope, and draft parameters of the future legal instrument on arms trade. The decision to include the latter request in the draft was criticized by a number of states. Cuba, China, India, Iran, Pakistan, Russian Federation and others expressed their disagreement with the establishment of a GGE before member states have submitted their views on the matter. Because of this divergence of views, there was a separate vote on OP 2 and 3, and both were retained (133-1-26 and 133-1-24, respectively). Explaining its abstention on the resolution as a whole, Russia stated that it did not see the need for a new international instrument regulating arms trade. China also abstained, arguing that draft did not reflect the need for a different approach to arms exporting states. The draft resolution was adopted by a vote of 139 in favor, 24 abstentions, and one against. The United States was again the only state to cast a negative vote. It did not provide an explanation.

Confidence-building measures:

- The text of the draft resolution, "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons," (Pakistan, 61/57) remained essentially the same as in previous years. References to special GA sessions on disarmament and the latest Conference of Heads of State or Government of the Non-aligned Movement were added in the preamble. The voting pattern remained the same for most states, and China was again the only NWS voting in support. A significant development, however, was that for the first time, the United States voted against, and it was the only state to do so. In its explanation of vote, the United States said that it opposed a treaty on negative security assurances (NSAs) or any other legally binding instrument on security assurances. The draft resolution was adopted by a vote of 108 in favor, one against and 57 abstentions.

Other Disarmament issues:

- The text of the resolution, "Promotion of Multilateralism in the area of disarmament and non-proliferation," (61/62) did not change substantially, and neither did the voting pattern. The draft resolution was adopted by a vote of 117 in favor, four against (Israel, Micronesia, the United Kingdom and the United States) and 50 abstentions.

2005: The 60th session of the UNGA First Committee was held from 3 October – 4 November and chaired by Y.J. Choi, permanent representative of the Republic of Korea to the United Nations. During their opening statements, many states explicitly referred to the developments regarding Iran and North Korean and identified the major trends of the year's session, which included effectiveness of the global disarmament machinery, multilateralism, nuclear disarmament, the CTBT, terrorism, NWFZs, and conventional weapons. These major trends were reflected in the more than 60 resolutions recommended by the First Committee to the General Assembly. In addition, member states almost universally addressed the outcomes of the NPT Review Conference and UN Summit in their statements. Most states deplored the lack of a substantive outcome of the 2005 Review Conference and the absence of language in the World Summit Outcome Document dealing with disarmament and nonproliferation. Delegations agreed that these failures demonstrate the serious challenges multilateral fora and instruments currently face in establishing and implementing nonproliferation and disarmament measures. Many resolutions linked disarmament directly to nonproliferation and pointed to the lack of balance between these two issues. The resolutions adopted by the committee were divided into the following issues: nuclear disarmament and nonproliferation; nuclear testing; nuclear-weapon-free zones (NWFZ); disarmament machinery; other weapons of mass destruction; outer space (disarmament aspects); conventional weapons; confidence-building measures, including transparency in armaments; other disarmament matters; and terrorism.

The following is an updated summary of the major resolutions in each issue area.

Nuclear disarmament and nonproliferation:

- Several resolutions were adopted without significant change in support from last year. These include "Reducing Nuclear Danger" (India, 60/79), "Convention on the Prohibition of the Use of Nuclear Weapons" (India, 60/88), and "Renewed Determination towards the Total Elimination of Nuclear Weapons" (Japan, 60/65). However, the Japanese-sponsored resolution was supported by more states, including two NWS (France and United Kingdom).
- The resolution "Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear

Weapons" (60/76) was again controversial. It was adopted with 126 votes in favor, 29 against (including France, Russia, the United Kingdom, and the United States), and 24 abstentions. The divided vote came as a result of the call in operational paragraph 2 for the early conclusion of a nuclear weapons convention. A separate vote was taken on operational paragraph 1, which states, "the unanimous conclusion of the International Court of Justice that there exists an obligation leading to nuclear disarmament in all its aspect under strict and effective international control." This paragraph received 165 yes votes (including India and Pakistan), 3 votes against (Israel, Russia, and the United States) and 4 abstentions.

- The resolution, "Towards a nuclear-weapon-free world: Accelerating the implementation of nuclear disarmament" (60/56), sponsored by the NAC, was adopted by a vote of 153 in favor, 5 against (India, Israel, Pakistan, United Kingdom, United States), and 20 abstentions. The resolution reaffirms the outcome of the 2000 NPT Review Conference as "the framework of systematic and progressive efforts towards nuclear disarmament." While it does not list the 13 Practical Steps of 2000, it calls on the NWS to fully comply with their disarmament commitments.
- As in previous years, "Nuclear Disarmament" (Myanmar, 60/70) received less support than other nuclear disarmament related resolutions. It was adopted by a vote of 94 in favor, 42 against, with 17 abstentions.
- "The Hague Code of Conduct against Ballistic Missile Proliferation" (60/62) was reaffirmed with 151 yes votes and one abstention. It is a follow-up resolution from previous sessions and seeks to prevent the proliferation of missiles, encouraging states not party to the Hague Code of Conduct to join it.
- The resolution, "Follow-up to nuclear disarmament obligations agreed in the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons" (Iran 60/72) represented one of the most controversial developments at this year's First Committee. In an attempt to avoid political isolation in the aftermath of the IAEA resolution that found Iran in noncompliance with its safeguards agreement, Iran presented the draft resolution, which closely follows the language of the 13 Practical Steps used in the Final Document of the 2000 NPT Review Conference. Its adoption took place only after Iran revised the text several times and gained last-minute support from Non-Aligned Movement (NAM) states. The revised resolution does not include an earlier reference to an ad-hoc committee of the General Assembly to review the implementation of disarmament obligations under the NPT. The resolution was adopted with a very narrow margin (87 states voted in favor, 56 against, and 26 abstained).
- The U.S sponsored resolution "Compliance with non-proliferation, arms limitation and disarmament agreements" (United States, 60/55) was adopted with a vote of 163 in favor, 0 against, and 10 abstentions.

Nuclear testing:

- Through statements and sponsorship of the draft resolution "Comprehensive Test Ban Treaty" (Australia, 60/95), many states and organizations offered their support for the implementation of the CTBT, the development of its verification regime, the International Monitoring System (IMS), and the current moratorium on nuclear testing. All but five states voted in favor of adopting the resolution. "Comprehensive Test Ban Treaty," with similar content to last year, received wide support with 172 yes votes, 1 against (United States), and 4 abstentions (India, Colombia, Syria and Mauritius). The resolution was revised to omit the preambular paragraph that stated "the importance of the Treaty for the continued systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and of general and complete disarmament under strict and effective international control."

Nuclear-weapon-free zones (NWFZ):

- Five resolutions regarding regional NWFZ were adopted, four of which without a vote. These include "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (60/50)," "Establishment of a nuclear-weapon-free zone in Central Asia" (Uzbekistan, 60) "African Nuclear-Weapon-Free Zone Treaty," (60/49), and "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 60/52), which also reaffirms the right to the peaceful use of nuclear energy.
- "Nuclear-weapon-free southern hemisphere and adjacent areas" (Mexico, 60/58) was passed with 144 yes votes, 3 abstentions, and 6 no votes. It

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was met with resistance from nuclear-weapons states as well as India and Pakistan.

- "The risk of nuclear proliferation in the Middle East" (60/92) was adopted with 164 yes votes, 5 against (including Israel and the United States), and 5 abstentions (including Australia, Ethiopia, India, Cameroon). The resolution calls on Israel to join the NPT as a non-nuclear weapon state.

Disarmament Machinery:

- "Convening of the fourth special session of the General Assembly devoted to disarmament" (60/518), sponsored by Indonesia on behalf of NAM, and "Report of the Conference on Disarmament" (60/90), sponsored by Peru, were adopted without a vote. Many states called in their opening statements to the committee for the convening of the fourth special session. The resolution on the Conference on Disarmament (CD) reaffirms the importance of the CD as the only international disarmament negotiation forum.

Other weapons of mass destruction:

- This year's resolutions on the "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Poland, 60/67) and the "Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and Their Destruction" (Hungary, 60/96) were, as in previous years, both adopted without a vote. There were no major changes to the text of either of the resolutions; however, minor changes include greater emphasis on implementation of national legislation under the CWC and calls for financial support from the Secretary General for the 2006 BWC review conference to be held in Geneva in 2006.

Outer space (PAROS):

- The "Prevention of an arms race in outer space" (60/54) continued to express the hope that an ad hoc committee would be established within the Conference on Disarmament to reinvigorate the debate on the adoption of a legally binding document relating to the weaponization of outer space. The United States, however, was the only delegation to vote against and continues to oppose attempts to create such a document, arguing that the existing multilateral arms control regime is sufficient and that there is no need to address a "non-existent threat."
- "Measures to promote transparency and confidence-building in outer space" (Russia, 60/66) was adopted by an overwhelming majority of 158 yes votes, with only the United States voting against it and Israel abstaining. As Sri Lanka noted last year in the First Committee, "the annual presentation of the PAROS resolution in the First Committee and the almost universal endorsement of its principles...has had the salutary effect of according to these objectives the status of customary law."

Conventional weapons:

- Resolutions in 2005 regarding conventional weapons were rather routine, and no new resolutions or changes in attitude fueled any debate. Five resolutions were adopted including: "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" (60/74) and "Conventional arms control at the regional and subregional levels" (60/75).

Confidence-building measures:

- "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (60/53) received 120 votes in favor, 0 against, and 59 abstentions, including France, Russia, United Kingdom, and the United States. For the second year in a row, China voted in favor of the resolution and remains the only NWS in support of legally binding security assurances.
- "Transparency in armaments" (60/226) proved once again to be controversial and a highly politicized resolution. The resolution encourages participation in the UN Conventional Arms Register (UNCAR), which confronts compliance and verification through a major multilateral weapons transparency mechanism; it builds confidence toward legally binding agreements and voluntary transparency.

Other Disarmament issues:

- "Promotion of Multilateralism in the area of disarmament and non-proliferation" (60/59) introduced by Indonesia on behalf of NAM was adopted with 122 votes in favor, 8 against (including Israel, the United Kingdom, the United States), and 50 abstaining (including Australia, Canada, France, Japan, Sweden). The resolution affirms the importance of multilateralism both in negotiating norms and in resolving disarmament and nonproliferation

concerns.

Terrorism:

- Three resolutions relating to terrorism were adopted. "Measures to prevent terrorists from acquiring weapons of mass destruction" (60/78) urges states to cooperate to avoid terrorists acquiring WMD. It was adopted without a vote. The new French draft resolution "Preventing the risk of radiological terrorism" (60/73) aims at better control over radiological materials and their means of production, to prevent their use by terrorists to make a "dirty bomb." Because of last-minute revisions of the resolution to ensure consensus, France read a handful of "stylistic" oral amendments to the text on Friday October 28, to reflect previously consensus-adopted texts verbatim. A vote was taken on this resolution by mistake, as no delegation actually called for a registered vote. The resolution was therefore adopted with 162 votes in favor, none against, and none abstaining. "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defense systems" (60/77) focuses in particular on control over man-portable devices. The resolution introduced by Australia was adopted without a vote.

2004: The 59th session of the UNGA First Committee was held from 30 September to 5 November 2004. Chaired by Ambassador Luis Alfonso de Alba of Mexico, the committee adopted 55 draft resolutions. Two of these were new resolutions: "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defense systems" (59/90) and "The Hague Code of Conduct against Ballistic Missile Proliferation" (59/91). The resolutions were divided into the following issues: nuclear disarmament and nonproliferation, nuclear testing, nuclear-weapon-free zones (NWFZs), disarmament machinery, other weapons of mass destruction, outer space (disarmament aspects), conventional weapons, confidence-building measures including transparency in armaments, and other disarmament matters.

The following is an updated summary of the major resolutions in each issue area.

Nuclear disarmament and nonproliferation:

- "Bilateral strategic nuclear arms reductions and the new strategic framework" (Russian Federation and the United States, 59/94) was adopted without a vote. A number of states, including Cuba, Indonesia, and the New Agenda Coalition, raised objections and expressed concerns over the lack of verification of the Moscow Treaty.
- Several resolutions were adopted without significant change in support from last year. These include "A path to the total elimination of nuclear weapons" (Japan, 59/76), "Reducing Nuclear Danger" (India, 59/79), "Convention on the Prohibition of the Use of Nuclear Weapons" (India, 59/102), "Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons (59/83).
- "Nuclear Disarmament" (Myanmar, 59/77) received the least support of all disarmament resolutions with 93 votes in favor, 42 against, and 18 abstentions.
- "The Hague Code of Conduct against Ballistic Missile Proliferation" (59/91) seeks to prevent the proliferation of missiles and encourages states not party to the Hague Code of Conduct to join it.
- "Missiles" (Egypt, Indonesia, Iran 59/67) for the first time requests the secretary-general to prepare a report, with assistance from the United Nations Institute for Disarmament Research (UNIDIR), that identifies areas in which consensus can be reached. The secretary-general will submit the report to the UNGA for its 61st session.
- "The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament," an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral, and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (Canada, 59/81) was adopted by an overwhelming majority of 147 votes in favor, one against (United States), and two abstentions (Israel, United Kingdom). The resolution urges the Conference on Disarmament to agree on a Program of Work that includes the immediate commencement of negotiations on a verifiable treaty banning the production of fissile materials.
- "Accelerating the implementation of nuclear disarmament commitments" (Sweden, 59/75)

Nuclear testing:

- "Comprehensive Nuclear test-Ban Treaty (CTBT)" (Australia, 59/109) welcomes the Joint

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Ministerial Statement reaffirming support for the CTBT, signed on 23 September 2004, urges all states to maintain their moratoria on nuclear-weapons test explosions or any other nuclear explosions, and underlines the need to maintain momentum toward completion of the verification regime.

Nuclear-weapon-free zones:

- "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 59/63) calls for the establishment of a nuclear-weapon-free zone in the Middle East. It also reaffirms the right to the peaceful use of nuclear energy.
- "Mongolia's international security and nuclear-weapon-free status." (Mongolia, 59/73)
- "Establishment of a nuclear-weapon-free zone in Central Asia" (Uzbekistan, 59/513) was adopted without vote.
- "Nuclear-weapon-free southern hemisphere and adjacent areas" (Mexico, 59/85) was met with resistance from nuclear-weapons states as well as India and Pakistan.

Other weapons of mass destruction:

- "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (Hungary, 59/110) recalls the decision reached at the Fifth Review Conference to discuss and promote common understanding and effective action on enhancing international capabilities for responding to, investigating, and mitigating the effects of alleged use of biological or toxin weapons or suspicious outbreaks of disease and strengthening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis, and combating of infectious diseases affecting humans, animals, and plants.
- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Poland, 59/72) emphasizes that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and its implementation contribute to enhancing international peace and security.
- The "1925 Geneva Protocol" (Malaysia, 59/70) recalls that the last such resolution was adopted in 2002, welcomes that three more States Parties decided to withdraw their reservations, and urges other parties that continue to maintain reservations to the 1925 Geneva Protocol to withdraw them.

Prevention of an Arms Race in Outer Space (PAROS):

- "Prevention of an arms race in outer space" (Egypt, 59/65) calls on all states to contribute actively to the objective of the peaceful use of outer space and to refrain from actions contrary to that objective. The CD is invited to establish an ad hoc committee on this issue as early as possible.

Conventional weapons:

- Several resolutions were adopted without vote: "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defense systems" (Australia, 59/90), "The illicit trade in small arms and light weapons in all its aspects" (Colombia, Japan, and South Africa, 59/86), "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" (Bulgaria, 59/515), "Information on confidence-building measures in the field of conventional arms" (Argentina, 59/92), "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (Sweden, 59/107), "Assistance to States for Curbing the Illicit Traffic in Small Arms and Collecting Them" (Mali, 59/74), "Consolidation of peace through practical disarmament measures" (Germany, 59/82).
- "Conventional Arms Control at the Regional and Subregional Levels" (Pakistan, 59/88) was the only conventional weapons resolution that did not enjoy consensus. It was adopted with 165 votes in favor, one against (India), and one abstention (Bhutan).

Confidence-building measures:

- "Confidence-building measures in the regional and subregional context" (Pakistan, 59/87) emphasizes that the objective of confidence-building measures should be to help strengthen international peace and security and be consistent with the principle of undiminished security at the lowest level of armament.

Other disarmament issues:

- "Measures to prevent terrorists from acquiring weapons of mass destruction" (India, 59/80) urges all member states to undertake and strengthen international and national measures to

prevent terrorists from acquiring WMD and related materials and requests the secretary-general to compile a report to present at the 60th UNGA session on measures for tackling the global threat posed by terrorists acquiring WMD.

2003: During its 2003 (58th) session, the UNGA adopted 52 texts recommended by the First Committee. Two of these were new resolutions, "Enhancing the contribution of the First Committee to the maintenance of international peace and security" (58/41) and "Promotion at a regional level in the Organization for Security and Cooperation in Europe of the United Nations programme of action on the illicit trade in small arms and light weapons in all its aspects" (58/55). The resolutions were divided into the following issues: nuclear disarmament and nonproliferation; nuclear testing; nuclear-weapon-free zones (NWFZ); disarmament machinery; other weapons of mass destruction; outer space (disarmament aspects); conventional weapons; confidence-building measures, including transparency in armaments; and other disarmament matters. Two resolutions were withdrawn: "Conference of States parties and signatories to treaties by which nuclear-weapon-free zones have been established" (Mexico, L19), which would have decided to hold such a conference before the 2005 NPT Review Conference and "Convening of the fourth special session of the General Assembly devoted to disarmament" (Malaysia, L.25).

The clusters for action on draft resolutions and decisions were the following: nuclear weapons; other weapons of mass destruction; outer space (disarmament aspects); conventional weapons; regional disarmament and security; confidence-building measures, including transparency in armaments; and other disarmament matters.

Nuclear weapons:

- "Towards a nuclear-weapon-free world: a new agenda" (New Agenda, 58/51) expresses deep concern at the limited progress on the implementation of the 13 practical steps towards disarmament agreed to in the NPT Review Conference Final Document in 2000. The resolution reaffirms and updates the 13 steps: called upon states to refrain from action that could lead to a new nuclear arms race; expresses urgency for early entry into force of the CTBT, and in the meantime to maintain the moratorium on nuclear test explosions; acknowledges that while the SORT Treaty is a positive step, its lack of verifiability and irreversibility disqualifies the treaty as a disarmament measure; agrees that the reduction of non-strategic nuclear weapons is a high priority and should be carried out comprehensively; calls upon the CD to resume negotiations on a treaty banning the production of fissile material for nuclear weapons; agrees that the CD should establish ad hoc committees on nuclear disarmament and on the prevention of an arms race in outer space; calls upon NWS to integrate their nuclear disarmament efforts; notes the importance of regular reporting to the NPT; calls upon NWS to respect their commitments to security assurances until multilaterally negotiated, legally binding security assurances are concluded; reaffirms the importance of NWFZs; calls on states to conclude full-scope safeguards agreements, additional protocols with the IAEA; calls on the DPRK to comply with the NPT and supports diplomatic efforts for a peaceful resolution on the Korean peninsula; stresses the important role of the IAEA as the body to verify compliance with the NPT; calls on Russia and the United States to approach the IAEA to implement the Plutonium Management and Disposition Agreement; and calls upon NWS to dispose fissile material no longer required for military purposes under the IAEA's verification; and reinforces the importance of multilateralism in these efforts.
- "Reduction of non-strategic nuclear weapons" (New Agenda, 58/50) elaborates the comprehensive manner in which these reductions of high priority should be carried out. Reductions should be based on unilateral initiatives; undertaken in a transparent, verifiable, and irreversible way. The resolution calls on the United States and Russia to formalize their presidential nuclear initiatives into legally binding instruments; to enhance security surrounding these weapons; to adopt further confidence-building and transparency measures; not to rationalize the use of these weapons; to take concrete agreed measures. It also calls for the prohibition of non-strategic nuclear weapons that have been removed from NWS arsenals.
- "A path to the total elimination of nuclear weapons" (Japan, 58/59) reiterates the 13 practical steps unanimously agreed to in the NPT 2000 Review Conference Final Document, including universality of the NPT, immediate commencement of fissile material cut-off negotiations in the CD; and calls for efforts to prevent the proliferation of weapons of mass destruction (WMD) by confirming and strengthening export control.
- "Various resolutions on nuclear disarmament were sponsored by various combinations of Non-Aligned Movement (NAM) countries: "Reducing nuclear danger" (58/47), "Nuclear disarmament" (58/56), "Follow-up to the advisory opinion of the International Court of Justice on the Legality

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of the Threat or Use of Nuclear Weapons" (58/46), "Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons" (58/35), and "Convention on the Prohibition of the Use of Nuclear Weapons" (58/64).

- "The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled 'Cessation of the nuclear arms race and nuclear disarmament', an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator" (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral, internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices" (Japan, 58/57) urge the CD to agree on a program of work, including the immediate commencement of negotiations on an ban on fissile material.
- "Missiles" (Iran, 58/37) establishes a Panel of Governmental Experts in 2004 to explore further the issue of missiles in all its aspects, and to submit a report to the 59th session of the GA.

Nuclear testing:

- "Comprehensive Nuclear Test-Ban Treaty (CTBT)" (Australia, 58/71) stresses the importance of signature, ratification, and achievement of the earliest entry into force of the CTBT and urged States to maintain moratoria on nuclear testing.

Nuclear-weapons-free zones:

- Resolutions calling for the strengthening of NWFZs: "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)" (Brazil, 58/31) and "African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)" (Nigeria, 58/30).
- Resolutions calling for the controversial establishment of NWFZs included: "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 58/34) and "Nuclear-weapon-free southern hemisphere and adjacent areas" (Brazil, 58/49). "Establishment of a nuclear-weapon-free zone in Central Asia" (Uzbekistan, 58/518) was a draft decision to include this item on next year's agenda, rather than a resolution as in the previous year's session.

Other weapons of mass destruction:

- "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (Hungary, 58/72) recalls the decision reached at the Fifth Review Conference of the States Parties to the BTWC in November 2002, and calls for State Parties to implement the decision.
- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Poland, 58/52) notes the First Special Session of the Conference of the States Parties to Review the Operation of the Convention in The Hague from 28 April to 9 May 2003, and the Political Declaration, in which the States Parties reaffirmed their commitment to the object and purpose of the CWC.

Prevention of an Arms Race in Outer Space (PAROS):

- "Prevention of an arms race in outer space" (Sri Lanka, 58/36) calls on all States to contribute actively to the objective of the peaceful use of outer space and to refrain from actions contrary to that objective. The CD is invited to establish an ad hoc committee on this issue as early as possible.

Conventional weapons:

- "The illicit trade in small arms and light weapons in all its aspects" (Colombia, Japan, and South Africa) was put to a vote, with one country, the United States, voting against the resolution due to the funding requirements. The resolution decides to convene a conference no later than 2006 to review the progress made in the implementation of the Program of Action, as well as a second biennial meeting of states in 2005 (the first was held in July 2003). In addition, it calls for the development of an international instrument to trace SALW, and to establish an open-ended working group to pursue this matter, beginning with a meeting on 3-4 February 2004.
- A new resolution, "Promotion at the regional level in the Organization for Security and Cooperation in Europe (OSCE) of the United Nations programme of action on the illicit trade in small arms and light weapons in all its aspects," (Several co-sponsors, 58/55) emphasizes the need for regional and subregional measures to combat SALW and highlights the OSCE's "best practices" guide.

- "National legislation on transfer of arms, military equipment and dual use goods and technology" (Netherlands, 58/42) invites Member States to enact or improve national legislation, regulations, and procedures to exercise effective control over the transfer of arms, military equipment, and dual-use goods and technology, while ensuring that these are consistent with States Parties' obligations under international treaties. Member States are encouraged to provide, on a voluntary basis, information on the above to the UN Secretary-General who will make it available to other Member States.
- "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (Several co-sponsors, 58/69) calls on all countries to join the Convention on Conventional Weapons (CCW) and its Protocols; notes the decision of the Meeting of the States Parties to the CCW held on 12 and 13 December 2002 that the Working Group on Explosive Remnants of War (ERW) would continue its work in 2003 with the mandate to negotiate an instrument on post-conflict remedial measures to reduce the risks of ERW as well as to continue to consider the implementation of relevant existing principles of international humanitarian law. It also notes the decision of the Meeting of the States Parties to the Convention that the Working Group on Mines other than Anti-Personnel Mines would continue its work in 2003 with the mandate to consider the possibility of concluding a negotiating mandate for a new instrument and other appropriate measures; and encourages the Group to submit a possible proposal for an instrument on ERW to States Parties for consideration at their meeting on 27 and 28 November 2003.
- "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction" (Thailand, 58/53) invites States to join and comply with the Anti-personnel Landmine Ban Convention; calls for rehabilitation and reintegration of mine victims, mine risk education programs and the removal of anti-personnel mines; and requests the Secretary-General to convene the Convention's First Review Conference in Nairobi from 29 November to 3 December 2004.

Confidence-building measures (CBM), including transparency in armaments:

- "Transparency in armaments" (Co-sponsors, 58/54) endorses the report of the Secretary-General on the continuing operation of the Register and its further development and the recommendations from the consensus report of the 2003 group of governmental experts; decides to modify the scope of the Register according to the recommendations of the 2003 group of governmental experts; and calls upon Member States to provide the Secretary-General annually with requested data for the Register, and to provide additional information on procurement from national production and military holdings.
- "Confidence-building measures in the regional and subregional context" (Pakistan, 58/43) calls on Member States to refrain from the use or threat of use of force in the settlement of disputes, such as promoting bilateral and regional confidence-building measures.

Other disarmament matters:

- "Improving the effectiveness of the methods of work of the First Committee" (United States, 58/41) requests the Secretary-General to seek the views of Member States on the issue of improving the effectiveness of the methods of work of the First Committee, and to prepare a report compiling these views to be submitted at the 59th session of the GA.
- "Measures to prevent terrorists from acquiring weapons of mass destruction" (India, 58/48) urges all Member States to undertake and strengthen international and national measures to prevent terrorists from acquiring WMD and related materials; and requests the Secretary-General to compile a report to present at the 59th session of the GA on measures for tackling the global threat posed by terrorists acquiring WMD.
- "Promotion of multilateralism in the area of disarmament and non-proliferation" (South Africa on behalf the Non-Aligned Movement, 57/63) reaffirms multilateralism as the core principle in negotiations in the area of disarmament and nonproliferation; requests that States cooperate in resolving their concerns with regard to cases of non-compliance, and refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another.

2002: During its 2002 (57th) session, the UNGA adopted 50 resolutions and two decisions recommended by the First Committee. Four of these were new resolutions. The resolutions were divided into the following issues: nuclear disarmament and nonproliferation; nuclear testing;

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nuclear-weapon-free zones (NWFZ); other weapons of mass destruction; outer space (disarmament aspects); conventional weapons; confidence-building measures, including transparency in armaments; and other disarmament matters. Two resolutions were not adopted. Due to disagreement on the text, the resolution introduced by the Chairman, "Multilateral cooperation in disarmament and non-proliferation," was not further pursued. The resolution introduced by Iraq on "Effects of the use of depleted uranium in armaments," as in the 56th session, was not adopted. The following is a summary of the major resolutions in each issue area from the 57th session (the lead sponsor is indicated by parentheses).

Nuclear disarmament and nonproliferation:

- "Reductions of non-strategic nuclear weapons" (New Agenda Coalition, 57/58) agreed that further reduction of non-strategic nuclear weapons should be carried out as an essential component in the disarmament process; and for the development of further confidence-building measures and a reduction in their operational status (newly introduced).
- "Towards a nuclear-weapon-free world: the need for a new agenda" (New Agenda Coalition, 57/59) expressed concern for the lack of progress on the 13 practical steps towards disarmament agreed to in the NPT Review Conference Final Document in 2000. The 13 steps were reaffirmed and updated: called upon the Conference on Disarmament (CD) to establish an ad hoc committee to deal specifically with nuclear disarmament; wished to see the CTBT enter into force as soon as possible with confirmation of the moratorium on all test explosions; expressed deep concern about the continued retention of the nuclear weapons option by the three States that have not yet acceded to the NPT and called on them to do so and bring into force full-scope IAEA safeguards; called for the resumption of negotiations on a Fissile Material Cutoff Treaty (FMCT); called for the prevention of an arms race in outer space (PAROS), and called on the CD to re-establish an ad hoc committee to deal with this issue; called on the nuclear-weapon States (NWS) to respect fully their existing commitments with regard to security assurances and for recommendations on this issue to be made to the 2005 NPT Review Conference.
- "Bilateral strategic nuclear arms reductions and the new strategic framework" (Russian Federation and United States, 57/68) welcomed the commitment of the United States and the Russian Federation to strategic nuclear warhead reductions in the Treaty on Strategic Offensive Reductions (Moscow Treaty), signed on 24 May 2002, and recognized the importance of the Group of Eight Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, launched by leaders at the Kananaskis Summit, held at Kananaskis, Canada, on 26 and 27 June 2002 (newly introduced).
- "A path to the total elimination of nuclear weapons" (Japan, 57/78) reaffirmed several aspects of the 13 practical steps unanimously agreed to in the NPT 2000 Review Conference Final Document, including universality of the NPT, immediate commencement of fissile material cut-off negotiations in the CD; and called for efforts to prevent the proliferation of weapons of mass destruction (WMD) by confirming and strengthening export control.

Nuclear testing:

- "Comprehensive Nuclear Test-Ban Treaty (CTBT)" (Mexico, 57/100) stressed the importance of signature and ratification and achievement of the earliest entry into force of the CTBT and urged States to maintain moratorium on nuclear testing.

Nuclear-weapon-free zones (NWFZ):

- "Establishment of a nuclear-weapon-free zone in Central Asia" (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, 57/69) noted the elaboration by experts of all five Central Asian States at the Samarkand meeting from 25-27 September 2002 of a draft treaty and its protocol for the establishment of a NWFZ in Central Asia and affirms consultations on the protocol, which the NWS are invited to ratify.
- "Nuclear-weapon-free southern hemisphere and adjacent areas" (Brazil, 57/73); "Mongolia's international security and nuclear-weapon-free status" (Mongolia, 57/67); "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 57/55).

Other weapons of mass destruction:

- "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons" (Belarus, 57/50) reaffirmed the need to prevent new types of weapons that are just as destructive as WMD. The CD was the suggested venue to deal with this issue.
- "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons

and on Their Destruction" (Hungary, Dec. 57/516) requested the Secretary-General to render assistance for the Fifth Review Conference of the States Parties to the BTWC, which reconvened in Geneva from 11- 22 November 2002.

- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Canada, Poland, 57/82).

Prevention of an Arms Race in Outer Space (PAROS):

- "Prevention of an arms race in outer space" (Egypt, 57/57) called on all States to contribute actively to the objective of the peaceful use of outer space and to refrain from actions contrary to that objective. The CD was invited to establish an ad hoc committee on this issue as early as possible.

Conventional weapons:

- "National legislation on transfer of arms, military equipment and dual use goods and technology" (Netherlands, 57/66) invited Member States to enact or improve national legislation, regulations, and procedures to exercise effective control over the transfer of arms, military equipment, and dual-use goods and technology, while ensuring that these are consistent with States Parties' obligations under international treaties. Member States were called on to provide on a voluntary basis information on the above to the UN Secretary-General who will make it available to other Member States (newly introduced).

- "The illicit trade in small arms and light weapons in all its aspects" (Japan, 57/72) decided to convene the first of the biennial meetings of States as stipulated in the Program of Action 2001 to consider national, regional, and global implementation of the Program of Action in New York in July 2003. Welcomed the convening of the Group of Governmental Experts established to assist the Secretary-General to study the feasibility of developing an international instrument to enable States to identify and trace illicit small arms and light weapons and to submit the study to the GA at its 58th session.

- "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (Sweden, 57/98) urged all countries to join the Convention on Conventional Weapons (CCW) and its Protocols; and noted the mandate of the Second Review Conference for the establishment of a group of governmental experts with two separate coordinators to discuss ways and means to address the issue of explosive remnants of war and to further explore the issue of mines other than anti-personnel mines respectively.

- "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction" (Belgium, 57/74) called on States to join and comply with the Anti-personnel Landmine Ban Convention; requested the Secretary-General to convene the Fifth Meeting of States Parties to the Convention at Bangkok from 15-19 September 2003.

Confidence-building measures (CBM), including transparency in armaments:

- "Transparency in armaments" (Netherlands, 57/75) called upon Member States to report data to the UN Register of Conventional Arms; recalled its request to Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to WMD; reminded them of the request to convene of a group of governmental experts in 2003 to report on the Register of Conventional Arms; called upon the CD to consider this issue; and requested Member States to cooperate at the regional and subregional level on this issue.

- "Compliance with arms limitation and disarmament and non-proliferation agreements" (United States, 57/86) urged all States Parties to arms limitation and disarmament and nonproliferation agreements to implement and comply with the entirety of all provisions of such agreements, in light of the threat of international terrorism.

Other disarmament matters:

- "Missiles" (Iran, 57/71) welcomed the report of the Secretary-General on the issue of missiles in all its aspects; and requested the Secretary-General with the assistance of a panel of governmental experts, to further explore the issue of missiles in all its aspects and prepare a report for the General Assembly's 59th session (57/71).

- "United Nations study on disarmament and non-proliferation" (Mexico, 57/60) took note of the United Nations study on disarmament and nonproliferation education, which contains a series of recommendations for immediate and

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long-term implementation by Member States, the United Nations and other international organizations, civil society, non-governmental organizations, and the media.

- "Relationship between disarmament and development" (South Africa, on behalf of the Non-Aligned Movement, 57/65) requested the Secretary-General to establish a group of governmental experts in 2003 to present a report to the 59th session of the GA with recommendations for a reappraisal of the relationship between disarmament and development in the current international context, as well as the future role of the organization in this connection.

- "Measures to prevent terrorists from acquiring weapons of mass destruction" (Intro by India, 57/83) urged all Member States to undertake and strengthen international and national measures to prevent terrorists from acquiring WMD and related materials; and requested the Secretary-General to compile a report to present at the 58th session of the GA on measures for tackling the global threat posed by terrorists acquiring WMD.

- "Promotion of multilateralism in the area of disarmament and non-proliferation" (South Africa on behalf the Non-Aligned Movement, 57/63) reaffirmed multilateralism as the core principle in negotiations in the area of disarmament and nonproliferation; requested that States cooperate in resolving their concerns with regard to cases of non-compliance, and refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another, to resolve their concerns.

- "Developments in the field of information and telecommunications in the context of international security" (Russian Federation, 57/53) called for a group of governmental experts to be established in 2004, to prepare a study on this issue for the 60th General Assembly session (57/53).

2001: During its 2001 (56th) session, the UNGA adopted 45 resolutions and 6 decisions recommended by the First Committee. Those resolutions and decisions covered nuclear disarmament and nonproliferation; nuclear testing; NWFZ; other weapons of mass destruction; PAROS and the Anti-Ballistic Missile (ABM) Treaty; conventional weapons; CBMs, including transparency in armaments; and other disarmament matters. The following is a summary of the major resolutions in each issue area:

Nuclear disarmament and nonproliferation:

- "Treaty on the Non-Proliferation of Nuclear Weapons: 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee" (Algeria, 56/24O) took note of the decision of the Parties to the NPT to hold the first meeting of the Preparatory Committee in New York from 8-19 April 2002, leading up to the 2005 Review Conference of the NPT.

- "A path to the total elimination of nuclear weapons" (Japan, 56/24N) reaffirmed several aspects of the 13 practical steps agreed to in the NPT 2000 Review Conference Final Document, including universality of the NPT, immediate commencement of fissile material cut-off negotiations in the CD; and called for efforts to prevent the proliferation of WMD by confirming and strengthening export control.

Nuclear testing:

- "Comprehensive Nuclear-Test-Ban Treaty" (New Zealand, 56/415) noted the forthcoming Conference on Facilitating the Entry into Force of the CTBT which was held in New York from 11 to 13 November 2001.

NWFZs:

- "Nuclear-weapon-free southern hemisphere and adjacent areas" (Brazil, 56/24G) welcomed the steps taken to conclude further NWFZ treaties; called upon all States to consider relevant proposals to establish a NWFZ in the Middle East and South Asia; and called upon the States Parties and signatories of the treaties of Tlatelolco, Rarotonga, Bangkok, and Pelindaba to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas.

- "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 56/21); "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)" (Mexico, 56/30).

- **"**African Nuclear-Weapon-Free Zone Treaty" (Sudan, on behalf of the Group of African States, 56/17) called upon African States to sign and ratify the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) so that it may enter into force.

PAROS and the ABM Treaty:

- "Prevention of an arms race in outer space" (Sri Lanka, 56/23) called upon all States to contribute

actively to the objectives of the peaceful use of outer space (PAROS) and the prevention of an arms race in outer space and to refrain from actions contrary to those objectives, and invited the CD to establish an ad hoc committee on PAROS as early as possible.

- "Preservation of and compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems" (Russian Federation, 56/24A) called on each of the States Parties to preserve and strengthen the ABM Treaty through full and strict compliance so that it remains the cornerstone in maintaining global strategic stability and world peace and in promoting further strategic nuclear arms reductions.

Biological, toxic, and chemical weapons:

- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Canada, 56/24K) urged all States Parties to the CWC to meet in full and on time their obligations under the Convention and to support the OPCW in its implementation activities.
- **"**Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (Hungary, 56/414) decided to request the Secretary-General to provide services as may be required for the Fifth Review Conference which was held at Geneva from 19 November-7 December 2001.
- "Prohibition of the dumping of radioactive wastes" (Sudan, on behalf of the Group of African States, 56/24L) expressed concern about radiological warfare and the dumping of nuclear or radiological wastes; welcomed the entry into force in 2001 of the Joint Convention on the Safety of Radioactive Waste Management, and called on States to join the Convention; called on the CD to include, as part of the negotiations of a convention on the prohibition of radiological weapons, the dumping of radioactive wastes.

Conventional weapons and transparency in armaments:

- "The illicit trade in small arms and light weapons in all its aspects" (Columbia, 56/24V) endorsed the Program of Action adopted at the 2001 UN Conference on Small Arms and Light Weapons in All Its Aspects and welcomed the progress achieved so far in adopting the program; encouraged cooperation among States, international organizations, and civil society in combating illicit traffic in small arms and supporting the process of collecting and destroying such arms. Also called for a UN study on the feasibility of developing an international instrument to trace small arms and light weapons.
- "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (Sweden, 56/28) urged all countries to join and comply with the CCW and its Protocols; welcomed the convening, on 10 December 2001, of the Third Annual Conference of States Parties to Amended Protocol II, in accordance with article 13 thereof, and called upon all States parties to amended Protocol II to address at that meeting the question of holding the fourth annual conference in 2002.
- "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction" (Nicaragua, 56/24M) called on States to join and comply with the Convention; requested the Secretary-General to convene the Fourth Meeting of States Parties to the Convention at Geneva from 16-20 September 2002.
- "Transparency in armaments" (Netherlands, 56/24Q) called upon Member States to provide the Secretary-General with the requested data and information for the UN Register of Conventional Arms; recalled its request to Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to WMD; and invited the CD to consider continuing its work in the field of transparency in armaments.

Other disarmament matters:

- "Multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism" (Chairman, 56/24 T) emphasized that progress is urgently needed in the area of disarmament and nonproliferation in order to help maintain international peace and security and to contribute to global efforts against terrorism; called upon all Member States to renew and fulfill their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and nonproliferation (newly introduced).

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- "Missiles" (Iran, 56/24B) welcomed the establishment of the Panel of Governmental Experts on "the issue of missiles in all its aspects" and requested the Secretary-General to continue seeking views on the issue from Member States to report at the 57th session of the GA.
- "Developments in the field of information and telecommunications in the context of international security" (Russian Federation, 56/19) requested the Secretary-General to establish a group of governmental experts in 2004 to conduct a study on the issue.

2000: At its 2000 (55th) session, the UNGA adopted 50 resolutions dealing with disarmament, arms control, and nonproliferation recommended by the First Committee. The resolutions dealt with nuclear disarmament and nonproliferation; nuclear testing; NWFZs; PAROS and the ABM Treaty; biological, toxic, and chemical weapons; conventional weapons, including transparency in armaments; and other disarmament matters. The following is a summary of the major resolutions in each issue area:

Nuclear disarmament and nonproliferation:

- **"**Towards a nuclear-weapon-free world: the need for a new agenda" (New Agenda Coalition, 55/33C) took into consideration the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the 2000 Review Conference of the NPT, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. All States Parties to the Treaty are committed under article VI of the Treaty to nuclear disarmament. States must take practical steps for systematic and progressive efforts to implement article VI of the NPT and paragraphs 3 and 4 (c) of the "Decision on principles and objectives for nuclear non-proliferation and disarmament" of the 1995 Review and Extension Conference of the Parties to the Treaty.
- "2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons" (Algeria, 55/33D) welcomed the adoption by consensus on 19 May 2000 of the Final Document of the 2000 Review Conference of the NPT, including in particular the documents entitled "Review of the operation of the Treaty, taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference" and "Improving the effectiveness of the strengthened review process for the Treaty."
- "A path to the total elimination of nuclear weapons" (Japan, 55/33R) reaffirmed several aspects of the 13 practical steps agreed to in the NPT 2000 Review Conference Final Document, including universality of the NPT, immediate commencement of fissile material cut-off negotiations in the CD; and called for efforts to prevent the proliferation of WMD by confirming and strengthening export control.

Recurring GA texts on nuclear nonproliferation:

- "The risk of nuclear proliferation in the Middle East" (Egypt, on behalf of the League of Arab States, 55/36, 56/27, 57/97); "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (Intro by Pakistan, 55/31, 56/22, 57/56); "The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled 'Cessation of the nuclear arms race and nuclear disarmament,' an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral, and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices" (Canada, 55/33Y, 56/24J, 57/80); "Convention on the Prohibition of the Use of Nuclear Weapons" (Intro by India, 55/34G, 56/28, 57/98); "Reducing nuclear danger" (Intro by India, 55/34G, 56/24C, 57/84); "Nuclear Disarmament" (Intro by Myanmar, 55/33T, 56/24R, 57/79).

Nuclear testing:

- "Comprehensive Nuclear Test-Ban Treaty" (Australia, 55/41) stressed the importance and urgency of signature and ratification to achieve the early entry into force of the CTBT; and urged States to maintain their moratoria on nuclear weapons test explosions or any other nuclear explosions, pending the entry into force of the Treaty.

NWFZs:

- "Nuclear-weapon-free southern hemisphere and adjacent areas" (55/33I, Brazil) welcomed the steps taken to conclude further NWFZ treaties, called upon all States to consider relevant proposals to establish a NWFZ in South Asia, and called upon the States Parties and signatories of the treaties of Tlatelolco, Rarotonga, Bangkok, and Pelindaba to promote the nuclear-

weapon-free status of the southern hemisphere and adjacent areas.

- "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean" (Mexico, 55/39); "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 55/30); and "Establishment of a nuclear-weapon-free zone in Central Asia" (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, 55/33W).

PAROS and the ABM Treaty:

- "Preservation of and compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems" (Russian Federation, 55/33B) called on each of the States Parties to preserve and strengthen the ABM Treaty through full and strict compliance.
- "Prevention of an arms race in outer space" (Egypt, 55/32) called upon all States to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective, and invited the CD to establish an ad hoc committee on PAROS as early as possible during the 2001 session.

Biological, toxic and chemical weapons:

- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Poland, 55/33H) urged all States Parties to the CWC to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons (OPCW) in its implementation activities.
- "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (Hungary, 55/40) welcomed the progress so far in negotiating a protocol to strengthen the BTWC and called upon all States Parties to redouble their efforts in order to complete the protocol; and noted that the Fifth Review Conference of the Parties to the Convention will be held at Geneva from 19 November-7 December 2001, and that, after appropriate consultation, a Preparatory Committee for that Conference, open to all States Parties to the Convention, was established and will meet at Geneva from 25-27 April 2001.

Conventional weapons, including transparency in armaments:

- "Illicit traffic in small arms and light weapons" (South Africa, 55/33Q) decided to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July-August 2001, and to convene the Third Session of the Preparatory Committee for the Conference from 19-30 March 2001 in New York.
- "Transparency in armaments" (Netherlands, 55/33U) called upon Member States, with a view to achieving universal participation, to provide the Secretary-General by 31 May annually the requested data and information for the UN Register of Conventional Arms; recalled its request to Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to WMD; requested the Secretary-General, with the assistance of a group of governmental experts, to convene a meeting in 2003 to prepare a report on the continuing operation of the Register and its further development, taking into account the work of the CD; and invited the CD to consider continuing its work in the field of transparency in armaments .
- "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel mines and on Their Destruction" (Norway, 55/33V) urged all countries to sign and ratify the Convention to do so without delay and requested the Secretary-General to convene the Third Meeting of States Parties to the Convention at Managua, from 18-21 September 2001.
- "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (Sweden, 55/37) urged all countries to join and comply with the CCW and its Protocols; decided to convene the second session from 2-6 April 2001 and the third session from 24-28 September 2001.

Other disarmament matters:

- "Missiles" (Iran, 55/33A) requested the Secretary-General, with the assistance of a panel of governmental experts to be established in 2001 to prepare a report for the GA at its 57th session on the issue of missiles in all its aspects.

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- "United Nations study on disarmament and non-proliferation education" (Mexico, 55/33E) requested the Secretary-General to prepare, with the assistance of a group of qualified governmental experts, a study on disarmament and nonproliferation, inviting representatives of organizations of the United Nations system, university educators, disarmament and peace-related institutes, and non-governmental organizations.

1997-1999: The 54th session (1999) of the UNGA adopted 48 draft resolutions and four draft decisions submitted by the First Committee. The 53rd session (1998) of the UNGA adopted 48 draft resolutions and one draft decision. In the 52nd session (1997), the First Committee submitted 43 draft resolutions and two draft decisions. The resolutions covered the issue areas of nuclear disarmament and nonproliferation, nuclear testing, NWFZs, biological and chemical weapons, conventional weapons, and other issues. The following is a summary of the major resolutions in each issue area:

Nuclear disarmament and nonproliferation:

- "The risk of nuclear proliferation in the Middle East" (Egypt, on behalf of the League of Arab States, 54/57, 53/80, 52/41) called on Israel to accede to the NPT, not to acquire nuclear weapons, to renounce their possession, and, as a confidence-building measure, to place its nuclear facilities under full-scope IAEA safeguards.
- "Towards a nuclear-weapon-free world: the need for a new agenda" (New Zealand, 54/54G; Ireland, 53/77Y) called for a new agenda for a nuclear-weapon-free world.
- "Nuclear disarmament" (Myanmar, 54/54P, 53/77X, 52/38L) called for a step-by-step program of deep nuclear weapon reductions within a time-bound framework and a halt in the qualitative improvement, development, production, and stockpiling of nuclear warheads and delivery systems, as well as the establishment of an ad hoc committee on nuclear disarmament in the CD.
- "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (Pakistan, 54/52, 53/75, 52/36) called for the creation of a negative security assurance instrument.
- "Convention on the Prohibition of the Use of Nuclear Weapons" (India, 54/55D, 53/78D), 52/39C) requested the CD to begin negotiations to reach agreement on an international convention to prohibit the use or threat of use of nuclear weapons.
- "Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons" (Malaysia, 54/54Q, 53/77W, 52/38O) called again on NWS to fulfill their obligation to pursue and bring to a conclusion nuclear disarmament negotiations under the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons.
- "Bilateral nuclear arms negotiations and nuclear disarmament" (United States and Russian Federation, 53/77Z, 52/38M) urged the Russian Federation and the United States to begin START III negotiations immediately after the ratification of START II by the Russian Federation.
- "Nuclear disarmament with a view to the ultimate elimination of nuclear weapons" (Japan, 54/54D, 53/77U, 52/38K) called for nuclear disarmament with a view to the ultimate elimination of nuclear weapons, including several specific steps; underlined the vital importance of the 2000 Review Conference of the NPT for the preservation and strengthening of the regime, and called upon NWS to intensify their efforts with a view to reaching an agreement on updated objectives for nuclear non-proliferation and disarmament, based on the review of the achievements since 1995.

Nuclear testing:

- "Comprehensive Nuclear Test-Ban Treaty" (Mexico, 54/63) endorsed the Final Declaration of the Conference on Facilitating the Entry into Force of the CTBT, called on States to sign and/or ratify the CTBT, and to cease nuclear testing until its entry into force.
- In the 53rd session, a draft resolution on the CTBT calling for signatures and ratifications as well as the establishment of a verification regime by the CTBTO, was withdrawn and replaced by a Decision to include the item in the next session of the GA. The same decision was adopted in the 52nd session.
- "Nuclear testing" (Canada, 53/77G) condemned the nuclear tests by India and Pakistan and called on States to sign and/or ratify the CTBT.

NWFZs:

- "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of

Tlatelolco)" (Mexico, 54/60, 53/83, 52/45); "Nuclear-weapon-free southern hemisphere and adjacent areas" (Brazil, 54/54L, 53/77Q, 52/38N); "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)" (Group of African States, 54/48, 52/46); and "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (Egypt, 54/51, 53/74, 52/34); "Establishment of a nuclear-weapon-free zone in Central Asia" (Uzbekistan, 54/417, 53/77A, 52/38S); "Mongolia's international security and nuclear-weapon-free status" (Mongolia, 53/77D); and "Establishment of a nuclear-weapon-free zone in South Asia" (Pakistan and Bangladesh, 52/35).

Chemical and biological weapons:

- "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (Canada and Poland, 54/54E, 53/77R, 52/38T) stressed the importance of universality, full implementation and compliance with the CWC.
- "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (Hungary, 54/61, 53/84, 52/47) called on all States to sign and/or ratify the BTWC, and on the States Parties to accelerate and conclude the Ad Hoc Committee negotiations on a protocol to strengthen the regime.

Conventional weapons:

- "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction" (Mozambique, 54/54B; Canada, 53/77N; 52/38A) invited non-parties to sign or, upon entry into force, accede to the Anti-personnel Mine Ban Convention. "Contributions towards banning anti-personnel landmines" (52/38 H) called on the CD to engage in intensified efforts to address the landmines issue.
- "Small Arms" called for the convening of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in June of 2001 (54/54V), called for a study on small arms and light weapons reduction and control (Japan, 53/77E), and endorsed the recommendations of the Panel of Government Experts on Small Arms and called on States to implement them in cooperation with regional and international organizations, the police, intelligence services, customs, and border control (Japan, 52/38J).
- "Assistance to States for curbing the illicit traffic in small arms and collecting them" (Mali, 54/54J, 52/38C) encouraged cooperation among States, international organizations and civil society in combating illicit traffic in small arms and supporting the process of collecting such arms.
- "Illicit traffic in small arms" (South Africa, 54/54R, 53/77T) requested the Secretary-General to submit information on the measures to combat illicit trafficking in small arms and light weapons, and the role of the United Nations in collecting, collating, sharing, and disseminating information on illicit trafficking in small arms and light weapons; and invited Member States to implement necessary measures related to this class of weapons, bilaterally, regionally and through multilateral channels, such as the UN.
- "Transparency in armaments" (Egypt, 54/54I, 53/77S, 52/38B) requested the Secretary-General, with the assistance of the group of governmental experts to be convened in the year 2000 to report to the UNGA at its 55th session on the inclusion of weapons of mass destruction in the UN Register on Conventional Arms to promote greater transparency and invited the CD to consider continuing its work undertaken in the field of transparency in armaments.
- "Transparency in armaments" (Netherlands, 54/54O, 53/77V, 52/38R) requested the Secretary-General, with the assistance of a group of governmental experts to be convened in 2000, to prepare a report on the continuing operation of the Register and its further development and invited the CD to consider continuing its work undertaken in the field of transparency in armaments.

Other disarmament matters:

- "Convening of the fourth special session of the General Assembly devoted to disarmament" (South Africa, on behalf of the Non-Aligned Movement, 54/54U, 53/77AA, 52/38F) decided to convene the Fourth Special Session of the General Assembly devoted to disarmament (SSOD IV), provided there emerges a consensus on the objective and agenda for the session.
- "Prevention of an arms race in outer space" (Sri Lanka, 54/53; Egypt, 53/76; Sri Lanka, 52/37) called for the prevention of an arms race in outer space and the establishment of an ad hoc committee on this subject in the CD.

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- "The Conference on Disarmament decision to establish, under item 1 of its agenda entitled 'Cessation of the nuclear arms race and nuclear disarmament' an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices" (Canada, 53/77I) encouraged the re-establishment of the ad hoc committee in the CD and continued negotiations on a ban on fissile material production for nuclear explosives.
- "Preservation of and compliance with the Anti-Ballistic Missile Treaty" (Russian Federation, 54/54A) called for the preservation of the ABM Treaty as a cornerstone in maintaining global strategic stability and promoting nuclear arms reductions.
- "Missiles" (Iran, 54/54F) requested the Secretary-General to seek the views of all Member States on the issue of missiles in all its aspects, and to submit a report to the UNGA's 55th session.
- "Implementation of the Declaration of the Indian Ocean as a Zone of Peace" (Non-Aligned Movement, 54/47, 52/44) called for the implementation of a Zone of Peace in the Indian Ocean.

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UN Disarmament Commission (UNDC)

Originally established in 1952, the UNDC was later re-established and strengthened in 1978. It is a specialized deliberative body of universal membership mandated to submit concrete recommendations on specific disarmament issues and to follow up on the decisions of the UNGA's special sessions on disarmament.

Developments:

2008: The 2008 UNDC Session held from 7 to 25 April, failed to adopt recommendations in both of its working groups: nuclear disarmament and nonproliferation and practical confidence-building measures in conventional weapons, though these topics have been on the UNDC agenda for the previous eight years.

Within the working group on disarmament and nonproliferation, participants were unable to reach agreement on the chair's working paper pertaining to the establishment of a NWFZ in the Middle East and negative security assurances. However, the majority of working group participants declared their support for the entry into force of the CTBT, negotiations for a ban on fissile material, and the irreversible elimination of nuclear weapons. Additionally, the full implementation of the NPT was also discussed by participants. Representing the Non-Aligned Movement, Dr. R.M. Marty M. Natalegawa of Indonesia suggested an international conference to establish a "phased program for the complete abolition of nuclear weapons within a time-bound framework."

Within the working group, delegations also expressed concerns regarding Iran's nuclear energy program. The representative of the EU, Ambassador Sanja Štiglic of Slovenia remarked that, "Iran's nuclear programme poses a major challenge to the non-proliferation regime." In response, the delegation from Iran noted its country's extensive cooperation with the IAEA.

In the working group on confidence-building measures (CBMs), participants reached consensus on several points on the chair's paper though they were not able to make any recommendations. The United States, Russia, and China were also able to agree on language pertaining to outer space. However, participants were not able to support the Mine Ban Treaty, the Arms Trade Treaty, and though participants agreed to language on negotiations for a cluster munitions ban, it was extremely weak.

Throughout the session, participants also stressed the utility of CBMs, but also noted that CBMs, due to their voluntary nature, should not replace actual disarmament measures.

Finally, many participants stressed the importance of military spending transparency. In particular, the delegations from the Republic of South Korea and Japan noted the success of the UN Register of Conventional Arms in achieving transparency. Furthermore, numerous delegations voiced their support for a general reduction in military spending.

Though the final plenary meeting of the 2008 session was cancelled, delegations had the opportunity to state their closing remarks in an earlier session. Most delegations noted the stagnation of the disarmament and nonproliferation regimes and were particularly frustrated by the lack of representation at the UNDC Session, including a lack of participation by disarmament experts. In response, the UNDC Chair, Ambassador Piet de Klerk of the Netherlands suggested that one of the plenary meetings or a new plenary meeting be reserved for

presentations and panel discussions by experts in order to facilitate discussion and momentum. However, this suggestion was met with hesitation by a number of states that maintained that experts would not be able to bridge states' policy differences.

2007: The Disarmament Commission held its annual session from 9 to 27 April and adopted its draft report, as well as those of two subsidiary bodies. The commission addressed two substantive issues: nuclear disarmament and nonproliferation and confidence-building measures in the field of conventional weapons.

Chairman Elbio Rosselli of Uruguay noted that 29 April marked the tenth anniversary of the entry into force of the Chemical Weapons Convention and that the convention had been the first disarmament agreement negotiated within a multilateral framework.

The commission heard closing remarks from the Russian and Cuban delegations. The Cuban representative expressed regret over the lack of political will towards drafting concrete recommendations on nuclear disarmament. The representative of the Russian Federation noted that violations of the Treaty on Conventional Use of Armed Forces and the pursuit of anti-ballistic missile defense in Europe had impacted the commission's work.

2006: As the Disarmament Commission opened for its annual session in New York in April, Under-Secretary-General for Disarmament Affairs Nobuaki Tanaka addressed the commission calling for urgent, new momentum, especially with regard to nuclear arms. Despite heightened global concern over the proliferation of weapons of mass destruction (WMD) and the risk of acquisition by terrorists, there has been virtual stagnation on the disarmament front. Tanaka reminded the commission that in 2003, the session concluded without reaching consensus on concrete proposals to advance nuclear disarmament or confidence-building measures in the field of conventional arms, and no consensus was achieved on agenda items for its 2004 and 2005 sessions with no substantive meetings held in 2005. He urged the body to strive to do better and provide fresh momentum on the disarmament front.

2005: The Disarmament Commission did not hold any substantive meetings in 2005.

In June and July, the commission, led by the chair-designate for the 2005 substantive session, held five informal meetings. Chair Vohidov of Uzbekistan proposed the following two items on nuclear and conventional disarmament for inclusion in the provisional agenda of its substantive session:

1) "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects, in particular for achieving the objective of nuclear disarmament"

2) "Practical confidence building measures, including verification mechanisms, in the field of conventional weapons."

On 20 July, the commission agreed, ad referendum, to include the following text in its report: "the issue of measures for improving the effectiveness of the methods of work of the Disarmament Commission will be considered in plenary meetings at its 2006 substantive session, with equitable time allocated to it."

On 19 and 22 July, the commission agreed, ad referendum, to the inclusion of the two items above on the provisional agenda of its substantive session. The second item, "Practical confidence building measures, including verification mechanisms, in the field of conventional weapons" was amended to "Practical confidence-building measures in the field of conventional weapons."

On 22 July, one delegation proposed an oral amendment to the item on nuclear disarmament, halting further talks for the time being, and leaving the commission without an agreed agenda for its 2006 substantive session.

On 26 July, the commission decided to close its 2005 organizational session and meet at its organizational session for 2006 in November-December 2005. The commission also decided to hold the 2006 substantive session during a period of three weeks in April 2006.

2004: On Monday, April 5, the United Nations Disarmament Commission convened in New York, as scheduled. Yet despite months of diplomatic wrangling over the substantive agenda items, the major players – the US, the UK, and the Non-Aligned Movement (NAM) – remain deadlocked and the session is now postponed. In his opening statement as Chair, Georgia's Ambassador Revaz Adamia urged Members to "seek inspiration" from past achievements of the Commission, such as Nuclear Weapon Free Zones and conventional arms control measures. He stressed the need for revitalized efforts in the face of new challenges to the international disarmament regime, including "new concepts of deadly weaponry," threats of terrorism, and "the readiness or willingness of some Member States to comply" with existing obligations.

Under Secretary-General Nobuyasu Abe, too, delivered a short intervention, in which he reminded States that "the work of this Commission has been shaped by the political will of its members" and called for "increased joint efforts to strengthen the multilateral system of international peace and security."

For the 2004 session, the NAM States wished to continue deliberations on the issues of nuclear disarmament and confidence building measures (CBMs). The United States, which drafted a 2003 GA resolution (58/126) on the issue of First committee reform, wished for the

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Commission to deliberate the non-substantive issue of UNDC reform. Finally, the United Kingdom proposed an agenda that would cover nuclear verification and best practices in SALW. The informal consultations on the agenda continued immediately after the Chair suspended the session 5 April and will continue throughout the next three weeks of the 2004 annual session.

On 22 December, the first part of the organizational meeting was held to consider questions related to the organization of work and substantive agenda items for the 2005 substantive session in accordance with the adopted "Ways and means to enhance the functioning of the Disarmament Commission" (A/CN.l0/137) and in the light of General Assembly resolution 59/105. The commission appointed Vice-Chair Alisher Vohidov of Uzbekistan as acting chair of the commission to perform duties of the chair until such time when the commission completed its consultation on the composition of the Bureau for 2005.

2003: On 31 March to 17 April, the Disarmament Commission met for the third year of deliberations on two items: ways and means to achieve nuclear disarmament, and practical confidence-building measures in the field of conventional arms. Chaired by Mario Maiolini of Italy, the commission assembled amid a troubled international environment as well as persisting concerns over the future of multilateral disarmament efforts. The commission was, however, unable to adopt concrete proposals to advance either nuclear disarmament or confidence-building in the field of conventional arms, mainly due to the lack of political will by some Members states, the delay in disarmament tactics and the broadness of the disarmament issue. The commission did adopt a procedural report that included the factual reports by both working groups.

The first item, "Ways and means to achieve nuclear disarmament" was considered by Working Group I chaired by Mr. Alaa Isaa (Egypt). One of the main reasons why agreement could not be reached on this topic was India's objection to the Nuclear Non- Proliferation Treaty (NPT) being referenced in the Chairman's draft report. The United States also raised concerns over the inclusion of a number of principles on possible ways to advance nuclear disarmament.

Working group II, chaired by Mr. Santiago Irzabal Mourao (Brazil) considered "Practical confidence-building measures in the field of conventional arms." Although most States were supportive of the draft text introduced by the chairman at the start of the Commission's session, agreement was at the end impossible due to the failure of confidence-building measures necessary to reduce tension and prevent conflict over disarmament matters Strong disagreement existed over matters such as the use of force in international relations, military expenditures, the inclusion of pre-emptive strikes in nuclear deterrence policies, the total elimination of nuclear weapons, and the deadlocked state of the Conference on Disarmament.

As the commission normally completes its consideration of two items in three years, with the consensus adoption of guidelines and recommendations, member states will have to identify and agree on two new items prior to the commission's next session in 2004. In this regard, the 52nd General Assembly session decided (52/492) that as of the 2000 substantive session, the substantive agenda of the commission should normally comprise two agenda items per year from the whole range of disarmament issues, including one on nuclear disarmament, and that the possibility of a third agenda item would be retained if there was a consensus to adopt such an item.

2002: The 2002 session of the UNDC was cancelled. As a result of postponements and changes to the UN calendar, caused by the disruption of activities in September 2001, participants at UNDC organizational meetings were unable to decide upon an appropriate date for the 2002 substantive session. This decision was taken with the understanding that it would be without prejudice to the future work of the UNDC. The tentative dates for the 2003 substantive session are 31 March-17 April.

2001: The Disarmament Commission held its 2001 substantive session from 9-27 April 2001, under the chairmanship of Diane Quarless (Jamaica). The commission adopted by consensus reports of its two working groups and conclusions and recommendations contained therein on ways to achieve nuclear disarmament and practical CBMs in the field of conventional arms. While the UNDC Working Groups convened to consider these issues, no consensus was reached regarding how to treat these issues. The commission adopted these reports, which were presented to the General Assembly at its 56th session.

2000: The 2000 substantive session, held from 26 June-7 July, was chaired by Iranian Deputy Foreign Minister Javad Zarif. The Disarmament Commission adopted by consensus a draft report, as well as the draft reports of its two working groups on nuclear disarmament and on practical CBMs in the field of conventional arms. As in 2001, while the UNDC Working Groups convened to consider these issues, no consensus was reached regarding how to treat these issues. All three reports were submitted to the General Assembly at its 55th session.

1999: The 1999 substantive session of the UNDC was held from 12-30 April in New York, and was chaired by Maged Abdelaziz (Egypt). The Disarmament Commission concluded its deliberations in the three working groups, reaching agreement on guidelines for the establishment of NWFZs and conventional arms control for the consolidation of peace in post-conflict situations. The

commission could not, however, reach consensus on the objectives and agenda for the UNGA's Fourth Special Session on Disarmament (SSOD IV).

The guidelines for the establishment of NWFZs stipulate that the initiative to establish a NWFZ must emanate exclusively from States within the region concerned and be pursued by all the States in that region. The NWS and any other States responsible for territory within the zone should be consulted during negotiations.

The guidelines on conventional arms control/limitation and disarmament with particular emphasis on consolidation of peace in the context of UNGA Resolution 51/45N, apply to the consolidation of peace in post-conflict situations and call for transparency in armaments and confidence building to stem the increasing flow and accumulation of conventional weapons.

The paper presented by the Chairman on the fourth special session of the UNGA devoted to disarmament highlighted possible agenda items that had been identified by the 1998 substantive session of the UNDC. No consensus was reached on this matter.

1998: The 1998 substantive session of the UNDC was held from 6-28 April in New York. The commission, chaired by Sergey Martynov (Belarus), addressed and established three working groups for the following disarmament areas: the establishment of NWFZs, the development of guidelines on conventional arms control, limitation and disarmament, and the preparations for the SSOD IV.

The commission concluded its third and last year's work on the SSOD IV having failed to reach an agreement on its objectives and agenda. However, a resolution (A/RES/53/77AA) was passed in the 53rd session of the UNGA that recommended that the item be included in the 1999 session of the Committee for an unprecedented fourth year in order to "promote agreement on the agenda and timing of the special session." Thus, work on all three items continued in 1999.

Other UN Disarmament Bodies

UN Institute for Disarmament Research (UNIDIR)

UNIDIR is an autonomous institution within the framework of the United Nations. It was established by the General Assembly for the purpose of undertaking independent research on disarmament and related problems, particularly international security issues. UNIDIR was established in October 1980 on the basis of UNGA Resolution 37/99K. The Statute of UNIDIR was approved by the UNGA in 1984 (Resolution 39/148H). The Director of UNIDIR reports annually to the UNGA on the activities of the Institute. The UN Secretary-General's Advisory Board on Disarmament Matters functions as UNIDIR's Board of Trustees.

The work of the Institute aims to:

- provide the international community with more diversified and complete data on problems relating to international security, the armaments race, and disarmament in all fields;
- promote informed participation by all States in disarmament efforts;
- assist ongoing negotiations on disarmament and continuing efforts to ensure greater international security at progressively lower levels of armaments by means of objective and factual studies and analyses; and
- carry out more in-depth, forward-looking, and long-term research on disarmament so as to provide general insight into the problems involved and to stimulate new initiatives for new negotiations.

UNIDIR cooperates with research institutes; develops and maintains a computerized information and documentation database service; publishes research papers, reports, and a quarterly journal, *Disarmament Forum*; and organizes regional conferences. It also has a fellowship program to enable scholars from both developed and developing countries to conduct research at the Institute.

The Institute's activities are grouped into three areas:

- Global Security and Disarmament – covers international arms control agreements and their implementation as well as questions on international security, missiles and weapons of mass destruction
- Regional Security and Disarmament - develops themes linked to conflict concentrated in specific areas of the globe, such as promoting civil society participation in West African disarmament dialogues
- Human Security and Disarmament - explores the complex interrelations between disarmament, human rights, and development; anti-personnel mines, small arms, and peace-building issues feature prominently in this area

The Institute's budget is financed mainly by voluntary contributions from governments and public or private organizations. A contribution to the costs of the Director and staff may be provided from the UN regular budget.

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Advisory Board on Disarmament Matters:

The Advisory Board on Disarmament Matters was established in 1978 pursuant to paragraph 124 of the Final Document of the Tenth Special Session of the General Assembly, and received its current mandate pursuant to General Assembly Decision 54/418 of 1 December 1999. The Advisory Board on Disarmament Matters has the following functions:

- to advise the Secretary-General on matters within the area of arms limitation and disarmament, including on studies and research under the auspices of the United Nations or institutions within the United Nations system;
- to serve as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR); and
- to advise the Secretary-General on the implementation of the United Nations Disarmament Information Program.

The Secretary-General chooses the members of the Board from all regions of the world for their knowledge and experience in the field of disarmament and international security. Members serve an initial two-year term. There were 18 members in 2008. The Director of UNIDIR is an *ex officio* member.

The Advisory Board holds two sessions a year, alternating between New York and Geneva. The Board adopts its agenda based on requests from the Secretary-General for advice on specific disarmament issues and upon its own recommendations of items to be considered. The chairman of the Board rotates by region on a yearly basis, and is responsible for submission of a private report on the session to the Secretary-General. The Secretary-General reports annually to the General Assembly on the activities of the Advisory Board.

In its role as Board of Trustees of UNIDIR, the Advisory Board reviews reports of the work of the Institute, including completed and on going projects, personnel and financial matters, and future plans.

In 2008, at its 49th and 50th sessions, the Board discussed issues of energy security and environment in the field of disarmament and non-proliferation as well as the 'Hoover Plan' for nuclear disarmament including multilateralism and the UN dimension. The Board further discussed emerging weapons technologies, including outer space aspects.

In 2007, at its 48th session, the Board reviewed ways to advance the disarmament agenda as well as emerging weapons technologies including outer space aspects.

In 2006, at its 47th session, the Board discussed the way ahead in building an international security system as well as the consolidation and further development of international norms on small arms and light weapons (SALW). At its 46th session, the Board reviewed the situation in the field of disarmament in light of the decisions taken at the summit held on the occasion of the 60th session of the UNGA. The Board also discussed measures to prevent the proliferation of weapon systems to non-state actors.

In 2005, at its 45th session, the Board conducted a review of disarmament machinery and discussed challenges and opportunities at the regional level in the areas of WMD and conventional arms. At its 44th session held in February, the Board focused on the nuclear fuel cycle and the control of fissile materials. In addition, regional security and global norms issues concerning small arms and light weapons were also included in the session.

In 2004, at its 43rd session, the board discussed export controls and evaluated its contribution to the work of the secretary-general's panel on threats, challenges, and change. In its February 42nd session, terrorism and WMD capabilities concerning their delivery systems and disarmament and reconciliation in conflict resolution were discussed.

In 2003, at its 41st session, the compliance, verification, and enforcement of multilateral treaties and rising military expenditures were among the issues concerning disarmament and human security that were discussed. At its 40th session, the items discussed were open source data for disarmament and the relationship between disarmament and development. A review of the functioning and effectiveness of the board in the context of it 25th anniversary of its establishment was also conducted.

In 2002, at its 39th session, the board discussed, among other things, issues related to the preparedness of public health systems to deal with bio-terrorism, nuclear security and safety, the weaponization of outer space, rising military expenditure, disarmament and development, and disarmament education. The 38th session was composed of topics addressing biological weapons and the BWT Convention, small arms and light weapons, and WMD and terrorism.

In 2001, the Advisory Board focused on "the revolution in military affairs," the illicit trade in small arms, reduction of nuclear dangers, nonproliferation regimes, and NWFZs as useful instruments of disarmament. The members also

agreed that there existed a "crisis of multilateral disarmament diplomacy" and that the UN had important roles in addressing the crisis, including through public education, especially with respect to nuclear disarmament.

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Reporting Mechanisms

Reduction of Military Budgets: Instrument for Standardized International Reporting of Military Expenditures:

Established by the UNGA Resolution 25/142B in 1980. In 1985, the UNGA reiterated its recommendation that all Member States should annually report by 30 April to the secretary-general their military expenditures for the latest fiscal year for which data are available, using the reporting instrument. The standardized reporting form invites aggregate and detailed data on expenditures incurred on personnel, operations and maintenance, procurement and construction, and research and development. The alternative simplified reporting form only seeks aggregate data on personnel, operations and procurement.

Thus far, more than 120 States have reported to this instrument at least once since it commenced operation in 1981. Annual participation registered significant increases in recent years over all previous years. The highest number of national submissions recorded so far was 82 in 2002, rising from 61 in 2001, while the average level of participation during the 1980s and 1990s was fewer than 30.

UN Register of Conventional Arms:

Established 1 January 1992, under UNGA Resolution 46/36L, "Transparency in Armaments," of 9 December 1991. The purpose of the UN Register of Conventional Arms is to serve as a universal and non-discriminatory CBM designed to give early warning and prevent the excessive and de-stabilizing accumulation of arms.

Procedures approved by the UNGA call for the voluntary submission by Member States of data on all items exported or imported in seven major weapon categories: battle tanks, armored vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, and missiles/missile launchers. Background information is also requested on each country's military holdings, procurement through national production, and relevant policies. Submitted information is made available to the public.

All Member States are invited to participate by providing information for each calendar year by 30 April of the following year. A "nil" report indicates that the reporting country did neither import nor export any arms covered by the Register. A "substantive" report implies that the State did import or export such weapons.

Submission results:

2006: 113 reports (61 nil, 49 substantive)

2005: 117 reports (70 nil, 47 substantive)

2004: 117 reports (64 nil, 51 substantive)

2003: 115 reports (66 nil, 49 substantive)

2002: 123 reports (76 nil, 46 substantive)

2001: 126 reports (77 nil, 49 substantive)

2000: 118 reports (64 nil, 54 substantive)

1999: 100 reports (42 nil, 56 substantive)

1998: 85 reports (30 nil, 54 substantive)

1997: 99 reports (44 nil, 54 substantive)

1996: 93 reports (41 nil, 51 substantive)

1995: 96 reports (42 nil, 54 substantive)

1994: 98 reports (45 nil, 53 substantive)

1993: 94 reports (45 nil, 49 substantive)

1992: 95 reports (39 nil, 56 substantive)

The UN secretary-general releases an annual report of the UN Register of Conventional Arms in July that covers all of the data for the previous year, subsequently a number of addenda and corrigenda are published after the release of the report. The latest report was released in July 2008 (A/63/120), covering data for the year 2007.

Thus far, a total of 172 States have reported to the Register one or more times. The Register captures the great bulk of the global arms trade in the categories of conventional weapons covered by it.

Groups of Governmental Experts:

i. The Group of Governmental Experts on the UN Register of Conventional Arms:

2006: The 2006 Group of Governmental Experts was established under General Assembly resolution 60/226 of 23 December 2005, which requested the Secretary-General to prepare a report on the continuing operation of the Register and its further development, taking into account the views expressed by Member States and the reports of the Secretary-General on the subject.

The group concluded that significant progress had been made towards achieving a high level of participation, but that universal participation would enhance the

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effectiveness of the Register as a global confidence-building instrument. The group recognized the need to provide the Department of Disarmament Affairs (DDA) with adequate assistance to carry out outreach and promotional activities.

The group amended the category VI definition of a warship and recommended an overhaul of the Register's website and database. It also recommended that the DDA conduct a pilot project to test the feasibility of electronic filing of reports

2003: The 2003 Group of Governmental Experts on the continuing operation and further development of the United Nations Register of Conventional Arms, pursuant to General Assembly Resolution 57/75, successfully concluded its work at United Nations Headquarters in New York on 1 August by adopting a consensus report.

The report contained a number of recommendations submitted by the Group of Experts, which are designed to improve the operation of the Register further and to enhance its global relevance. Notably, the group recommended that technical adjustments be made to two of the seven categories of conventional arms covered by the Register. Specifically, it proposed that the reporting threshold for large-caliber artillery systems should be lowered from 100 to 75 millimeters, and that man-portable air-defense systems (MANPADS) should be included in Category VII entitled "Missiles and Missile Launchers."

The Group discussed in detail a range of other issues, including the status of reporting on procurement through national production and military holdings, as well as the relationship of small arms and light weapons to the Register. So far, 164 member states have participated at least once in this voluntary reporting instrument, while a record number of 126 states submitted reports on arms transfers last year. The seven categories of arms covered by the Register are: battle tanks; large-caliber artillery systems; armored combat vehicles; combat aircraft; attack helicopters; warships (including submarines); and missiles and missile-launchers.

A report of the final meeting was submitted to the 58th General Assembly at UN Headquarters.

From 17 to 21 March 2003, the Group of Governmental Experts held its fourth review of the Register pursuant to General Assembly Resolution 57/75 on 22 November 2002. The resolution requested the secretary-general, with the assistance of a group of governmental experts to be convened in 2003, on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, with a view of a decision at its fifty-eighth session.

Aside from examining the progress made so far in terms of participation level and the quality of data submitted by States, the governmental experts examined a range of issues pertaining to the current scope of the Register, its existing procedures and operation, as well as the implementation of recommendations made by the group of governmental experts in 2000. The group also considered the outcome of a series of regional and sub-regional workshops held over the last two years in Africa, Asia-Pacific, and Latin America and the Caribbean. The Department for Disarmament Affairs facilitated these workshops in cooperation with the Governments of Canada, Germany, Japan and the Netherlands.

The Department for Disarmament Affairs at the UN Secretariat is responsible for maintaining an electronic database for the import/export data submitted, and files on background information.

2000: The Group of Governmental Experts on the UN Register met from 24 July-4 August 2000. They held two other meetings in the year 2000, from 6-10 March and from 22 May-2 June. The Group submitted its report to the secretary-general (A/55/281) on 9 August of that year. The report contains the following conclusions and recommendations:

The Group emphasized the consistent level of participation since 1992 and the improved quality of information provided by States, but stated that there were wide variations in the level of reporting among regions.

The Group stressed the importance of universal participation and encouraged more States to participate on a regular basis both in reporting data and information and in making "nil" reports on imports and exports of conventional weapons covered by the Register.

The Group stressed the importance of the principal of transparency and its relevance to WMD and considered the proposal to add a new category to include such weapons. The group, however, agreed that this was an issue to be addressed by the General Assembly.

The Group recommended that the practice of holding periodic reviews, which is essential to the task of ensuring the continued progress of the Register, should be continued.

The Group also met in 1997 and submitted its report to the secretary-general (A/52/316) on 29 August of that year.

1994: In 1994, the Group of Governmental Experts, with members from 25 countries, first met to review operation of the Register and consider its further development, including the addition of new categories of equipment and data on military holdings and procurement through national production. The Group did not reach consensus on any substantial expansion or changes. The following year, the UNGA passed Resolution 50/70 D, which called for continued participation in the Register and requested the secretary-general, with the assistance of a group of

governmental experts to be convened in 1997, to prepare a report on the continuing operation of the Register and its further development for submission to the UNGA with a view to a decision at its 1997 session.

ii. Group of Governmental Experts on Tracing Illicit Small Arms and Light Weapons

The issue of tracing illicit small arms and light weapons was identified during the preparatory process for the July 2001 UN Conference on Small Arms and Light Weapons in All its Aspects (SALW) and at the conference itself, as one of the most critical problems to be addressed in the global efforts to combat, prevent, and eradicate the illicit trade in SALW.

The Program of Action adopted by the conference reflected this concern by recommending that the UNGA "undertake a study, within existing resources, for examining the feasibility of developing an international instrument to enable States to identify and trace in a timely and reliable manner, illicit SALW."

Accordingly, the UNGA established the Group of Governmental Experts on Tracing Illicit Small Arms and Light Weapons (GGE) and requested "… the secretary-general to undertake a UN study, commencing during the 56th session of the General Assembly, within available financial resources and with any other assistance provided by States in a position to do so, and with the assistance of Governmental Experts appointed by him on the basis of equitable geographical representation, while seeking the views of States, to examine the feasibility of developing an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons and to submit the study to the General Assembly at its 58th Session."

At the invitation of the secretary-general, the following 23 Member States appointed representatives to the GGE: Brazil, Bulgaria, Canada, China, Colombia, Cuba, Egypt, France, India, Jamaica, Japan, Kenya, Mali, Mexico, the Netherlands, Nigeria, Pakistan, the Russian Federation, South Africa, Switzerland, the United Kingdom, the United States, and Thailand.

The GGE held three sessions since its establishment: 1-5 July 2002 (Geneva).; 24 to 28 March 2003 (Geneva); and 2 to 6 June 2003 (New York)

2002–2003: At its first meeting of the Group elected Ambassador Rakesh Sood, Permanent Representative of India to the Conference on Disarmament (CD), as its Chairman, and agreed on the two main guidelines that would govern its deliberations. First, the GGE should focus on its precise mandate, and refrain, to the extent possible, from discussing other issues that may be important in their own right, but are peripheral to the task at hand. Second, the GGE was not intended to negotiate an international instrument, but rather, was tasked with reporting on the feasibility of developing such an instrument.

In seeking to define the scope of its task with the necessary precision, the GGE examined the issue of definitions such as what constitutes "illicit SALW"; the main components of tracing, namely marking, recordkeeping, and international cooperation, and their respective technical and political dimensions, in the context of both combating crime and conflict and post-conflict situations. Participants enriched the discussion of these and other related issues by examining their relevant national and regional experiences.

The Group concluded its work on 6 June 2003 and agreed to a set of recommendations to the 58th Session General Assembly, including the need for negotiating an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit arms and light weapons.

iii. UN Group of Governmental Experts on Disarmament and Nonproliferation Education

In 20 November 2000, the General Assembly, acting on the advice of the Advisory Board on Disarmament Matters, adopted without a vote Resolution 55/33 E entitled "United Nations Study on Disarmament and Non-Proliferation Education." In this resolution, the Assembly requested the secretary-general to prepare such a study, with the assistance of a group of qualified governmental experts, and to report to the Assembly on the question at its 57th session (2002). The report was adopted by the UNGA on 22 November 2002 (A/57/124).

The Study builds upon and seeks to revitalize past efforts at disarmament education, which it considers an integral part of peace education. It tackles new elements such as the growth in the significance of nonproliferation of WMD and small arms, as well as gender perspectives on security issues. Its main contribution is the 34 recommendations for action to be undertaken by governments, regional organizations, the United Nations and other international organizations, municipal, and religious leaders. It also seeks to establish close collaboration between the experts and civil society, including educators and academic institutions mainly at the secondary and tertiary levels of education.

The 10 governmental experts represent diverse geographical regions of the world and different approaches, philosophies, and cultures with respect to education within regions. They come from Egypt, Hungary, India, Japan, Mexico, New Zealand, Peru, Poland, Senegal, and Sweden.

2002: The 10 experts preparing the United Nations Study on Disarmament and Nonproliferation Education met for the third time at the Palais des Nations in Geneva, from 11–15 March, for a special purpose. They hoped to

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incorporate contributions from educators, educational organizations, and non-governmental organizations that might not have easy access to New York. The meeting succeeded in drawing together representatives from organizations deeply immersed in disarmament education and international security issues. The Group of Governmental Experts held the fourth session in New York from 22-27 July.

2001: The first session was held in New York City from 18-20 April. The experts gathered information from oral and written presentations by relevant United Nations offices and agencies and from leading formal and informal educators in disarmament and nonproliferation education. The Group of Governmental Experts held its second session from 8-10 August in the form of a study visit hosted by the Monterey Institute of International Studies in Monterey, California. The focus of the meeting was on evaluating new pedagogical approaches to teaching disarmament and nonproliferation, including the use of information technology and distance learning.

iv. UN Panel of Governmental Experts on Missiles in All Their Aspects

Recognizing the need to combat the missile proliferation threat, the General Assembly of the UN, in Resolution 55/33A, decided to convene a panel of governmental experts with a mandate to prepare a report on the issue of missiles in all its aspects for consideration by the General Assembly at its 57th session. The Panel was composed of 22 invited experts. The first session was held from 30 July-3 August 2001 in New York, and two more sessions were held from 1-5 April and 1-12 July 2002. The report "The issue of missiles in all its aspects" was adopted by the UNGA on 22 November 2002 (A/57/229).

v. UN Group of Government Experts on Verification in all its Aspects

UNGA resolution 59/60 established the UN Panel of Government Experts to "explore question of verification in all its aspects, including the role of the UN in the field of verification." This is the third such UN Panel on Verification: the previous ones were held in 1990 and 1995. The Panel was chaired by Dr. John Barrett of Canada and met for three one-week sessions. The first session was held in New York from January 30-February 3, 2006; the second in Geneva from May 8-12, 2006; the third in New York from August 7-11, 2006. There were 16 members on the Panel: Argentina, Canada, China, France, Germany, Japan, Mexico, Nigeria, the Russian Federation, South Africa, South Korea, Sri Lanka, the United Kingdom, the United States and Ukraine.

The panel's work encompassed nuclear, radiological, chemical, biological, and conventional weapons, as well as their means of delivery. Verification as it applies to activities involving non-state actors as well as states was examined during the sessions. During the first two sessions, the group focused on existing verification regimes in their specific contexts, examining strengths and shortcomings in terms of methods, procedures and technologies. The third session was dedicated to aspects of UN sanctions and illicit transfers of conventional weapons, and the role of verification in such circumstances. The Group issued its report "Verification in all its aspects, including the role of the United Nations in the field of verification" to the First Committee and was subsequently adopted without a vote on 11 October, 2006.

In its report, the Group made the following recommendations:

Non-proliferation, arms control and disarmament treaties, agreements and commitments should be defined in a way such that they can be subject to effective verification.

Verification approaches should be designed to enable the parties to an agreement to monitor compliance, and detect and collect evidence of possible non-compliance, before that non-compliance threatens the core security objectives of the agreement.

Analysis could be undertaken of the capability of existing and possible new verification methods to detect significant, deliberate non-compliance or a pattern of non-compliance with obligations.

Further consideration could be given to responses to withdrawal from multilateral treaties with specific reference to non-compliance and continuing verification, particularly where the withdrawing party has misused its technology and technology transfers for peaceful purposes to pursue prohibited weapons-related activities, and deny violators the benefits of their violations.

Consideration should be given to assisting relevant states and regional groups in developing the legal, institutional and operational capacity to implement their obligations under UNSC embargoes and sanctions. In this regard, the utilization and continued development of effective, low-tech monitoring technologies and methodologies should be fostered, as well as strengthening national tracking of illegal arms flows and enhanced national controls on imports, exports, financial transactions and brokering related to illicit arms transfers.

The UN also could encourage improved coordination among Member States and regional organizations and assist affected states to participate actively in monitoring and verifying compliance with arms embargoes and sanctions.

UN member states, in line with UNSCR 1540, should consider the kind of practical assistance they can provide, particularly in the areas of reporting and capacity-building, in order to help states implement their non-proliferation obligations.

States should consider practically how they might go about handling challenge inspections at sensitive sites in order to manage access in a way that builds confidence that the process can demonstrate compliance.

The creation of new or expanded obligations may require different or new methodologies and techniques (such as, for example, environmental sampling, open source analysis, interviewing personnel, and informal monitoring by civil society).

In the context of General Assembly Resolutions A/Res/42/37/C and A/Res/45/57/C, States could consider ways in which they could contribute to making the Secretary-General's mechanism to investigate alleged use of CW/BW more operational and cost-effective through national measures.

Consideration should be given to strengthening ties and establishing appropriate standing arrangements with international organizations, including the OPCW, states and regional bodies, so as to build upon and make use of their relevant investigative capabilities and make the mechanism more operational and cost-effective.

States could continue to explore the synergies that may exist in the area of techniques and methodologies of monitoring and verification and in addressing situations relating to compliance and non-compliance.

Bilateral and regional arrangements could be encouraged to play a role, where appropriate, in promoting compliance, building confidence and detecting, assessing and responding to non-compliance.

vi. Toward an Arms Trade Treaty (ATT)

There has been growing international support from across all regions for the negotiation of a treaty on common international standards on the import, export and transfer of all conventional arms. Following the UN General Assembly's 2006 adoption of a resolution (61/89) by an overwhelming majority. Member States submitted views on the feasibility, scope and parameters of such a treaty in record numbers.

Those views were to inform the work of a Group of Governmental Experts (GGE) appointed by the Secretary-General. In addition, the United Nations Institute for Disarmament Research (UNIDIR) has produced both an analysis of States' views on an ATT and a report on the implications of those States' views with the aim of helping governments, non-governmental organizations and academics understand why and how discussions on an ATT have evolved, what the central issues and obstacles are, and what its scope could look like.

2008: The GGE met three times in 2008: from 11-15 February, 12-16 May, and 28 July-8 August. The sessions brought together experts from 28 countries, including the five permanent members of the Security Council and other major arms exporters. The meetings were chaired by Ambassador Roberto García Moritán, Secretary of Foreign Affairs at the Foreign Ministry of Argentina. The Group produced a report for the General Assembly's 63rd session.

The General Assembly decided (63/240) "to establish an open-ended working group, to meet for up to six one-week sessions starting in 2009". The open-ended working group will, during 2009, "further consider those elements in the report of the Group of Governmental Experts where consensus could be developed for their inclusion in an eventual legally binding treaty on the import, export and transfer of conventional arms" and should submit an initial report to the next session of the General Assembly.

Programs

UN Disarmament Information Program:

(prior to 1992 — World Disarmament Campaign) Instituted in 1979, it is a global program to inform, educate, and generate public understanding of UN activities in the field of disarmament.

UN Disarmament Fellowship, Training and Advisory Services Program:

The United Nations Program of Fellowships on Disarmament was launched by the General Assembly at its first special session devoted to disarmament in 1978. The program aims at the training and specialization of national officials in more Member States, particularly in developing countries. It enables them to participate more effectively in international deliberating and negotiating fora.

Participants are selected on the basis of nominations invited from all Member States of the United Nations (one nomination per Member State per year). The selection of candidates is the responsibility of the substantive department (UN Department for Disarmament Affairs) on the basis of the greater needs of developing countries in terms of training their young diplomats in the field of disarmament and security, and the overall geographical balance.

The program is structured in three segments. The first segment of the program is carried out in Geneva and is aimed primarily at exposing the Fellows to multilateral negotiations on disarmament undertaken by the Conference on Disarmament and other intergovernmental meetings held there. The second segment of the program comprises study visits to intergovernmental organizations of relevance in the field of disarmament, as well as to Member States, at their invitation. The third segment of the program, which is held at United Nations Headquarters in New York, consists of a second cycle of lectures by members of delegations to the First

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Committee and United Nations officials, on items on the agenda of the Committee, and regular attendance in meetings of the Committee.

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United Nations (UN) Office for Disarmament Affairs (ODA)

The Office for Disarmament Affairs provides substantive and organizational support to Member States in the area of disarmament through the work of the General Assembly and its First Committee, the Disarmament Commission, the Conference on Disarmament, and other bodies. It fosters preventive disarmament measures, such as dialogue, transparency, and confidence-building on military matters, and encourages regional disarmament efforts. It also provides information on UN disarmament efforts. The ODA supports the development and implementation of practical disarmament measures after a conflict, such as disarming and demobilizing former combatants and helping them to reintegrate into civil society.

The ODA promotes the goals of nuclear disarmament and nonproliferation and the strengthening of disarmament regimes with respect to other WMD. It also promotes disarmament efforts in the area of conventional weapons, especially landmines and small arms, the weapons of choice in contemporary conflicts.

The ODA was originally established as the Department for Disarmament Affairs (DDA) in 1982—upon the recommendation of the General Assembly's second special session on disarmament (SSOD II)—and continued until 1992. It was re-established in January 1998 by General Assembly Resolution 52/12.

In early 2007, newly elected Secretary General Ban Ki-Moon, proposed a reorganization of the DDA from an independent department to an office under the Department of Political Affairs. He reasoned that this would allow greater proximity and involvement of the Secretary General in disarmament matters, which he aimed to make a high priority of his tenure. This proposal, however, was met with swift and strong opposition from many in the disarmament community in both government and civil society who viewed such an adjustment as a US effort to significantly downgrade the importance of disarmament within the UN. In the end, a compromise was reached: the Department for Disarmament Affairs was renamed the Office for Disarmament Affairs while its staff, organizational structure, and mandate remained intact. The position of Undersecretary General for Disarmament Affairs was renamed High Representative for Disarmament. Ambassador Sergio Duarte of Brazil was appointed as High Representative in July 2007.

The ODA works on a budget of just over $10 million per year, which covers operations and offices in New York, Geneva, Lome, Lima, and Kathmandu. At the beginning of 2009, 108 staff members were assigned as follows: New York – 57 (plus 10 working for the 1540 Committee); Geneva – 14; Lome – 10; Lima – 14; Kathmandu – 3.

The Weapons of Mass Destruction Branch (New York):

The WMD Branch provides substantive support for the WMD disarmament activities of the UN. It follows closely all developments and trends with regard to all aspects of WMD in order to keep the secretary-general fully informed and to provide information to Member States and the international community. It supports and participates in multilateral efforts to strengthen the nonproliferation of WMD and cooperates with the relevant intergovernmental organizations and specialized agencies of the UN system, in particular the IAEA, the OPCW, and the CTBTO PrepCom. It also provides substantive and secretariat support to the States Parties to the NPT.

Conventional Arms Branch (New York):

The Conventional Arms Branch provides substantive support for UN efforts to prevent the proliferation of conventional weapons. This branch monitors trends, identifies emerging issues and challenges, analyzes their implications, and makes recommendations on possible strategies for the UN to maintain conventional weapons control and practical disarmament. It also serves as a focal point within the Department and the Secretariat for the implementation of mandates pertaining to the disarmament components of peace operations undertaken by, or in conjunction with the UN. Additionally, the branch is the lead agency of the Coordinating Action on Small Arms (CASA) mechanism, which was established by the secretary-general in 1998 to harmonize policy and coordinate action by the various UN agencies working in this field.

To enhance the level of transparency in military matters, and contribute to confidence-building and security among

States, the branch operates two transparency measures—the UN Register of Conventional Weapons and the Standard Instrument for Reporting Military Expenditures. It also provides secretariat services to the Standing Advisory Committee on Security Questions in Central Africa, which was established by the General Assembly to promote arms restraint, disarmament, and confidence-building measures, in the central African sub-region. The branch supports the implementation of practical disarmament measures after a conflict, such as disarmament and demobilization of former combatants and helping them to reintegrate into civil society.

Regional Disarmament Branch (New York):

The Regional Disarmament Branch carries out the DDA's responsibilities on the regional level and from a regional perspective. Its field of expertise comprises arms control and disarmament initiatives at regional and sub-regional levels, cross-fertilization of disarmament ideas and initiatives across regions, consolidation and cooperation with regional groupings, landmines and explosive remnants of war, as well as gender-related aspects of disarmament.

This branch also oversees and coordinates the activities of the three Regional Centers for Peace and Disarmament located in Asia (Katmandu, Nepal), Africa (Lomé, Togo), and Latin America (Lima, Peru). The centers were established to promote regional cooperation in order to contribute to the implementation and coordination of regional activities under the UN Disarmament Information Program, and to facilitate the development of effective measures of confidence-building, arms limitation, and disarmament.

Information and Outreach Branch (New York):

IOB organizes a wide variety of special events and programs in the field of disarmament, produces UNODA publications (such as the Disarmament Yearbook and ODA Occasional Papers), updates content and design of the UNODA website, and maintains databases for specialized areas (Status and Texts of Disarmament Treaties, General Assembly Resolutions and Decisions and UNODA Documents Library).

Conference on Disarmament Secretariat & Conference Support Branch (Geneva):

The main activities of the Geneva Branch of the ODA include providing secretariat, administrative, and substantive support to the Conference on Disarmament; maintaining a reference library of documentation relating to disarmament and international security; providing secretariat, administrative, and substantive support to conferences and meetings on multilateral disarmament agreements held in Europe; and overseeing the implementation of the UN disarmament fellowship, training, and advisory services program.

Developments:

2008: The Secretary-General's Advisory Board on Disarmament Matters met from 20-22 February in New York and from 9-11 July in Geneva. The Board discussed issues of energy security and environment in the field of disarmament and non-proliferation, the 'Hoover Plan' for nuclear disarmament, and emerging weapons technologies, including outer space aspects.

The UN High Representative for Disarmament Affairs, Ambassador Sergio Duarte, traveled to Washington, DC on 7 February and gave a presentation to the Organization of American States (OAS) on "The Consolidation of the Regime Established by the Treaty of Tlatelolco and to Promote the Full Force and Effect of the Comprehensive Nuclear-Test-Ban Treaty (CTBT)".

A Group of Governmental Experts (GGE) was appointed by the Secretary-General to explore the possibility of an Arms Trade Treaty to establish international standards on the import, export, and transfer of all conventional arms. The group met from 11-15 February, 12-16 May, and 28 July-8 August.

On 28 April, Ambassador Duarte addressed the Second Preparatory Committee for the 2010 Nuclear Non-Proliferation Treaty Review in Geneva. He urged countries to work together "to achieve the Treaty's three primary goals with the highest possible levels of accountability and transparency."

UNODA announced the launch of its new website, designed to provide easy access to disarmament resources and research tools including the status and texts of treaties, UNGA resolutions and decisions, UNODA publications, and disarmament education.

2007: In his first month in office, Secretary-General Ban Ki Moon proposed reorganizing the Department of Disarmament Affairs to come under the Department of Political Affairs. Moon insisted this move was to allow for closer involvement and leadership on disarmament issues. This proposal received substantial opposition, especially from members of the non-aligned movement (NAM) who saw the reorganization as a downgrade in the importance of the ODA and a dramatic increase in the influence of the United States. The proposal was eventually dropped.

In December, the ODA launched a website to provide the public with current and informative content on the work of the 1540 Committee.

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Conference on Disarmament (CD)

Established: 1979

***Membership*:** 65 States—Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Finland, France, Germany, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Malaysia, Mexico, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, Republic of Korea, Romania, Russian Federation, Senegal, Slovak Republic, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey, Ukraine, United Kingdom, United States, Venezuela, Viet Nam, and Zimbabwe. (Responding to a request from Serbia and Montenegro [the former Yugoslavia], the Conference decided to remove a nameplate of Yugoslavia as Member State. Instead, all the republics of the former Yugoslavia are invited to join as observers.)

Observers: 37 States (2008 session)

Background: Formed in 1979 as the single multilateral disarmament negotiating forum of the international community after agreement was reached among Member States during the first special session of the UN General Assembly (UNGA) devoted to disarmament (1978). The CD is the successor to the Ten-Nation Committee on Disarmament (TNDC), Geneva, 1960; the Eighteen-Nation Committee on Disarmament (ENDC), Geneva, 1962-68; and the Conference of the Committee on Disarmament (CCD), Geneva, 1969-78.

As originally constituted, the CD had 40 members; however, following the unification of Germany and the breakup of the former Yugoslavia, only 38 countries participated in the work of the Conference until 1995. On 17 June 1995, the CD unanimously decided to admit 23 additional members.

The CD has a special relationship with the *United Nations*. It adopts its own rules of procedure and its own agenda, taking into account the recommendations made by the UNGA and the proposals presented by its members. It reports to the General Assembly annually or more frequently, as appropriate. The budget of the CD is included in that of the United Nations, and the CD meets on UN premises and is serviced by UN personnel. The Conference conducts its work by consensus. The CD has a permanent agenda that was agreed upon in 1978 at the first special session of the UNGA devoted to disarmament.

The CD and its predecessors have negotiated such multilateral arms control, nonproliferation, and disarmament agreements as the *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, *Environmental Modification and Seabed treaties*, *the Biological and Toxic Weapons Convention (BTWC)*, *the Chemical Weapons Convention (CWC)*, and the *Comprehensive Nuclear-Test-Ban Treaty (CTBT)*.

Agenda: **The agenda of the CD includes:**

- cessation of the nuclear arms race and nuclear disarmament;
- prevention of nuclear war, including all related matters;
- prevention of an arms race in outer space (PAROS);
- effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons;
- new types of weapons of mass destruction and new systems of such weapons; radiological weapons;
- a comprehensive program of disarmament;
- prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices;
- transparency in armaments; and
- consideration and adoption of the annual report and any other report, as appropriate, to the UNGA.

Developments:

Since the conclusion of the negotiation of the CTBT in August 1996, the CD has remained deadlocked. With the exception of 1998, it has not been able to reach consensus on its program of work and thus to commence substantive deliberations. The principal problems include difficulties in the current relations between key players, disagreement among them on the prioritization of main issues on the CD's agenda, and attempts of some countries to link progress in one area to parallel progress in other areas. The key items under consideration include: a fissile material cut-off treaty (FMCT), nuclear disarmament, prevention of an arms race in outer space (PAROS), and negative security assurances.

2008:

The first part of the 2008 session took place from 21 January to 28 March. The second part began 12 May and

will continue until 27 June. The third part is scheduled to begin on 28 July and run until 12 September. Tunisia, Turkey, Ukraine, the United Kingdom, the United States, and Venezuela hold the rotating presidencies for 2008.

First Part:

The first part began with a call from *UN Secretary General Ban Ki-moon* for members to "move forward in a spirit of compromise." This marked the first time in recent years a UNSG personally opened the CD session, and Mr. Ban expressed his disappointment with the Conference's failure to seize opportunities for progress in 2007. Several states including Russia, Germany, and Australia expressed their support for using the previous year's L.1 program of work as a starting point for 2008.

On 29 January, Conference President Samir Labidi of Tunisia outlined a seven-point plan of action based upon the CD mandate and appointed a coordinator for informal discussion on each item. Ambassador Martabit of Chile was tasked to focus on the prevention of nuclear war, Ambassador Tarui of Japan on a fissile material treaty; Ambassador Grinius of Canada on PAROS; Ambassador Ly of Senegal on negative security assurances; Ambassador Draganov of Bulgaria on new types and systems of WMD and radiological weapons; Ambassador Jayatilleka of Sri Lanka on disarmament; and Ambassador Puja of Indonesia on transparency in armaments.

On 12 February, China and the Russian Federation presented a *draft treaty* on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects (PPWT). The proposal included a mandate for further research, and several states embraced the effort to energize discussion on outer space. However, the United States gave no indication that it would be willing to reverse its position and begin negotiations on such a treaty.

During informal discussion on 19 February, Swedish Ambassador Hans Dahlgren delivered a *statement* on behalf of several nations calling for the de-alerting of nuclear weapons systems.

During an informal session on 13 March, rotating President Ahmet Üzümcü of Turkey circulated *CD/1840*, a draft decision from the six presidents based upon the 2007 *L.1 agenda* and the *CRP.5* and CRP.6 presidential statements. Mr. Victor Vasiliev of the Russian Federation stated that while the plan was not fully acceptable, it represented a compromise that his country would not reject, but he urged greater consultation between coordinators and members in the second part of the session.

The CD continued to witness an increase in the number of high-level visitors urging cooperation and progress. In addition to the UNSG, the Tunisian, Russian, and Chinese Ministers of Foreign Affairs as well as the administrator of the U.S. National Nuclear Security Administration addressed the conference.

***Second Part*:**

Many delegations spoke in favor of CD/1840, most notably a number of Latin American countries in the G21, although the Moroccan delegation criticized 1840 for offering no new ideas and for placing an unbalanced emphasis on negotiating an FMCT. Chilean Ambassador Carlos Portales also questioned the relevance of the CD's consensus-based decision-making process in a post-Cold War world, and Canada encouraged more transparent, informal discussion among members.

Iranian Ambassador Ali Reza Moaiyeri called for a "balanced and comprehensive" program of work as well as an FMCT that is comprehensive, verifiable, and covers existing stocks.

A number of delegations noted that while the CD is frequently referred to as the sole forum for multilateral disarmament negotiations, conventions banning anti-personnel mines and cluster munitions have now been successfully negotiated elsewhere. South African Ambassador Glaudine Mtshali argued that the institution and machinery of the CD should not be blamed for the deadlock, and that diplomats have a responsibility to take active roles in making recommendations to their capitals in order to "influence or shape the exercise of political will."

On 25 June, Mr. Javier Solana, EU High Representative for the Common Foreign and Security Policy *addressed* the final plenary of the second session. He highlighted the importance of the CD as the place for Nuclear Weapon States and Non-Nuclear Weapon States to forge a credible plan for the way forward. He also announced that later in the year, the EU would introduce a code of conduct for transparency and confidence-building in outer space. In addition, Mr. Solana called on all relevant States to sign and ratify the CTBT without delay.

Third Part:

Pakistani Ambassador Massood Khan agreed with the numerous delegations who have urged that members not allow the perfect to be the enemy of the good; however, he laid out specific reasons why his delegation felt that CD/1840 was not good, calling it "a lop-sided compromise among broadly likeminded countries." Mr. Khan explained that Pakistan could endorse CD/1840 were it revised to address the following issues:

- A commitment to negotiate a "non-discriminatory, multilateral and internationally and effectively verifiable" fissile materials treaty. This is key.

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- Creation of space for addressing the question of the existing and future stocks of fissile material.
- Balance among all four core issues—nuclear disarmament, FMT, PAROS, and NSAs.
- Using ad hoc committees or other subsidiary bodies as mechanisms for negotiation, in accordance with the CD's Rules of Procedure.
- A differentiation between the role of the coordinators to facilitate informal discussions and the functions of formal CD subsidiary bodies to conduct negotiations in the context of the programme of work.

On 26 August, the American delegation circulated comments critical of the Sino-Russian draft treaty banning space weapons. In the final plenary of the 2008 session on 9 September, the CD was able to adopt an annual report for the UN General Assembly. Representatives from Vietnam, Argentina, and Zimbabwe, three of the six presidents for 2009, addressed the final plenary, pledging to conduct consultations during the intersessional period with a view to starting the 2009 Conference as productively as possible.

2007:

The first part of the 2007 meeting took place from 22 January to 30 March. The CD held the second part from 14 May until 29 June. The third part began on 30 July and the 2007 session concluded on 14 September. South Africa, Spain, Sri Lanka, Sweden, Switzerland, and Syria (the S6) held the presidencies.

First Part:

The activities of the first part commenced with the South African Presidency of Glaudine Mtshali. On 24 January, the conference adopted its agenda, and the S6 established an *Organizational Framework* and built on the 2006 "Friends of the Presidents" by appointing coordinators to each of the agenda items. The items on the agenda included: cessation of the nuclear arms race and nuclear disarmament; prevention of nuclear war, including all related matters; prevention of an arms race in outer space; effective international agreements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons; new types of weapons of mass destruction and new systems of such weapons, including radiological weapons; a comprehensive program of disarmament; transparency in armaments; and consideration and adoption of the annual report and any other report, as appropriate, to the General Assembly of the United Nations. Some member countries expressed the concern that the term "coordinator" implies activity too similar to a negotiation mandate, but most expressed optimism and enthusiasm for progress during the 2007 session.

On 6 February, Syria called for a new international convention against the use or threat of use of a nuclear weapon as well as once again, with Egypt, calling for a NWFZ in the Middle East. At the same meeting, Russia shifted its position indicating that it was ready to negotiate an FMCT without any preconditions.

In a speech before the CD on 22 February, Dr. Kim Howells, minister of State, Foreign & Commonwealth Office of the *United Kingdom* defended the recently circulated UK whitepaper on renewing its trident submarines. A decision to not renew would be the first example of a NWS disarming. Howell argued that maintaining a nuclear deterrent is still necessary, and the United Kingdom needs to ensure that it will still have a nuclear capability in 20 years

On 23 March, the S6 proposed a draft program of work *(CD/2007/L.1)*, appointing coordinators to oversee substantive discussions on disarmament, PAROS, NSAs, and "negotiation without precondition on a non-discriminatory and multilateral treaty banning the production of fissile material for nuclear weapons and or other nuclear explosive devices" of each of the seven agenda items. The United States, United Kingdom, and Russia all indicated their acceptance of the proposal. China, India, Pakistan, and several others had to receive guidance from their capitals, Egypt and Algeria also expressed reservations. Members delayed the vote twice as parties insisted they needed more time. By the last day of the first session, consensus on the S6 proposal was not achieved and the conference opted for more time and a possible special session before the second session, at which point in time, a vote on the proposal would occur.

Second Part:

The conference did not hold a special session prior to its next official meeting. The CD commenced its second session on 15 May. Delegations continued to deliberate the president's proposed plan of work. After the first two plenary meetings, the committee remained stuck on the issues. China, Pakistan, India, and Egypt all expressed concern about the plan. China continued its campaign for a PAROS negotiating mandate and expressed concern that conducting work under "coordinators" rather than in Ad Hoc committees would "not ensure effective and substantive work on the relevant items." Some states suggested that the S6 proposal be opened for amendments as a way to move forward.

When Ambassador Elisabet Borsiin Bonnier of Sweden assumed the presidency of the CD on 31 May, she delivered a clear message to the conference, requesting patience, cooperation, and urging members to avoid blaming each other or fostering pessimism. She requested a break in the conference activities so that she could deliberate and prepare a response to the continued impasse. A few days later, Bonnier announced her

intention to create a presidential statement (CRP.5) to accompany the P6 proposal as a measure to clarify and alleviate concerns. She went forward with her idea while warning that if "the heart of the problem lies in serious political or military reluctance to embark on the kind of work outlined in the L.1, then no Presidential Statement, however cleverly crafted, will take us out of our present dead-lock."

When the presidential statement and attached draft decision were presented to the conference, China, Pakistan, and Iran indicated that they were not prepared to move forward with the package. China requested more time to consider the issue, while Iran and Pakistan expressed their substantive and procedural concerns. They continued to stress their desire for negotiations to begin on all four issues simultaneously and negotiations on an FMCT in accordance with the Shannon Mandate. Despite numerous consultations and negotiations, these concerns were not resolved, and the second session ended in stalemate.

Third Part

The CD's third session convened on 30 July 2007. The conference did not take a vote on the L.1 proposal or the associated presidential statements. Despite continuing consultations and attempts to resolve concerns, states parties were not able achieve the consensus necessary to begin negotiations. Discussions during the last days of the conference instead focused on chemical and biological weapons issues, and preparing and adopting the annual report.

In his farewell comments to the conference, Canadian Ambassador Paul Meyer frankly expressed his frustration and concern that there is a "dysfunctional consensus rule that sacrifices the commitments of the many to the preferences of the few" and makes the conference an institution not capable of achieving its substantive goals. "In other words, if despite the best efforts of many in this hall, we are unable to agree on a way to resume work, we should look to other processes for carrying this work forward." Ambassador Meyer pointed to progress on cluster munitions and the Ottawa process on landmines as examples of extra-CD approaches that can be successful if the necessary political will is harnessed. Indeed, the fact that the CD came so close to breaking its decade long stalemate and yet failed caused many analysts to question the future of the world's sole forum for multilateral disarmament negotiation.

2006:

The first part of the session began on 23 January and concluded on 31 March 2006. The second part ran from 15 May to 30 June. The third part took place between 31 July and 15 September 2006. Throughout 2006, Poland, the Republic of Korea, Romania, the Russian Federation, Senegal, and Slovakia held the rotating presidency of the conference. The presidents of the 2006 conference (P6) cooperated closely in order to assure continuity by consecutive presidents.

First Part:

As a means of creating a framework for a substantive session, presiding Polish Ambassador Rapacki encouraged delegates and NGOs at the first meeting to submit working papers, proposals, and ideas. While some delegations have suggested the conference should look at alternative proposals on the program of work, many other States expressed continued support for the *2003 Five Ambassadors agenda*.

Ambassador Valery Loshchinin of the Russian Federation submitted a *proposal* on fissile materials by referencing President Putin's initiative of 25 January 2006 on the "creation of a prototype of a global infrastructure which will assure all interested countries equal access to the benefits of the peaceful use of nuclear power." This infrastructure would establish international centers for uranium enrichment and reprocessing of spent nuclear fuel "under strict compliance with all norms of [the] nuclear non-proliferation regime" and functioning "on a non-

The timetable was announced on 9 February. It included the core issues (FMCT, PAROS, NSA, nuclear disarmament), new WMD and radiological weapons, a comprehensive program of disarmament, and transparency in armaments.

China and the Russian Federation circulated an updated and revised version of the "Compilation of Comments and Suggestions to the CD PAROS Working Paper *CD/1679*".which was welcomed by various sides.

Participants discussed the necessity of establishing an ad hoc committee on nuclear disarmament. While the G21 continued to support the establishment of this committee, France indicated that the committee would be redundant as soon as the negotiations on the FMCT start.

The meeting on 2 March had a special focus on nuclear disarmament. In this context, specific attention was given to the issue of transparency.

On 14 March, Ambassador Park of the Republic of Korea introduced a *non-paper*: a *"Compilation of proposals and observations on Agenda Items 1 and 2*", based on the focused debate on nuclear disarmament under his presidency. Russia welcomed the non-paper as "a bold step" that hopefully would set an example to be followed during sessions on other agenda items. The Netherlands noted that while it "may not reflect everything every

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delegation has said, [...] it surely is a very useful tool to recall and to understand the gist of our debate." Other delegations noted that they wished the non-paper would follow the two tracks of assessment of nuclear reductions, and proposals for future nuclear disarmament measures. Malaysia stated that nuclear disarmament was not being addressed directly and extensively. Pakistan regretted the selectiveness of the compilation, holding that it therefore "can only be a non-paper that has no status at all."

Second Part:

The second session of the Conference on Disarmament, presided over by Ambassador Doru Costea of Romania, opened on 16 May. The first plenary meeting focused on debate over a Fissile Material Cut-Off Treaty (FMCT). Australia, Canada, Italy, Japan, and Switzerland submitted working papers in this regard. On 18 May, the United States introduced a draft FMCT along with a draft mandate for its negotiations.

China and the Russian Federation submitted proposals on prevention of the weaponization of outer space. A number of member states called for the establishment of an Ad Hoc Committee on PAROS. DPRK referred to their 19 May statement, wherein they said they would rejoin the NPT if the United States demonstrated the political will to abide by and execute its responsibilities under the Joint Statement of the Six-Party talks. Other important themes discussed at the session included new weapons of mass destruction and radiological weapons, and nuclear terrorism. Myanmar declared that nuclear disarmament was its priority in the Conference and called for the swift establishment of an ad hoc committee on nuclear disarmament.

At the plenary meeting on 21 June, the secretary-general of the United Nations—Kofi Annan—addressed the CD. In a strong statement, he cautioned that the world was "sleepwalking" down a path on which increasing numbers of states find themselves obliged to acquire nuclear weapons. He asserted that the CD had the "collective power to wake the world up" to the dangers of nuclear weapons and ensure that the issue of disarmament features prominently on the international agenda. He referred to the two urgent crises facing the NPT: confidence and compliance, and called for "devaluing the currency of nuclear weapons". Annan emphasized the urgent need to resolve the issues of DPRK and Iran in the nuclear arena. He welcomed the CD's agreement to work on an agreed schedule, noting these positive developments as indications that the CD was ready to make significant and productive contributions. He concluded by urging member states to put their "differences and well-rehearsed arguments" behind them, and rise to the challenge of defining security policies that would lead to a safer, more peaceful world.

Third Part:

The third session of the Conference on Disarmament opened on 3 August 2006. The first plenary meeting, held that same day, was a focused debate on Negative Security Assurances (NSA). Here, the debate continued over the proper place to hold the debate, within the CD or outside the CD as part of NPT negotiations.

A comprehensive program for disarmament was the subject of the 10 August plenary meeting. A draft of the Arms Trade Treaty (ATT) that will be presented at the first committee was presented and discussed among the members of the conference.

At the plenary meeting held on 17 August, the representative from Japan spoke on NSAs and argued that positive security assurances might work better, and asked the members of the conference to consider the effectiveness of a globally legally binding instrument rather than regional agreements tied to NWFZs.

Transparency in Armaments (TIA) was the subject of a focused debate beginning on 23 August. Germany, Russia, and Italy expressed their desire to move ahead with a program of work under the A5 Proposal. In this and future meetings, Israel and Syria engaged in a heated debate over the situation in the Middle East. Syria expressed outrage at the use of cluster munitions and phosphorous weapons by Israel in its attacks on Lebanon in response to the kidnapping of two Israeli soldiers by Hezbollah.

At the 24 August meeting, Mr. Tariq Rauf, head of the IAEA's Verification and Security Policy Coordination, presented on verification and the FMCT. He argued that an FMCT would strengthen Article VI of the NPT and that a strong verification mechanism would be the only way to ensure compliance with an FMCT. Such a mechanism should apply to the entire fuel cycle and be comprehensive to provide the highest level of assurance. Mr. Rauf presented on the costs and benefits of different verification options. He estimated that a verification program would cost 50-150 million Euros.

In a meeting held on 6 September, the United Kingdom, France, and the United States made it clear that they did not support the Central Asian Nuclear Weapons-Free Zone in its current form and expressed frustration that their concerns were not being addressed. They indicated that they would not support the treaty in its current condition or sign any accompanying protocols or NSA agreements required for the weapons-free zone to enter into force.

The final meeting did not produce a draft report for the General Assembly; instead, the CD went on to additional informal meetings to finalize the draft report. The establishment of a set schedule for debate, the organizational structure using "friends of the Presidents,"

increased coordination and cooperation among the six presidents (P6), and broad consensus and increased activity on the Arms Trade Treaty (ATT) and FMCT were presented as positive developments that may serve as sources of momentum to move the CD forward in 2007.

2005:

The first part of the session began on 27 January and concluded on 1 April 2005. The second part occurred from 2 June to 15 July. The third took place from 8 August to 23 September 2005.

First Part:

The 2005 session of the Conference of Disarmament emphasized the importance of overcoming the deadlock that has plagued the CD for the past decade. In an opening message on 27 January, UN Secretary General Kofi Annan stressed that "disarmament was critical for conflict prevention, peace-building and the realization of the Millennium Development Goals."

At the end of the opening meeting, the conference accepted the request of an additional 33 states to participate in the conference as observers. On 8 February, the CD adopted its agenda for the 2005 session based on the agenda agreed to in the past. The agenda includes the following items: cessation of the nuclear arms race and nuclear disarmament; prevention of nuclear war, including all related matters; prevention of an arms race in outer space; effective international arrangements to insure non-nuclear-weapon states against the use or threat of use of nuclear weapons, new types of weapons of mass destruction, new systems of such weapons, and radiological weapons; comprehensive programs of disarmament; transparency in armaments; and consideration of the annual report and any other report, as appropriate, to the General Assembly of the United Nations.

At this meeting, conference president, Ambassador Chris Sanders of the Netherlands, announced an absence of consensus on the establishment of any subsidiary bodies or mandates during the first two weeks of the conference, indicating a continued lack of consensus on the A5 proposed agenda (CD/1693/Rev1).

The A5 proposal, drafted by five ambassadors to the Conference on Disarmament at the 932nd plenary meeting on 26 June, 2003, outlines a program of work for the meetings. The proposal suggests the establishment of four Ad Hoc Committees, each tasked with negotiating an agreement on the topics of negative security assurances, nuclear disarmament, FMCT, and PAROS. The Ad Hoc Committees would then present a report of their progress for the session to the general conference. In addition, the A5 proposal calls for three special coordinators, each tasked with gathering the views of conference members on how best to approach questions relating to new types of WMD, a comprehensive program of disarmament, and transparency in armaments.

In the last week of his presidency of the CD, Ambassador Sanders presented a non-paper entitled "Food for thought on a CD Program of Work," which extended the recommendation of the A5 proposal, suggesting Ad Hoc Committees for four agenda topics: nuclear disarmament, FMCT, PAROS, and negative security assurances. Despite the non-paper, the A5 proposal still failed to gather a consensus.

During the first part of the conference, statements from multiple states were issued concerning a number of topics. The first weeks of open debate and discussion were characterized by discussions on the CD's past deadlock and proposals to overcome the impasse. Beginning in February, the main focus of the conference shifted to members' efforts to remove and destroy their anti-personnel landmines. The conference responded with discussion about the Nairobi Action Plan and its successes, encouraging the United States, a non-party to the plan, to adopt its tenets. Many member states voiced their support for the Nairobi Action Plan.

Another topic of discussion at the CD was the FMCT. Members recognized that the CD's failure to reach a consensus on the FMCT, particularly on the issue of verification, undermines not only the effectiveness of the CD, but the security of the world.

The ambassador of Japan also suggested that the rotating presidency system of the Conference on Disarmament be abandoned in favor of something that would provide more stability.

Second Part:

The second part of the 2005 Conference on Disarmament began by noting the "abysmal failure" of the *2005 NPT Review Conference*. According to Ambassador Joseph Ayalogu of Nigeria, the conference's current president, the Review Conference "widened the gap" between the divergent positions of the members of the CD. The most contentious issues for the CD continue to be negotiations over the FMCT, negative security assurances, and PAROS.

At the second plenary meeting of the second session on 9 June, Russia and China presented their non-paper entitled "Definition Issues regarding Legal Instruments on the Prevention and Weaponization of Outer Space." This non-paper is one of several submitted by two countries on the PAROS issue; both countries announced their intention to

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create an open-ended group to discuss all non-papers on PAROS presented during the conference.

At the 17 June plenary meeting, Ambassador Wegger Strømmen of Norway assumed presidency of the CD. He proposed that each of the four plenary meetings under his presidency adhere to a theme: nuclear disarmament, fissile material cut-off, outer space, and security assurances. The proposal received broad support from member states.

The plenary on 23 June was dedicated to the discussion of nuclear disarmament. Twenty-eight countries offered statements regarding disarmament, most noting that nuclear disarmament and nonproliferation were a mutually reinforcing process. Members agreed that the failure of the NPT Review Conference placed a larger burden on the CD to resolve its impasse.

The plenary on 28 June centered on discussion of the FMCT. While most delegates stressed the importance of FMCT negotiations occurring as soon as possible, others outlined the need to first come to a consensus on a universally applicable treaty prohibiting the production of fissile material without preconditions. The point was also raised of an immediate moratorium on material production, as well as consideration of whether the treaty would cap existing stocks or only halt future production of fissile materials.

On 30 June, the plenary discussed PAROS exclusively. Twenty-one members delivered statements, many noting that the existing legal framework is inadequate for preventing an arms race in outer space. However, it was also noted that there is no international consensus on any further treaties, and a treaty limiting weaponization of outer space would face great difficulty in verification.

The final thematic plenary was held on 7 July and focused on negative security assurances. Members considered the possibility of a legally binding instrument for negative security assurances (NSAs), and some proposed the idea of recreating an Ad Hoc Committee to address the issue. Most members agreed that a legal framework for NSAs would need to be accomplished through the NPT.

At the final plenary of the second session on 14 July, Ambassador Masood Khan of Pakistan assumed the presidency. At the meeting, China and Russia announced that they would hold an open-ended meeting on PAROS on 16 August 2005.

Third Part:

The third session opened on 11 August with statements on arms control and disarmament through multilateral efforts, the NPT Review Conference and six-party talks, as well as national security interests and international terrorism. Several states recommended ways to overcome the conference's impasse.

At the 18 August plenary meeting, France submitted a *paper* on "out-of-the-box" issues that could help break the deadlock by focusing on new issues as they relate to the CD agenda and Program of Work. The paper was based on a brainstorming session of several Member States at the first informal plenary meeting. It argued that certain issues should be pursued in addition to the traditional CD agenda to provide a fresh outlook. The most important issue raised was prevention of terrorist acquisition of WMD; other issues included compliance, small arms and light weapons, and export controls. States also mentioned more specific topics, such as the protection of critical infrastructure, fuel-cycle technologies, radiological weapons, man-portable air-defense systems, and CD reform. The paper concluded that legally binding instruments should be pursued as a matter of priority. At the same time, a number of states expressed the belief that guidelines, declarations of principles, and other political legally binding instruments would help move the work of the CD forward again.

On 25 August, the outgoing president of the CD, Ambassador Masood Khan of Pakistan, closed with a speech deploring the lack of progress on the CD Program of Work. Ambassador Khan emphasized the need for political will to break the deadlock.

On 1 September, the incoming president, Ambassador Manuel Rodriguez of Peru, recommended that the work of the CD should be evaluated in the context of the UN reform process as well as with regard to different national perceptions of security. On 15 September, he gave a debriefing of his consultations on the Program of Work. Ambassador Cuadros informed the conference of the four areas of agreement shared by all delegations: support for the CD negotiating mandate, desire to break the current paralysis, support for substantive working papers on areas related to the program of work, and the desire to continue working by consensus. The draft report of the CD to the GA was introduced but not discussed.

The final session of the CD concluded on 22 September without a program of work, for the ninth year in a row. Prior to the meeting, the "Food for Thought" non-paper was presented on 12 September by the Netherlands, representing a further amendment to the Five Ambassador (A5) proposal.

Informal discussions were held during the session on the CD president's *draft decision* on a proposal for a program of work. All three proposals suggest the establishment of the same four ad hoc committees: FMCT, PAROS, NSAs and nuclear disarmament.

The president's paper merges the stronger language on NSAs in the A5 proposal with the weaker language on NSAs of the "Food for Thought" non-paper, while retaining the non-paper's specification of no pre-conditions for negotiations on an FMCT. Like the non-paper, the president's paper has the same language on nuclear disarmament as the A5 proposal, and nearly the same language on PAROS, with the notable exception of removal of the important phrase "including the possibility of negotiating [a] relevant international legal instrument."

During the 2006 session of the CD, the rotating presidency will be held by Poland, the Republic of Korea, Romania, the Russian Federation, Senegal and Slovakia.

2004:

First Part

The first two weeks of the 2004 session of the Conference on Disarmament was dedicated to opening statements and a general debate. On 27 January, the CD adopted by consensus the agenda (document CD/WP.533) for its 2004 session. The agenda includes issues pertaining to the cessation of the nuclear arms race and nuclear disarmament; prevention of nuclear war; prevention of an arms race in outer space; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; new types of weapons of mass destruction and new systems of such weapons; radiological weapons; a comprehensive program of disarmament; transparency in armaments; and consideration and adoption of the annual report and any other report to the General Assembly. Statements and debates are expected to continue throughout February and into March during the first part of the CD's 2004 session.

In the final days of the first session, several important topics on disarmament were addressed. Statements were heard from Sri Lanka, Spain, Algeria, Romania, the United States and many others concerning the current status of disarmament worldwide. Sri Lanka noted its support for the establishment of an ad hoc committee in the Conference to negotiate a multilateral treaty banning the production of fissile material for nuclear weapons. Spain, in the aftermath of the 11 March terrorist bombings in Madrid, encouraged member states to move beyond the 8-year long impasse in an effort to prevent the proliferation of weapons of mass destruction, especially given their potential use by terrorist groups. The Algerian delegation reaffirmed that disarmament should be the Conference's major priority so that "the planet could be definitively spared this version of the apocalypse." While the U.S. unveiled a new policy on landmines, it also noted that it could not agree to a suggested nuclear weapons convention or a timetable on disarmament. The president of the CD closed the meeting by emphasizing that the priority for the Conference is to adopt a definitive programme of work so that it could pick up its substantive work, which had been interrupted for so long. The second session is scheduled to begin 10 May, 2004.

Second Part:

The second session of the 2004 Conference on Disarmament began 13 May. Based on a proposal from Conference President Pablo Macedo of Mexico, the CD began structured informal plenaries on substantive issues. Participants stated that the informal plenary sessions, which allowed discussion of issues behind closed doors, encouraged transparency and assisted in the effectiveness of the meeting. Members noted that they see the informal plenaries as an opportunity to identify common denominators that would help to forge a consensus.

A discussion of the First Anniversary Meeting of the Proliferation Security Initiative was also an important topic in the first weeks of the session. The aims of the meeting included emphasizing the Proliferation Security Initiative as a global initiative, further development of international support for its aims and objectives, and promotion of broad international cooperation and participation in the initiative's activities. The Arab Group also emphasized its regional commitment to nuclear disarmament, emphasizing the importance of a regional commitment to disarmament in the Middle East.

Outer-space safety remains a high-priority concern for member states. However, the CD is far from a consensus. Members discussed the possibility of considering "other avenues" of peace in space in the short term, including a moratorium on the testing and development of space-based weapons.

The conference also discussed the recently adopted G-8 Action Plan on Nonproliferation. The plan includes the expansion of the Proliferation Security Initiative, which "demonstrates in a concrete way how dozens of countries can agree to work together toward a common security." The G-8 Action Plan also calls for the expansion of the Global Partnership and a one-year moratorium on "new transfers of uranium enrichment and reprocessing technology to additional states."

The closing remarks of the session emphasized the polarized nature of the members of the conference. An array of speakers listed upcoming challenges to the group, among them terrorism, FMCT negotiations, and radiological weapons.

Third Part:

The third session of the 2004 Conference on Disarmament began with the U.S. announcement in the first official

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plenary that it had completed its policy review of the FMCT. U.S. Ambassador Jackie Sanders stated that ratification of the FMCT is important, although it will most likely face serious difficulties before its verification. Member states expressed their satisfaction with the long-awaited U.S. review of the FMCT, stating that the time is ripe for negotiation.
Ambassador Sanders also noted the importance of an international ban on the sale and export of "persistent land mines." Some member states responded with concern that, though the United States had made an "important contribution" to the problem, the U.S. proposal might undermine the more comprehensive ban required by the Ottawa Convention, allowing countries to opt for the less stringent option.

Beginning on 26 August, the conference made new contributions to the discussion of banning weapons in outer space, encouraging a week almost entirely devoted to PAROS. Russia and China distributed non-papers that discussed verification of implementation and a review of existing international law related to weaponization of outer space. Among topics specifically addressed was the need for a moratorium on placement of weapons in outer space and the further consolidation of international opinion on a legal commitment to prevent the proliferation of weapons in space. Many countries supported the suggestion of an Ad Hoc Committee to address the problem.

On 7 September, the third session of the 2004 conference reached its conclusion. The final report of the conference noted that, although there was a goal of consensus and the creation of multiple informal proposals, the group had not agreed on a program of work, nor had it established any mechanisms on any specific agenda items. While the informal plenary meetings were constructive, the conference members felt they were not sufficient efforts to overcome the impasse of the CD.

The conference did adopt a decision designed to enhance the participation of civil society in its efforts. The decision calls for one informal plenary meeting per annual session allocated to nongovernmental organizations (NGOs). This meeting will be allocated, the decision stipulates, after the conference has adopted its program of work.

President of the conference, Ambassador Mya Than of Myanmar, noted that despite all efforts, the conference had still not achieved a program of work, although progress had been made in certain areas. UN Secretary-General Kofi Annan issued a statement saying that disarmament is of great importance and that recent events inspired a new demand for multilateral action. Annan stressed that political will was a key factor in overcoming the impasse of the conference and that he hoped they could achieve consensus at the 2005 CD.

Documents of the Conference on Disarmament:

CD/1725: Agenda for the 2004 session, adopted at the 943rd plenary meeting on January 27, 2004.

CD/1726: Letter dated January 23, 2004, from the Secretary-General of the United Nations addressed to the president of the Conference of Disarmament transmitting the resolutions and decisions on disarmament and international security matters adopted by the General Assembly at its 58th session.

CD/1727: Letter dated February 6, 2004, from the permanent representative of Romania to the Conference on Disarmament addressed to the Secretary-General of the conference transmitting the text of the chair's summary to the group workshop on "Progress in Meeting the Aims of the Ottawa Convention in South Eastern Europe" held in Bucharest from February 2-3, 2004.

CD/1728: Letter dated February 12, 2004, from the Permanent Representative of the United States of America to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of the remarks by President George W. Bush on weapons of mass destruction proliferation delivered at Fort Lesley J. McNair, National Defense University, on February 11, 2004.

CD/1729: Letter dated February 13, 2004, from the Permanent Representative of Cuba, addressed to the Secretary-General of the Conference on Disarmament forwarding the text of the "Havana Declaration" adopted in Havana, Cuba, on November 6, 2003.

CD/1730: New United States Policy on Landmines: Reducing Humanitarian Risk and Saving Lives of United States Soldiers, issued March 17, 2004.

CD/1731: Letter dated March 1, 2004, from the Permanent Representative of the Democratic People's Republic of Korea, addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the statement by the spokesman for the Foreign Ministry on the six-way talks in response to a question from the Korean Central News Agency on February 29, 2004.

CD/1732: Letter dated February 19, 2004, from the Permanent Representative of Malaysia, addressed to the Secretary-General of the Conference on Disarmament transmitting a copy of the Press Statement issued on February 13, 2004, in Putrajaya, Malaysia by the Minister of Foreign Affairs of Malaysia in response to the remarks

of President George W. Bush on Weapons of Mass Destruction proliferation.

CD/1733: Letter dated March 23, 2004, from the Permanent Representative of Japan, addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the statement given as president of the conference on the program of work on 19 December 2003, in Geneva.

CD/1734: Letter dated April 23, 2004, from the Permanent Representative of the Netherlands, addressed to the Secretary-General of the Conference on Disarmament transmitting a summary of the 6th open-ended informal meeting in the framework of the Netherlands' FMCT exercise, on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, held in Geneva on April 2, 2004.

CD/1735: Letter from the Permanent Representative of Kazakhstan, addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the communiqué of five Central Asian states adopted during the United Nations regional on small arms and light weapons in Central Asia held from March 16-18, 2004, in Almaty, Kazakhstan.

CD/1736: Letter dated February 13, 2004, from the Permanent Representative of Cuba, addressed to the Secretary-General of the Conference on Disarmament, transmitting a press release on the ratification by Cuba on May 27, 2004, of the Comprehensive Safeguards Agreement with the International Atomic Energy Agency and the additional protocol to that agreement.

CD/1737: Note dated June 4, 2004, from the Permanent Mission of the Republic of Poland addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the chairman's statement after the first anniversary of the Proliferation Security Initiative meeting held in Krakow, Poland, May 31- June 1, 2004.

CD/1738: Letter dated May 14, 2004, from the Permanent Representative of Turkey, addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the statement by the Ministry of Foreign Affairs of the Republic of Turkey issued in Ankara, Turkey, on May 1, 2004.

CD/1739: Letter dated June 24, 2004, from the Permanent Representative of Japan, addressed to the Secretary-General of the Conference on Disarmament, transmitting the test of the working paper on Disarmament and Non-Proliferation Education.

CD/1740: Letter dated July 7, 2004, from the Permanent Representative of the Republic of Cyprus, addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the statement by the Ministry of Foreign Affairs of the Republic of Cyprus issued on May 17, 2004.

CD/1741: Letter dated July 26, 2004, from the Permanent Representative of the Russian Federation, addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of a press release issued by the Ministry of Foreign Affairs of the Russian Federation on July 20, 2004.

CD/1742: Letter dated August 16, 2004, from the Permanent Representative of the Russian Federation, addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of a press release issued by the Ministry of Foreign Affairs of the Russian Federation on August 9, 2004, concerning the modernization of the U.S. radar station in Thule, Greenland.

CD/1743: Note dated August 26, 2004, from the Permanent Mission of Peru, addressed to the Secretary-General of the Conference on Disarmament, forwarding the Declaration of San Francisco De Quito on the Establishment and Development of the Andean Zone of Peace adopted on July 12, 2004, in Quito, Ecuador.

CD/1744: Report on the Conference of Disarmament to the General Assembly of the United Nations.

2003: Dates of the 2003 sessions of the Conference on Disarmament are 21 January through 28 March; 12 May through 26 June; and 28 July through September 10.

The CD opened its annual session on 21 January 2003 with a message from Secretary-General Kofi Annan; he urged an end to the impasse the CD has experienced in the last four years. The CD has been unable to reach consensus on a program of work. According to the Secretary-General, this deadlock could be "a reflection of broader problems in multilateral diplomacy." The Secretary-General stressed the importance of the CD's ability in 2003 to face profound challenges in the form of WMD and their delivery systems, increased military expenditures, and the prospect of an arms race in outer space. Of particular concern to the Secretary-General was the ability of the CD to lead important negotiations, including a ban on the production of fissile material for weapons purposes.

First Part:

The first part of the annual session began with statements by the conference's then-president, Rakesh Sood of India. Sood noted that "consultations since the adjournment of

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the 2002 session had shown a growing consensus that the problem facing the Conference was a political problem and that attention to the Conference's procedures and methods of work did not appear to be an approach that was going to work." He called on Member States to consider what steps would be necessary for the Conference to reach its potential as an effective forum on disarmament issues. Special emphasis was placed on new threats to international peace and security via terrorism and WMD, the need for debate on radiological weapons, and a renewed sense of political will and determination among Member States.

Throughout the first part of the 2003 session, the CD heard statements from the following countries: Japan, Cuba, Senegal, the United States, Austria, Iraq, the Netherlands, Italy, Egypt, China, Kenya, Turkey, Ireland, India, Bulgaria, Belgium, Switzerland, Romania, the United Kingdom, Slovenia, Lithuania, the Syrian Arab Republic, Canada, France, and Mexico.

One of the key debates during the first part of the CD session was the situation in Iraq. The United States received substantial criticism from various members for acting unilaterally in its foreign policy approach toward Iraq and in its mission to force the country to eliminate WMD. Another issue of critical importance was the withdrawal of the Government of the Democratic People's Republic of Korea from the nuclear Non-Proliferation Treaty. Additional issues that were addressed during the meeting were support for efforts to adopt a verification protocol to the Biological and Toxin Weapons Convention (*BTWC*); Small Arms and Light Weapons (SALW); and U.S. policy towards the nuclear program of the DPRK. Various other informal meetings during the first part of the session addressed issues such as the Fissile Material Cutoff Treaty (FMCT), prevention of an arms race in outer space, disarmament efforts in the Middle East, and the Conference's continuing difficulties in reaching agreement on a program of work. In addition, the issue of women's participation in the disarmament community was addressed.

Incoming president, Mary Whelan of Ireland, began her responsibilities during the first part of the CD session by addressing the Conference's inability to reach agreement on its work program. She stated that she was dedicated to contributing to the resolution of the CD's deadlock. She noted that the Conference's relevance would be seriously questioned if it remains inactive on multilateral disarmament issues while strongly encouraging the Group of Five Ambassadors (Algeria, Belgium, Chile, Colombia, Sweden), who submitted a proposal for a program of work, to continue their effort for a possible agreement on the proposal.

The CD president also encouraged Member States to consider the issue of participation of civil society in the work of the CD. They discussed possible ways for NGOs to participate in the CD (e.g., to make statements in the plenary meeting, to distribute documents outside the Conference room). However, they did not reach any agreement on this issue.

Towards the end of the first part of the session, intense debate erupted in the CD over the situation in Iraq as the United States embarked upon "Operation Iraqi Freedom" beginning March 20, 2003.

Further discussion on the FMCT, the Organization for Security and Cooperation in Europe (*OSCE*) Small Arms Document, *the United Nations Program of Action on Small Arms and Light Weapons* and the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction continued during the last meeting of the first part of the session. Representatives from Romania, Switzerland, Lithuania, the United Kingdom, Slovenia, and Japan discussed most of these issues and reported on each country's individual progress.

The first part of the 2003 Conference on Disarmament concluded with debates between the United States, the United Kingdom and Iraq about the actions of the United States. The United States maintained that Iraq had failed to comply with the UN Security Council and the weapons inspectors and therefore posed a threat to the Middle East region in terms of its WMD capabilities. Iraq upheld the position that its government had cooperated with the weapons inspectors and had given them every possibility to complete their mission prior to U.S. intervention.

Second Part:

Incoming president of the conference, Mario E. Maiolini of Italy, stressed the "importance of the forum as the only comprehensive negotiating body on disarmament at the disposal of the international community." Other representatives emphasized the need to remember the issue of security, particularly against the threat of nuclear weapons. Non-nuclear countries expressed concern over the number of nuclear warheads still being kept by nuclear weapon states.

The majority of States expressed their support for or welcomed the "Five Ambassadors" proposal. However, some countries had not pronounced their opinions, though they did not opposed the initiative.

There was clear disagreement concerning the mandate on possible efforts to prevent an arms race in outer space (PAROS). Emphasizing that the proposal is an "evolving" text, the Five Ambassadors encouraged States who could not accept the language of the proposal to submit suggestions or ideas so that they can amend the text.

On 26 June, 2003, the Conference on Disarmament concluded the second part of its 2003 session. Representatives from Sweden, Colombia, Canada, Romania, South Africa and Japan expressed concern and

frustration over the long impasse the Conference had been experiencing. Romania noted that "political will, balance, compromise and consensus were the key elements for moving forward in the Conference's work." Colombia made reference to the importance of the CD and the need for work on the limitation of availability of small arms.

Belgium and Algeria emphasized the need for consensus adoption of their "Five Ambassadors" proposal for a program of work.

In his closing remarks, president Maiolini emphasized the fact that "the achievement of a programme of work remained the main goal of the moment, and the best chance for a solution was to pursue the minimum in order to keep the Conference alive. Just what that minimum was had been emerging in recent months, and the Conference should continue to explore the possibility of consensus in the relevant areas."

Third Part:

On 26 June, Ambassador Lint of Belgium, on behalf of Five Ambassadors, suggested an amendment to the text of their proposal on PAROS. On 7 August, China, Russia and Ukraine stated that they accepted the PAROS mandate as suggested on 26 June and were ready to join the consensus on the amended Five Ambassadors proposal.

On 5 September, the Five Ambassadors formally submitted the amendment of their proposal to the CD (CD/1693/Rev.1). The Netherlands, Nigeria, and South Africa expressed their support for the amended text, while many others have not specified their position.

The third part of the Conference concluded on 9 September with the adoption of the annual reports. In her closing remark, President of the Conference Kuniko Inoguchi, stated that during the inter-sessional period she would continue her informal consultations with Member States on a program of work.

She also announced that Kazakhstan, which was to take over the Presidency, declined to accept the Presidency for the 2004 session of the CD. It was therefore decided that the CD presidents for the 2004 session would be Kenya, Malaysia, Mexico, Mongolia, Morocco, and Myanmar.

Documents of the Conference on Disarmament (21 January – 10 September 2003):

CD/1690: Letter dated 23 December 2002 from the permanent representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference transmitting the text of a statement by the Ministry of Foreign Affairs of the Russian Federation regarding the stepping up of attempts by the United States of America to set in place a global missile defense system.

CD/1691: Letter dated 7 January, 2003 from the permanent representative of the Netherlands to the Conference on Disarmament addressed to the Secretary-General of the Conference on Disarmament transmitting a summary of the second open-ended informal meeting in the framework of the Netherlands' FMCT Exercise, on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, held in Geneva on 25 September 2002.

CD/1692: Letter dated 14 January 2003 from the Secretary-General of the United Nations addressed to the president of the Conference on Disarmament transmitting the resolutions and decisions on disarmament and international security matters adopted by the General Assembly at its fifty-seventh session.

CD/1693: Initiative of the Ambassadors Dembri, Lint, Reyes, Salander, and Vega.

CD/ 1694: Agenda for the 2003 Session.

CD/1695: Letter dated 17 December 2002 from the Permanent Representative of Peru addressed to the Secretary-General of the Conference on Disarmament transmitting the Spanish text of press release 157-02 by the Ministry of Foreign Affairs of Peru, regarding the public ceremony held in Lima on 6 December 2002 to destroy firearms in civilian use.

CD/1696: Letter dated 17 January 2003 from the Permanent Representative of Peru addressed to the Secretary-General of the Conference on Disarmament transmitting the Spanish text of the communiqué issued by the Rio Group on 16 January 2003, regarding the decision by the Democratic People's Republic of Korea to withdraw from the nuclear Non-Proliferation Treaty and from the safeguards system of the International Atomic Energy Agency.

CD/1697: Letter dated 14 January 2003 from the Permanent Representative of the Republic of Belarus to the Conference on Disarmament addressed to the Secretary-General of the Conference on Disarmament, concerning the issuance of a decree on prolongation of the Moratorium on Exports of Anti-Personnel Land Mines.

CD/1698: Letter dated 30 January 2003 from the Permanent Representative of Ukraine to the United Nations Office and other international organizations at Geneva addressed to the Secretary-General of the Conference on Disarmament, regarding the Treaty on the Ukrainian-Russian State Border, signed on 28 January 2003 by the presidents of Ukraine and the Russian Federation.

CD/1699: Letter dated 4 February 2003 from the Permanent Representative of the Netherlands addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the International Code of Conduct

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against Ballistic Missile Proliferation (ICOC), adopted in The Hague, the Netherlands on November 25, 2002.

CD/1700: Letter dated 17 February 2003 from the Permanent Representative of France and the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of the French-Russian Declaration on Strategic Issues signed on 10 February 2003 in Paris.

CD/1701: Letter dated 28 January 2003 from the Permanent Representative of Austria addressed to the Secretary-General of the Conference on Disarmament transmitting the text of the "Declaration on Promoting the Universalization of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction," adopted on 12 September 2002 in New York.

CD/1702: Letter dated 27 February 2003 from the Permanent Representative of Malaysia addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the section pertaining to "Disarmament and International Security" from the final document of the XIII Conference of Heads of State or Government of the Non-Aligned Countries held in Kuala Lumpur from 24-25 February 2003.

CD/1703: Letter dated 27 March 2003 from the Permanent Representative of Romania addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the report of the regional seminar on the implementation of the OSCE Small Arms document and the UN Program of Action on Small Arms and Light Weapons in all its aspects held in Bucharest from 24-26 February 2003.

CD/1704: Letter dated 27 March from the Permanent Representative of Ukraine addressed to the Secretary-General of the Conference on Disarmament, transmitting the abridged unofficial translation of the press conference held on 21 March 2003 by Anatoliy Zlenko, Minister of Foreign Affairs of Ukraine, regarding the developments in Iraq.

CD/1706: Letter dated 22 May 2003 from the Permanent Representative of the Islamic Republic of Iran to the Conference on Disarmament addressed to the president of the conference.

CD/1707: Letter dated 22 May 2003 from the Permanent Representative of New Zealand addressed to the Secretary-General of the Conference on Disarmament, transmitting the English text of the paper submitted by New Zealand on behalf of the new agenda countries to the second session of the Preparatory Committee for the 2005 Review Conference of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

CD/1709: Letter dated 13 June 2003 from the permanent representative of the United Kingdom of Great Britain and Northern Ireland to the Conference on Disarmament addressed to the Secretary General of the Conference transmitting the text of a working paper submitted to the Second Session of the Preparatory Committee for the 205 Review Conference of the Parties to the Treaty on the Nonproliferation of Nuclear Weapons held in Geneva from 28 April to 9 May 2003.

CD/1710: Letter dated 11 June 2003 from the permanent representative of the Russian Federation to the conference on Disarmament address to the Secretary-General of the Conference notifying on the development of an initiative to promote openness and to build confidence in the domain of outer space activities.

2002. Dates for the 2002 session of the CD: January 21 to March 28; May 13 to June 28; and July 29 to September 13.

The CD concluded its 2002 session on 12 September 2002 after adopting its annual report to the UNGA. For the fourth consecutive year, the CD failed to reach a consensus on a program of work and to engage in substantive discussions. Disagreement persisted between the key players on prioritization of issues on the CD's agenda. However, some developments, including a new cross-group proposal on a program of work, demonstrated greater dynamism at the Conference and gave rise to cautious optimism about the prospects for its next annual session.

The First Part: The CD opened its 2002 annual session on 22 January 2002 under the presidency of Mohamed Tawfik, Deputy Permanent Representative of Egypt to the United Nations in Geneva. It concluded the first part of its 2002 session without any agreement on the program of work. The Member States disagreed on such agenda items as nuclear disarmament and PAROS.

The annual session of the Conference started in a rapidly changing security environment and with widespread concern among the Member States about its potential consequences for the work of the CD. The reactions to the events of 11 September and its aftermath demonstrated increased solidarity among most of the Member States in their desire to foster disarmament and to overcome the stalemate. However, many States also voiced concerns about the erosion of multilateral disarmament and arms control regimes and the renewed interest in unilateralist policies among some CD members.

The CD's stalemate was addressed by a number of high ranking officials such as Ministers of Foreign Affairs from Sweden, Canada, Kazakhstan, and Pakistan; the Defense Minister of Romania, the Under-Secretary of State of the United States, the Secretary of State of the Ministry for Foreign Affairs of Finland, and the Deputy

Foreign Minister of Iran. The Conference also heard statements from delegations.

As a majority of the speakers emphasized, the recent political situation provided the CD with a "window of opportunity" to finally get back to business. However, despite the intensive consultations conducted by the successive presidents (Mohamed Tawfik of Egypt, Fisseha Yimer of Ethiopia, and Markku Reimaa of Finland), consensus on the work program was not reached. Moreover, towards the end of the first part of the 2002 session, it seemed that the proposal on the program of work contained in document CD/1624 (the so-called "Amorim proposal"), which had been widely regarded as a "basis for further intensified consultations," drew more criticism from the countries that have always had reservations about it. These States criticized as a step backward from CD/1624 the efforts made by the president of the CD, Ambassador Reimaa of Finland, to launch the work of four Ad Hoc Committees, for the duration of the 2002 CD session, on nuclear disarmament, an FMCT, PAROS, and negative security assurances.

The first part of the 2002 session was marked by an important procedural decision to appoint Special Coordinators on the review of the agenda of the Conference, expansion of its membership, and improved and effective functioning. After a round of consultations among groups, the posts of the Special Coordinators were filled as follows: Ambassador Eui-Yong Chung of the Republic of Korea was appointed Special Coordinator on the review of the agenda; Ambassador Dimiter Tzanchev of Bulgaria was appointed Special Coordinator on expansion of membership of the Conference; and Ambassador Prasad Kariyawasam of Sri Lanka was appointed Special Coordinator on improved and effective functioning of the CD. Although the appointment of Special Coordinators early in the session was regarded as an encouraging sign, many delegations stressed that these procedural developments should not lead to self-complacency and distract the CD from reaching a compromise on its work program and subsequent commencement of substantive work. The CD concurred with a decision by the Secretary-General of the United Nations to appoint Mr. Sergei Ordzhonikidze, the Director General of the United Nations Office at Geneva, as the Secretary-General of the CD and his Personal Representative to the Conference. The CD also paid tribute and bid farewell to his predecessor Mr. Vladimir Petrovsky, who was retiring after nine years with the Conference.

Towards the end of the first part of the 2002 session, it became evident that positions of many delegations were influenced by anticipation of the results of the first session of the Preparatory Committee to the 2005 NPT Review Conference, held in New York on 8-12 April 2002. The period between the first and the second parts of the annual session was regarded by many delegations, including the Finnish presidency of the CD, as a time to seek greater consensus on the work program and alternative ways of engaging the Conference in substantive work.

The Second Part: On 13 May 2002, the CD started the second part of its 2002 session. The president of the conference, Ambassador Reimaa of Finland, continued consultations on his draft program of work, which he first presented to the CD at the end of the first part of the 2002 session. The draft envisaged the establishment, for the duration of one year, of four Ad Hoc Committees on nuclear disarmament, an FMCT, PAROS, and negative security assurances, without formalizing their mandates, but making general reference to "the existing proposals and CD/1624 when initiating the work of the Conference on Disarmament."

Towards the end of his presidency, Ambassador Reimaa distributed a revised version of his proposal: a reference to the "agreed mandates," i.e., for an FMCT and negative security assurances, and two "existing proposals" (on mandates for nuclear disarmament and PAROS) were added, while a reference to the Amorim proposal (CD/1624) was dropped; Ad Hoc Committees were replaced by "subsidiary bodies," and reference to the duration of this work program arrangement (one year) was also dropped. The revised proposal was considered at an informal plenary meeting and received support from a majority of delegations. China and Pakistan expressed reservations, while the Russian Federation voiced concerns over the ambiguity of the mandates of the proposed subsidiary bodies. At the conclusion of the meeting, the president submitted the final version of his proposal (CD/1670).

Special Coordinators (SC) on "reform issues" continued their consultations. The SC on expansion of membership and the SC on improved and effective functioning of the CD held very lively and business-like open-ended consultations. The most discussed issues included a possible limitation to the rule of consensus; modalities for participation of civil society and intergovernmental organizations (IAEA, OPCW, and CTBTO) in the proceedings of the Conference; and modification of the regional grouping system.

On 23 May 2002, South Africa submitted a working paper entitled "The Possible Scope and Requirements of the Fissile Material Treaty (FMT)" (issued as document CD/1671). In particular, the paper attempted to deal with the controversial issue of existing stocks of nuclear material, and to provide a practical and politically feasible solution to this problem.

The Netherlands sponsored an open-ended, informal meeting on an FMCT, which took place on 7 June 2002.

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At the presidential consultations on 29 May 2002, China submitted an informal proposal on a program of work. According to it, China would agree to the Amorim proposal if the following words were added to the language of the final paragraph dealing with the mandate of the Ad Hoc Committee on PAROS: "with a view of reaching an international legally binding instrument."

At the 907th plenary meeting of the CD on 27 June 2002, China and the Russian Federation submitted a joint working paper on the possible elements of a treaty on PAROS. The paper contained a basic obligation not to place weapons in outer space. From the Chinese perspective, it represented a compromise, because it did not ban using outer space for all the weapons-related purposes as the previous Chinese proposals did.

Also at the 907th meeting, the new president of the CD, Germany, made a proposal to reconsider item five of the CD's agenda "New types of weapons of mass destruction; radiological weapons" in light of the new threats, and distributed among the delegations a working paper on this subject.

The Third Part: The third part of the 2002 annual session was marked by an important cross-group initiative on a program of work by the five former presidents of the CD (Ambassador Dembri of Algeria, Ambassador Reyes of Colombia, Ambassador Vega of Chile, Ambassador Lint of Belgium, and Ambassador Salander of Sweden). The proposal was informally distributed among the delegates prior to the start of the third part of the annual session. At the 908th plenary meeting of the CD on 31 July 2002, the authors of the proposal outlined it to the Conference. The authors of the proposal sought to receive feedback from the CD members, and based on it, to decide whether to formally introduce the proposal.

The initial proposal envisaged establishing four Ad Hoc Committees (on negative security assurances, an FMCT, nuclear disarmament, and PAROS) and appointing three Special Coordinators for the duration of the rest of the 2002 session and the whole 2003 annual session. This would have necessitated amending the CD's rules of procedure, which require renewing mandates of subsidiary bodies in the beginning of each annual session. In terms of the mandates of the proposed subsidiary bodies, the proposal drew upon the earlier efforts to find a compromise formula in order to resolve a deadlock in the CD, including the Amorim proposal (CD/1624). In comparison to previous proposals, the new initiative contained several amendments. For instance, it required stocks of fissile material to be included in the scope of the future FMCT negotiations. In this regard the new initiative differed from the so-called "Shannon mandate," agreed in 1995, which was widely regarded as the basis for the future FMCT negotiations.

Following a month-long consultation process, the new cross-group proposal on a program of work was formally presented to the CD at the 912th plenary meeting on 29 August 2002. The revised version opted for a presidential declaration instead of a preamble; it no longer required modification of the CD rules of procedure in regard to the necessity to renew the mandates of subsidiary bodies in the beginning of each annual session. It called for the establishment of an Ad Hoc Committee on negative security assurances with a mandate to negotiate effective international arrangements, which "could take the form of an international legally binding instrument"; an Ad Hoc Committee to deal with nuclear disarmament; an Ad Hoc Committee to negotiate an FMCT, whose mandate was modified so that the reference to stocks contained in the wording of the initial version submitted in July was eliminated; and an Ad Hoc Committee to deal with PAROS, which should "identify and examine, <…>, any specific topics or proposals, which could include confidence building or transparency measures, general principles, treaty commitments and the elaboration of a regime capable of preventing an arms race in outer space."

Ambassador Dembri of Algeria noted that the establishment of three Ad Hoc Committees (namely, on negative security assurances, FMCT, and nuclear disarmament), as well as the appointment of three Special Coordinators enjoyed more or less universal support among the delegations, or at least this support was evolving in a favorable direction, while the issue of PAROS remained a point of contention. Ambassador Dembri noted again the wide gap between China's approach to a program of work, which he termed "maximalist", and the U.S. approach, which he called a "minimalist" one.

The reactions of the CD members to the new modified proposal were generally favorable. However, China and the United States again demonstrated disagreement between their approaches to the work of the CD. China tabled a proposal stating its willingness to agree to the 2000 Amorim proposal on the program of work if the PAROS Ad Hoc Committee were established with a view to reaching a legally binding agreement (CD/1682). The United States stated that the offer made by China remains unacceptable to it. The United States stressed that any proposal on PAROS will be acceptable to it only if it does not pre-judge where the discussions would lead.

Some of the members of the Western Group also criticized the Chinese position on PAROS. At the same time Russia and a number of G21 states expressed their support for the Chinese position. A number of countries also praised the joint Russian-Chinese working paper on PAROS.

On 15 August 2002, the CD held informal consultations on the issue of radiological weapons, as proposed earlier

by Germany. Views diverged on whether consideration of radiological weapons should take into account the already existing experience of the CD, which had considered this item in 1980-1992, or to start anew. Many states expressed a view that the CD's efforts in this area should not duplicate the work of the International Atomic Energy Agency (IAEA) related to protection of radioactive materials. Some countries raised the issues of scope of the potential convention and definitions of radioactive sources. Some states questioned the necessity of a convention on radiological weapons, arguing that such weapons do not exist and are unlikely to appear in the future because they lack military utility. These issues were extremely controversial and had prevented the CD from reaching a consensus on this item in the past. The conference agreed to inform the IAEA of the debate.

Among other developments, the CD heard statements from the Special Coordinators on procedural issues. The Coordinators as in the previous year reported no consensus among the members of the CD on the reform of the CD agenda, the expansion of its membership, and improved and effective functioning of the Conference. In its Annual Report to the General Assembly, the CD adopted a recommendation to reappoint the Special Coordinators on procedural issues during the 2003 annual session.

At its final plenary meeting, the CD adopted its annual report to the 57th session of the United Nations General Assembly. In this report, *inter alia*, the CD requested the current president and the incoming president to conduct appropriate consultations during the intersessional period and, if possible, make recommendations, taking into account all existing proposals and views presented and discussions held in the 2002 session. While agreeing that priority should be given to substantive work, the CD recommended that Special Coordinators on procedural issues be appointed, if deemed necessary, during its 2003 session.

Documents of the Conference on Disarmament (1 January 2002, to 12 September):

CD/1654: Letter dated 5 October 2001 from the Permanent Representative of Mongolia addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the statement by the Ministry of Foreign Affairs of Mongolia in support of an international coalition against terrorism.

CD/1655: Letter dated 29 November 2001 from the Permanent Representative of the Russian Federation to the Conference on Disarmament and from the Acting Head of Delegation, Deputy Permanent Representative of the United States to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the texts of the joint statements by President Vladimir V. Putin of Russia and President George W. Bush of the United States of America on a new relationship between the United States and Russia and on cooperation against bioterrorism.

CD/1656: Letter dated 26 November 2001 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of statements dated 9 and 16 November 2001 by the Ministry of Foreign Affairs of the Russian Federation on Russia's compliance with its obligations under the treaty on conventional armed forces in Europe.

CD/1657: Letter dated 14 December 2001 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of the statement by the official spokesman of the Ministry of Foreign Affairs of the Russian Federation regarding the end of the period of strategic offensive arms reductions under the START treaty.

CD/1658: Letter dated 18 December 2001 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of the statement made by the president of the Russian Federation, Mr. Vladimir Putin, on 13 December 2001 in connection with the decision of the US Administration to withdraw from the ABM treaty of 1972.

CD/1659: Letter dated 27 November 2001 from the Permanent Representative of Peru addressed to the Secretary-General of the Conference, transmitting the text of the political declaration against terrorism as well as the paragraphs on disarmament, arms control and international security from the Lima Declaration "United for Tomorrow" signed on 24 November 2001 by the Heads of State and Government of the Ibero-American community.

CD/1660: Letter dated 8 January 2002 from the Secretary-General of the United Nations addressed to the president of the Conference on Disarmament, transmitting the resolutions and decisions on disarmament and international security matters adopted by the General Assembly at its fifty-sixth session.

CD/1661: Letter dated 14 January 2002 from the Permanent Representative of the United States to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of a statement commemorating the entry into force of the Open Skies Treaty as given on January 9 in Washington by Mr. Richard Boucher, Spokesman of the United States Department of State.

CD/1662: Agenda for the 2002 session (Adopted at the 889th plenary meeting, on 22 January 2002).

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CD/1663: Letter dated 1 February 2002 from the Permanent Representative of the Democratic People's Republic of Korea addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the answer given by the Spokesman of the Foreign Ministry of the Democratic People's Republic of Korea to the Korean Central News Agency regarding the remarks made by US Under-Secretary of State Bolton at the Conference on Disarmament on 24 January 2002.

CD/1664: Letter dated 4 February 2002 from the Permanent Representative of Japan to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of a summary of the "Tokyo follow-up meeting of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its aspects" held in Tokyo from 23 to 25 January 2002.

CD/1665: Letter dated 31 December 2001 from the Permanent Representative of the Russian Federation and the Permanent Representative of China to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the Russian and Chinese texts of the joint press release on Russian-Chinese interagency consultations on strategic stability (Moscow, 17 December 2001).

CD/1666: Letter dated 12 February 2002 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of the press release of the Ministry of Foreign Affairs of the Russian Federation issued in connection with the speech of the US Under-Secretary of State John R. Bolton at the Conference on Disarmament.

CD/1667: Decision (adopted by the Conference on Disarmament at its 893rd plenary meeting on 14 February 2002).

CD/1668: Letter dated 20 March 2002 from the Permanent Representative of Turkey addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the press release issued by the Ministry of Foreign Affairs of Turkey on 15 March 2002 on indefinite extension of the comprehensive moratorium on the export and transfer of anti-personnel landmines.

CD/1669: Letter dated 6 May 2002 from the Permanent Representative of South Africa to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting an extract of paragraphs related to disarmament and international security from the communiqué of the ministerial meeting of the coordinating bureau of the Non-Aligned Movement, held in Durban on 29 April 2002.

CD/1670: Proposal by the president. Draft Decision.

CD/1671: South Africa Working Paper: "The Possible Scope and Requirements of the Fissile Material Treaty (FMT)."

CD/1672: Letter dated 23 May 2002 from the Permanent Representative of Cuba addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the statement by the First Secretary of the Central Committee of the Communist Party of Cuba and president of the Councils of State and of Ministers of the Republic of Cuba, Mr. Fidel Castro Ruz, in response to statements made by the Under-Secretary of State of the United States of America, Mr. John Bolton, on 6 May 2002.

CD/1673: Letter dated 24 May 2002 from the Permanent Representative of the United States of America to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of President Bush's message to the Senate of the United States on 9 May 2002 requesting the advice and consent of the Senate to ratification of the US-IAEA additional protocol.

CD/1674: Letter dated 31 May 2002 from the Permanent Representative of the Russian Federation and the Permanent Representative of the United States of America to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the English and Russian texts of the treaty between the United States of America and the Russian Federation on strategic offensive reductions and the joint declaration by President George W. Bush and President Vladimir V. Putin on the new strategic relationship between the United States of America and the Russian Federation signed on 24 May 2002 in Moscow.

CD/1675: Letter dated 6 June 2002 from the Permanent Representative of the Republic of Kazakhstan to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the texts of the Almaty Act and of the CICA Declaration on eliminating terrorism and promoting dialogue among civilizations accepted by the first summit of the conference on interaction and confidence-building measures in Asia, held on 4 June 2002 in Almaty, Kazakhstan.

CD/1676: Letter dated 11 June 2002 from the Permanent Representative of the Netherlands to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting a summary of the open-ended informal meeting on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices held in Geneva on 7 June 2002.

CD/1677: Letter dated 19 June 2002 from the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the statement by the Ministry of Foreign Affairs of the Russian Federation

on the legal status of the treaty between the Russian Federation and the United States of America on the further reduction and limitation of strategic offensive arms (START II Treaty).

CD/1678: Letter dated 19 June 2002 from the Permanent Representative of Peru addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of the Lima commitment signed on 17 June 2002 by the Ministers for Foreign Affairs and Defense of Bolivia, Colombia, Ecuador, Peru and Venezuela establishing the Andean charter for peace and security and for the limitation and control of external defense spending.

CD/1679: Letter dated 27 June 2002 from the Permanent Representative of the People's Republic of China and the Permanent Representative of the Russian Federation to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the Chinese, English and Russian texts of a working paper entitled "Possible elements for a future international legal agreement on the prevention of the deployment of weapons in outer space, the threat or use of force against outer space objects."

CD/1680: Letter dated 26 June 2002 from the Permanent Representative of the United States of America to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the text of his remarks on outer space during the informal conference on "Future security in space: commercial, military, and arms control trade-offs" sponsored by the Monterey Institute's Center for Nonproliferation Studies and the University of Southampton's Mountbatten Center on 29 May 2002.

CD/1681: Germany Discussion Paper: Radiological Weapons.

CD/1682: Letter dated 28 August 2002 from the Head of Delegation of the People's Republic of China to the Conference on Disarmament addressed to the Secretary-General of the Conference, transmitting the Chinese and English texts of a document entitled "Draft decision on the establishment of an Ad Hoc Committee on the prevention of an arms race in outer space and its mandate."

CD/1683: Letter dated 27 June 2002 from the Permanent Representative of Ireland addressed to the Secretary-General of the Conference on Disarmament, transmitting the English text of the paper submitted by Egypt on behalf of the New Agenda countries to the First Session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

CD/1684: Letter dated 16 August 2002 from the Permanent Representative of Ecuador addressed to the president of the Conference on Disarmament, transmitting the Declaration on South American Zone of Peace signed on 27 July 2002 by the presidents of Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru and Venezuela and by the representatives of the Heads of State of Guyana, Suriname and Uruguay at the Second Meeting of presidents of South America held in Guayaquil, Ecuador.

CD/1685: Report of the Conference on Disarmament to the General Assembly of the United Nations.

2001. Dates for the 2001 CD session: January 22 to March 30; May 14 to June 29; and July 30 to September 14.

The First Part: The new president of the CD, Ambassador Christopher Westdal of Canada, attempted to secure the members' consensus on a program of work on the basis of the Amorim proposal (CD/1624), which received support from most countries. However, it became apparent that the key players were not yet ready to make concessions given the difficult political climate and with the national missile defense issue at center stage. The statements by the Russian Foreign Minister Igor Ivanov and Pakistan's Foreign Secretary Inam ul Haque at the opening Plenary of the 2001 Session, and statements by China and the United States, once again reinforced the sense that reaching agreement on PAROS and an FMCT in particular, and on the program of work in general, was impossible.

Given the stalemate over the key issues of the program of work, some countries proposed that the Conference could do something in the meantime. Myanmar put forward a "Plan B" proposal, saying that pending an agreement on the program of work, the CD should convene plenary meetings devoted to substantive items on its agreed agenda. Delegations would be encouraged to submit their proposals on substantive items in order to make optimum use of the plenary meetings while efforts to reach agreement on the program of work continue. This proposal enjoyed the support of some delegations.

Other delegations cautioned the Conference against such a solution, which might reduce the relevance of the CD as a negotiating body. New Zealand and South Africa suggested strengthening the Amorim proposal to adequately reflect the NPT undertakings with respect to the issues of nuclear disarmament and an FMCT. This approach, supported by Canada and several other countries, was designed to prevent "thematic discussions" that risked providing convenient cover for those who did not want to engage in real negotiations and to maintain the pressure on key players to fulfill pledges made at the 2000 NPT Review Conference.

The Second Part: In the beginning of the second part of the 2001 session, on 17 May 2001, the Conference managed to adopt a decision to appoint three Special Coordinators: one to review the CD's agenda (Ambassador Günther Seibert of Germany), a second its

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membership (Ambassador Petko Draganov of Bulgaria), and a third its working methods (Ambassador Prasad Kariyawasam of Sri Lanka). That was the first decision taken by the Conference in almost three years.

Russia tabled an official proposal on PAROS and nuclear disarmament. The proposal provided for the establishment of two Ad Hoc Committees (AHC) on the two issues: the nuclear disarmament AHC would "deal with" the topic and "take into consideration all relevant views and proposals," and also "address questions related to its mandate," while the PAROS AHC would negotiate with a view to reaching agreement on a regime (an internationally legally binding instrument) capable of preventing an arms race in outer space. The proposal marked the first time that Russia had supported the establishment of an AHC on nuclear disarmament in the CD. China supported the proposal. China said the "Treaty on the Prevention of the Weaponization of Outer Space" should contain four basic provisions: 1) "not to test, deploy, or use in outer space any weapons, weapons systems or their components;" 2) "not to test, deploy or use on land, at sea or atmosphere any weapons, weapon systems or their components that can be used for war-fighting in outer space;" 3) "not to use any objects launched into orbit to directly participate in combatant activities;" and 4) "not to assist or encourage other countries, regions, international organizations or entities to participate in activities prohibited by this legal instrument."

In the meantime, some delegations were reportedly holding informal consultations on the possibility of preparing for FMCT negotiations outside the CD framework to expedite the work on this issue. The FMCT negotiations would be transferred back to the CD as soon as it agreed on a work program. During the May 2001 meeting dedicated to this matter, many divergent views were expressed, while some countries, namely China and Pakistan, opted not to attend. However, a great number of delegations supported the initiative, and participated in a Japan-Australia-organized seminar entitled "Geneva Workshop on a treaty to ban the production of fissile material for nuclear weapons or other nuclear explosive devices."

Third Part: Upon the commencement of the third part of the 2001 session, the three Special Coordinators on the CD's agenda, functioning, and membership reported no agreement thus far on these three items.

After the 2001 session, the CD was still unable to break the deadlock over its program of work, although the majority of the delegations still recognized Amorim's proposal (CD/1624) as the basis for continuing consultations to reach agreement on this. The CD recommended that Special Coordinators on procedural issues be reappointed next year. Given US efforts to develop and deploy NMD, PAROS has become the main bone of contention in the CD, with China and Russia in particular pressing hard for negotiations. At the same time, the long-awaited negotiations on an FMCT still have their active and strong supporters, who are now looking at ways to make progress outside the CD. Reportedly, a number of delegations were planning cutbacks in their CD delegations, including possible withdrawals of disarmament ambassadors, until more promising times.

Documents of the Conference on Disarmament (2001):

CD/1628: Letter dated 18 October 2000 from the Permanent Representative of the Russian Federation, transmitting the text of a statement by the Official Representative of the Ministry of Foreign Affairs of the Russian Federation made on 12 October 2000 in connection with official document CD/1625 circulated by the delegation of the United States of America.

CD/1629: Letter dated 14 November 2000 from the Permanent Representative of the Russian Federation, transmitting the text of a statement by the president of the Russian Federation, dated 13 November 2000, conveying new initiatives in the field of the reduction and limitation of strategic offensive arms (START) and the limitation of anti-ballistic missile systems (ABM).

CD/1630: Letter dated 23 November 2000 from the Permanent Representative of the Russian Federation, transmitting the text of a statement made by the president of the Russian Federation on 19 November 2000.

CD/1631: Letter dated 20 November from the Permanent Representative of Brazil, transmitting the text of the Brasilia Declaration of the Regional Preparatory Meeting of the Latin American and Caribbean States for the 2001 UN Conference on Illicit Trade in Small Arms and Light Weapons in all its Aspects adopted in Brazil on 24 November 2000.

CD/1632: Letter dated 27 December 2000 from the Permanent Representatives of the Russian Federation, China, France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, transmitting the text of a statement concerning Security Assurances in Connection with Mongolia's Nuclear-Weapon-Free Status.

CD/1633: Letter dated 4 January 2001 from the Secretary-General of the UN, transmitting the resolutions and decisions on disarmament and international security matters adopted by the General Assembly at its fifty-fifth Session.

CD/1634: Letter dated 22 January 2001 from the Permanent Representatives of the Russian Federation and Canada, transmitting the English, French and Russian texts of the joint statement of the prime minister of

Canada and the president of the Russian Federation on cooperation in the sphere of strategic stability.

CD/1635: Agenda for the 2001 session (adopted at the 862nd plenary meeting, on 23 January 2001).

CD/1636: Letter dated 23 January 2001 from the Chargé d'Affaires of the Permanent Mission of Mongolia, transmitting the text of the statement made by the Government of Mongolia on 6 October 2000 in connection with security assurances provided to Mongolia by the five nuclear weapon States.

CD/1637: Letter dated 25 January 2001 from the Chargé d'Affaires of the Permanent Mission of South Africa, transmitting the text of a media statement issued on 17 January 2001 by the South African Police Service on the destruction of surplus and confiscated firearms.

CD/1638: Letter dated 22 January 2001 from the Permanent Representative of the Republic of Bulgaria, transmitting the text of a statement made by the Bulgarian Deputy Minister of Defense on 11 January 2001 at a meeting with Military and Defense Attaches.

CD/1639: Letter dated 2 February 2001 from the Permanent Representatives of the Republic of Turkey and Georgia, transmitting a joint statement made by the Republic of Turkey and Georgia on the agreement signed on 19 January 2001 in Ankara concerning the establishment of a bilateral regime for keeping their common border free from anti-personnel mines and preventing their use for border protection purposes in the future.

CD/1640: Letter dated 12 February 2001 from the Permanent Representatives of the Russian Federation and the United States, transmitting the Russian and English texts of a Memorandum of Understanding on Notifications of Missile Launches signed in Brussels on 16 December 2000 by US Secretary of State Madeleine Albright and Russian Foreign Minister Igor Ivanov.

CD/1641: Letter dated 28 February 2001 from the Permanent Representative of the Russian Federation, transmitting the text of a press release of the Ministry of Foreign Affairs of the Russian Federation on the outcome of the second international working meeting of experts on a global control system.

CD/1642: Letter dated 14 March 2001 from the Permanent Representatives of France and Switzerland addressed to the Secretary-General of the Conference, transmitting the English and French texts of the Chair's summary prepared for delegations participating in the Franco-Swiss workshop on traceability of small arms and light weapons: tracing, marking and record-keeping, held in Geneva on 12 and 13 March 2001.

CD/1643: Letter dated 19 April 2001 from the Permanent Representative of the Republic of Bulgaria, transmitting the text of a Declaration of the Bulgarian Ministry of Foreign Affairs released on 12 April 2001 by the Foreign Ministry Spokesman's Office.

CD/1644: Letter dated 29 May 2001 from the Permanent Representative of the Russian Federation, transmitting the Russian proposals concerning the Program of Work of the CD.

CD/1645: Letter dated 5 June 2001 from the Permanent Representative of China, transmitting a working paper entitled "Possible elements of the future international legal instrument on the prevention of the weaponization of outer space."

CD/1646: Decision (adopted by the CD at its 877th plenary meeting on 14 June 2001).

CD/1647: Letter dated 15 June 2001 from the Permanent Representative of the Russian Federation, transmitting the statement of the official representative of the Ministry of Foreign Affairs of the Russian Federation on the conclusion of the inspections conducted under the Treaty between the United States and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-range and Shorter-range Missiles.

CD/1648: Letter dated 8 August 2001 from the Permanent Representative of the Russian Federation, transmitting the statement by the Ministry of Foreign Affairs of the Russian Federation on the occasion of the tenth anniversary of the signing of the START Treaty.

CD/1649: Letter dated 14 August 2001 from the Permanent Representatives of the Russian Federation and China, transmitting the Russian and Chinese texts of the Treaty of Good Neighborliness and Friendly Cooperation between the Russian Federation and the People's Republic of China as well as the Moscow joint statement of the Heads of State of the Russian Federation and China on 16 July 2001.

CD/1650: Letter dated 10 September 2001 from the Permanent Representative of Romania, transmitting the texts of the statements by the president of Romania, Mr. Ion Iliescu, and the Prime Minister of Romania, Mr. Adrian Nastase, as well as the press release of the Ministry of Foreign Affairs of Romania, on terrorist attacks in the United States of America.

CD/1652: Note verbale dated 24 September 2001 from the Permanent Mission of Chile, transmitting the text of a communiqué issued by the Rio Group on the Terrorist Attacks in the United States of America.

2000. Dates for the 2000 session of the CD: 17 January to 24 March; 22 May to 7 July; 7 August to 22 September.

The CD entered its 2000 session after having failed to agree on its program of work in 1999 or to engage in substantive work for three consecutive years. This

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situation caused a sense of deep frustration among the CD members who questioned the very existence of the Conference due to its inability to address pressing matters of disarmament and nonproliferation. Several delegations even raised the issue of establishing an alternative body to deal with these matters. In March, Germany, on behalf of 22 countries, proposed that the CD should first address the issues on which agreement had already been reached while continuing to discuss outstanding items to find compromise solutions. This position came into conflict with that of certain countries, namely China, which insisted on the comprehensive and balanced nature of the program of work. Germany also argued that the program of work should address the real problems of international security.

The CD presidents, through informal presidential consultations and meetings of the regional groups, tried to lead the Conference out of the deadlock by crafting various compromise drafts of the program of work. In the beginning of the 2000 session, the outgoing president, Ambassador Harald Kreid of Austria, declared the Dembri Proposal set forth during the 1999 session as the "point of departure" for reaching an agreement on the program of work. The following presidential proposals reflected the ideas and spirit of the Dembri Proposal while containing "more acceptable language" for the Member States. Ambassador Kreid's proposal contained three possible options for the program of work. Option 1 provided for appointment of SC on PAROS and nuclear disarmament as well as the re-establishment of the subsidiary bodies and the SC with their mandates on all other substantial items, including an FMCT. Option 2 excluded the FMCT from that list but contained a non-negotiated statement by the president with regard to this item. Option 3—a minimum option—contained appointment of SC on PAROS and nuclear disarmament with submission by the president of his proposal as an official CD document concerning the re-establishment of the subsidiary bodies and re-appointment of SC with their mandates on all other substantial items. The proposal by the president, Ambassador Martynov of Belarus, contained priority and contingency actions. The former provided for the continuation of presidential consultations on setting up subsidiary bodies on outstanding issues, while the latter considered holding informal focused plenary meetings on all issues of substance on a rotation basis until the program of work was adopted. The proposal by the president, Ambassador Jean Lint of Belgium (CD/1620), included establishment of an Ad Hoc Committee to negotiate an FMCT, an Ad Hoc Working Group to deal with nuclear disarmament "through an exchange of information and views on practical steps for progressive and systematic efforts to attain this objective," and an Ad Hoc Working Group "to examine and identify specific topics or proposals that might be a basis for subsequent in-depth consideration" of the issue of PAROS. The proposal by Celso Amorim of Brazil in August followed closely Lint's proposal and provided for establishment of four Ad Hoc Committees to deal with fissile material, PAROS, nuclear disarmament, and negative security assurances. However, this proposal failed to alleviate China's concerns about a balanced approach to the issues. In China's view, Amorim's proposed mandates for Ad Hoc Committees were differently weighted — they proposed a negotiation mandate for an FMCT, and only a discussion mandate for PAROS. By the end of the 2000 Session (22 September), neither of the proposals enjoyed consensus, and the CD's prospects for starting substantive work early in 2001 were very slim.

The issues on which consensus was absent in 2000 remained PAROS and nuclear disarmament. Moreover, conditions outside the Conference, namely setbacks to the entry into force of the CTBT and US plans to deploy NMD, worsened the prospect of attaining consensus on these items. Some countries proposed that an Ad Hoc Committee to start negotiations on a phased program of nuclear disarmament and eventual elimination of nuclear weapons should be established as soon as possible. Other Member States called on the CD to establish an Ad Hoc Committee to negotiate an international legally binding mechanism preventing the weaponization of outer space by prohibiting testing, deploying, and using weapons and weapon systems there. All the aforementioned proposals did not reach consensus in the Conference. The problem became even more acute, when the issue of an FMCT joined the group of unresolved issues following the change in position of China. China linked negotiation on an FMCT with negotiation on PAROS and nuclear disarmament, thus blocking any possible progress to re-establish the Ad Hoc Committee on the negotiation of an FMCT in particular and adoption of the program of work in general. On the other side, certain countries regarded issues of nuclear disarmament and PAROS as not equal in status to the FMCT and thus refused to include them in the package. The United States stuck to the position that nuclear disarmament and PAROS were not ripe for treaty negotiations in the CD because there was no consensus on proposals for such negotiations. However, such a consensus had been reached with respect to an FMCT, as reflected in the "Principles and Objectives" document of the 1995 NPT Review Conference. Following the successful outcome of the 2000 NPT Review Conference, States expected a start of substantive work on these issues. However, great differences with respect to approaching an FMCT and PAROS, mainly voiced by China, the United States, and Russia, continued to prevent the CD from adopting its program of work and getting down to substantive work. The US-China debate on the issue of NMD and the relationship between an FMCT and PAROS sometimes resembled polemics in the Cold War-style and became sharper in tone than ever before. The

United States went as far as accusing China of attempting to block negotiations on the FMCT by holding them hostage to PAROS. By the end of the 2000 Session, all attempts to agree on the program of work or at least the program of work for 2001 were unsuccessful.

The stalemate in the CD triggered a discussion on the rules of procedure of the Conference. Some Member States called for "procedural reform" of the CD. Certain delegations proposed that the rule of consensus should be abolished at least with respect to decisions on procedural matters, such as the program of work or appointment of SC and establishment of subsidiary bodies. Some delegations also voiced a desire to change the procedure that necessitated the re-establishment of subsidiary bodies each session. However, many delegations are reluctant to do anything requiring a reform of the CD's rules of procedure, particularly regarding the consensus rule. In view of the miserable state of affairs in the Conference at the turn of the new millennium, the CD raised the question of attracting more high-level attention to its work in the capitals of Members States. The outgoing Deputy Secretary-General of the CD Abdelkader Bensmail argued, however, that that deadlock was not due to the CD's rules of procedure, working methods, or its group system. Rather, he maintained, it was the political will and unfavorable political climate between the major players that caused the Conference's difficulties.

Closing its 2000 session for the fourth consecutive year without having begun any negotiations or established subsidiary bodies, the CD adopted its annual report to the UNGA on 21 September 2000. The report noted that the CD had conducted intensive consultations, considered both formal and informal proposals without having agreed on the program of work and without having established any mechanism for any of its agenda items. Costa Rica expressed it desire to join the CD as a permanent member.

Documents of the Conference on Disarmament (2000):

CD/1601: Letter dated 13 December 1999, from the Permanent Representative of Peru, transmitting a text entitled, "Lima Calling," adopted by the Member States of OPANAL during the sixteenth regular session of the General Conference, held in Lima, Peru, on 30 November – 1 December 1999.

CD/1603: Agenda for the 2000 session (adopted at the 837th plenary meeting, on 18 January 2000).

CD/1605: Letter dated 26 January 2000 from the Permanent Representatives of China and the Russian Federation, transmitting a Joint Statement made by President Jiang Zemin and President Boris Yeltsin, on 10 December 1999.

CD/1606: Letter dated 9 February 2000, from the Permanent Representative of China, transmitting a Working Paper entitled, "China's Position on and Suggestions for ways to address the issue of Prevention of an Arms Race in Outer Space at the Conference on Disarmament."

CD/1609: New Zealand. Resolution on nuclear disarmament adopted by the New Zealand Parliament, 23 February 2000.

CD/1611: Letter dated 20 April 2000, from the Permanent Representative of the Russian Federation, transmitting the text of a Statement made on 14 April 2000 by Mr. Vladimir V. Putin, acting president of the Russian Federation, in connection with the ratification by the State Duma of the Federal Assembly of the Russian Federation of the START-II Treaty and of the package of 1997 Agreements on the Anti-Missile Defense.

CD/1612: Letter dated 25 April 2000 from the Permanent Representative of the Russian Federation, transmitting the text of a Statement made on 21 April 2000 by the Ministry of Foreign Affairs in connection with the Ratification of the Comprehensive Nuclear-Test-Ban Treaty by the State Duma of the Federal Assembly of the Russian Federation.

CD/1613: Letter dated 22 May 2000 from the Permanent Representative of the Russian Federation, transmitting the text of a Statement made on 18 May 2000 by the Ministry of Foreign Affairs in connection with the Completion of the Process of Ratification of the Comprehensive Nuclear-Test-Ban Treaty by the State Duma of the Federal Assembly of the Russian Federation.

CD/1615: Letter dated 25 May 2000 from the Permanent Representative of Pakistan, addressed to the Secretary-General of the Conference, transmitting the text of a Statement made by the Foreign Minister of Pakistan on the outcome of the Sixth Review Conference of the Non-Proliferation Treaty (NPT), held in New York from 24 April to 20 May 2000.

CD/1618: Letter dated 21 June 2000 from the Permanent Representative of Colombia, addressed to the Secretary-General of the Conference, transmitting the text of the paragraphs related to disarmament contained in the document entitled: "Cartagena de Indias Declaration Rio Group 2000: Commitment for the Millennium," adopted at the Fourteenth Summit meeting of the heads of State and government of the Rio Group, held on 15 and 16 June 2000.

CD/1619: Letter dated 22 June 2000 from the Permanent Representative of the Russian Federation addressed to the Secretary-General of the Conference, transmitting the text of a Statement made on 17 June 2000 by Mr. Vladimir V. Putin, president of the Russian Federation, on the occasion of the Seventy-Fifth anniversary of the signing of the 1925 Geneva Protocol and the Twenty-Fifth

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anniversary of the entry into force of the Biological Weapons Convention.

CD/1620: Proposal by the president on the Program of Work for the 2000 session of the Conference on Disarmament.

CD/1622: Letter dated 1 August 2000 from the Permanent Representative of China to the Conference on Disarmament and the Permanent Representative of the Russian Federation addressed to the Secretary-General of the Conference, transmitting the Chinese and Russian texts of the Joint Statement made by the presidents of the People's Republic of China and the Russian Federation on 18 July 2000 concerning anti-missile defense.

CD/1623: Letter dated 4 August 2000 from the Permanent Representative of the Republic of Kazakhstan addressed to the Secretary-General of the Conference on Disarmament, transmitting the text of a statement by the Ministry of Foreign Affairs concerning the Kazakh-United States calibrating experiment "Omega 3" at the former Semipalatinsk test site.

CD/1624: Proposal by the president on the program of work for the 2000 session of the Conference on Disarmament: draft decision.

1999: It was hoped that negotiations on a treaty to ban the production of fissile material for explosives (FMCT) would begin during the 1999 session of the CD. However, due to both internal and external factors, the Conference was unable to adopt a program of work for the year, thus preventing the re-establishment of an Ad Hoc Committee to resume the work begun in August of 1998. Despite successive efforts of the CD presidents, CD members could not reach consensus on how to treat two agenda items — nuclear disarmament and PAROS — within the work program. Many of the non-aligned States pressed for an Ad Hoc Committee on nuclear disarmament, stating that the troika consultations of the preceding year were not a permanent solution. However, the nuclear weapon States were reluctant to agree to anything more involved than the troika arrangement. China led the effort to re-establish an Ad Hoc Committee on PAROS. However, the United States was unwilling to address the issue multilaterally.

The "Dembri Proposal," named after Ambassador Mohamed-Salah Dembri (Algeria) who held the presidency during the second session of the 1999 Conference, called for both an Ad Hoc Working Group "with a view to preventing the weaponization of outer space" and an Ad Hoc Working Group "to exchange information and views on endeavors towards nuclear disarmament." However, these proposals were unable to achieve full consensus. During the third part of the Conference, the CD admitted five new members: Ecuador, Ireland, Kazakhstan, Malaysia, and Tunisia. These countries — representing diverse geo-political regions as well as distinct groups within the CD structure — were admitted after member countries dropped their lingering reservations.

Documents of the Conference on Disarmament (1999)

CD/1560: Letter dated 6 January 1999 from the Permanent Representative of the Russian Federation, transmitting a Statement made by a Representative of the Ministry of Foreign Affairs concerning the Adaptation of the Treaty on Conventional Armed Forces in Europe.

CD/1562: Agenda for the 1999 session.

CD/1563: Egypt — Draft mandate for an Ad Hoc Committee on nuclear disarmament.

CD/1564: South Africa — Interpretation of the Rules of Procedure of the Conference on Disarmament.

CD/1565: Belgium, Germany, Italy, Netherlands, Norway: Proposal on nuclear disarmament.

CD/1566: Proposal by the president on the program of work for the 1999 session of the CD.

CD/1567: Proposal by the president on the expansion of the membership of the Conference on Disarmament.

CD/1568: Canada — Proposal concerning CD action on nuclear disarmament.

CD/1569: Canada — Proposal concerning CD action on outer space.

CD/1570: Group of 77 — Proposal on the program of work.

CD/1571: Group of 21 — Draft decision and mandate on the establishment of an Ad Hoc Committee on nuclear disarmament.

CD/1574: Canada Working Paper, "Nuclear Disarmament: Substantive Discussion in the Conference on Disarmament."

CD/1575: Proposal by the president on the program of work for the 1999 session of the CD.

CD/1576: China — Re-establishment of an Ad Hoc Committee on the prevention of an arms race in outer space and its mandate: draft decision.

CD/1577: Letter dated 17 March 1999 from the Permanent Representative of the Russian Federation, transmitting a statement made by the Ministry of Foreign Affairs of the Russian Federation on 12 March 1999 in connection with the official entry of Poland, Hungary, and the Czech Republic in NATO.

CD/1578: Canada Working Paper, "Elements of an Approach To Dealing With Stocks of Fissile Materials for Nuclear Weapons or Other Nuclear Explosive Devices."

CD/1580: Letter dated 25 March 1999 from the Permanent Representative of the Russian Federation, transmitting the text of an Official Statement made by the Representative of the Ministry of Foreign Affairs of the Russian Federation on 18 March 1999 in connection with the Adoption by the Senate of the United States of America of a Bill on Deployment of a National Missile Defense System.

CD/1584: Letter dated 28 April 1999 from the Permanent Representative of the Russian Federation and the Acting Head of the Delegation of China, transmitting a joint press communiqué on issues related to the ABM Treaty.

CD/1586: France, United Kingdom of Great Britain and Northern Ireland, and the United States of America: Working paper on the program of work of the Conference.

CD/1588: Decision on the Expansion of the Membership of the Conference on Disarmament.

CD/1595: Report of the Conference on Disarmament to the General Assembly of the United Nations.

CD/1600: Letter dated 26 November 1999 from the Permanent Representative of the Russian Federation, transmitting the Text of a Statement made by the Official Representative of the Ministry of Foreign Affairs of the Russian Federation on 23 November 1999, in connection with the Submission of the Comprehensive Nuclear-Test-Ban Treaty, signed by Russia on 26 September 1996, to the State Duma of the Federal Assembly of the Russian Federation for Ratification.

1998: On 26 March 1998, the CD adopted its program of work, contained in document CD/1501. Based on this program, the CD decided to establish an Ad Hoc Committee on negative security assurances. To address nuclear disarmament issues, the CD established a mechanism of consultations held under the auspices of the presidential "troika" consisting of the past, present, and incoming presidents. The CD also appointed six SC to address PAROS, a comprehensive program of disarmament, transparency in armaments, a review of its agenda, the expansion of its membership, and its improved and effective functioning. On 11 August, the CD established an Ad Hoc Committee to negotiate an FMCT to ban the production of fissile material for weapons purposes.

Nuclear disarmament was the most pervasive point of contention in the CD. Due to widespread differences of opinion on how to proceed, it was not possible to reach an agreement on the establishment of a mechanism to negotiate nuclear disarmament issues. The non-aligned States continued to stress the utmost importance of nuclear disarmament; a number of other delegations, including some from the Western group, supported the idea of establishing a consultative mechanism to facilitate cooperation, information sharing, and accountability in nuclear disarmament matters. A considerable number of delegations considered the presidential "troika" consultations useful in addressing the issue. In his final report to the CD, the outgoing president recommended that the Conference resume the troika consultations in its next session in 1999.

According to the decision, contained in document CD/1501, the CD agreed to establish an Ad Hoc Committee under agenda item 4 entitled "Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons." The Committee was established to negotiate an international legally binding instrument that will assure non-nuclear weapon States against the use or threat of use of nuclear weapons. The Committee's discussions primarily focused on the nature and scope of currently existing positive and negative security assurances, as expressed in nuclear weapon States' declarations and the protocols to the nuclear-weapon-free-zone treaties; and addressed certain definitions that required clarification, in particular: "aggression," "attack," "invasion," "dependent territories," "associations and alliances," and "security commitments." However, the Committee was unable to reach any consensus on how to deal with these issues. The Chairman's final report (CD/1554) on the work of the Committee noted that there was no consensus reached on these issues, provided a list of all the relevant documents, and compiled in its annex a summary of all the views and national positions. The report also included a recommendation that the work of the Committee be resumed in 1999.

In 1994, The CD appointed a Special Coordinator, Ambassador Gerald Shannon (Canada), to seek the views of its members on the most appropriate arrangement to negotiate a nondiscriminatory, multilateral, internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT). After 14 months of consultations, the CD agreed, on 23 March 1995, on a mandate for FMCT negotiations based on UNGA resolution 48/75L (of 16 December 1993). The 1995 NPT Review and Extension Conference called for the "immediate commencement and early conclusion of negotiations" on an FMCT, as have subsequent NPT PrepComs. During the 1995, 1996, and 1997 sessions of the CD, while consultations continued no agreement was reached on establishing an Ad Hoc Committee on this item. On 11 August 1998, the CD adopted a decision contained in document CD/1547 on the establishment of an Ad Hoc Committee on the ban on production of fissile material under agenda item 1, on the basis of the 1995 Shannon report and the mandate contained therein (CD/1299). Following the adoption of that decision, the president read out his statement in which he stressed that the decision was "without prejudice to any further decisions on the establishment of further

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subsidiary bodies under agenda item 1," and ensured the pursuance of intensive consultations to seek further ways to deal with the agenda item on nuclear disarmament.

In view of the limited time available for the work of the Committee before the closing of the 1998 session of the CD, it did not achieve any substantive progress and failed to resolve long-standing conflicts pertaining to the issue of nuclear stockpiles and how this issue related to nonproliferation and/or nuclear disarmament. The Chairman's final report on the work of the "Agenda item 1 Committee on banning fissile material production," (CD/1555) provided a list of CD documents relating to this issue.

Despite the fact that there was widespread support for dealing with the issue of PAROS, no consensus was achieved on how to proceed. The SC introduced a draft mandate for negotiating measures on PAROS, and suggested that its text serve as the basis for the renewed 1999 consultations on this issue, with an aim of reestablishing an Ad Hoc Committee on agenda item 3.

The Conference was unable to reach consensus on the establishment of an Ad Hoc Committee to negotiate a ban on the transfer of anti-personnel land mines.

In his final report on the outcome of discussions under agenda item 7 on transparency in armaments (TIA), the Special Coordinator concluded that there seemed to be widespread support in the CD for the establishment of an Ad Hoc Committee on this issue to negotiate an international instrument. According to the report, his consultations primarily dealt with the merits of TIA; the ways of dealing with TIA within the CD, and the scope of possible activity on the issue.

According to the Special Coordinator's final report on improved and effective functioning of the CD, the consultations focused on three main issues: the question of maintaining the continuity of the work of the CD from one session to the next; the question of a permanent establishment of "standing committees" to deal with substantive and technical issues; and the possibility for the president to appoint "friends of the president" to facilitate discussion and communication among delegations on certain issues. There was also a proposal to formalize the mechanism of open-ended consultations. Despite the Special Coordinator's support for various proposals on these issues, there was no agreement on any of them.

While no agreement was reached on how to proceed with the review of the agenda, the Special Coordinator noted that some delegations advocated keeping the current agenda with nuclear disarmament as an item of high priority. Other delegations suggested placing all issues under the three main headings of "nuclear disarmament," "conventional disarmament," and "other items." In his final report, the Special Coordinator included a recommendation for pursuing this issue further in 1999.

Despite being very close to reaching a consensus on the adoption of the proposal made by the Special Coordinator to admit five new members representing five regions (Ecuador from Latin America, Ireland from Western Europe, Kazakhstan from Eastern Europe, Malaysia from Asia, and Tunisia from Africa), the final decision was blocked by Iran and postponed until 1999.

The CD closed its 1998 session by adopting its final report to the United Nations General Assembly on 9 September. Despite the fact that most of the May 1998 CD plenary meetings were dominated by discussions on the Indian and Pakistani nuclear tests, the annual report did not address this issue.

Documents of the Conference on Disarmament (1998):

CD/1483: South Africa — Draft decision and mandate on the establishment of an Ad Hoc Committee on nuclear disarmament.

CD/1484: Agenda for the 1998 session.

CD/1485: Canada — Working Paper with regard to an Ad Hoc Committee on a Fissile Material Cut-Off Treaty.

CD/1486: Canada — Working Paper concerning CD action on nuclear disarmament.

CD/1487: Canada — Working Paper concerning CD action on outer space.

CD/1492: Austria — Draft decision on the reestablishment of an Ad Hoc Committee to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

CD/1494: Netherlands — draft decision.

CD/1495: Argentina, Australia, Belarus, Belgium, Bulgaria, Chile, Finland, France, Germany, Greece, Hungary, Italy, Japan, Poland, Romania, Russian Federation, Slovakia, Spain, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, and Venezuela: draft decision.

CD/1496: Belgium — proposal on nuclear issues.

CD/1500: Presidential declaration.

CD/1501: Decision adopted by the Conference.

CD/1502: Canada — Questions related to work in the CD on negative security assurances.

CD/1547: Decision on the establishment of an Ad Hoc Committee under item 1 of the agenda entitled "Cessation of the nuclear arms race and nuclear disarmament."

CD/1548: Statement made by the president following the adoption of decision CD/1547 on the establishment of an Ad Hoc Committee under agenda item 1 entitled "Cessation of the nuclear arms race and nuclear disarmament."

CD/1554: Report of the Ad Hoc Committee on effective international arrangements to assure Non-nuclear-weapon states against the use or threat of use of nuclear weapons.

CD/1555: Report of the Ad Hoc Committee under item 1 of the agenda entitled "Cessation of the nuclear arms race and nuclear disarmament."

CD/1557: Report of the Conference on Disarmament to the General Assembly of the United Nations.

1997: At the end of the first part, the CD adopted a "Non-Paper by the President" with a proposal on the program of work. The president stated that the agenda item "Cessation of the nuclear arms race and nuclear disarmament" should be given "an extremely high priority."

During the first part, the CD also decided to establish an Ad Hoc Committee on negative security assurances with a view to eventually negotiating an internationally legally binding instrument. The CD also appointed Special Coordinators on PAROS, a comprehensive program of disarmament, transparency in armaments, as well as on the review of the CD agenda, the expansion of its membership, and its improved and effective functioning.

While nuclear disarmament remains a point of contention, the issue of an FMCT received significant support from many in the CD. The progress on this issue, however, is undermined by the continuing difficulties between the nuclear weapon States and some States of the G-21 on setting up an Ad Hoc Committee on nuclear disarmament.

In 1997, the CD failed to reach an agreement on reestablishing Ad Hoc Committees on PAROS, security assurances for non-nuclear weapon States against the use or threat of such weapons, and transparency in armaments. The General Assembly encouraged the CD to restore Ad Hoc Committees on these issues during the 1998 session.

Annual Reports

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International Atomic Energy Agency (IAEA) Overview

Established: 1957
Membership: 146 states

Functions: The main functions of the IAEA are to: encourage and assist research, development and practical application of atomic energy for peaceful uses throughout the world; establish and administer safeguards designed to ensure that such activity assisted by the Agency is not used to further any military purpose; apply safeguards to relevant activities at the request of Member States; apply, under the Nuclear Non-Proliferation Treaty (NPT) and other international treaties, mandatory comprehensive safeguards in non-nuclear weapon States (NNWS) Parties to such treaties.

In carrying out its functions, the Agency conducts its activities in accordance with the purposes and principles of the UN Charter to promote peace and international cooperation, and in conformity with policies of the United Nations for furthering the establishment of worldwide disarmament through safeguards.

The Agency's safeguards system is defined primarily in Art. XII of the IAEA Statute IAEA Statute, and in the following documents: INFCIRC/66 (designed to be applied in any state that concluded a Safeguards Agreement), INFCIRC/153 (used as a basis for agreements with States Parties to the NPT), the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the Southeast Asia Nuclear Weapon Free Zone Treaty (Treaty of Bangkok), the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga), and the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC).

The IAEA is an independent international organization that reports annually to the UN General Assembly. When necessary, the IAEA will report to the UN Security Council in regards to instances of members' noncompliance of safeguard and security obligations. Appointed in 1997, Dr. Mohamed ElBaradei serves as the Director General of the IAEA.

The IAEA Secretariat is headquartered in Vienna, Austria. Regional offices are located in Geneva, Switzerland; New York, United States; Tokyo, Japan; and Toronto, Canada. Scientific research laboratories are based in Vienna and Seibersdorf, Austria; Trieste, Italy; and Monaco.

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Verification and Compliance:

***Verification*:** Under Safeguards Agreements, IAEA inspectors regularly visit nuclear facilities to verify records maintained by State authorities on the whereabouts of nuclear material under their control, to check IAEA-installed instruments and surveillance equipment, and to confirm physical inventories of nuclear material. These and other safeguard measures provide independent, international verification that governments are abiding by their commitments to the peaceful use of nuclear technology. A precondition for the implementation of safeguards is a formal safeguards agreement between the Agency and the State.

There are four types of inspections: *Ad Hoc* (to verify a state's initial nuclear report), *Routine* (the most common inspections which are preformed routinely), *Special* (supplementary inspections executed in unusual circumstances), and finally, *Safeguard Visits* (inspections to declared facilities to confirm the safeguards design information).

The Additional Protocol is a more intensive, and voluntary, form of safeguarding which allows for extended inspections with the most advanced technique. As a legal document, the Additional Protocol aims to provide assurances to both declared and undeclared nuclear sites.

***Compliance*:** In accordance with the Statute and existing practice, the Board is responsible for approving safeguards procedures and Safeguards Agreements, and for general supervision of the Agency's safeguards activities. In a case of non-compliance with a safeguards commitment, the Board of Governors of the IAEA is to call upon the State in question to remedy any outstanding issues; the Board will then decide on its referral to the UN Security Council and General Assembly.

Principal organs: General Conference, Board of Governors, and the Secretariat.

International Atomic Energy Agency (IAEA) Secretariat

The IAEA Secretariat is composed of a staff of over 2200 from over 90 countries. The following six offices make up the Secretariat: the Department of Nuclear Sciences and Application, the Department of Management, the Department of Nuclear Energy, the Department of Technical Cooperation, the Department of Nuclear Safety and Security, and the Department of Safeguards. The Secretariat implements programs and activities approved by the agency's policy-making organs, which are headed by the Director General (DG).

The Director-General:

The director general, Dr. Mohamed ElBaradei, was appointed in 1997 and he will serve until the end of 2009. The Director General is elected by the IAEA Board of Governors and then approved by the General Conference in renewable four year terms. Former Director Generals include Hans Blix (1981 – 1997), Sigvard Eklund (1961 – 1981), and Sterling Cole (1957 – 1961).

The Director-General is responsible for the appointment, organization, and functioning of the Agency's staff. Four offices report directly to the Director General:

Secretariat of the Policy Making Organs (PMO): The goal of this division is to ensure the efficiency of agency meetings and to facilitate the completion of the policy-makers' responsibilities.

Office for Internal Oversight Services (OIOS): This division aims to facilitate the agency's changes through improved management, accountability, and overall program performance.

Office of External Relations and Policy Co-ordination (EXPO): This division works to create coordinated policies for all the agency's programs while maintaining communication between member states, United Nations bodies, and other international groups.

Office of Legal Affairs (OLA): This division works to ensure the legality of the agency's actions, prepare legal documents, create a multilateral legal approach, and provide advice and legal guidance common to the United Nations system.

The Director General periodically reports to the Board of Governors on issues such as the implementation of safeguards agreements in a specific member state.

Department of Nuclear Sciences and Application:

The Department of Nuclear Sciences and Application implements the Major Programme on Nuclear Techniques for Development and Environmental Protection, a large component of the IAEA. The Major Programme is composed of the following five divisions: Food and Agriculture, Human Health, Water Resources, Protection of the Marine and Terrestrial Environment, and Physical and Chemical Applications. These divisions were created in 2002 by the World Summit on Sustainable Development in Johannesburg, South Africa. The department is headed by Mr. Werner Burkart.

Department of Management:

The Department of Management is divided into five divisions: Division of Budget and Finance, Division of General Services, Division of Conference and Document

Services, Division of Personnel, and the Division of Information Technology. Together, the divisions work to ensure the overall efficiency of the agency; including finance monitoring, security of the Vienna International Centre, effectiveness of agency meetings, human resources, and finally to oversee the administration of technology information. The Department of Management is directed by Mr. David Waller.

Department of Nuclear Energy

The Department of Nuclear Energy works to maintain the safe and efficient use of nuclear power. This includes developing waste technologies and the fuel cycle, furthering engineering knowledge, and maintaining nuclear information knowledge and management. Research and development plays a large part in the department, particularly in waste technology and nuclear reactors. In accordance with the IAEA, the department focuses on the maintenance and development of nuclear knowledge for peaceful purposes. The department also hosts the International Nuclear Information System, which is an information source for scientific literature pertaining to the development of peaceful nuclear uses. The department is headed by Mr. Yuri Sokolov.

Department of Technical Cooperation:

The Technical Cooperation Department of the IAEA is a specialized organization of the United Nations that works to transfer nuclear technologies to peaceful applications throughout the world. Employing a staff of over 190, the department works to create sustainable energy for member states. Each year, the Technical Cooperation Department publishes its Technical Cooperation Report, which is prepared by the Director General. The report focuses on three main pillars: 1) Strengthening the Agency's Cooperation Activities, 2) the Program's Accomplishments and Impacts, and 3) the Management, Financial Resources, and Program Delivery Indicators. The Department of Technical Cooperation is headed by Ms. Ana Maria Cetto.

Department of Nuclear Safety and Security:

The Department of Nuclear Safety and Security works to establish IAEA safety standards and knowledge management. Furthermore, the department provides the applications for standards of the nuclear installations, radioactive sources and materials, and the management of radioactive waster. Ultimately, the department works to protect people and the environment from the effects of radiation and reduce the chance of nuclear accidents. The department works to advise and protect the public by publishing safety reports, adhering to five main conventions: Convention on Nuclear Safety, Convention on the Physical Protection of Nuclear Material, Convention on Early Notification of a Nuclear Accident, Convention on Assistance in the Case of a Nuclear Accident, and the Joint Convention. In order to maximize safety, the Department combines safety procedures from thematic areas (such as legal frameworks and management) with nuclear facilities and activities. The department is headed by Mr. Tomihiro Taniguchi.

Department of Safeguards:

The Department of Safeguards works to analyze the safeguards program and provide assurances of compliance. The Department of Safeguards is composed of the following divisions: Division of Technical Support, Divisions of Operations, Division of Safeguard Information Technology, and Division of Concepts and Planning. The department verifies safeguard compliance through an independent and technical system that verifies the accuracy and completeness of the nuclear declarations and activities as acknowledged by states. The department uses three strategies to enforce safeguards: Traditional Measures, Strengthening Measures, and Integrated Safeguards. Traditional measures and safeguards are performed by the IAEA upon state-declared nuclear facilities. Strengthening measures (which are meant to strengthen the safeguards), fall into two categories: those under legal authority and those under complementary legal authority as confirmed by the Additional Protocol. When implemented by a state, the strengthened measure essentially becomes a comprehensive safeguard that allows for the inspection of declared and undeclared nuclear sites. Finally, the integrated safeguard approach combines all safeguards, including the Additional Protocol, to achieve maximum efficiency and assurance. The department has safeguards in force with over 900 facilities around the globe. The Department is headed by Mr. Olli Heinonen.

International Atomic Energy Agency (IAEA) Board of Governors

In accordance with the statute and the existing practice, the board is responsible for approving safeguards procedures and safeguards agreements, and for the general supervision of the Agency's safeguards activities. The board generally meets five times a year: March, June, before and after the regular session of the General Conference in September, and immediately after the meeting of its Technical Assistance and Cooperation Committee in December. At its meetings, the board also examines and makes recommendations to the General Conference on the IAEA's accounts, program, and budget and considers applications for membership.

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The Board of Governors has 35 members, of which 13 are designated by the board and 22 are elected by the General Conference.

The newly elected Member States on the board for **2008-2009** are: Afghanistan, Albania, Algeria, Argentina, Australia, Brazil, Burkina Faso, Canada, China, Cuba, Ecuador, Egypt, Finland, France, Germany, Ghana, India, Iraq, Ireland, Japan, Lithuania, Malaysia, Mexico, New Zealand, Philippines, Romania, Russian Federation, Saudi Arabia, South Africa, Spain, Switzerland, Turkey, United Kingdom, United States of America, and Uruguay.

Developments:

2009: The ambassador and resident representative from Algeria, *Mrs. Taous Feroukhi*, was elected chair of the Board of Governors for 2008-2009. Elected vice-chairpersons for 2008-2009 were Ms. Kirsti Kauppi, the governor from Finland, and Mr. Cornel Ferută, the governor from Romania.

On 19 February, the Director General submitted two reports to the Board entitled, *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran*, and *Implementation of the NPT Safeguards Agreement in the Syrian Arab Republic*.

In his report on Iran, the Director General noted that Iran continues to produce and stockpile low enriched uranium (LEU). Physical inventory verification procedures conducted by the IAEA place the total amount of LEU produced (in the form of UF_6) at 1,010 kilograms. While Iran successfully installed hundreds of additional centrifuges at Natanz in recent months, it did not increase the number of operating centrifuges at its declared enrichment facility (the number remains under 4,000). The Director General reported that Iran has begun producing fuel rods for its heavy water IR-40 reactor and that the Agency's request to visit the reactor was denied. Finally, the Director General reported that Iran has made no additional attempts to resolve the Agency's concerns regarding the outstanding issues surrounding the Alleged Studies. Iran maintains that it has fulfilled all of its obligations under the IAEA work plan, and that IAEA safeguards activities in Iran should return to routine status.

In his report on Syria, the Director General focused primarily on the previously reported presence of anthropogenic natural uranium particles detected at the Al Kibar site through environmental sampling techniques employed by the Agency's network of analytical laboratories. He described requests for information and access that the Agency has made of Syria, noting that Syrian responses to date have not sufficiently resolved outstanding questions as to the origin of the uranium particles. Syria maintains that the uranium traces derive from munitions used to strike the site, but according to the report, Agency analysis found a "low probability that the uranium was introduced by the use of missiles." The Director General called on Syria, Israel, and other states with relevant information to cooperate more comprehensively with the ongoing investigation.

On 2 March, the U.S. Permanent Representative to the IAEA, Ambassador Gregory Schulte, delivered a statement to the Board of Governors on behalf of the new Obama Administration. Speaking ostensibly on the agenda item of Nuclear Safety, Ambassador Schulte delivered a wide-ranging statement that indicated U.S. policy shifts on issues of consequence for the Agency. Ambassador Schulte cited, for example, U.S. readiness for "direct engagement with Tehran" and "using dialogue with Syria." He asserted that the Obama Administration "seek[s] to strengthen the IAEA and to ensure that the Agency gets the authority, information, people, and technology it needs to do its job," and that the new administration "intends to renew America's commitment to disarmament."

2008: The Ambassador and resident representative from Chile, *Mr. Milenko E. Skoknic*, was elected chair of the Board of Governors for 2007 – 2008.

On 22 February, Director General Dr. ElBaradei submitted his report entitled *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council Resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran*. Most significantly, the report details progress on the clarification of several outstanding issues tied to Iran's past nuclear work. Prior to the release of this report, the Agency had five issue areas on which it sought clarification from Iran to elucidate aspects of its past nuclear activities: uranium contamination at a university, experiments with polonium-210, activities at the Gchine uranium mine, procurement attempts for centrifuge components, a document regarding uranium metal, and the Alleged Studies. According to the report, only the Alleged Studies remain as an outstanding issue, with other issues having been explained by Iran in a manner "consistent with" or "not inconsistent with" the Agency's findings.

The Director General also reported that Iran had made some technical progress with work on its P-2 centrifuge design, but did not increase its enrichment capacity since the last director general report on Iran in November of 2007.

On 26 May, the Director General issued a report to the Board entitled *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran*. The report covers enrichment, reprocessing, heavy water reactor related

projects, as well as "other implementation issues" and alleged military dimensions of Iran's nuclear work. The report notes that Iran has made substantial progress on the development and operation of its centrifuges, and contains additional details regarding ongoing Agency efforts to clarify issues raised by the Alleged Studies."

The Alleged Studies information, according to the report, appears to be "from multiple sources over different periods of time, is detailed in content, and appears to be generally consistent." The report notes that the Agency has not been authorized by those providing the information to release its full contents to Iran. The report concludes that "the alleged studies on the green salt project, high explosives testing and the missile re-entry vehicle project remain a matter of serious concern.[…] Iran may have additional information, in particular on high explosives testing and missile related actives." The report contains annex lists documents shown to Iran and details the Agency's outstanding questions regarding these documents.

On 9 July, a draft of a Safeguards Agreement between the IAEA and India was circulated to the Board of Governors at India's request. The draft agreement outlined a system of facility-specific INFCIRC 66 Rev. 2- based safeguards on facilities that India would designate as civilian in nature. Board Approval of a safeguards agreement with India was widely viewed as one of three main hurdles for the controversial U.S.-India nuclear deal (the remaining two: approval by the NSG and passage of enabling legislation in the U.S. Congress.)

On 1 August, the Board of Governors approved by consensus *the Agreement Between the Government of India and the IAEA for the Application of Safeguards to Civilian Nuclear Facilities*. Described as an "umbrella" arrangement, the agreement allows India to designate some of its nuclear facilities as "civilian." Such facilities then become subject to INFCIRC 66 Rev. 2-type safeguards.

On 12 September, the Director General submitted a report to the Board entitled *Implementation of the NPT Safeguards Agreement in the Socialist People's Libyan Arab Jamahiriya*. Having achieved substantial cooperation with Libya regarding clarification of its past nuclear activities, the report details what is currently known about Libya's illicit nuclear work. The report concludes that the Agency now "considers that the issues that had been reported to the Board of Governors are no longer outstanding at this stage." It also stipulates that further safeguards activities in Libya will proceed in a routine manner.

On 15 September, the Director General issued a report entitled *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran*. The report covers enrichment, reprocessing, heavy water projects, implementation issues and the alleged military dimensions of Iran's nuclear program. The report affirms that Iran is making steady progress in its installation and operation of gas centrifuges for enrichment work, and is the first report to quantify the amount of low enriched uranium (LEU) Iran has produced: 480 kilograms.

The report refers to the possible involvement of "foreign expertise" in alleged Iranian work on the "symmetrical initiation of a hemispherical high explosive charge suitable for an implosion type nuclear device," although no specifics are provided. Otherwise, the primary focus of the report states the lack of progress on the clarification of the Alleged Studies. The Agency continues, however, to verify the non-diversion of declared nuclear material in Iran.

On 19 November, the Director General submitted two reports to the Board, one concerning developments in the implementation of safeguards in Iran, and the other regarding Syria.

In *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran*, the Director General reports no additional progress on resolving issues tied to the Alleged Studies, the veracity of which Iran continues to dispute. According to the report, Iran succeeded in producing a total of 630 kilograms of low enriched uranium (LEU) and plans to significantly increase the number of operational centrifuges at its enrichment plant in Natanz. The report notes with concern that Iran did not permit a scheduled Agency visit to the heavy water reactor under construction in Arak. Finally, the report affirms the continued non-diversion of declared nuclear material in Iran.

In *Implementation of the NPT Safeguards Agreement in the Syrian Arab Republic*, the Director General reports on developments related to allegations that Syria was in the process of constructing an undeclared nuclear reactor at a site that was bombed by Israel in April of 2008. The report states that a "significant number" of natural uranium particles were detected via environmental sampling techniques during the Agency's investigation of the Al Kibar site. Syria maintains that the building in question was a military installation and not a nuclear facility. The Director General notes that the IAEA's investigation was "severely hampered" by Israel's "unilateral use of force" and Syria's subsequent demolition and construction activities at Al Kibar.

2007: The Ambassador and resident representative from Slovenia, *Mr. Ernest Petrič*, was elected chair of the Board of Governors for 2006-2007. Elected vice-chairpersons for 2006-07 were Mr. Thomas Stelzer, the

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governor from Austria, and Mr. Milenko E. Skoknic, the governor from Chile.

On 22 February, Dr. ElBaradei released a report entitled *Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006) in the Islamic Republic of Iran*. The report covered such issues as: enrichment, reprocessing activities, heavy water projects, outstanding fdissues (including centrifuge technology, uranium metal, and plutonium experiments), and transparency measures. Essentially, the six-page report detailed Iran's current stance on nuclear development. Major points include Iran's discord with any transparency measures, its continuation of enrichment activities, and the operation of single machines. Encouragingly, the IAEA's physical inventory of verification remains congruent with Iran's inventory.

This report was issued in response by the UN Security Council's adoption of Resolution 1737. The Resolution states that Iran should suspend all enrichment and reprocessing activities and work on heavy water related projects. Furthermore, Iran shall provide the IAEA with facility access in order to verify suspension. This compliance shall be reflected in the previously-mentioned report by the Director General.

On 23 May, Dr. ElBaradei submitted his report entitled *Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolutions (1696, 1737, 1747) in the Islamic Republic of Iran.* This report was submitted in accordance with UN Security Council Resolution 1747 which requested the Director General to report on Iran's compliance with Resolution 1737 and all other steps required by the Board of Governors.

The report addressed a number of core issues related to Iran's nuclear program including enrichment and reprocessing activities, heavy water related projects, and a compilation of outstanding issues.

The Director General's report indicated that Iran has not suspended its enrichment activities and has continued the operation of its pilot fuel enrichment plant while starting to feed cascades with uranium hexafluoride at its fuel enrichment plant. Iran has also continued its heavy water related projects, along with the construction of its IR-40 reactor.

The report noted that in the absence of the information that Iran had previously provided to the IAEA, including information pertaining to the Additional Protocol, the IAEA's knowledge of certain aspects of Iran's nuclear activities has deteriorated over time.

The IAEA also reported that it remains unable to make further progress in verifying the scope and nature of the Iranian program. Despite this, the report stated that the IAEA has been able to verify that no materials have been diverted from Iran's declared nuclear program.

On 15 June, Director General Mohamed ElBaradei made an exceptional *intervention* at the conclusion of discussions regarding agenda item 5, Report of the program and budget committee. Noting that the Director General is not usually directly engaged in budget matters, he expressed deep dissatisfaction with the proposed budget, indicating that it did not meet "by any stretch of the imagination" the Agency's basic and essential requirements. He stressed that the lack of funds would jeopardize the Agency's ability to fulfill its mandates.

Dr. ElBaradei cited the continual erosion of the Agency's safeguards functions, the inadequacy of the Emergency Response Center implementation of the Notification and Assistance Conventions, and a 90% reliance on extra-budgetary contributions in the nuclear security area as possible consequences of insufficient budget growth. In conclusion, the Director General conveyed to the Board that the implications of their decisions would mean the difference between a mediocre or efficient and effective Agency, able to carry out the activities critical to the development of international peace and security.

On 30 August, Director General Dr. Mohamed ElBaradei submitted his report entitled *Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran*. The report was again submitted in accordance with UN Security Council Resolution 1747.

The report acknowledged significant cooperation from Iran, verified the non-diversion of declared nuclear material in Iran, encouraged Iran to slow enrichment although Iran continues to test single centrifuge machines and has not suspended the enrichment processes. The report declared that the Agency remained unable to verify certain aspects relevant to the scope and nature of Iran's nuclear program. The report stated that Iran was operating 2000 centrifuges, an amount significantly less than the 3000 alleged by Iran. The report also affirmed that the highest U-235 enrichment level measured by the Agency was 3.7%, not 4.8% enrichment, as stated by Iran.

Attached to the Report included a *Work Plan* negotiated by the IAEA in cooperation with Iran. Designed to allow Iran to cooperate with the IAEA, the Work Plan intends to resolve all outstanding verification issues.

In his *Introductory Statement to the Board of Governors*, Dr. ElBaradei stressed the importance of full cooperation from Iran, while at the same time underlining the importance of a "time-out" of sanctions against Iran in order resume negotiations.

Though the US and EU delegations remained skeptical about the Work Plan, Russia and China welcomed the negotiated agreement.

On 15 November Dr. ElBaradei released a report entitled *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran*. The detailed report covered topics including the acquisition of fuel cycle facilities and technologies dating from 1972, the acquisition of P-1, P-2 and other centrifuge technologies, current enrichment related activities, reprocessing technologies, heavy water related projects, and uranium conversion.

In the report's summary, Dr. ElBaradei stated that "the Agency has been able to verify the non-diversion of declared nuclear materials in Iran," but stressed that as Iran has not implemented the Additional Protocol, the Agency's knowledge concerning the current nuclear program is "diminishing". Dr. ElBaradei further reported that Iran has not suspended enrichment related activities and has continued the operation of its heavy water production plant. Iran's past and current centrifuge enrichment program continues to be a major issue; within the following weeks the Agency plans to address these concerns, along with subject of contaminated centrifuges. In conclusion, Dr. ElBaradei reiterated the importance of Iran's adherence to the Additional Protocol so the Agency will then be able to provide credible assurances concerning the absence of undeclared nuclear material and activities in Iran.

2006: The ambassador and resident representative from Slovenia, *Mr. Ernest Petrič*, was elected chair of the Board of Governors from 2006-2007. Elected as vice-chairpersons for 2006-07 were Mr. Thomas Stelzer, the governor from Austria, and Mr. Milenko E. Skoknic, the governor from Chile.

On 3 January, the Director General informed the Board of Governors of a Note Verbale in which Iran notified the IAEA of its decision to resume "R&D activities on the peaceful nuclear energy programme which has been suspended as part of its expanded voluntary and non-legally binding suspension."

On 2 February, the Board of Governors convened at a special meeting to discuss Iran's nuclear program. During his briefing to the press, the Director General remarked that this meeting does not signal the end of diplomacy and that a window of opportunity still exists to resolve this issue through negotiations. He expressed hopes that Iran would "continue to cooperate with the Agency, to clarify remaining outstanding issues."

On 4 February 2006, the Board of Governors adopted the resolution *Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran*.

On 27 February 2006, Dr. ElBaradei released a report entitled *Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran*. This report discussed the acquisition of P-2 Centrifuge technology, voluntary implementation of the Additional Protocol, transparency issues, uranium metal and plutonium experiments, and enrichment. Essentially, the report summarizes Iran's development of the nuclear fuel cycle and any discords the nation may have with international and nuclear agreements. Overall, the report called attention to some states' lack of confidence in Iran's nuclear intentions and maintained that the Agency's verification of the Iranian program remains an on-going process.

On 28 April 2006, the IAEA released Dr. ElBaradei's report entitled *Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran*. The report features a chronology of the Iranian nuclear program beginning in March 2006 and emphasized issues such as enrichment, contamination, uranium and plutonium, heavy water reactors, and general implementation issues. Furthermore, the report creates an overall account of Iran's nuclear programs and intentions.

On 8 June, the *Report of the Director General* stated that on 6 June 2006, Iran "started feeding UF6 into the 164-machine cascade." The report further stipulated that the IAEA is conducting ongoing investigations of the containment issue in regards to Iran's enrichment program. Other investigation include: the acquisition of P-1 and P-2 centrifuge technology, information regarding uranium metal via foreign intermediaries, plutonium experiments and transparency visits to be conducted by the IAEA.

The 31 August *report* stated that Iran was showing no signs of freezing enrichment and that the feeding of UF6 into a 164-machine cascade resumed on 24 August. New traces of HEU particles have also been found at the Karaj Waste Storage Facility.

On 14 November, the IAEA released a report to the Board of Governors that revealed new details pertaining to the lab testing of enriched uranium samples, contained new information concerning the additional findings of plutonium particles from storage containers at the Karaj Waste Storage Facility, and confirmation that Iran was progressing steadily with uranium enrichment.

2005: On 14 June, the Director General, in a statement to the Board of Governors, noted a proposal by the United States which aimed to establish a committee to consider the ways and means to strengthen the Safeguards system. The Director General expressed his hope that the board will be in a position to act on this proposal at its June session.

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On 11 August, the Board of Governors adopted resolution *GOV/2005/64* regarding the implementation of IAEA safeguards in Iran. The resolution expresses serious concern over Iran's decision to resume conversion activities at the Uranium Conversion Facility in Isfahan. It urges Iran to re-establish full suspension of all enrichment-related activities on the same voluntary, non-legally binding basis as requested in previous board resolutions, and to permit the Director General to reinstate the seals that have been removed at the Uranium Conversion Facility in Esfahan.

On 2 September, the Director General *reported* to the Board of Governors on the developments related to the implementation of IAEA safeguards in Iran since November 2004. The report notes that IAEA analysis supports Iran's claim that HEU contamination on its centrifuges stems from Pakistan and further developments in four areas relating to the IAEA's verification of Iran's P-1 centrifuge enrichment program.

On 23 September, the Board of Governors agreed on modifications to the Small Quantities Protocol (SQP) to strengthen the safeguards system. The modifications require states to provide initial reports to the IAEA on all their nuclear material and early design information for any planned nuclear facilities, and reinstate the IAEA's right to conduct inspections in SQP states. The previous SQP text did not require states to report small amounts of nuclear material to the IAEA.

On 24 September, the Board of Governors adopted *Resolution Gov/2005/77* in order to facilitate cooperation and transparency measures with Iran. Major points include suspended enrichment, the reconsideration of heavy water reactors, the ratification of the Additional Protocol, and the discussion of dual use equipment.

On 18 November the Director General released a report entitled *Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran*. The report is divided into two main segments: Developments since September 2005 and Current Overall Assessment. The first segment discusses contamination, enrichment programs, implementation issues (particularly those of the Additional Protocol) and program suspension. The second segment pertains to the continued investigation of Iran's nuclear programs and intentions.

On 24 November, the Director General *updated* the Board of Governors on the implementation of safeguards in the DPRK. The Director General stated that the agency has not performed any verification activities in the DPRK since December 2002 and therefore cannot provide any assurance about DPRK´s nuclear activities since that time.

2004*:* The chair of the Board of Governors for 2003-2004 was Ambassador and Resident Representative of Spain *Mr. Antonio Nunez Garcia-Sauco*.

On 24 February, the Director General presented his report on the *Implementation of Safeguards in Iran*. He emphasized the progress made by Iran as Tehran granted greater access to inspectors and suspended the reprocessing and uranium enrichment processes. He expressed concern that Iran's reporting had not contained any information on P2 centrifuges and asked for greater cooperation from Iran and from the countries that sold such equipment to Iran.

On 13 March, the Board of Governors met to approve draft resolution *GOV/2004/20* regarding the implementation of IAEA safeguards in Iran. During this meeting, the Iranian delegation claimed many of the previous outstanding issues resolved, pointed to the Director General's repeated statements describing the implementation of IAEA safeguards in Iran as a "work in progress," and praised Iran's "extensive active cooperation." Ultimately, the Board of Governors decided to adopt GOV/2004/20 without a vote. This resolution deferred Iran's degree of compliance with IAEA safeguards and the Board's response to a number of omissions from Iran's declarations until its June meeting. The resolution also welcomed Iran's voluntary suspension of enrichment activities and its signature of the Additional Protocol.

In March, the Board of Governors approved several measures to strengthen international cooperation in nuclear, radiation, and transport safety and waste management. These measures include the *Code of Conduct on the Safety of Research Reactors*, which establishes guidelines for the licensing, construction, and operation of research reactors; the Action Plan for the Development and Application of IAEA Safety Standards, which covers thematic areas as well as activities and facilities; the *International Action Plan on the Radiation Protection of the Environment from the Effects of Ionizing Radiation*; and the *Action Plan for the Safety of Transport of Radioactive Material*, which provides direction for IAEA transport safety activities over the next five years. Action areas include review and revision of the Regulations for the Safe Transport of Radioactive Material, refining of the review process, compliance and quality assurance considerations, the issue of denial of shipments, emergency response, liability, and communication.

The 1 June *Report of the Director General* on Iran found that "Iran repeatedly misstated details about its nuclear program and pursued uranium enrichment technology more aggressively than it initially admitted."
On 18 June 2004, the Board of Governors adopted *Resolution Gov/2004/49*. This resolution deplored Iran's

lack of full cooperation, stressed the importance of Additional Protocol ratification, suspended enrichment, and requested Iran to further develop program transparency.

On 30 August, the IAEA released the Director General's report *GOV/2004/59* concerning Libya's decision in late 2003 to abandon its nuclear program and the procedural issues conducted by the IAEA.

On 1 September 2004, the IAEA released the Director General's report entitled *Implementation of the NPT Safeguards Agreements in the Islamic Republic of Iran*. The 24 page report emphasized Iran's nuclear chronology, outstanding issues (such as centrifuge technology, enrichment, plutonium experiments, hot cells, the Additional Protocol, and program suspension), and future progression. The Annex of the report included a discussion on verification activities, *inter alia*: uranium conversion and enrichment, irradiation and reprocessing experiments, heavy water reactor programs, and transparency and suspension prospects.

On 18 September, the Resolution GOV/2004/79 of the Board of Governors called on Iran to suspend enrichment related activities along with the construction of the heavy water reactor at Arak.

On 24 September, the board's resolution noted with concern DPRK's numerous official statements declaring its intention to build up a nuclear deterrent force and its announcement that it reprocessed 800 spent fuel rods; the IAEA called on DPRK to completely and promptly dismantle any nuclear weapons program.

The 15 November *Report of the Director General on the Implementation of Safeguards in Iran* reported unresolved issues, yet no evidence of diverted nuclear material.

On 29 November, the Resolution *GOV/2004/90* of the Board of Governors welcomed the *EU3-Iran agreement* on the suspension of enrichment related activities and acknowledged that the suspension was voluntary.

2003: On 12 February, the Board of Governors adopted a third resolution (GOV/2003/3) declaring that North Korea was "in further non-compliance with its obligations under its Safeguards Agreement pursuant to the NPT" and decided to report "to the United Nations General Assembly and the Security Council, North Korea's continued non-compliance and the Agency's inability to verify non-diversion of nuclear material that is subject to safeguards."

On 16 June, the Board of Governors met for its second meeting of 2003. The agenda consisted of a broad range of issues, including the agency's Annual Report for 2002, the Technical Co-operation Report for 2002, the report of the Program and Budget Committee, as well as nuclear verification and the prevention of nuclear terrorism. On 18 June, the meeting focused attention on Iran's failure to comply with IAEA safeguards. The board considered an *agency report* following a series of visits to Iran by Director General Mohamed ElBaradei and other senior IAEA officials following allegations that Iran is completing two secret nuclear facilities—a uranium enrichment facility at Natanz and a heavy water production plant near Arak. The report indicated that Iran failed to meet its obligations under its IAEA Safeguards Agreement with respect to the reporting of nuclear material, the subsequent processing and use of that material, and the declaration of facilities where the material was stored. The chair of the board, Kuwaiti Ambassador Nabeela Al-Mulla, referred to the findings of the IAEA report on Iran in her *summary of the meeting*, thereby reflecting the board's concern that Iran failed to meet its obligations under its safeguards agreement (for further information, see Safeguards non-compliance, below,)

The primary issues addressed in the 2002 Annual Report were nuclear safety, nuclear security, compliance, nuclear terrorism, and the strengthening of safeguards. ElBaradei noted specifically the need for comprehensive assurances and integrated safeguards for a more effective and efficient IAEA verification system. The draft Annual Report for 2002 summarizes the scope and results of agency activities throughout the year, with an introductory chapter that considers the agency's work within the context of overall nuclear developments and key related issues.

On 18 July, following intense consultations among Member States, the Program and Budget Committee (PBC) agreed upon the program and budget for 2004-2005. The proposed *budget*, approved by the General Conference on 18 September, marks the first significant increase in the agency's funding since the late 1980s. The current regular budget of $245 million will see an initial increase of $15 million, and will grow to $25 million by 2007. The majority of the increase will go toward the verification program, which has increasingly had to rely on extra- budgetary funds to fulfill its growing number of mandates.

2002: On 19 March 2002, the IAEA Board of Governors approved in principle a plan of action to upgrade worldwide protection against acts of terrorism involving nuclear or radioactive materials. The action plan consists of eight activity areas: physical protection of nuclear material and nuclear facilities; detection of malicious activities (such as illicit trafficking) involving nuclear and other radioactive materials; strengthening of State systems for nuclear material accountancy and control; security of radioactive sources; the assessment of safety and security related vulnerabilities at nuclear facilities; response to

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malicious acts or threats thereof; the adherence to international agreements and guidelines; and enhancement of program co-ordination and information management for nuclear security-related matters. In recognition that security measures are the responsibility of each State, IAEA activities are meant to complement the protection measures taken by the individual States. The extra budgetary Nuclear Security Fund will primarily fund activities which fall under the action plan.

On 18-22 March 2002, the Board of Governors also approved a "blueprint," known as "The Conceptual Framework for Integrated Safeguards." The blueprint represents a new approach to safeguards implementation, which integrates all the safeguards measures currently available to the Agency in the most optimum way. This framework will guide the Secretariat in fulfilling its ongoing safeguards obligations and responsibilities.

2001: The Board of Governors held its meeting in Vienna on 11-14 June 2001 to review the implementation of IAEA safeguards in the year 2000. The Board concluded that in 2000 in the 140 States (and Taiwan or China), which had Safeguards Agreements in force, the Agency found no indication of diversion of nuclear material placed under safeguards or of misuse of facilities, equipment, or non-nuclear material placed under safeguards. For seven States, which have a comprehensive Safeguards Agreement and an Additional Protocol in force or provisionally applied, the Agency concluded that all nuclear material had been placed under safeguards and was used for peaceful purposes.

2000: On 5-8 June 2000, the Board of Governors reviewed the implementation of IAEA safeguards in the past year. In 1999, the IAEA concluded that in States with Safeguards Agreements in force, declared nuclear material and other items placed under safeguards remained in peaceful nuclear activities or otherwise adequately accounted for. The Secretariat found no indication that the nuclear material declared and placed under safeguards had been diverted for any military purpose or for purposes unknown, or misuse of facilities, equipment, and non-nuclear materials placed under safeguards.

1997: On 16 May 1997, the Board of Governors approved new strengthened measures for use by its inspectors who verify States' compliance regarding commitments not to produce nuclear weapons. The new measures are detailed in an agreed Protocol under which countries would accept stronger, more intrusive verifications on their territories. The key objective of the new measures enhances the IAEA's capability to detect possible clandestine nuclear activities in NNWS and thus to increase confidence that these States are abiding by their obligations. However, while the protocol remains part of a plan for strengthened and more efficient safeguards in NNWS, it also contains measures that could improve safeguards in other States, including nuclear-weapon States. These new measures provide enhanced access for inspectors, such as access to more information about States' nuclear programs, current and planned, and access to more locations on their territories. Inspectors will have access not only to nuclear sites but also to other locations that could contribute to a nuclear program, such as research or manufacturing facilities. The new measures include use of state-of-the-art technologies to trace nuclear activity through samples taken from the environment and remote operation surveillance and monitoring systems at key locations in the inspected State. States accepting the protocol will also be required to simplify the designation of inspectors and visa requirements for them, thus facilitating inspections at sites on short notice. Many of the new measures have undergone extensive field trials in cooperating Member States and build on reinforcing steps already implemented under the IAEA's existing legal authority.

International Atomic Energy Agency (IAEA) General Conference

The General Conference consists of all 146 IAEA Member States.

Functions: The General Conference has a broad review and policy guidance function with regard to all IAEA programs, but no day-to-day safeguards role. It may discuss any question or matter within the scope of the IAEA Statute or in relation to the powers and functions of any organ provided for in the Statute.

The General Conference has endorsed the system of safeguards adopted by the Board of Governors, and approved the IAEA's safeguards role under the NPT.

Developments:

2008: The 2008 session of the General Conference, held from September 29 – October 4, adopted the following resolutions and decisions:

Resolutions:

- Application by Oman GC (52)/RES/1
- Application by Lesotho GC(52)/RES/2
- Application by Papua New Guinea GC(52)/RES/3
- The Agency's Accounts for 2007 GC(52)/RES/4

- Regular Budget Appropriations for 2009 GC(52)/RES/5
- Technical Cooperation Fund Allocation for 2009 GC(52)/RES/6
- The Working Capital Fund in 2009 GC(52)/RES/7
- Scale of Assessment of Members' Contributions towards the Regular Budget GC(52)/RES/8
- Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety GC(52)/RES/9
- Nuclear security - Measures to protect against nuclear terrorism - Progress on measures to protect against nuclear and radiological terrorism GC(52)/RES/10
- Strengthening of the Agency's technical cooperation activities GC(52)/RES/11
- Strengthening the Agency's activities related to nuclear science, technology and applications GC(52)/RES/12
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(52)/RES/13
- Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea GC(52)/RES/14
- Application of IAEA Safeguards in the Middle East GC(52)/RES/15
- Examination of delegates' credentials GC(52)/RES/16

Decisions:

- Amendment of Article XIV.A of the Statute GC(52)/DEC/9
- Cooperation agreements with intergovernmental organizations GC(52)/DEC/10

2007: The 2007 session of the General Conference, held from September 17 – 21, adopted the following resolutions and decisions:

Resolutions:

- Application by the Kingdom of Bahrain GC(51)/RES/1
- Application by the Republic of Burundi GC(51)/RES/2
- Application by the Republic of Congo GC(51)/RES/3
- Application by Nepal GC(51)/RES/4
- Application by the Republic of Cape Verde GC(51)/RES/5
- The Agency's Accounts for 2006 GC(51)/RES/6
- Regular Budget Appropriations for 2008 GC(51)/RES/7
- Technical Cooperation Fund Allocation for 2008 GC(51)/RES/8
- The Working Capital Fund in 2008 GC(51)/RES/9
- Scale of assessment of Members' contributions towards the Regular Budget GC(51)/RES/10
- Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management GC(51)/RES/11
- Measures to protect against nuclear terrorism GC(51)/RES/12
- Strengthening of the Agency's Technical Cooperation Activities GC(51)/RES/13
- Strengthening the Agency's activities related to nuclear science, technology and applications GC(51)/RES/14
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(51)/RES/15
- Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea GC(51)/RES/16
- Application of IAEA safeguards in the Middle GC(51)/RES/17
- Personnel GC(51)/RES/18

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- Examination of delegates' credentials GC(51)/RES/19

Decisions:

- Amendment to Article VI of the Statute GC(51)/DEC/13
- Amendment to Article XIV.A of the Statute GC(51)/DEC/14

2006: The 2006 session of the General Conference, held from 18-22 September, adopted the following resolutions and decisions:

Resolutions:

- Application by the Republic of Malawi GC(50)/RES/1
- Application by the Republic of Mozambique GC(50)/RES/2
- Application by the Republic of Palau GC(50)/RES/3
- Application by the Republic of Montenegro GC(50)/RES/4
- The Agency's Accounts for 2005 GC(50)/RES/5
- Regular budget appropriations for 2007GC(50)/RES/6
- Technical Cooperation Fund Allocation for 2007 GC(50)/RES/7
- The Working Capital Fund in 2007 GC(50)/RES/8
- Scale of Assessment of Members' contributions towards the Regular Budget GC(50)/RES/9
- Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management GC(50)/RES/10
- Nuclear Security - Measures to protect against nuclear terrorism - Progress on
- measures to protect against nuclear and radiological terrorism GC(50)/RES/11
- Strengthening of the Agency's technical cooperation activities GC(50)/RES/12
- Strengthening the Agency's activities related to nuclear science, technology and applications GC(50)/RES/13
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(50)/RES/14
- Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea GC(50)/RES/15
- Application of IAEA Safeguards in the Middle East GC(50)/RES/16
- Examination of Delegates' Credentials GC(50)/RES/17

Decisions:

- Amendment to Article XIV.A of the Statute GC(50)/DEC/11
- Amendment to Article VI of the Statute GC(50)/DEC/12

2005: The 2005 session of the General Conference, held from 26-30 September 2005, adopted the following resolutions and decisions:

Resolutions:

- Applications for Membership of the Agency Application by Belize GC(49)/RES/1
- Approval of the Appointment of the Director General GC(49)/RES/2
- The Agency's Accounts for 2004 GC(49)/RES/3
- The Agency's Budget for 2005 - supplementary appropriation GC(49)/RES/4
- Regular Budget Appropriations for 2006 GC(49)/RES/5
- Technical Cooperation Fund Allocation for 2006 GC(49)/RES/6
- The Working Capital Fund in 2006 GC(49)/RES/7
- Scale of assessment of members' contributions for 2006 GC(49)/RES/8
- Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport safety and Waste Management GC(49)/RES/9
- Nuclear security - Measures to protect against nuclear terrorism GC(49)/RES/10
- Strengthening of the Agency's technical cooperation activities GC(49)/RES/11
- Strengthening the Agency's activities related to nuclear science, technology and applications GC(49)/RES/12
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(49)/RES/13

- Implementation of the NPT Safeguards Agreement between the Agency and the Democratic People's Republic of Korea GC(49)/RES/14
- Application of IAEA Safeguards in the Middle East GC(49)/RES/15
- Personnel GC(49)/RES/16
- Examination of Delegates' Credentials GC(49)/RES/17

Decisions:

- Election of the President GC(49)/DEC/1
- Election of Vice-Presidents GC(49)/DEC/2
- Election of the Chairman of the Committee of the Whole GC(49)/DEC/3
- Election of additional members of the General GC(49)/DEC/4
- Israeli nuclear capabilities and threat GC(49)/DEC/11
- Amendment to Article VI of the Statute GC(49)/DEC/12
- The Agency's Programme and Budget for 2006-2007 - Amendment to Article XIV.A of Status GC(49)/DEC/13

2004: The 2004 session of the General Conference, held from 20-25 September 2004, adopted the following resolutions and decisions:

Resolutions:

- Application by the Republic of Chad for Membership of the Agency GC(48)/RES/1
- Application by the Togolese Republic for Membership of the Agency GC(48)/RES/2
- Application by the Islamic Republic of Mauritania for Membership of the Agency GC(48)/RES/3
- The Agency´s Accounts for 2003 GC(48)/RES/4
- The Agency´s Budget for 2004 - Supplementary Appropriation
- GC(48)/RES/5
- Regular Budget Appropriations for 2005 GC(48)/RES/6
- Technical Cooperation Fund Allocation for 2005 GC(48)/RES/7
- The Working Capital Fund in 2005 GC(48)/RES/8
- Scale of Assessment of Members´ Contributions for 2005 GC(48)/RES/9
- Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport Safety and Waste Management GC(48)/RES/10
- Nuclear Security - Measures to Protect against Nuclear Terrorism Progress on Measures to Protect against Nuclear and Radiological Terrorism GC(48)/RES/11
- Strengthening of the Agency´s Technical Cooperation Activities GC(48)/RES/12
- Strengthening the Agency´s Activities Related to Nuclear Science, Technology and Applications GC(48)/RES/13
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(48)/RES/14
- Implementation of the NPT Safeguards Agreement between the Agency and the Democratic People´s Republic of Korea GC(48)/RES/15
- Application of IAEA Safeguards in the Middle East GC(48)/RES/16
- Examination of Delegates´ credentials GC(48)/RES/17

Decisions:

- Israeli Nuclear Capabilities and Threat GC(48)/DEC/10

2003: The 2003 session of the General Conference, held from 15-19 September 2003, adopted the following resolutions and decisions:

Resolutions:

- The Agency's Accounts for 2002 GC(47)/RES/1
- Regular Budget Appropriations for 2004 GC(47)/RES/2
- Technical Co-operation Fund Allocation for 2004 GC(47)/RES/3
- The Agency's Programme and Budget for 2004-2005: The Financing of Safeguards GC(47)/RES/5
- Scale of Assessment of Members' Contributions Towards the Regular Budget GC(47)/RES/6
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Transport Safety and Waste Management GC(47)/RES/7

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- Nuclear and Radiological Security: Progress on Measures to Protect against Nuclear and Radiological Terrorism GC(47)/RES/8
- Strengthening of the Agency's Technical Co-operation Activities GC(47)/RES/9
- Strengthening the Agency's Activities Related to Nuclear Science, Technology and Applications GC(47)/RES/10
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(47)/RES/11
- Implementation of the NPT Safeguards Agreement Between the Agency and the Democratic People's Republic of Korea GC(47)/RES/12
- Application of IAEA Safeguards in the Middle East GC(47)/RES/13
- Personnel GC(47)/RES/14
- Examination of Delegates' Credentials GC(47)/RES/15

Decisions:

- Appointment of the External Auditor GC(47)/DEC/10
- Restoration of Voting Rights GC(47)/DEC/11
- Implementation of United Nations Security Council Resolutions Relating to Iraq GC(47)/DEC/12
- Israeli Nuclear Capabilities and Threat GC(47)/DEC/13
- Amendment to Article VI of the Statute GC(47)/DEC/14

2002: The 2002 session of the General Conference held from 16-20 September 2002, adopted the following resolutions and decisions:

Resolutions:

- Application by the State of Eritrea for Membership of the Agency GC(46)/RES/1
- Application by the Kyrgyz Republic for Membership of the Agency GC(46)/RES/2
- Application by the Republic of Seychelles for Membership of the Agency GC(46)/RES/3
- The Agency's Accounts for 2001 GC(46)/RES/4
- Measures to strengthen International Co-operation in Nuclear, Radiation, Transport and Waste Safety GC(46)/RES/9
- Strengthening of the Agency's Technical Co-operation Activities GC(46/RES/10
- Strengthening of the Agency's Activities Related to Nuclear Science, Technology and Applications GC(46)/RES/11
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(46)/RES/12
- Nuclear Security-Progress on Measures to Protect against Nuclear Terrorism GC(46)/RES/13
- Implementation of the NPT Safeguards Agreements Between the Agency and the Democratic People's Republic of Korea GC(46)/RES/14
- Implementation of the United Nations Security Council resolutions relating to Iraq GC(46)/RES/15
- Application of IAEA Safeguards in the Middle East GC(46)/RES/16

2001: The 2001 session of the General Conference held from 17-21 September 2001, adopted the following resolutions and decisions:

Resolutions:

- Application by the Federal Republic of Yugoslavia for Membership of the Agency GC(45)/RES/1
- Application by the Republic of Botswana for Membership of the Agency GC(45)/RES/2
- Approval of the Appointment of the Director General GC(45)/RES/3
- The Agency's Accounts for 2000 GC(45)/RES/4
- Regular Budget Appropriations for 2002 GC(45)/RES/5
- Technical Co-operation Fund Allocation for 2002 GC(45)/RES/6
- The Working Capital Fund in 2002 GC(45)/RES/7
- Scale of Assessment of Members' Contributions for 2002 GC(45)/RES/8
- Rules Regarding the Acceptance of Voluntary Contributions of Money to the Agency GC(45)/RES/9
- Measures to Strengthen International Co-operation in Nuclear, Radiation, Transport and Waste Safety GC(45)/RES/10

- Strengthening of the Agency's Technical Co-operation Activities GC(45)/RES/11
- Strengthening the Agency's Activities Related to Nuclear Science, Technology and Applications GC(45)/RES/12
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol GC(45)/RES/13
- Measures to Improve the Security of Nuclear Materials and Other Radioactive Materials GC(45)/RES/14
- Personnel - Staffing of the Agency's Secretariat GC(45)/RES/15
- Implementation of the NPT Safeguards Agreement Between the Agency and the Democratic People's Republic of Korea GC(45)/RES/16
- Implementation of United Nations Security Council Resolutions Relating to Iraq GC(45)/RES/17
- Application of IAEA Safeguards in the Middle East GC(45)/RES/18
- Examination of Delegates' Credentials GC(45)/RES/19

Decisions:

- Appointment of the External Auditor GC(45)/DEC/10
- Israeli Nuclear Capabilities and Threat GC(45)/DEC/12

2000: The 2000 session of the General Conference, September 18-22, adopted the following resolutions and decisions:

Resolutions:

- Application by Tajikistan for Membership of the Agency GC(44)/RES/1
- Application by Azerbaijan for Membership of the Agency GC(44)/RES/2
- Application by the Central African Republic for Membership of the Agency GC(44)/RES/3
- The Agency's Accounts for 1999 GC(44)/RES/4
- Regular Budget Appropriations for 2001 GC(44)/RES/5
- Technical Co-operation Fund Allocation for 2001 GC(44)/RES/6
- The Working Capital Fund in 2001 GC(44)/RES/7
- The Financing of Technical Co-operation - Contributions to the Agency's Technical Co-operation Fund GC(44)/RES/8
- The Financing of Safeguards GC(44)/RES/9
- Scale of Assessment of Members' Contributions for 2001 GC(44)/RES/10
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety GC(44)/RES/11
- The Safety of Radioactive Waste Management GC(44)/RES/12
- Education and Training in Radiation Protection and Nuclear Safety and Waste Management GC(44)/RES/13
- The Safety of Nuclear Research Reactors GC(44)/RES/14
- Radiological Criteria for Long-Lived Radionuclides in Commodities (Especially Foodstuffs and Wood) GC(44)/RES/15
- Convention on Early Notification of a Nuclear Accident and Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency GC(44)/RES/16
- Safety of Transport of Radioactive Materials GC(44)/RES/17
- Strengthening of the Agency's Technical Co-operation Activities GC(44)/RES/18
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Protocol GC(44)/RES/19
- Measures Against Illicit Trafficking in Nuclear Materials and Other Radioactive Sources GC(44)/RES/20
- Strengthening the Agency's Activities Related to Nuclear Science, Technology and Applications GC(44)/RES/21
- Plan for Producing Potable Water Economically GC(44)/RES/22
- Strengthening Co-operation Between Nuclear Research Centres in the Area of the Peaceful Applications of Nuclear Technology GC(44)/RES/23
- Servicing Immediate Human Needs GC(44)/RES/24

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- Outcomes of the NPT Review Conference Relevant to the Activities of the IAEA GC(44)/RES/25
- Implementation of the Agreement Between the Agency and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons GC(44)/RES/26
- Implementation of United Nations Security Council Resolutions Relating to Iraq GC(44)/RES/27
- Application of IAEA Safeguards in the Middle East GC(44)/RES/28
- Examination of Delegates' Credentials GC(44)/RES/29

Decisions:

- Restoration of Voting Rights GC(44)/DEC/8
- Application of IAEA Safeguards in the Middle East GC(44)/DEC/12
- Israeli Nuclear Capabilities and Threat GC(44)/DEC/13

1999: The 1999 session of the General Conference, 27 September-1 October, adopted the following resolutions and decisions:

Resolutions:

- Application by Honduras for Membership of the Agency GC(43)/RES/1
- Application by Angola for Membership of the Agency GC(43)/RES/2
- Implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons GC(43)/RES/3
- The Agency's Accounts for 1998 GC(43)/RES/4
- Rgular Budget Appropriations for 2000 GC(43)/RES/5
- Technical Co-operation Fund Allocation for 2000 GC(43)/RES/6
- The Working Capital Fund in 2000 GC(43)/RES/7
- Amendment of Article XIV.A of the Statute GC(43)/RES/8
- Scale of Assessment of Members' Contributions for 2000 GC(43)/RES/9
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety - The Safety of Radiation Sources and the Security of Radioactive Materials GC(43)/RES/10
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety - Safety of Transport and Radioactive Materials GC(43)/RES/11
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety GC(43)/RES/12
- Measures to Strengthen International Co-operation in Nuclear, Radiation and Waste Safety GC(43)/RES/13
- Strengthening of the Agency's Technical Co-operation Activities GC(43)/RES/14
- Plan for Producing Potable Water Economically GC(43)/RES/15
- Extensive Use of Isotope Hydrology for Water Resources Management GC(43)/RES/16
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Protocol GC(43)/RES/17
- Measures Against Illicit Trafficking in Nuclear Materials and Other Radioactive Sources GC(43)/RES/18
- Amendment to Article VI of the Statute GC(43)/RES/19
- GC(43)/RES/19/Corr.1
- Personnel - Staffing of the Agency's Secretariat GC(43)/RES/20
- Personnel - Women in the Secretariat GC(43)/RES/21
- Implementation of United Nations Security Council Resolutions Relating to Iraq GC(43)/RES/22
- Application of IAEA Safeguards in the Middle East GC(43)/RES/23
- Examination of Delegates' Credentials GC(43)/RES/24

Decisions:

- Appointment of the External Auditor GC(43)/DEC/10
- Amendment to Article VI of the Statute GC(43)/DEC/12

- Israeli Nuclear Capabilities and Threat GC(43)/DEC/13

1998: The 1998 session of the General Conference, 21-25 September, adopted the following resolutions and decisions:

Resolutions:

- Application by Benin for Membership of the Agency GC(43)/RES/1
- Implementation of the Agreement between the Agency and the Democratic People's Republic of Korea for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons GC(43)/RES/2
- Implementation of United Nations Security Council Resolutions Relating to Iraq GC(43)/RES/3
- Criteria or Guidelines for Consideration of Requests for the Restoration of Voting Rights GC(43)/RES/4
- The Agency's Accounts for 1997 GC(43)/RES/5
- Regular Budget Appropriations for 1999 GC(43)/RES/6
- Technical Co-operation Fund Allocation for 1999 GC(43)/RES/7
- The Working Capital Fund in 1999 GC(43)/RES/8
- Scale of Assessment of Members' Contributions towards the Regular Budget GC(43)/RES/9
- The Convention on Nuclear Safety GC(43)/RES/10
- Measures to Address the Year 2000 (Y2K) Issue GC(43)/RES/11
- The Safety of Radiation Sources and the Security of Radioactive Materials GC(43)/RES/12
- Safety of Transport of Radioactive Materials GC(43)/RES/13
- Study of the Radiological Situation at the Atolls of Mururoa and Fangataufa GC(43)/RES/14
- Strengthening of the Agency's Technical Co-operation Activities GC(43)/RES/15
- Plan for Producing Potable Water Economically GC(43)/RES/16
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Protocol GC(43)/RES/17
- Measures Against Illicit Trafficking in Nuclear Materials and Other Radioactive Sources GC(43)/RES/18
- Nuclear Testing GC(43)/RES/19
- Participation of Palestine in the Work of the International Atomic Energy Agency GC(43)/RES/20
- Application of IAEA Safeguards in the Middle East GC(43)/RES/21
- Examination of Delegates' Credentials GC(43)/RES/22

Decisions:

- Article VI of the Statute GC(42)/DEC/10
- Israeli Nuclear Capabilities and Threat GC(42)/DEC/11

1997: The 1997 session of the General Conference, 29 September-3 October, adopted the following resolutions and decisions:

Resolutions:

- Application by Malta for Membership of the Agency GC(41)/RES/1
- Application by Burkina Faso for Membership of the Agency GC(41)/RES/2
- Approval of the Appointment of the Director General GC(41)/RES/3
- Farewell to Dr. Hans Blix GC(41)/RES/4
- The Agency's Account for 1996 GC(41)/RES/5
- Regular Budget Appropriation for 1998 GC(41)/RES/6
- Technical Co-operation Allocation Fund for 1998 GC(41)/RES/7
- The Working Capital Fund for 1998 GC(41)/RES/8
- Scale of Assessment of Members' Contributions Towards the Regular Budget GC(41)/RES/9
- The Convention on Nuclear Safety GC(41)/RES/10
- The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management GC(41)/RES/11
- Safety of Transport of Radioactive Materials GC(41)/RES/12
- Strengthening the Agency's Technical Co-operation Activities GC(41)/RES/13

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- Plan for Producing Potable Water Economically GC(41)/RES/14
- Extensive Use of Isotope Hydrology for Water Resources Management GC(41)/RES/15
- Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Protocol GC(41)/RES/16
- Measures Against Illicit Trafficking in Nuclear Materials and other Radioactive Sources GC(41)/RES/17
- Staffing of the Agency's Secretariat GC(41)/RES/18
- Women in the Secretariat GC(41)/RES/19
- Amendment of Article VI of the Statute GC(41)/RES/20
- International Initiative for the Chernobyl Sarcophagus GC(41)/RES/21
- Implementation of the Agreement Between the Agency and the DPRK for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons GC(41)/RES/22
- Implementation of United Nations Security Council Resolutions Relating to Iraq GC(41)/RES/23
- Examination of Delegates' Credentials GC(41)/RES/24
- Application of IAEA Safeguards in the Middle East GC(41)/RES/25

International Atomic Energy Agency (IAEA) Safeguards

Safeguards Agreements: The safeguards system establishes legally binding agreements between States and the IAEA pursuant to the commitments made under international and regional nonproliferation agreements. These measures verify that the declarations made by States about their nuclear materials and activities are both bilateral and multilateral in nature and are the basis of the IAEA's verification functions. Most are known as "full scope" or "comprehensive" agreements because they extend to all peaceful nuclear activities and nuclear material in a State. The IAEA is also the verification authority of the Nuclear Non-Proliferation Treaty. Inspectors work to ensure that safeguarded nuclear materials are used for peaceful purposes and not for military purposes.

157 NPT non-nuclear weapon states, out of a total of 184, have NPT Safeguards Agreements in force with the IAEA. Currently, 119 States have signed the Additional Protocol, 131 have been approved by the Board, and 90 States have already entered it into force.

The Additional Protocol: Responding to the discovery of Iraq's clandestine nuclear weapons program, North Korea's hidden reprocessing facility, and the loophole that allowed "undeclared facilities" to be outside the reach of IAEA verification, the Agency sought to strengthen its system of safeguards. The Board drafted a safeguards improvement program known as "Program 93+2." The plan, created in 1993, was meant to be implemented by 1995, in time for the NPT review conference. Putting Program 93+2 into effect, however, took more time than expected, and the program has been implemented in two parts. The first part, initiated in January 1996, involved new types of monitoring such as environmental sampling and use of no-notice inspections at key measurement points within declared facilities. It did not require any new legal authority to implement.

The first part also includes some new methods of remote monitoring and analysis. The second part of Program 93+2, which substantially expands the scope of the IAEA's safeguards regime, required a formal expansion of the Agency's legal mandate in the form of an Additional Protocol to be adopted by Member States to supplement their existing Safeguards Agreements with the IAEA. The essence of the Additional Protocol is to reshape the IAEA's safeguards regime from a quantitative system focused on accounting for known quantities of materials and monitoring declared activities to a qualitative system gathering a comprehensive picture of a State's nuclear and nuclear-related activities, including nuclear-related imports and exports. The Additional Protocol also substantially expands the IAEA's ability to check for clandestine nuclear facilities by providing the agency with authority to visit any facility ─declared or not─ and to investigate questions or inconsistencies in a State's nuclear declarations.

Multilateral Arrangements for the Nuclear Fuel Cycle: In June of 2004, Director General ElBaradei commissioned an experts group to look into arrangements for a multilateral nuclear fuel cycle after stating that the wide dissemination of sensitive parts of the fuel cycle could potentially be creating a proliferation hazard. He stated that this could be considered the "Achilles heel" of the nonproliferation regime. In theory a State with a fully developed fuel cycle also has the requisite materials, know-how, and technology for producing weapons-grade

materials; this State could then, for whatever reason, decide to withdraw from the NPT while retaining its nuclear-weapons capabilities.

Five approaches to strengthen controls over fuel enrichment, reprocessing, spent fuel storage, and repositories were identified by the group in its report. In the interest of assurance of fuel supply, the group recommended reinforcing existing commercial market mechanisms as well as developing and implementing international supply guarantees, with the IAEA acting as guarantor. Multilateralization of the fuel cycle promoted voluntary conversion of existing facilities to shared arrangements under voluntary agreements and contracts and stressed the need for broader cooperation among the IAEA and the international community toward that goal. The group's report is to be circulated to all IAEA Member States and will also be submitted to the 2005 NPT Review Conference.

Committee on Assurances of Supply (CAS):
On 20 June 1980 the IAEA's Board of Governors established a Committee on Assurances of Supply, open to all Member States,to consider and advise the Board on:

i) ways and means in which supplies of nuclear material, equipment and technology and fuel cycle services can be assured on a more predictable and long-term basis in accordance with mutually acceptable considerations of non-proliferation; and

ii) the Agency's role and responsibilities in this regard.

Discussions took place regarding various issues during the meetings of CAS from 1981 to 1987. For example, CAS considered the possibility of creating an international mechanism aimed at assuring countries against the failure of bilateral or multilateral agreements concerning nuclear fuel supply. Among such possible international mechanisms included the discussion of a fuel bank. This bank would work as a reserve for enriched and natural uranium supplied in cases of temporary breakdown in the supply of nuclear fuel. Concerning the establishment of the bank, discussions over whether the bank should have either physical or at least legal control of enriched and natural uranium supplies occurs. CAS also discussed membership to the fuel bank, considering it a source of temporary supply for a country in good standing with respect to non-proliferation and in need of material while seeking new supply arrangements. Several other issues related to the establishment of the fuel bank were identified as follows:

- Criteria for access and membership;
- Physical or virtual assets of the bank;
- Role of the IAEA;
- Physical protection;
- Transport of material;
- Financial aspects; and
- Non-interference by the bank with the international commercial market.

Compliance with Safeguards Areements:

The following sections cover developments related to State compliance with IAEA safeguards agreements with regard to Iran, the Democratic People's Republic of Korea, Syria, the Republic of Korea, Egypt, Libya, and Iraq.

Iran:

Iran ratified the NPT on 2 February 1970 as one of the original signatory States and concluded its comprehensive Safeguards Agreement (INFCIRC/ 214) with the IAEA on 15 May 1974. By the mid-1970s, Iran initiated a nuclear power program, but the 1979 revolution ended all nuclear efforts until 1984, when Iran revived its nuclear power program. Iran's plans for building a civilian nuclear power program have prompted concern among some Western countries, in particular the United States. Although the NPT allows transfers of nuclear technology for peaceful purposes to non-nuclear weapon States, the United States has remained strongly opposed to such cooperation with Iran considering it believes Iran is misusing this provision of the NPT to obtain and develop technologies and materials for a clandestine nuclear weapons program. On 18 December 2003, Iran signed the Additional Protocol in addition to its Safeguards Agreement with the IAEA (INFCIRC/540), which provides for a substantial expansion of the IAEA's authority to visit any facility, declared or undeclared, to check for clandestine nuclear facilities and to investigate any questions or inconsistencies arising from Iran's comprehensive safeguards declarations. Although Iran has stated that its actions continue in accordance with the Protocol's provisions, ratification by its parliament remains a necessary condition for its entry into force.

Developments:

2009: On 19 February, the Director General submitted to the IAEA Board of Governors the report entitled *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran*. The Director General noted that Iran continues to produce and stockpile low enriched uranium (LEU). Physical inventory verification procedures conducted by the IAEA place the total amount of LEU produced (in the form of UF_6) at 1,010 kilograms. While Iran successfully installed hundreds of additional centrifuges at Natanz in recent months, it did not increase the number of operating centrifuges at its declared enrichment facility (the number remains under 4,000.)

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The Director General reported that Iran has begun producing fuel rods for its heavy water IR-40 reactor and that the Agency's request to visit the reactor was denied. Finally, the Director General reported that Iran has made no additional attempts to resolve the Agency's concerns regarding the outstanding issues surrounding the Alleged Studies. Iran maintains that it has fulfilled all of its obligations under the IAEA work plan, and that IAEA safeguards activities in Iran should return to routine status.

2008: In February 2008, the IAEA submitted its report, *Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran.* The Agency reiterated its inability to verify the non-diversion of declared nuclear material in Iran. It noted that Iran responded to the questions and provided clarifications for the issues raised in the work plan, except for the Alleged Studies on the green salt project, high explosives testing, and the missile re-entry vehicle. The report further stated that Iran's responses remained consistent with the Agency's findings. Also, Iran has resumed submitting additional information similar to that which Iran had previously provided pursuant to the Additional Protocol. With regard to Iran's enrichment activities along with the scope and nature of its program, no change has transpired in either the report or IN Tehran's activities.

2007: On 24 March, the UN Security Council unanimously adopted Resolution 1747, which targets Tehran's arms exports, state-owned bank and elite Revolutionary Guards.

On 22 February 2007, Director General ElBaradei released a report entitled *Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006) in the Islamic Republic of Iran* to the Board of Governors. Major points included Iran's discord with transparency measures, its continuation of enrichment activities, and the operation of single machines. This report was issued in response to the UN Security Council's adoption of Resolution 1737 which states that Iran should suspend all enrichment and reprocessing activities and work on heavy water related projects. Furthermore, Iran shall provide the IAEA access to verify suspension.

2006: On 3 January, the Director General informed the Board of Governors of Note Verbale, in which Iran notified the IAEA of its decision to resume "R&D activities on the peaceful nuclear energy programme which has been suspended as part of its expanded voluntary and non-legally binding suspension."

On 10 January, IAEA inspectors confirmed that Iran had begun to remove IAEA seals on its enrichment-related equipment and material at Natanz. On 7 January 2006, Iran requested that the agency remove, before 9 January 2006, specified seals at Natanz, Pars Trash and Farayand Technique. Based on the information currently available, the removal of agency seals at the enrichment site at Natanz, and at two related storage and testing locations, Pars Trash and Farayand Technique, will be completed by 11 January 2006. Agency containment and surveillance measures will continue to cover the cascade hall and UF6 feed and withdrawal stations at the Pilot Fuel Enrichment Plant (PFEP) at Natanz. Director General ElBaradei expressed concern over Iran's decision to terminate the suspension of enrichment-related activities requested by the IAEA Board of Governors before the agency clarified the nature of Iran's nuclear program.

On 13 January, the IAEA received a document for circulation entitled "E3/EU Statement on the Iran Nuclear Issue" from the United Kingdom, France, and Germany that reports on a meeting in Berlin, 12 January 2006. The statement finds that Iran's decision to restart enrichment activity "a clear rejection of the process the E3/EU and Iran have been engaged in for over two years with the support of the international community." It goes on to state that Iran continues to challenge the authority of the IAEA board and stresses the need to respond firmly to this challenge. In their statement, the E3/EU concluded that involvement of the Security Council is necessary to reinforce the authority of IAEA resolutions and to signal their intention to call for an "Extraordinary IAEA Board meeting with a view for it to take the necessary action to that end."

On 18 January, the representatives of France, Germany, and the United Kingdom sent a letter to the chair of the IAEA Board of Governors requesting a special meeting to discuss the implementation of IAEA safeguards in Iran and related board resolutions. The special meeting has been scheduled for 2 February.

On 24 January, Iran submitted a Note Verbale to the IAEA entitled "Short Glance on Iranian Nuclear Issue" to the IAEA, requesting its distribution as an information circular (INFCIRC/665) for all member states. The document provides an account of developments, particularly in the past three years, that "reveals the facts confirming the exclusive nature of [the] Iranian nuclear program and activities and full cooperation with [the] international community." According to Iran, this review is also intended to demonstrate that "the international community has been, to a great extent misled with bias[ed], politicized and exaggerated information on Iranian nuclear programs and activities." Iran emphasized that the decision to suspend enrichment activities was strictly a voluntary and non-legally binding measure and claims that since the issue of contamination which triggered such a decision has been resolved, "there is no

need for the Iranian Government to further deprive its nation from its inalienable right in doing research."

On 31 January, the Foreign Ministers of China, France, Germany, Russia, the United Kingdom, the United States, and the High Representative of the European Union issued a statement on Iran after their meeting in London the previous day. The statement "called on Iran to restore in full the suspension of enrichment-related activity, including R&D, under the supervision of the IAEA." The ministers reached an agreement that the IAEA board meeting should report to the Security Council its decision on the steps required from Iran, but also that the Security Council should await the Director General's report to the March meeting of the IAEA board before deciding to take action.

On 2 February, the Board of Governors convened at a special meeting on Iran's nuclear program. In briefing the press, the Director General remarked that this meeting does not signal the end of diplomacy and that a window of opportunity exists to resolve this issue through negotiations. He expressed his hopes that Iran would "continue to cooperate with the Agency, to clarify remaining outstanding issues."

On 3 February, Iran requested the circulation of a letter to the Director General from Dr. Larijani, secretary of the Supreme Security Council of Iran. The letter stated that the board decision to report the issue to the Security Council lacks legal and technical basis. Iran claims that "the resumption of R&D activities…cannot provide the ground for taking harsh decisions by the Board and reporting the issue to the Security Council. Those activities are exclusively peaceful and completely within the IAEA legal framework…." The letter goes on to state that if the board reaches the decision to refer Iran to the Security Council, Iran "would have no other choice but to suspend all the voluntary measures and extra cooperation with the Agency."

On 4 February, the Board of Governors passed a resolution (GOV/2006/14) requesting the Director General to report to the UN Security Council all IAEA reports and resolutions, as adopted, relating to the implementation of safeguards in Iran. The resolution calls on Iran to "re-establish full and sustained suspension of all enrichment-related and reprocessing activities, including research and development, to be verified by the Agency; reconsider the construction of a research reactor moderated by heavy water; ratify promptly and implement in full the Additional Protocol; pending ratification, continue to act in accordance with the provisions of the Additional Protocol; implement transparency measures, as requested by the Director General, including in GOV/2005/67, which extend beyond the formal requirements of the Safeguards Agreement and Additional Protocol." The resolution further requests the director general to "report on the implementation of this and previous resolutions to the next regular session of the Board, for its consideration, and immediately thereafter to convey, together with any Resolution from the March Board, that report to the Security Council." The resolution also contains a clause expressing support for a nuclear-free Middle East.

The resolution was adopted by a vote of 27 in favor, 3 against, and 5 abstentions. *(For*: Argentina, Australia, Brazil, Belgium, Canada, China, Colombia, Ecuador, Egypt, France, Germany, Ghana, Greece, India, Japan, Republic of Korea, Norway, Portugal, Russian Federation, Singapore, Slovakia, Slovenia, Sri Lanka, Sweden, United Kingdom, United States, and Yemen. *Against*: Cuba, Syria, and Venezuela. *Abstentions*: Algeria, Belarus, Indonesia, Libya, and South Africa).

On 27 February, Director General ElBaradei issued another report (GOV/2006/15) for the Board of Governors to consider in its meeting on 6 March. The report states that, although the IAEA has not seen indications of diversion of nuclear material to nuclear weapons or other nuclear explosive devices, there remain uncertainties with regard to both the scope and the nature of Iran's nuclear program. The two outstanding issues concerning the origin of LEU and HEU particle contamination found at various locations in Iran and the extent of Iran's efforts to import, manufacture, and use centrifuges of both the P-1 and P-2 designs require further clarification. The Director General urged Iran to provide full transparency and take necessary measures to build confidence.

On 6 March, the Board of Governors convened in a meeting to review the Director General's 27 February report and to discuss Iran's nuclear program among other agenda items. No resolution was adopted but instead the board agreed to a carefully worded summary prepared by its chair, Ambassador Amano from Japan. The Chairman's Summary highlighted the division within the board. It indicated that some members expressed regret at the lack of implementation of the confidence-building measure requested of Iran and at Iran's declared intention to suspend the voluntary implementation of non-legally binding measures, including the Additional Protocol. It also showed that other members expressed frustration at the slow pace of progress of the IAEA's work in clarifying outstanding questions relating to Iran's nuclear program and that the agency is still unable to provide assurance as to the absence of undeclared nuclear materials and activities in Iran. On the other hand, the summary revealed that members recognized that Iran had taken corrective and continued transparency measures. They encouraged Iran's continued cooperation with the IAEA and also "re-emphasized the distinction between

voluntary confidence building measures and legally binding safeguards obligations." Some other members emphasized that Iran's nuclear issue should be addressed within the context of the establishment of a nuclear-weapon-free zone in the Middle East.

In accordance with the resolution adopted on 4 February, the Director General's report on Iran's nuclear program was transmitted to the Security Council on 8 March, at the close of the meeting. On briefing the press, ElBaradei once again emphasized the importance of diplomacy prevailing and the need to prevent further escalation of tensions. In this regard, the he advised all the states involved to tone down their rhetoric and also to seek a "cool-headed approach." ElBaradei stated that the IAEA will continue with its verification work and ask Iran to heighten its level of transparency. At the same time, the Security Council must deliberate this issue and "lend its weight to the IAEA's efforts so as to make sure Iran will work as closely as possible" with the agency.

On 28 April, the Director General submitted his latest report on Iran's implementation of its safeguards agreement to the Board of Governors and the UN Security Council. This report was prepared at the request of the Security Council in its presidential statement on 29 March 2006. The Security Council statement requested "in 30 days a report from the Director-General of the IAEA on the process of Iranian compliance with the steps required by the IAEA Board, to the IAEA Board of Governors and in parallel to the Security Council for its consideration." In anticipation of the Director-General's report, Iran submitted a letter in which it indicated its willingness to cooperate in terms of complying with the Additional Protocol, provided that the Security Council drops the case and returns it to the IAEA.

The Director General's report did not reflect any elements of progress in the IAEA's verification work in Iran. As in the case of all previous reports, this latest report does not provide conclusive evidence that Iran's nuclear program is not designed exclusively for peaceful purposes. Moreover, the report confirmed Iran's claims to have enriched uranium to the level of 3.6%. With regards to Iran's statements in press reports that it is conducting research and development on and testing P-2 centrifuges, a more sophisticated type of enrichment technology, the report offers no further insights. The report reiterated calls from previous reports urging Iran's full cooperation and transparency, "transparency that goes beyond the measures prescribed in the Safeguards Agreement and Additional Protocol." The report noted with regret that Iran has not been forthcoming with implementing these additional transparency measures. This fact, in addition to Iran's decision to cease implementation of the Additional Protocol in February 2006, has severely impeded the IAEA's verification work in providing clarification on outstanding issues and assurance as to the absence of undeclared nuclear material and activities. According to the report, while the safeguards system of the IAEA remains indispensable in verifying a state's compliance with its treaty obligations, it is unequipped with the means to verify a state's "future compliance or intentions."

On 8 June, the Director General circulated his latest report (GOV/2006/38) for the board members for consideration at its meeting that convenes on 12 June. The report covers developments since April and reflects the stalled progress in resolving outstanding verification issues. Iran has continued to withhold important information that could provide the key to mending gaps in understanding in the agency's verification work, such as the 15-page document "describing the procedures for the reduction of UF6 to uranium metal and the casting and machining of enriched and depleted uranium metal into hemispheres." Furthermore, the report details recent Iranian nuclear activity, which includes resumption of uranium enrichment. The report states that on 6 June 2006, Iran "started feeding UF6 into the 164-machine cascade." In addition, according to the report, Iran continues its installation work begun in April on other 164-centrifuge networks.

2005: On 2 March, after the board's meeting, the Director General commented that while the agency has no new revelations on Iran's nuclear program, it is making progress in understanding its nuclear activities, particularly with regard to the outstanding issue of enrichment. However, ElBaradei stressed the need for additional information and transparency from Iran. In a parallel development, also expressed the agency's support in negotiations between Iran and the European Union supported EU3 (United Kingdom, France, and Germany), and, recently, the United States. These multilateral talks seek to reach a solution on Iran's declared capacity of enrichment. The board also considered a U.S. proposal to create a special board committee to look into the Iran issue. However, after opposition from a broad spectrum of members, no final decision was reached on the proposal. Although no action was taken by the board, the issue of Iran's nuclear program will continue to stay on the board's agenda.

On 14 June, the director general briefed the board on IAEA verification activities in Iran. The statement notes the agency's verification of Iran's voluntary enrichment suspension. The director general stated progress was made by the IAEA in identifying the origin of the low- and highly enriched uranium contamination on centrifuges and verifying information provided by Iran regarding its enrichment programs.

On 1 August, Iran issued a Note Verbale (INFCIRC/648) informing the IAEA that it had "decided to resume the uranium conversion activities at UCF [Uranium

Conversion Facility] in Isfahan on 1 August 2005." Iran requested the IAEA "to be prepared for the implementation of the Safeguards related activities in a timely manner prior to the resumption of the UCF activities."

On 11 August, the Board of Governors adopted resolution GOV/2005/64 regarding the implementation of IAEA safeguards in Iran. The resolution expresses serious concern over Iran's decision to resume conversion activities at the Uranium Conversion Facility in Isfahan. It urges Iran to re-establish full suspension of all enrichment-related activities on the same voluntary, non-legally binding basis as requested in previous board resolutions, and to permit the Director General to reinstate the seals that have been removed at the Uranium Conversion Facility in Esfahan.

On September 2, the Director General reported to the Board of Governors on the developments related to the implementation of IAEA safeguards in Iran since November 2004. The report notes:

- IAEA analysis supports Iran's claim that HEU contamination on its centrifuges stems from Pakistan.
- Developments in four areas relate to the IAEA's verification of Iran's P-1 centrifuge enrichment program.

On 24 September, the Board of Governors adopted resolution GOV/2005/77 regarding the implementation of IAEA safeguards in Iran. The resolution finds that Iran's many failures and breaches of its obligations to comply with its NPT Safeguards Agreement constitute noncompliance in the context of Article XII.C of the agency's statute.

The resolution states that "the history of concealment of Iran's nuclear activities referred to in the Director General's report, the nature of these activities, issues brought to light in the course of the Agency's verification of declarations made by Iran since September 2002 and the resulting absence of confidence that Iran's nuclear programme is exclusively for peaceful purposes have given rise to questions that are within the competence of the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security."

The resolution was adopted by a vote of 22 in favor and 1 against; there were 12 abstentions. (For: Argentina, Australia, Belgium, Canada, Ecuador, France, Germany, Ghana, Hungary, India, Italy, Japan, Republic of Korea, Netherlands, Peru, Poland, Portugal, Singapore, Slovenia, Sweden, UK, USA. Against: Venezuela. Abstain: Algeria, Brazil, China, Mexico, Nigeria, Pakistan, Russia, South Africa, Sri Lanka, Tunisia, and Vietnam).

On 26 September, the Director General, in a statement to the Forty-Ninth Regular Session of the IAEA General Conference, stated that "Iran has failed in a number of instances over an extended period of time to meet its obligations under its Safeguards Agreement." The director general urged Iran is cooperating with the IAEA, acknowledging that Iran is "a special verification case that requires additional transparency measures as a prerequisite for the Agency to be able to reconstruct the history and nature of all aspects of Iran's past nuclear activities, and to compensate for the confidence deficit created."

On 17 November, in response to the 24 September resolution, Iran submitted a letter to the IAEA rejecting the resolution as "unfair and imbalanced." The letter explained Iran's reservations regarding the legality and language of the resolution by analyzing each paragraph separately. Iran pointed out that the Board of Governors' request for Iran to ratify promptly the Additional Protocol is invalid because it lies outside the board's mandate.

On 18 November, Director General ElBaradei briefed the board on developments regarding Iran's safeguards agreement. The director general stated that

- Iran made available more information to the IAEA on its involvement in the A.Q. Khan network; the IAEA is still examining documentation on centrifuge technology related to the 1987 offer
- issues still remain to be resolved on the genesis of the mid-1990s offer relating to the P-2 enrichment program
- Iran has continued to act as if the Additional Protocol were in force.

On 24 November, the Director General reported to the Board of Governors that Iran had provided additional documentation, permitted interviews with relevant individuals, and allowed further access. While the agency intends to continue its efforts to clarify the extent and nature of Iran's nuclear program, Iran was urged to cooperate further on the scope and chronology of its centrifuge enrichment program. However, the agency observed no deviations from Iran's voluntary suspension of enrichment activities, and the board adopted no resolution on the issue.

2004: On 24 February, Director General ElBaradei issued a report detailing the Agency's findings following a series of inspections at key sites in Iran throughout January and February. This report cited a number of concerns that the Agency hopes to clarify in the future, including the following points:

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While Iran claims that its Uranium Conversion Facility (UCF) under construction at Esfahan is being built on the basis of drawings and technical support from a foreign supplier appears credible, questions remain regarding the intended use of the uranium metal produced at this facility.

"Given the size and capacity of the equipment used [in Iran's conversion experiments], the possibility cannot be excluded that larger quantities of nuclear material could have been involved than those declared by Iran as having been consumed and produced during testing and experimentation."

Environmental samples of uranium contamination differ in enrichment levels between domestic and imported centrifuge components and in type between the Kalaye Electric Company and Natanz, thereby raising questions about Iran's claim that contamination came solely from imported components.

While Iran provided details of its P-1 centrifuges, it failed to mention its possession of P-2 centrifuge designs in its October 2003 declaration. Its admission of such possession occurred only after an inquiry on the part of the IAEA in January of 2004. This initial omission is seen by the Agency as running counter to Iran's declaration. In addition, the nature and scope of Iran's activities involving these centrifuge designs will need future clarification.

The nature and scope of Iran's laser isotope enrichment research and its associated equipment needs clarification.

On 5 March, Iran issued a Note Verbale (INFCIRC/628) commenting on the 24 February Report by the Director General to, "clarify a number of inadvertent omissions in the report and augment the information in other parts." In this communication Iran:

Emphasized its adherence to the Additional Protocol prior to its ratification by the Parliament, as well as its granting of a number of complementary accesses;

Reaffirmed that the centrifuge components that Iran imported were previously used, a fact confirmed by third-party investigations, thereby "shedding light on the source of contamination for which Iran cannot provide a conclusive account";

Clarified that the bismuth irradiation project was aborted 13 years ago, and observed that declaration of bismuth irradiation is not required under the Safeguards Agreement;

Surmised that Iran was not required to provide the Agency with information on its P-2 designs as "neither construction of a nuclear facility nor nuclear material was involved";

Indicated that Iran received general engineering designs only for the P-2 centrifuge, and did not obtain manufacturing designs or components from the intermediary; and

Asserted that research projects involving uranium conversion at the Tehran Nuclear Research Centre and the Esfahan Nuclear Technology Centre were not confidential, as reflected in the presentation of papers on uranium conversion at the International Conference on Nuclear Science and Technology held at Bushehr in 1985 and the detailed information regarding Iranian uranium conversion activities present in the IAEA fellowship application forms by AEOI experts.

On 13 March, the Board of Governors met to approve draft resolution GOV/2004/20 regarding the implementation of IAEA safeguards in Iran. During this meeting, the Iranian delegation claimed that many of the previous outstanding issues had been resolved, and pointed to the Director General's repeated statements describing the implementation of IAEA safeguards in Iran as a "work in progress," and praising Iran's "extensive active cooperation." According to Iran, the only outstanding issue is the contamination of uranium enriched to beyond 1.2 percent, which Iran claimed had been difficult to resolve due to the involvement of a foreign source. Most delegations offered qualified praise for Iran's cooperation with the Agency and urged Iran to be more forthcoming in the future to resolve all outstanding issues and to ratify the Additional Protocol. The United States, Canada, and Australia however, expressed serious concern over Iran's explanations of some of its program's sensitive issues. The U.S. delegation compared Libya's voluntary renunciation of its pursuit of weapons of mass destruction, with Iran's, "policy of denial, deception and delay." According to the United States, the resolution adopted on 13 March, "made it clear that Iran had yet to discharge the obligation of full cooperation, compliance, and transparency essential to the fulfillment of its legal commitments."

In spite of these differing assessments of Iran's cooperation with the Agency, the Board of Governors decided to adopt GOV/2004/20 without a vote. This resolution deferred both the consideration of Iran's degree of compliance with IAEA safeguards, and the Board's response to a number of omissions from Iran's declarations until its June meeting. The resolution also welcomed Iran's voluntary suspension of enrichment activities and its signature of the Additional Protocol. However, it also expressed concern over the outstanding issues described in the Director General's reports. In particular:

Iran's omission of its P-2 centrifuge designs in its October 2003 declarations;

The unsubstantiated purpose of "Iran's activities related to experiments on the production and intended use of poilonium-210";

LEU and HEU contamination at the Kalaye Electric Company and Natanz; and

The nature and scope of Iran's laser isotope enrichment research.

To address these concerns, the resolution called on Iran to "be pro-active in taking all necessary steps on an urgent basis to resolve all outstanding issues."

During the 2004 NPT PrepCom held between 26 April and 7 May, the United States used the conference as an opportunity to condemn Iran's alleged pursuit of a nuclear weapons program, pointing to Iran's failure to fully comply with its Safeguards Agreement.

On 21 May, Iran submitted its initial declarations pursuant to its Additional Protocol.

On 1 June, the Director General issued a report detailing the Agency's progress with the implementation of safeguards in Iran. While this report continued to find that Iran had engaged in a high degree of cooperation with the Agency, several issues have yet to be fully resolved, including the following:

After stating that it had not received P-2 centrifuge components from abroad, Iran revealed that it had in fact acquired magnets relevant to P-2 centrifuges from Asian suppliers. On 30 May, Iran provided the Agency with information on the quantities and sources of these imported magnets. In addition, Iran admitted to making inquiries with a European intermediary regarding the procurement of 4,000 magnets suitable for use in P-2 centrifuges, although no magnets have been delivered by the intermediary.

While Iran has provided additional evidence to clarify the discrepancy between the enrichment levels of the uranium contamination found at the Kalaye Electric Company, Natanz, and Farayand Technique, Agency experts believe more information will be required before this issue can be resolved. Although Iran claimed that it does not know the origin of this equipment, it has identified some of the intermediaries involved. The Agency has questioned these intermediaries and has concluded that, without additional information, "it is unlikely that the Agency will be able to conclude that the 36 percent uranium-235 contamination found at Kalaye and Farayand was due to components originated from the State in question."

The Agency has concluded that Iran understated the amount of plutonium that it produced, although the amounts produced were in the milligram range. In addition, this plutonium was found to be more recently produced than the 12- to 16-year range specified by Iran.

While the Agency has been able to verify Iran's voluntary suspension of enrichment activities, it has found Iran's continued generation of uranium hexafluoride (UF6) at the Uranium Conversion Facility to be, "at variance with the Agency's previous understanding as to the scope of Iran's decision regarding suspension."

On 18 June, the IAEA Board of Governors issued a resolution that essentially reiterated the concerns of previous resolutions. Although the resolution welcomed Iran's submission of its Articles 2 and 3 declarations under the Additional Protocol, it deplored the fact that Iran's cooperation with the Agency had not been "as full, timely, and proactive as it should have been," particularly noting the postponement of Agency visits originally scheduled in March until mid-April, thereby delaying the process of environmental sampling and analysis. The resolution also called on Iran to:

Resolve all outstanding questions, in particular the issue of LEU and HEU contamination found in various locations, including a cluster of 36-percent-HEU particles, and the nature and scope of Iran's P-2 centrifuge program;

Ensure that the implementation of its voluntary suspension of enrichment-related and reprocessing activities is consistent with the Agency's understanding of the scope of such suspension, in particular refraining from the production of UF6 and centrifuge components and allowing the Agency to verify this suspension; and

Voluntarily reconsider both its decisions to begin production testing at the Uranium Conversion Facility and to begin construction of a heavy water research reactor as confidence-building measures.

The resolution also urges Iran to ratify its Additional Protocol.

On 1 September, IAEA Director General ElBaradei issued a report entitled "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran" (GOV/2004/60), in fulfillment of the request made by the Board in June 2004. Even though the report welcomed the new information provided by Iran, it pointed mostly to the remaining inconsistencies. The following outstanding issues are identified in the report:

The accuracy of the Iranian statements regarding its P-2 centrifuge enrichment program and its chronology continues to be in question. Questions remain unanswered regarding the scope of Iran's efforts to import, manufacture, and use centrifuges of both the P-1 and P-2 design. The alleged absence of P-2 centrifuge related activities in Iran between 1995 and 2002 and the P-2 centrifuge procurement-related activities are also subject to further investigation. Given concerns over clandestine supply networks, ongoing IAEA investigations should shed light on the origin of both Iran's P-1 and P-2 centrifuge enrichment program.

According to Iran, the low-enriched uranium (LEU) and highly enriched uranium (HEU) particles found on

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different locations of the Iranian territory derive from imported P-1 centrifuge components. The report concluded that the source and reasons of HEU and LEU contamination detected in various locations in Iran are still not clear. The information explaining each particular case may look plausible; however the different pieces of information do not fit together.

Regarding the Iranian atomic vapor laser isotope separation (AVLIS) program, the levels of enrichment declared by Iran are consistent with the IAEA determinations. The IAEA has pointed out that the AVLIS facility at Lashkar Ab'ad could have been capable of HEU production (albeit gram quantities only).

Iran finally agreed with the Agency's estimate regarding the amounts of plutonium that have been produced by irradiation. However, Iran claims an age of 12 to 16 years, while the IAEA is pursing the possibility that it was irradiated more recently.

Although Iran has provided some new information on hot cells, the IAEA is still trying to obtain a clear picture of their plans in this regard.

Iran has not yet ratified the Additional Protocol. Its initial voluntary declarations are still being reviewed by the Agency, along with information revealed in the most recent meetings between the IAEA and Iran.

Following questions that arose during the June board meeting concerning a potential concealment effort of alleged nuclear-related activities at the Lavisan-Shian site in Tehran, Iran granted Agency experts access to that site. The inspectors were allowed to examine the site, and the Agency continues to analyze data collected during the visit.

Discussions on open source information relating to dual-use equipment and materials, which could have both military and civilian applications, have been initiated.

Neither Iran's safeguards agreements nor its Additional Protocol obligations require the suspension of enrichment activities. Such activities are permitted under these agreements, provided that they are declared to the Agency and that they are within limits of a non-military nuclear program. The report points out that the Agency has been able to verify Iran's suspension of enrichment-related activities at specific sites, and that as of September 1, 2004, the Agency has not detected any activities at those locations.

On 18 September, the IAEA Board of Governors adopted resolution GOV/2004/79 on the Implementation of the NPT Safeguards Agreement on Iran. The resolution does not establish a deadline, but it requests the IAEA Director General to submit (in advance of the 25 November Board's meeting):

A report on Iran's implementation of the resolution;

A report on Iran's response to the requests made by the Board in previous resolutions, especially requests relating to full suspension of all enrichment-related and reprocessing activities and;

A recapitulation of the Agency's findings on the Iranian nuclear program since September 2002, as well as a full account of past and present Iranian cooperation with the Agency, including the timing of declarations and a record of the development of all aspects of the program, as well as a detailed analysis of the implications of those findings in relation to Iran's implementation of its Safeguards Agreement.

The Board also stated its deep regret that the implementation of Iranian voluntary decisions to suspend enrichment-related and reprocessing activities, notified to the Agency on 29 December 2003 and 24 February 2004, fell significantly short of the Agency's understanding of the scope of those commitments and also that Iran has since reversed some of those decisions.

In the resolution, the Board also stated that at its November meeting, a decision will be taken on whether or not further steps are appropriate in relation to:

Iran's obligations under its NPT safeguards agreements; and

The requests made of Iran, as confidence-building measures, by the Board in this and previous resolutions.

On 21 September, the Iranian government announced the resumption of their enrichment program, which had voluntarily suspended as a confidence-building measure.

After intense negotiations between the government of the Islamic Republic of Iran and the EU3, an agreement was reached regarding Iran's enrichment activities on November 14.

As a confidence-building measure and not as a legal obligation, Iran agreed to suspend all enrichment-related and reprocessing activities, specifically the manufacture and import of gas centrifuges and their components; the assembly, installation, testing, or operation of gas centrifuges; work to undertake any plutonium separation or to construct or operate any plutonium separation installation; and all tests or production at any uranium conversion installation. In return, the E3/EU will support the IAEA Director General, inviting Iran to join the Expert Group of Multilateral Approaches to the Nuclear Fuel Cycle. The agreement also stated that once suspension has been verified, the negotiations with the EU on a Trade and Cooperation Agreement will resume. The E3/EU will actively support the opening of Iranian accession negotiations at the World Trade Organization (WTO).

On November 15, in the report by the Director General to the Board, the Agency stated: "All the declared material in Iran has been accounted for, and therefore such material is not diverted to prohibited activities. The Agency is, however, not yet in a position to conclude that there are no undeclared nuclear materials or activities in Iran"
On November 22, the IAEA Director General stated that the IAEA was verifying that Iran had stopped all the enrichment and related activities that it was committed to in the agreement. He announced that the Agency would be able to confirm the information by November 25.

However, the Board, in its resolution of November 29, noted its concern with Iran's continuing to include, in its enrichment activities, the production of UF6 up to November 22, in spite of a request by the Board in September to suspend all enrichment activities. Additionally, it recognized the voluntary status of Iran's acceptance of its AP and its non-legally binding agreement to suspend enrichment as part of a confidence-building gesture. The Board also recognized States' rights to pursue civilian nuclear programs under Treaty obligations.

2003: Concerns over Iran's nuclear program increased in February 2003 when Iranian authorities revealed a new plan to develop a nuclear energy program using entirely domestic resources. The United States in particular raised concerns that these facilities might contribute to Iran's development of a complete nuclear fuel cycle, which would enable Iran to build nuclear weapons without importing nuclear material. These concerns particularly relate to Iran's compliance with its safeguards undertakings; concerns regarding the undeclared imported nuclear material (UF6, UF4, and UO2); the processing and use of this material without notifying the IAEA at a uranium enrichment facility at Natanz; and the development of a (still not operating) uranium enrichment plant. In addition, questions have been raised regarding the on-going construction of a heavy water production plant and plans for constructing a 40-megawatt (th) heavy water research reactor at Arak. Iran informed the IAEA in May 2003 about its intentions to build this heavy water reactor for research, training, and development purposes. Although heavy water production plants are not covered by comprehensive Safeguard Agreements, concerns exist that the heavy water reactor (for which construction was planned to begin in 2004) could potentially yield weapons-grade plutonium.

Following these allegations, IAEA Director General ElBaradei and other senior IAEA officials visited the pilot-scale hexafluoride gas centrifuge enrichment plant under construction at Natanz on 21 February_2003, and discovered that the centrifuges they were shown were at least twice as powerful as claimed by Iran in its comprehensive safeguards declaration. This discrepancy was narrowed down to a factor of two following an additional visit by IAEA officials to the Natanz facility on 25 February 2003. As a result of these visits, the Agency prepared a report to the Board of Governors indicating a number of failures by Iran to report the material, facilities, and activities in question in a timely manner considering its obliged to do so pursuant to the Safeguards Agreement. In this regard, the report stated that Iran:

- failed to declare the import of natural uranium in 1991, and its subsequent transfer for further processing (referring to the import of 3,960 pounds of uranium imported from China in 1991);
- failed to declare activities involving the subsequent processing and use of the imported natural uranium, including the production and loss of nuclear material where appropriate, and the production and transfer of waste resulting thereof. Iran has acknowledged the production of uranium metal (that bears little relationship to an energy program which is what the Iranian government asserts to be its only purpose), uranyl nitrate, ammonium uranyl carbonate, UO2 pellets, and uranium wastes; and
- failed to declare the facilities where such material (including the waste) was received, stored, and processed.

The IAEA report also stated that while these failures are being rectified by Iran, the process of verifying the correctness and completeness of the Iranian declarations (in terms of its Safeguards Agreement) is ongoing. Iran was requested to cooperate with the Agency to address a series of "open questions," including:

- The completion of a more thorough expert analysis of the research and development carried out by Iran in the establishment of its enrichment capabilities.
- Further follow-up on information regarding allegations about undeclared enrichment of nuclear material, including, in particular, at the Kalaye Electric Company.
- Further enquiries about the role of uranium metal in Iran's nuclear fuel cycle.
- Further enquiries about Iran's program related to the use of heavy water, including heavy water production and heavy water reactor design and construction at Arak.

On 6 May, Iranian Vice-President and head of Iran's Atomic Energy Organization H.E. Reza Aghazadeh noted Iran's intention to accept the Additional Protocol. He said that his "country has no difficulty accepting this protocol, as a matter of fact, it is approaching it positively." He added, however, that Iran "doesn't intend to ratify and enforce the provisions of this protocol without any condition" referring to restrictions on the supply of nuclear-related technologies and materials imposed by the United States, the United Kingdom, and other members of

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the Nuclear Suppliers Group (NSG). The Iranian representative at the IAEA Board of Governor's meeting on 18 June 2003 reiterated Iran's intention to conclude the Additional Protocol when he said that Iran "would like to state over again [its] positive consideration of the Additional Protocol….The positive outcome of this session will be conducive towards the settlement of this issue."

On 18 June, the IAEA Board of Governors considered the Agency report. Despite some pressure to do so, the Board did not declare Iran in violation of its obligations under the NPT and its IAEA Safeguards Agreement. It also did not adopt a resolution on Iran. Instead, the Chairperson of the Board, Kuwaiti Ambassador Nabeela Al-Mulla, referred to the findings of the IAEA report in her summary of the meeting. The Chairperson stated that the Board:

> noted Iranian actions taken thus far to correct these failures, and urged Iran to promptly rectify all safeguards problems identified in the report and resolve questions that remain open;
>
> welcomed Iran's reaffirmed commitment to full transparency and expected Iran to grant the Agency all access deemed necessary by the Agency in order to create the necessary confidence in the international community;
>
> encouraged Iran, pending the resolution of related outstanding issues, not to introduce nuclear material at the pilot enrichment plant, as a confidence-building measure;
>
> called on Iran to co-operate fully with the Agency in its on-going work and in this regard, took note of the Director General's 16 June Introductory Statement which called on Iran to permit the Agency to take environmental samples at the particular location allegedly involved in enrichment activities;
>
> welcomed Iran's readiness to look positively at signing and ratifying an Additional Protocol, and urged Iran to promptly and unconditionally conclude and implement an Additional Protocol to its Safeguards Agreement, in order to enhance the Agency's ability to provide credible assurances regarding the peaceful nature of Iran's nuclear activities, particularly the absence of undeclared material and activities.

Following the Board's consideration of the Iranian report, Director General ElBaradei in his concluding statement remarked: "there is a need to encourage Iran to cooperate fully and demonstrate full transparency" to resolve the outstanding questions identified in the IAEA report as soon as possible before the next Board meeting in September 2003 and, if deemed necessary, the Board could meet at a special session to consider further options.

Further discussions on the outstanding questions regarding Iran's nuclear program and Iran's possible conclusion of an Additional Protocol took place throughout July and August 2003, with visits to Iran by the Director General and IAEA technical and legal experts. Environmental samples taken from the Natanz facility that indicated the presence of highly enriched uranium particles were chief among the outstanding issues requiring clarification. In addition, the IAEA requested permission to take environmental samples at the Kalaye Electric Company in Tehran and to visit two other locations (Lashkar Ab'ad and Ramandeh) where alleged nuclear-related activities occurred. Both of these requests were granted in mid-August. At the same time, Iran also expressed to the IAEA its readiness to begin negotiations on the Additional Protocol.

In preparation for the September Board of Governors meeting, the Director General's second report was issued on the implementation of Iran's NPT Safeguards Agreement. The report provided an update on the status of the issues raised in the previous report, and included new questions that had arisen over the course of the more recent discussions. In particular, the report noted that:

> Having acknowledged in August that uranium conversion experiments had taken place in the early 1990s, Iran is in the process of gathering and providing further information. The IAEA is continuing its efforts to audit and verify the import and use of the nuclear material.
>
> The Agency is continuing discussions on the presence of depleted uranium detected through environmental samples, and is awaiting results of samples taken from other nuclear facilities.
>
> The IAEA is evaluating new information received in August regarding the chronology and details of Iran's centrifuge enrichment program, and is awaiting environmental samples taken from the Kalaye Electric Company workshop.
>
> In working with Iran to identify the origin of highly enriched uranium particles detected at the Natanz pilot enrichment plant, the IAEA will conduct discussions with relevant Iranian personnel and will visit relevant locations. In addition, the Agency has requested assistance from Member States that have knowledge of any external nuclear-related assistance provided to Iran.
>
> The Agency is evaluating design information on Iran's heavy water reactor.

The report concluded that although Iran has demonstrated an increased degree of cooperation with the Agency, including its decision to begin negotiations on the conclusion of an Additional Protocol, "it should be noted that information and access were at times slow in coming and incremental and that…some of the information was in contrast to that previously provided by Iran. In addition, there remain a number of important outstanding issues, particularly with regard to Iran's enrichment program,

that require urgent resolution. Continued and accelerated co-operation and full transparency on the part of Iran are essential for the Agency to be in a position to provide at an early date the assurances required by Member States."

The second report was considered during the Board of Governor's September 2003 meeting, with Board members debating several proposals regarding the most effective way to proceed. Two draft resolutions (one by France, Germany, and the United Kingdom and another by South Africa) were submitted on the first day of the Board meeting, however, the resolution ultimately adopted on 12 September was based on a later draft submitted by Australia, Canada, and Japan (GOV/2003/69). The resolution urged Iran to provide accelerated cooperation and full transparency to the IAEA, and to ensure that no further reporting failures occurred. The resolution further expressed concern with regard to:

- the Director General's statement on the nature of Iran's cooperation and contrasting information;
- the finding of highly enriched uranium at the Natanz facility;
- the considerable modifications that had been made at the Kalaye Electric Company prior to Agency inspections;
- the discrepancies in Iran's statements to the IAEA and the increasing number of outstanding issues; and
- the introduction of nuclear material into the pilot centrifuge enrichment cascade at Natanz, despite the Board's June 2003 encouragement to refrain from doing so as a confidence-building measure.

The resolution called on Iran to suspend all further uranium enrichment-related activities and any reprocessing activities as a confidence-building measure, pending assurances by the Director General and satisfactory application of the provisions of the Additional Protocol. It also designated a 31 October 2003 deadline for Iran to provide full cooperation and to take any actions necessary to remedy all failures identified by the Agency, including:

- providing a full declaration of all imported material and components relevant to the enrichment program, and collaborating with the Agency in identifying the source, date of receipt, storage locations, and use of those imports;
- granting unrestricted access, including environmental sampling, to any locations deemed necessary by the Agency for verification purposes; and
- resolving outstanding questions, particularly on the scope of Iran's enrichment and conversion activities.

Finally, the resolution requested the cooperation of third countries in clarifying outstanding questions and urged Iran to promptly and unconditionally sign, ratify, and fully implement the Additional Protocol. The resolution concluded by requesting the Director General to continue his efforts to resolve the outstanding issues, and to submit a report in November 2003 on the implementation of the resolution, "enabling the Board to draw definitive conclusions."

Although adopted without a vote, the resolution did not enjoy total consensus. Only 20 of the 35 members had indicated that they would vote in favor. The Non-Aligned Movement issued a statement expressing its reservations with regard to the final resolution, and Iran left the meeting in protest before the official adoption took place. Iran denounced the resolution again in its opening statement to the IAEA General Conference but reiterated its commitment to the NPT and to the strengthened safeguards regime.

Over the next two months, Agency inspectors continued to conduct safeguards inspections, talk to relevant nuclear personnel, and to carry out other verification activities. The results of the environmental samples taken at Natanz and at the Kalaye Electric Company, both of which had yielded traces of both high and low enriched uranium particles, were discussed with Iranian representatives. During this period, Iran demonstrated on several occasions an increased level of transparency and cooperation with the Agency. On 9 October, a letter was sent to the Agency from Iran's Atomic Energy Organization, providing information on previously undeclared research activities carried out on uranium conversion processes. Iran expressed to the Director General on 18 October its readiness to conclude the Additional Protocol and to accelerate its cooperation, and on 21 October, issued with the Foreign Ministers of Britain, France, and Germany an agreed statement in which Iran agreed to settle all outstanding issues with the IAEA. In the agreement, Iran also announced its decision to sign and commence the ratification process for the Additional Protocol, and to voluntarily suspend all uranium enrichment and reprocessing activities as defined by the IAEA. Eight days before the 31 October deadline, Iran provided the Agency with a declaration of its past and current nuclear program. On 10 November, the Agency received Iran's official notification of its acceptance of the draft Additional Protocol text and its willingness to abide by the provisions of the protocol pending its entry into force. Iran also informed the Agency that the actual suspension of its enrichment-related and reprocessing activities went into effect from 10 November.

Taking these events into consideration, the Director General issued his third report on 10 November on the implementation of Iran's Safeguards Agreement. The 30-page report acknowledged Iran's increased cooperation, but also contained details on a number of reporting and other failures by Iran to fulfill its obligations under its Safeguards Agreement. It referenced at least nine

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instances of undeclared foreign assistance, including by entities from at least four countries that provided components, material, and information used in Iran's laser enrichment program.

Notable reporting failures included:

- Undeclared reprocessing experiments resulting in the separation of gram quantities of plutonium;
- Undeclared laboratory-scale uranium conversion experiments using imported nuclear material– some of which, when found to be missing, was intentionally misreported to the Agency as a process loss; and
- An 18-year effort to develop a uranium centrifuge enrichment program and a 12-year effort on the more complex laser enrichment program. These two programs involved undeclared production of small amounts of low enriched uranium, and not only failure "to report a large number of conversion, fabrication and irradiation activities involving nuclear material," but also intentional efforts to conceal these failures.

In addition, the report contained further details on Iran's heavy water reactor program, including on the planned 40-megawatt (th) heavy water reactor and on the output capacity of its heavy water production plant currently under construction. With regard to Iranian transparency, the report noted, "Iran's policy of concealment continued until [October], with co-operation being limited and reactive, and information being slow in coming, changing and contradictory."

The report stated, "Iran's nuclear programme, as the Agency currently understands it, consists of a practically complete front end of a nuclear fuel cycle, including uranium mining and milling, conversion, enrichment, fuel fabrication, heavy water production, a light water reactor, a heavy water research reactor and associated research and development facilities." It further noted, "While most of the breaches identified to date have involved limited quantities of nuclear material, they have dealt with the most sensitive aspects of the nuclear fuel cycle, including enrichment and reprocessing." It acknowledged the numerous reporting and other failures by Iran to meet its obligations under its Safeguards Agreement, but also noted that recent actions, such as provision of inventory change reports and facility design information, have been taken by Iran in addressing and correcting these failures. The report concluded, "To date, there is no evidence that the previously undeclared nuclear material and activities referred to above were related to a nuclear weapons programme. However, given Iran's past pattern of concealment, it will take some time before the Agency is able to conclude that Iran's nuclear programme is exclusively for peaceful purposes." In this regard, the report noted the necessity of Iranian implementation of the Additional Protocol and of full cooperation from relevant third countries.

The report was considered at the mid-November Board of Governors meeting. Although the Board meeting was scheduled to conclude on November 18, negotiations regarding the next appropriate step in addressing Iran's nuclear program delayed adoption of a resolution until the following week. The United States strongly opposed what it viewed as a weakly worded draft resolution submitted by Britain, France and Germany, and pushed for referral of the Iranian case to the UN Security Council. Ultimately, however, a resolution was adopted on 26 November that:

- Acknowledged Iran's recently increased co-operation, but strongly deplored its past failures and breaches of its obligations to comply with the provisions of its Safeguards Agreement;
- Urged Iran to swiftly sign and ratify its Additional Protocol (which was approved by the Board on 21 November) and to act in accordance with its provisions pending ratification;
- Requested Iran to continue to suspend all enrichment-related and reprocessing activities in a "complete and verifiable manner"; and
- Reiterated the necessity of urgent, full and transparent co-operation of all relevant third countries.

The resolution also stated that should any "further serious failures come to light," it would meet immediately to consider "in the light of the circumstances and of advice from the Director General, all options at its disposal, in accordance with the IAEA Statute and Iran's Safeguards Agreement." It concluded by requesting the Director General to submit another report before the March 2004 Board of Governors meeting.

Remarking on the resolution's adoption, the Director General stated, "This is a good day for peace, multilateralism, and non-proliferation," but also noted that much verification work remains unfinished.

In continuance with this verification work, the Agency carried out ad hoc inspections at the Tehran Nuclear Research Centre (TNRC) and the Natanz facility, conducted design information verification at TNRC, Natanz, and the Esfahan Nuclear Technology Centre (ENTC), and obtained complimentary access at ENTC and Karaj between the 8th and 16th of December.

On 18 December, Iran signed the Protocol Additional to its Safeguards Agreement. Iran also specified the scope of suspension of its enrichment and reprocessing activities in a 29 December Note Verbale. These activities would be suspended immediately, and included:

- all activities at the Natanz enrichment facility;
- the production of all feed material for enrichment ant the importation of enrichment-related items;

- the operation and/or testing of any centrifuges, either with or without nuclear material, at the Pilot Fuel Enrichment Plant (PFEP)at Natanz;
- further introduction of nuclear material in any centrifuges; and
- the installation of new centrifuges at the PFEP and the Fuel Enrichment Plant (FEP) at Natanz.

In addition, Iran agreed to withdraw nuclear material from any centrifuge enrichment facility if and to the extent practicable.

Democratic Peoples' Republic of Korea:

The DPRK joined the NPT in 1985 and its comprehensive Safeguards Agreement with the Agency entered into force in 1992. However, since 1993 the IAEA has been unable to verify Pyongyang's compliance with its Safeguards Agreement.

Between 1994 and 2002, the Agreed Framework aimed at bringing the DPRK into compliance with its safeguards obligations. However, the reports about a clandestine uranium enrichment program, the end of the "freeze" pursuant to the Agreed Framework, and the expulsion of IAEA inspectors brought this phase to an end. Responding to this, the international community initiated separate negotiations, the six-party talks between the DPRK, China, Russia, Japan, the ROK, and the United States. However, since that time the Board has continually called for the DPRK to remedy its noncompliance with its safeguards agreements and noted with concern that the DPRK has not permitted Agency verification since December of 2002; the IAEA is therefore unable to provide assurances on its nuclear material or activities.

2009: On 2 March, in his introductory statement to the Board of Governors, the Director General reported the Agency's continued monitoring and verification of the Yongbyon facilities. In addition, all discharged fuel rods from the 5 MWe reactors remained under the containment and surveillance of the IAEA.

2008: On 2 September the Director General submitted a report to the Board of Governors General Conference, which concluded that the Agency was continuing to verify the shutdown of the nuclear facilities at Yongbyon and Taechon. Also, the Agency reported implementing the ad hoc monitoring and verification agreement. The report noted that the Agency's actions were limited to observing dismantlement activities and did not take part in the hands-on dismantlement processes.

On 22 September, the DPRK asked the Agency to remove the seals from the reprocessing plant at the Yongbyon nuclear facility. The DPRK informed IAEA inspectors that they planned to produce nuclear fuel within one week of the seal removal, and inspectors would no longer be granted access to the plant. However, following an agreement reached between the United States and the DPRK on a Verification Protocol, the DPRK reversed their position and restored access to their facilities. The interruption lasted from 9 to 13 of October. Agency inspectors were permitted to re-apply containment seals and surveillance equipment to the facility. In his statement before the Board of Governors on 28 October, ElBaradei stated "I naturally still hope that the conditions can be created for the DPRK to return to the NPT soon and for the resumption by the Agency of comprehensive safeguards."

2007: On 13 February, the Six Party Talks agreed upon "Initial Actions for the Implementation of the Joint Statement," which foresaw IAEA verification of the shutdown and sealing of the Yongbyon nuclear facility. On 3 July, ElBaradei submitted a report to the Board of Governors outlining an ad hoc agreement between the IAEA and the DPRK on monitoring and verification. The Board of Governors authorized the Director General to implement the agreement. On 17 August at the 51st regular session of the General Conference, ElBaradei's report stated that, following initial verification, the DPRK had shut down the Nuclear Fuel Fabrication Plant, Radiochemical Laboratory, the 5MW(e) Experimental Nuclear Power Plant and the 50 MW(e) Nuclear Power Plant at the Yongbyon nuclear facility. The Director General also reported that the Agency was continuing work on verification and monitoring as outlined in the ad hoc agreement.

2006: On 14 October, the United Nations Security Council passed Resolution 1718 in response to the Democratic People's Republic of Korea's October 2006 nuclear test. The resolution condemned the test, applied sanctions, and called for DPRK's immediate return to party talks. The resolution barred any military action, but froze a range of goods and banned international travel for those individuals related to the nuclear weapon program. The council prohibited the provision of large-scale arms and nuclear technology in DPRK, and stressed the importance of inspecting international cargo. China, however, remained dubious of cargo inspections as they fear the measures will intensify the conflict. Resolution 1718 was passed unanimously on 14 October 2006.

2005: On 3 March, the Chairman of the Board expressed serious concern over the DPRK's recent announcements that it would suspend indefinitely and then re-engage in the six-party talks. Further, the Chairman called the DPRK's nuclear issue "a serious challenge to the international nuclear nonproliferation regime as well as to the peace and stability in Northeast Asia."

On 14 June, the director general, in a statement to the IAEA Board of Governors, stated that "The Agency stands ready to work with the DPRK — and with all

others — towards a solution that addresses the needs of the international community to ensure that all nuclear activities in the DPRK are exclusively for peaceful purposes, as well as addressing the security needs of the DPRK."

On 26 September, the Director General, in a statement to the Forty-Ninth Regular Session of the IAEA General Conference, welcomed "that the DPRK has expressed its commitment "to abandon all nuclear weapons and existing nuclear programs and [to return], at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards." The director general called the agreement reached by the six-party talks "a significant step forward."

On 24 November, the director general updated the Board of Governors on implementation of safeguards in the DPRK. The Director General stated that the agency has not performed any verification activities in the DPRK since December 2002 and therefore cannot provide any assurance about DPRK´s nuclear activities since that time.

2004: On 17 March, the Director General informed the Board that his letter to the DPRK had elicited no response and that the DPRK's stated re-starting of its 5 MW reactor at Yongbyong constituted a further safeguards agreement violation. He also said "the situation in the DPRK is currently the most immediate and most serious threat to the nuclear nonproliferation regime."

On 16 August the Director General, in a report to the Board, recalled that since 1993 the Agency has not been able to implement fully its comprehensive safeguards agreement and advised that the agreement still is in force with the DPRK.

The Board resolution of 24 September noted with concern the DPRK's repeated official statements declaring its intention to build up a nuclear deterrent force and its announcement that it had reprocessed 800 spent fuel rods; it called on the State to completely and promptly dismantle any nuclear weapons program.

2003: On 6 January, the IAEA Board of Governors adopted resolution GOV/2003/3 calling on the DPRK to comply with the Safeguards Agreement and readmit inspectors, deploring in the strongest terms the DPRK's unilateral actions. The resolution also affirmed that unless the DPRK fully cooperates with the Agency, the DPRK will be in further non-compliance with its Safeguards Agreement. It requested the Director General to transmit the Board's resolution to the DPRK, to continue to pursue urgently all efforts with the aim of the DPRK's coming into full compliance with its safeguards obligations, and to report again to the Board of Governors as a matter of urgency.

On 10 January, the DPRK announced its withdrawal from the NPT stating that its withdrawal "will come into force automatically and immediately" on the next day. It stated that it had suspended its 1994 withdrawal from the NPT on the last day of the required three-month notice period and thus did not need to give a further notice to other NPT Parties and Security Council as required under Article X.

On 12 February, the Board of Governors adopted a third resolution (GOV/2003/3) on 12 February 2003, declaring that North Korea was "in further non-compliance with its obligations under its Safeguards Agreement pursuant to the NPT" and decided to report "to the United Nations General Assembly and the Security Council, North Korea's continued non-compliance and the Agency's inability to verify non-diversion of nuclear material that is subject to safeguards."

Although no statement to this effect has been issued by the NPT State Parties, the generally held view is that North Korea's withdrawal came into effect on 10 April 2003, when its three-month notice of withdrawal expired.

During the 47th session of the General Conference, IAEA Member States adopted a resolution expressing concern with regard to the nuclear actions taken by North Korea. They called upon the DPRK to reconsider its actions and statements and accept and fully comply with comprehensive IAEA safeguards, and strongly encouraged diplomatic efforts to facilitate a peaceful resolution of the DPRK nuclear issue.

2002: No tangible progress has been made with respect to safeguards in the DPRK. The Agency continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the country. On 16 October, North Korea admitted that it had been conducting a clandestine nuclear weapons development program for the past several years. The Director General expressed great concern regarding the information reported by the United States and urged both countries to provide information on this report.

On 29 November, the IAEA Board of Governors adopted Resolution GOV/2002/60 on the implementation of IAEA safeguards in the DPRK at its meeting in Vienna. The Director General, Dr. Mohamed ElBaradei, in a message to the DPRK confirmed the Agency's readiness to dispatch a senior team to the DPRK, or to receive a DPRK team in Vienna, to discuss the general question of implementation of IAEA safeguards in the DPRK.

In December, the DPRK requested that the IAEA remove seals and monitoring cameras at all of its nuclear facilities. The DPRK also announced that it would lift the freeze on its nuclear facilities maintained pursuant to the 1994 Agreed Framework and to resume operations of these facilities for power generation on 12 December, 2002. Subsequently, the DPRK cut most of the seals and impeded the functioning of surveillance equipment installed at both the fuel rod fabrication plant and the

reprocessing facility. Furthermore, in response to the DPRK's request, IAEA inspectors left the country at the end of December 2002.

2001: As of December 2001, the Agency was unable to verify the correctness and completeness of the initial report of the nuclear material made by the DPRK, and, therefore, unable to conclude that there has been no diversion of nuclear material. The IAEA considers Pyongyang to be in non-compliance with its Safeguards Agreement that remains binding and in force.

2000: In his Statement to the 2000 NPT Review Conference in New York on 24 April, 2000, the Director General noted that with regard to the DPRK, there was regrettably little to report since the 1995 NPT Conference and that the DPRK remained in non-compliance with its Safeguards Agreement

The DPRK continued to accept IAEA activities solely in the context of the "Agreed Framework," which it concluded in October 1994 with the United States. As requested by the Security Council, the Agency was monitoring a "freeze" of the DPRK's graphite-moderated reactors and related facilities under that agreement.

In November 2000, the IAEA Secretary-General voiced hope that with the recent positive developments on the Korean Peninsula, the DPRK would soon be ready to commence active co-operation with the Agency so that it can verify that all nuclear material in the country, subject to safeguards, had been declared. The Agency was permitted by the DPRK to identify some of the documents that needed to be preserved for verification.

1999: Technical rounds held in March and December 1999 yielded little to no progress. At the June 1999 meeting of the Board of Governors, the Director General noted again the Secretariat's continued inability to verify the DPRK's initial inventory declaration, and that the DPRK remained in non-compliance with its Safeguards Agreement. He further said that there remained a fundamental difference of view between the Agency and the DPRK regarding the status of the Safeguards Agreement. The Agency viewed the Safeguards Agreement as binding and in force, while the DPRK did not accept all the measures required under the Safeguards Agreement. In practice, the DPRK accepted ad hoc and routine inspections at facilities not subject to the freeze mandated by the Agreed Framework without major difficulties. The DPRK also continued to link progress with the IAEA to the implementation of the Agreed Framework.

1998: As there was also no progress made during the ninth round of technical discussions in February 1998, the Director General emphasized to the Board of Governors in June that the Agency continued to be unable to verify the correctness and completeness of the DPRK's initial report and could not verify that there had been no diversion of nuclear material. Furthermore, the canning operation of spent fuel rods had been suspended in April at the DPRK's request; 97 percent of the irradiated discharged rods were canned and under Agency seal by that time. Further technical rounds in June and October 1998 did not lead to any progress.

1997: At the meeting of the Board of Governors on 17 March 1997, the Director General reported that the seventh round of technical discussions, which took place on 20-24 January, 1997, in Pyongyang, also produced few results. No progress was made on the issues of the preservation of information or the reprocessing plant. The Director General informed the Board that the Agency inspectors had a continuous presence in the Yongbyon area to monitor the freeze. As of August 1997, the canning operation for the irradiated fuel rods from the 5 MWe reactor, which started in April 1996, was about 90 percent complete. The rods were placed in containers under Agency seals. In January 1997, the DPRK clarified that the nuclear graphite manufactured for use at the 5 MWe power reactor was subject to IAEA monitoring. In October 1997, at the eighth round of technical discussions, no progress was made on the outstanding issues.

1994: On 13 June 1994, the DPRK, which had been an IAEA Member State since 1974, announced its withdrawal from the Agency. The withdrawal did not affect the DPRK's obligations under its Safeguards Agreement, which in the Agency's view remained binding and in force. The DPRK asserted that it was in a special position with regard to the Safeguards Agreement and that it was no longer obliged to allow the inspectors to carry out their work under agreement.

1993: The IAEA Board of Governors on 1 April 1993 concluded that the DPRK was in non-compliance with its Safeguards Agreement and, in line with Article XII.C of the IAEA Statute, referred this non-compliance to the UN Security Council.

Syria:

2009: On 19 February 2009, the Director General presented GOV/2009/9 to the Board of Governors. The Director General reported that a low probability exists that the uranium was introduced by missiles. The isotopic and chemical compositions, as well as the morphology of the uranium particles are "all inconsistent with uranium based munitions." The Director General called upon Syria to provide additional information as soon as possible pertaining to the Dair Alzour site development. Dr. El Baradei also requested information on related procurement activities, as well as access to other locations related to Dar Alzour.

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2008: On 23 June, Syria allowed IAEA inspectors full access to the site. Syria has maintained that the site was a military site not used for nuclear material development. Syrian officials noted that insufficient access to electricity and large quantities of treated water, as well as limited access human resources due to its remote location prevented nuclear material development at Dair Alzour. During their visit to the site in June 2008, inspectors reported that the box-shaped building may have had underground levels. Inspectors also reported that the water pumping infrastructure at the site was adequate for a 25MWth reactor, and observed sufficient electrical capacity for such a reactor.

Environmental samples revealed large quantities of anthropogenic natural uranium particles, which are produced from chemical processing. In a letter from 11 November 2008, Syria argued that "the only explanation for the presence of these modified uranium particles is that they were contained in the missiles that were dropped from the Israeli planes onto the building to increase the destructive power." Israel has refuted these claims as false.

2007: On 19 November 2008, the Director General presented GOV/2008/60 to the Board of Governors. The report alleges that on 6 September, Israeli warplanes bombed a building located on the Euphrates River in northeastern Syria. The site is referred to as Dair Alzour or al Kibar. Based on commercial satellite imagery, construction activities began between 26 April 2001 and 4 August 2001 and continued until August 2007. On 27 October, 2007 ElBaradei said, regarding the Israeli attack, that "to shoot first and ask questions later [is] unhelpful."

The Republic of Korea:

2007: In a statement to the sixty-second regular session of the UNGA on 29 October, the Director General discussed a renewed interest in nuclear power. Along with 11 other states, the Republic of Korea was said to have been working to add new reactors to its existing program.

2005: On 28 February, the Director General reported to the Board of Governors that the Republic of Korea requested Agency assistance with energy assessments. ElBaradei pointed out that, due to the large size of nuclear power plants, they are often unsuitable for certain electricity grids. For this reason, the Republic of Korea sought an innovative solution. In order to meet their energy demands, they planned to construct a one-fifth scale demonstration plant of the 330 megawatt SMART pressurized water reactor by 2008.

2004: On 19 February, the Additional Protocol between the ROK and the IAEA entered into force.

On 23 August, during initial discussions between the agency and the Republic of Korea (ROK) on its declaration of nuclear materials and activities contingent on its acceptance of its Additional Protocol, ROK revealed to the agency that rogue scientists within the country had conducted laboratory-scale experiments to enrich uranium past the civil enrichment level. The board meeting of 13 September 2004 stated that, while these activities were considered a breach of the ROK's prior commitments, they did not constitute a proliferation hazard since they were conducted in only insignificant quantities.

Egypt:

2005: In January, a circumstance similar to that of the ROK's transpired, in which it was reported that Egypt had engaged in unreported uranium conversion activities, with most of the work carried out in the 1980s and 1990s. In response to the situation, the Director General, on 28 February 2005, was quoted as saying, "It is regrettable that some activities have not been reported to us, although, again as we have said before we haven't seen a proliferation concern." However, he went on to stress that states must take their reporting and nonproliferation obligations with the utmost seriousness. This matter was not referred to the board.

Libya:

Libya signed the NPT on 18 July 1968 and ratified it on 26 May 1975. Pursuant to this treaty, Libya concluded a comprehensive safeguards agreement (INFCIRC/282) with the IAEA on 8 July 1980. On 11 April 1996, it signed the African Nuclear-Weapon-Free-Zone Treaty (Treaty of Pelindaba) and subsequently deposited its instrument of ratification with the African Union on 11 May 2005.

Libya's research reactor and other nuclear facilities were mainly supplied by the Soviet Union during the 1970s. Other attempts to acquire nuclear-related technology were made with different levels of success in the following decades. In 1970, Libya's efforts to buy nuclear weapons directly from China failed. Libya relied on foreign technology to develop a nuclear capability rather than developing its own expertise. Through renewed contacts with Russia, Libya tried in the last decade to revive its civilian nuclear program. Although its peaceful nuclear program was placed under IAEA safeguards in 1980, it is now evident that Libya was in the process of developing a parallel nuclear weapons program in breach of the NPT. In December 2003, Libya announced its intention to abandon its WMD programs. This decision seems to have resulted from a combination of strenuous diplomatic efforts and Libya's strategic interest in regaining its full role in the international community. In late December

2003, inspections carried out by the IAEA showed that Libya had the basis for a nuclear program, but it was, according to IAEA Director General ElBaradei, at a very early stage.

2005: On 24 August, Libya signed a Sister Laboratory Arrangement with the United States, which established a cooperative framework for scientific research on peaceful applications of nuclear energy.

2004: In January, in consonance with its new positive approach to nonproliferation, Libya ratified both the Comprehensive Test-Ban Treaty (CTBT) and the Chemical Weapons Convention (CWC) on 6 January 2004.

According to UN inspectors, Col. Qadhafi had been buying complete sets of uranium enrichment centrifuges (apparently a few thousand) on the international black market for a secret nuclear bomb program. However, the centrifuges were still dismantled in boxes, IAEA Director General ElBaradei reported on January 16, and no evidence of nuclear weapons activities was found. Some sources have confirmed that Libya acquired two different types of centrifuges. The designs for at least one of the centrifuge models were very similar to European-developed centrifuges that Iran is suspected of acquiring from Pakistan.

On January 28, the IAEA issued a note to its Member States saying that inspectors had just completed the initial phase of their work in Libya, which included an inventory of sensitive nuclear components and materials and the application of IAEA seals. Also, the IAEA inspectors provided logistical support to the U.S. and U.K. personnel who removed these materials from the country with the agreement of Libyan authorities. Sensitive items have been removed under IAEA supervision and remain under IAEA seal and oversight. A team of IAEA inspectors, including centrifuge and weaponization experts, remained in Libya to continue their work. In the coming weeks, IAEA inspectors will be undertaking verification work on nuclear components, equipment, and materials inside Libya and on items that have been removed.

On February 18, Libya issued a letter to the Agency stating that it would conclude an Additional Protocol and that, as of 29 December 2003, it would act as though the Additional Protocol had entered into force.

On February 20, The Director General issued a report detailing Libya's nuclear activities since the early 1980s. The report recognizes Libya's cooperation in granting unrestricted access to all locations of interest to the Agency, and in providing documentation related to its undeclared nuclear activities. In particular, the report identifies a number of reporting failures that rendered Libya in non-compliance with its obligations under its Safeguards Agreement. These failures include the import of UF6 and other uranium compounds and their subsequent storage; activities involving conversion of uranium oxides, UF4, and uranium metal; the fabrication and irradiation of uranium targets; the separation of a small amount of plutonium; the provision of information for the pilot centrifuge facility; the provision of design information for the uranium conversion facility; and the provision of design information for hot cells associated with the research reactor. The report also observes that Libya's undeclared nuclear activities relied heavily on the importation of nuclear material and key equipment. The Agency is currently in the process of investigating the supply routes and sources of these materials and equipment.

On March 10, Libya signed a Protocol Additional to its Safeguards Agreement. The Board of Governors adopted a resolution on the implementation of NPT safeguards in Libya. The resolution essentially praises Libya's cooperation with the agency, including its adoption of an Additional Protocol, and requests continued cooperation and the full disclosure of previously undeclared nuclear activities. It also requests that the Director General report to the Security Council on the matter of Libyan non-compliance for information purposes only. Finally, the resolution urges all third countries to cooperate with the Agency to clarify questions regarding Libya's nuclear program.

On 26 May, Libya submitted its initial declarations under its Additional Protocol and the nuclear material accountancy reports for the Tajura Nuclear Research Centre (TNRC).

On 28 May, The Director General issued a report detailing the Agency's verification of the dismantlement of Libya's nuclear program. The report recognized the "decisive" role played by Libya's procurement network for nuclear material and sensitive nuclear equipment. The list of equipment acquired through this network includes a uranium conversion plant, different types of gas centrifuges, supporting equipment for these centrifuges, tools for producing centrifuge components, and some quantities of UF6. The report also notes that Libya confirmed that it received nuclear weapon design and fabrication information from a foreign source at the end of 2001 or early 2002. While the Agency has not yet found any evidence that Libya began to incorporate this information into its own nuclear program, verification work to ensure that Libya did not construct any facilities related to nuclear weapon design will continue. Finally, the report notes that while much of Libya's past nuclear activities have been clarified by the Agency, a number of issues are still under assessment, including:

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Libya's intention to produce and/or acquire UF6, and confirmation of the origin of the UF6 received in 2000 and 2001;

Verification of the sources of LEU and HEU contamination found on gas centrifuge equipment in Libya;

Evaluation of Libya's activities involving gas centrifuge enrichment, including the results of environmental and nuclear material samples;

Verification of uranium ore concentrations in Libya; and

Assessment of Libyan nuclear weapons-related activities, "including organizational arrangements and supporting documentation."

On 30 August, a report by the Director General to the board stated that Libya had shown good cooperation with the agency since the beginning of verification activities following its December 2003 declaration. It also stated that the Agency's assessment of Libya's declarations, in regard to its uranium conversion program, enrichment program, and other past related activities appear to be consistent with the information available to and verified by the Agency.

2003: During March, US-British talks with Libya reportedly began and eventually led to Libya's revelation in December that it had a 15-year-old nuclear weapons program. The IAEA was not included in these negotiations.

On 12 September, following both Libya's decision to accept responsibility for the 1988 bombing of a Pan Am jetliner over Lockerbie, Scotland, and the 1989 bombing of a French UTA flight over Niger and its commitment to pay $2.7 billion to the victim's families, the UN Security Council (adopting its resolution by a vote of 13 to 0 with the United States and France abstaining) ended the 11-year-old sanctions against Libya. The sanctions, imposed between 1992 and 1994, were suspended in 1999 after Libya allowed two suspects in the Pan Am case to stand trial in Scotland.

In October, British and U.S. ships seized an illegal shipment sailing under the German flag bound for Libya with thousands of parts for uranium-enrichment equipment aboard.

On December 19, Libya announced its intention to halt its WMD program and eliminate, under full verification by the international community, any stockpiles of WMD or WMD materials.

On December 28, with Col. Qadhafi's permission, IAEA inspections in Libya began with visits to four previously unvisited nuclear sites in the Tripoli area.

On December 29, Libya committed to immediately start acting as if the Additional Protocol had already entered into force.

On December 30, after inspections of the previously secret sites in Tripoli, IAEA Director General ElBaradei told reporters that no industrial-scale facility to produce highly enriched uranium or any enriched uranium had been found. According to the IAEA, the Libyan nuclear program was at an embryonic stage. However, ElBaradei expressed concern regarding the identity of the suppliers to Libya. The fact that Libya acquired enrichment technology while under UN sanctions showed that export controls were not working and that a black market was active.

1996: Libya's official news agency restated Col. Qadhafi's position that the Arab States should acquire nuclear weapons to counter Israel's nuclear hegemony in the region.

1992 and 1993: Security Council Resolutions 748 and 883 imposed sanctions on Libya. These sanctions consisted of an economic boycott, a general air blockade, and a prohibition against supplying any arms or other military equipment and specified equipment that can be used in the production, storage, or transport of arms and related material of all types.

1990: In mid-April, Col. Qadhafi called for the inclusion of a nuclear component in the development of a multifaceted deterrent force.

Iraq:

The IAEA is in charge of applying safeguards in Iraq under a comprehensive Safeguards Agreement signed in 1973 as required by the NPT. The Agency's activities in Iraq are carried out by the Iraq Nuclear Verification Office (formerly known as the Action Team). As of December 2002, the Action Team had 24 staff members from 13 different nations.

Since 1991, the IAEA has carried out inspections in Iraq pursuant to several United Nations Security Council (UNSC) resolutions. Under Resolution 687, the IAEA's mandate in Iraq includes two tasks:

Uncovering and dismantling Iraq's clandestine nuclear program.

Developing and implementing an Ongoing Monitoring and Verification (OMV) Plan.

Between 1991 and 1996, the IAEA Action Team in cooperation with UNSCOM conducted 29 on-site inspections related to implementation of Resolution 687. Since 1994, it had also conducted more than 1,500 OMV inspections, which allowed the Agency to build a comprehensive picture of Iraq's past nuclear program.

With the adoption of UNSC Resolution 1409 on 14 May, 2002, the IAEA's mandate was extended. UNSC Resolution 1409 defines a new system for the sale or supply of commodities and products to Iraq, through the adoption of the Goods Review List (GRL) and associated procedures. In this regard, Iraq Nuclear Verification Office (INVO) experts evaluate each contract application, as received by the Office of the Iraq Program (oil-for-food), to determine whether it contains any nuclear or nuclear-related items referred to in Section D (nuclear) of the GRL.

The Agency's mandate in Iraq was further extended with the adoption of UNSC Resolution 1441 on 8 November 2002. The new resolution instructed Iraq to provide the IAEA and UNMOVIC with "immediate, unimpeded, unconditional, and unrestricted access to any and all" suspect sites and facilities, as well as unrestricted access in interviewing (either inside or outside of the country) any relevant Iraqi officials and other persons with possible connections to a WMD program. The IAEA and UNMOVIC were requested to resume inspections within 45 days of the resolution's adoption and to report to the Security Council 60 days after on the implementation of the resolution.

2005: In September, the IAEA completed the annual Physical Inventory Verification of Iraq's declared nuclear material. The material—natural or low-enriched uranium—is consolidated at a storage facility near the Tuwaitha complex, south of Baghdad. The inspectors found no diversion of nuclear material.

2004: On 11 April, the DG sent a letter to the UN Security Council stating that since 17 March of 2003 the IAEA has not been in a position to implement its mandate in Iraq under UNSC Res. 687 (1991) and related resolutions, but that it remains ready, subject to Security Council guidance (and security conditions), to resume its mandated verification activities in Iraq.

During 2004, the IAEA focused its activities on conducting investigations of sensitive and contaminated items exported from Iraq: analyzing additional information collected during inspections, consolidating its information assets, refining its plan for resumed verification activities, and evaluating lessons learned through past experience in Iraq.

2003: On 27 January 2003, Director General ElBaradei noted in his address to the UN Security Council meeting that "no prohibited nuclear activities had been identified during the [IAEA's] inspections." As of 7 March 2003, the IAEA had conducted a total of 218 inspections at 141 sites, including 21 that had not been inspected before. ElBaradei reported the following to the UN Security Council on 7 March 2003: "after three months of intrusive inspections, we have to date found no evidence or plausible indications of the revival of a nuclear weapons program in Iraq, making use of all the additional rights granted to us by resolutions 1441 (2002) and all additional tools that might be available to us, including reconnaissance platforms and all relevant technologies." ElBaradei stated that the IAEA had found "no indication of resumed nuclear activities…[nor was there any indication] of nuclear related prohibited activities at any inspected sites." He noted that Iraq had been "forthcoming in its cooperation, particularly with regard to the conduct of private interviews and in making available evidence that could contribute to the resolution of matters of IAEA concern." While these statements revealed that, according to the IAEA, Iraq was not developing a nuclear weapons program, the Agency was forced to withdraw its inspection team on 18 March 2003, along with all United Nations inspectors. On 20 March 2003, coalition forces led by the United States and United Kingdom initiated "Operation Iraqi Freedom" and invaded Iraq.

During the 19 March UNSC meeting, Secretary-General Kofi Annan addressed the Council expressing deep regret about the "fact that it [was] not possible [for the Council] to reach a common position" on the situation in Iraq. Several members acknowledged the hope that "implementation of the Council resolution for Iraqi disarmament could be achieved through peaceful means" and yet, the Council could not find convergence of views among its members on Iraq.

In the aftermath of the Iraq war, IAEA inspectors have been granted limited access to Iraqi nuclear facilities. On 22 April 2003, ElBaradei noted at the UN Security Council that "the IAEA continues to be the sole organization with legal powers – derived from both the Nuclear Non-Proliferation Treaty and successive Security Council Resolutions – to verify Iraq's nuclear disarmament." He advised the coalition about the need for physical protection of the location of Iraq's declared nuclear material. On 6 June 2003, the Agency re-entered the country for the first time to begin an assessment of the 23,000-acre Tuwaitha Nuclear Facility 14 miles south of Baghdad. Pentagon officials, however, noted that this was "a one-time project and that the IAEA should not expect blanket access to all nuclear sites in Iraq." ElBaradei implored the United States for access to the Tuwaitha site in May when it became clear the nuclear facility had been looted and potentially radioactive contaminated items had made their way into the surrounding community.

2002: On 30 January, 2002, the IAEA inspection team completed inspections of safeguarded nuclear material at the Tuwaitha facility in Iraq. The inspections carried out under Iraq's Safeguard Agreement with the IAEA, which concluded pursuant to the NPT and were limited to verifying stocks of nuclear material sealed under IAEA safeguards. The Agency's January safeguards activities were not related to the inspections in Iraq mandated by

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the UN Security Council; these inspections, which grant the Agency broader inspection rights, ceased in December 1998 and have not been resumed yet.

In October, representatives of Iraq, UNMOVIC, and the IAEA had focused talks in Vienna on the practical arrangements needed for facilitating resumed inspections. The Iraqi representatives announced that Iraq accepts all the inspections provided for in all the relevant Security Council resolutions.

The latest Security Council Resolution (1441), demanding resumption of inspections in Iraq, was adopted on November 8, 2002. Iraq accepted the resolution in a letter to the UN on November 13.

Under the Security Council Resolution, on 27 November, the first inspections in the four years since the withdrawal of UNSCOM resumed in Iraq. On 7 December, one day before the deadline set in the Resolution, Iraq submitted its 12,000-page declaration of its past WMD and missile programs and facilities to the UN. IAEA Director General ElBaradei and UNMOVIC Executive Chairman Blix told the UN Security Council that Iraq's declaration falls short of a full disclosure of its weapons programs. The United States declared that Iraq is in material breach of UN Resolution 1441.

2001: In January 2001, the Agency inspection team carried out a physical inventory verification of the declared nuclear material remaining in Iraq under IAEA seal. As in the case of a previous inspection, its objectives were limited to verifying the presence of nuclear material and could not serve as a substitute for activities under the relevant Security Council resolutions.

In an October 2001 letter from the IAEA Director General to the President of the UN Security Council, he stated that the IAEA was not able to provide any assurance that Iraq was in compliance with its obligations under UN Security Council Resolution 687 and related resolutions. He noted that the Agency maintained readiness to resume verification and monitoring activities in Iraq pursuant to the UN Security Council resolutions; it had kept the core staff of the Agency's Action Team and was prepared to resume these activities at short notice, with the assistance and cooperation of UNMOVIC.

2000: In January 2000, pursuant to a comprehensive Safeguards Agreement the Agency was able to inspect the nuclear material subject to safeguards still in Iraq. This inspection was limited to a physical inventory verification of nuclear material remaining at the Tuwaitha site and was not a substitute for the required activities under the relevant Security Council resolutions. The Agency could therefore not provide any assurance that Iraq was in compliance with its obligations under those resolutions. In May 2000, the Agency completed the destruction of a filament winding machine and its spare parts that Iraq had planned to use in its clandestine uranium enrichment program. In his Statement to the 2000 NPT Review Conference in New York on 24 April 2000, the Director General ElBaradei, noted that with regard to Iraq, the Agency has not been in a position since December 1998 to implement its mandate under UN Security Council Resolution 687 and related resolutions.

1999: Security Council resolution 1284 (1999), which established UNMOVIC as UNSCOM's successor, reaffirmed the provisions of the relevant resolutions with regard to the role of the IAEA in addressing compliance by Iraq with Resolution 687 (1991) and other related resolutions, and requested the Director General of the IAEA to maintain this role with the assistance and cooperation of UNMOVIC. The Security Council also requested the Executive Chairman of UNMOVIC and the Director General of the IAEA to establish a unit to be responsible for the export/import mechanism established to ensure that Iraq did not reconstitute its weapons of mass destruction programs.

1998: The IAEA reported in October 1998 that no indication of prohibited equipment, material, or activities had been detected in its most recent inspections in Iraq. In August, Iraq had suspended cooperation with both UNSCOM and the IAEA, but in November, the IAEA resumed its activities in Iraq until just before the US-UK military action in mid-December 1998. On 16 December 1998, the Agency withdrew its personnel out of concern for their safety and security. Since December 1998, the Action Team has focused on preparations to resume inspections, including creating a detailed plan for resumption of activities, revising the list of items to be reported to the IAEA in the context of the OMV plan and export-import mechanism, conducting additional analysis of available information, etc.

Organization for the Prohibition of Chemical Weapons (OPCW) Overview

The Organization for the Prohibition of Chemical Weapons (OPCW), based in The Hague, the Netherlands, came into being at the entry into force of the Chemical Weapons Convention (CWC). The OPCW Technical Secretariat has a staff of approximately 500, nearly 200 of which are inspectors.

Membership: 186 State Parties (plus four additional signatories to the CWC)

Principal Organs:

Conference of the States Parties — The conference is the OPCW's principal organ, composed of representatives of all States Parties. A regular session of the conference is to be held annually unless otherwise decided, and special

sessions convened when necessary. The conference can make decisions on any matters brought to its attention by the Executive Council or any of the States Parties. It elects members of the Executive Council and appoints the director-general. The conference is responsible for taking measures necessary to ensure compliance and for redressing situations of non-compliance. It has the power to suspend the rights and privileges of States Parties in non-compliance upon the recommendation of the Executive Council, and may recommend collective measures if a State Party engages in activities prohibited by the Convention. In cases of particular gravity, the conference is to inform the UN Security Council and the UN General Assembly.

Executive Council — The council consists of 41 rotating members, representing five regional groupings: Africa, Asia, Eastern Europe, Latin America and the Caribbean, and Western European and Others Group.

Ambassador Oksana Tomová, Permanent Representative of Slovakia to the OPCW, is the chair for the 2008-2009 Executive Council. Membership since 2001 is as follows:

Africa: 2008-2009: Algeria, Cameroon, Ghana, Lesotho, Libya, Nigeria, South Africa, Sudan, Tunisia; 2007-2008: Algeria, Cameroon, Ghana, Kenya, Lesotho, Morocco, South Africa, Sudan, Tunisia; 2005-2007: Algeria, Gabon, Ghana, Kenya, Lesotho, Morocco, South Africa, Sudan, Tunisia; 2002-2004: Algeria, Benin, Morocco, South Africa; 2001-2003: Botswana, Cameroon, Nigeria, Sudan, Tunisia.

Asia: 2008-2009: China, India, Islamic Republic of Iran, Japan, Malaysia, Pakistan, Kuwait, Republic of Korea, Saudi Arabia, Sri Lanka; 2007-2008: China, India, Islamic Republic of Iran, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Saudi Arabia, Thailand; 2006-2007: China, India, Islamic Republic of Iran, Japan, Pakistan, Philippines, Republic of Korea, Saudi Arabia, Thailand; 2005-2006: China, India, Islamic Republic of Iran, Japan, Malaysia, Pakistan, Republic of Korea, Saudi Arabia, Sri Lanka; 2002-2004: Bangladesh, Iran, Pakistan, Sri Lanka; 2001-2003: China, India, Japan, Republic of Korea, Saudi Arabia.

Eastern Europe: 2008-2009: Bulgaria, Czech Republic, the Russian Federation, Slovakia, The former Yugoslav Republic of Macedonia; 2007-2008: Belarus, Bosnia and Herzegovina, Bulgaria, Czech Republic, the Russian Federation; 2006-2007: Belarus, Bosnia and Herzegovina, Poland, Romania, the Russian Federation; 2005-2006: Poland, Romania, the Russian Federation, Serbia and Montenegro, Ukraine; 2002-2004: Belarus, Hungary, Russian Federation; 2001-2003: Bulgaria, Croatia.

Latin America and the Caribbean: 2008-2009: Argentina, Brazil, Chile, Costa Rica, Cuba, Mexico, Peru; 2007-2008: Argentina, Brazil, Chile, Cuba, Guatemala, Mexico, Peru; 2006-2007: Argentina, Brazil, Chile, Cuba, Colombia, Guatemala, Mexico, Peru; 2005-2006: Argentina, Brazil, Colombia, Cuba, Mexico, Panama, Peru, Uruguay; 2002-2004: Chile, Columbia, Panama, Peru; 2001-2003: Argentina, Brazil, Mexico, Uruguay.

Western Europe and Other States: 2008-2009: Australia, Austria, France, Germany, Italy, the Netherlands, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America 2007-2008: Australia, Belgium, Finland, France, Germany, Ireland, Italy, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America; 2006-2007: Australia, Belgium, Finland, France, Germany, Ireland, Italy, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America; 2005-2006: France, Greece, Germany, Italy, the Netherlands, New Zealand, Norway, Spain, the United Kingdom of Great Britain and Northern Ireland, the United States of America; 2002-2004: Belgium, Canada, Denmark, Portugal, Turkey; 2001-2003: France, Germany, Italy, United Kingdom, United States.

The Executive Council is the executive organ of the OPCW. Each member has one vote, and the council decides on matters of substance by a two-thirds majority. The national chemical industry and political and security interests are among the factors that determine the composition of the Executive Council. The council can request States Parties to take measures to redress situations of non-compliance. If the State Party concerned fails to take the requested action, the council may inform the other States Parties and make recommendations to the conference. In cases of particular gravity and urgency, the council is to bring the matter directly to the attention of the UN General Assembly and UN Security Council. The council can decide by a three-quarters majority to block challenge inspections.

Technical Secretariat — The Secretariat carries out the practical work of the OPCW, particularly in the area of verification. It comprises the Director-General, who is its head and chief administrative officer; an inspectorate responsible for verification activities; and scientific, technical, administrative, and other support personnel.

On 28 September 2007, the OPCW concluded its eighth ten-week Associate Program. The Associate Program is designed to facilitate the application of the Chemical Weapons Convention (CWC) in chemical industry, and to enhance the national capacity in the peaceful uses of chemistry, particularly among those countries whose economies are either developing or in transition. Delegates from Bangladesh, Belarus, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cameroon, Côte d'Ivoire, Eritrea, Ethiopia, India, Malawi, Mexico, Nigeria, Philippines, Sri Lanka, Tanzania, Thailand, Uganda, Uruguay, Yemen and Zambia attended the

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program. The OPCW Associate Program is an important part of the OPCW's international cooperation efforts.

Scientific Advisory Board — The Board, composed of independent experts, is established by the Director-General in order to enable him to render specialized advice in areas of science and technology relevant to the Convention to the Conference, Executive Council, or States Parties.

Confidentiality Commission — This group deals with the settlement of disputes relating to confidentiality. The Confidentiality Commission is made up of 20 persons appointed from a list of nominees put forward by the States Parties to the Convention.

Advisory Body on Administrative and Financial Matters — This body focuses on administrative and financial matters. It consists of experts of recognized standing from States Parties

Developments: Conference of the State Parties

2008: The Third Special Session of the Conference of States Parties was convened on 7 April to amend the Rules of Procedure so that the chairmanship of special sessions would rotate on a geographically equitable basis.

The 13th Session of the Conference of States Parties took place from 2-5 December, 2008 with 126 States Parties participating. Israel participated as a signatory observer, and Iraq and Lebanon participated as non-signatory observers. The conference failed to adopt a final report as consensus could not be reached on text regarding the progress made by States Parties that have been granted extensions of deadlines for destroying chemical weapons.

2007: The Twelfth Session of the Conference of States took place 5-9 November. It was chaired by Abuelgasim Abdelwahid Sheikh Idris, Permanent Representative of the Republic of the Sudan to the OPCW.

The Conference approved the OPCW's Programme and Budget for 2008. It was the third consecutive year that the OPCW has agreed to a zero nominal growth budget.

It adopted a decision to continue with the Action Plan on the Universality of the Convention. At its Fourteenth Session, the Conference will review the results and the implementation of this Action Plan.

The Conference also elected 20 new members of the 41-member OPCW Executive Council for a two-year term that will start on 12 May 2008.

2006: The Eleventh Session of the Conference of States Parties took place 5-8 December. The session was chaired by Ambassador Alfonso Dastis of Spain.

Based on recommendations of the Executive Council, the Conference approved requests by a State Party, Albania, India, the Russian Federation, and the United States of America to extend interim and final deadlines for destruction of chemical weapons stockpiles.

The conference approved a decision establishing a mechanism to encourage States Parties that are in arrears of their dues to pay their outstanding contributions. The conference amended a decision made at a Special Session of the Conference in 2003 regarding the tenure policy of the organization.

The conference adopted a decision regarding the implementation of an action plan aimed at achieving universality of the convention. In accordance with an Executive Council recommendation, the conference extended the work of the Open Ended Working Group for the establishment of an OPCW Office in Africa.

The Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention will convene 7-18 April 2008 to review the activities and implementation of the convention since its entry into force. In preparation for this event, the OPCW and a specially designated working group are reviewing the CWC and its implementation to date.

2005: On 7-11 November, the Tenth Session of the Conference of States Parties to the Chemical Weapons Convention took place. The session was chaired by Jose Antonio Arróspide from Peru. The conference unanimously approved the renewed appointment of Ambassador Rogelio Pfirter, director general of the organization for the OPCW.

The conference urged all states and the Secretariat to intensify their universality-related efforts with a view to increasing the number of States Parties to at least 180 by the end of 2006 and to achieving the universality of the convention 10 years after its entry into force. The conference decided to continue with the action plan and to review progress of that plan at its Eleventh and Twelfth Sessions.

The conference also recommended that the Executive Council at one of its sessions establish an open-ended working group to begin, in cooperation with the Secretariat, preparations for the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, which will take place in April 2008.

The conference also recommended to the Executive Council the establishment of an ad hoc, open-ended working group to examine a proposal to establish an OPCW office in Africa.

The conference endorsed a proposal for the establishment of a Day of Remembrance of all victims of chemical warfare to be observed each year on 29 April, the anniversary of the entry into force of the CWC. The

conference also endorsed the dedication in The Hague of a permanent memorial to these victims.

2004: The Ninth Session of the Conference of States Parties to the Chemical Weapons Convention took place from 29 November- 2 December. The session was chaired by Krzysztof Paturej of Poland. In addition to its 120 members, the conference also included five international organizations, specialized agencies, and other international bodies for the purpose of consultation. Signatory states Congo, Democratic Republic of Congo, Honduras, and Israel also participated. Iraq was admitted as an observer.

Conference discussion was based on recommendations represented in the report of the Executive Council of its activities between 28 June 2003 and 2 July 2004.

The conference considered and adopted the Executive Council recommendation on the inclusion of an additional item on the list of approved equipment (C-9/ Dec.5). The conference determined that the device, an environmental temperature logger, is essential to the safe maintenance of medical kits and laboratory work.

Participants also considered and adopted a recommendation to clarify the concept of "captive use" as it pertains to declarations of production and/or consumption of chemicals (C-9/Dec.6). The clarification, which defines the conditions under which certain chemicals may be produced and disposed, seeks to better enable the convention to meet its obligations of verification as listed in the Verification Annex to the convention.

The conference further decided in favor of granting extensions to the Libyan Arab Jamahiriya and Albania in their effort to destroy Category 1 chemical weapons stockpiles. The conference also granted a request by the Libyan Arab Jamahiriya to convert chemical weapons facilities for purposes not listed by the convention but found to be consistent with its tenants.

Before closing the session, the conference elected 21 members to serve on the Executive Council for a new two-year term. They also considered and adopted the 2005 budget plan. Finally, the conference underlined the importance of international cooperation in the field of chemical activities. International cooperation and assistance activities, the conference noted, encourage and expedite concrete proposals and are considered a core objective of the organization.

2003: The Eighth Session of the Conference of States Parties to the Chemical Weapons Convention was convened from 20-24 October 2003. The Eighth Session of the Conference was chaired by Ambassador Noureddine Djoudi of Algeria. Delegations from 116 member states (including the contracting states Kyrgyzstan and Cape Verde) attended the conference. Chad, Iraq, Israel and the Libyan Arab Jamahiriya participated in the conference as observer states.

The conference noted the report of the Executive Council on the performance of its activities from 17 July 2002 to 27 June 2003. Ambassador Petr Kubernat of the Czech Republic introduced the report and the recommendations of the council that required the attention of the council. The following is a list of considerations made by the conference in accordance with the recommendations made by the council:

- Considered and adopted a decision on a request by the Russian Federation for an extension of the intermediate and final deadlines for the destruction of its Category 1 chemical weapons.
- Considered and adopted a decision on a request by a State Party for an extension of the intermediate deadline for the destruction of its Category 1 chemical weapons stockpiles.
- Considered and adopted a decision on a request by the United States for an extension of the intermediate and final deadlines for the destruction of its Category 1 chemical weapons

2002: On 25 July, the First Special Session of the Conference of the States Parties reconvened to consider and to make a decision on the recommendation of the Executive Council to appoint Ambassador Rogelio Pfirter of Argentina as the Director-General of the Technical Secretariat of the OPCW. The Conference of the States Parties appointed Ambassador Pfirter by acclamation. The new Director-General's four-year term of office commenced immediately upon his appointment. Prior to his appointment, Mr. Pfirter, a lawyer and a career diplomat, was the Under-Secretary for Foreign Policy in the Ministry of External Relations, International Trade and Worship, Argentina.

The Seventh Session of the Conference of States Parties was held from 7-11 October in The Hague. The conference, attended by 109 States Parties, adopted the 2003 OPCW's program of work and budget. The 2003 OPCW budget was increased, for the first time in four years, by around 10 percent, resulting in a significant increase in Verification and International Cooperation and Assistance Programs. The conference adopted a number of other policy decisions including a decision to grant an extension of the Russian Federation's obligation to meet two of the Convention's intermediate deadlines for the destruction of one percent and of 20 percent of its Category 1 chemical weapons stockpiles; a decision to grant an extension of another State Party's obligation to meet the Convention's timeline of April 2003 for the destruction of 20 percent of its chemical weapons stockpile; the adoption of requests for the conversion of nine former chemical weapons production facilities at

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Volgograd and Novocheboksarsk in the Russian Federation to peaceful purposes; a decision on guidelines for declarations of aggregate national data for the production, consumption, import, and export of Schedule 2 chemicals and for import and export of Schedule 3 chemicals.

The conference also elected 21 new members to the 41-member Executive Council for a two-year term, which will commence on 12 May 2003. The conference agreed that the First Review Conference of the Chemical Weapons Convention will be held in The Hague from 28 April-9 May 2003.

2001: The Sixth Session of the Conference of the States Parties was held from 14-18 May in The Hague. The conference was attended by 108 States Parties with Ambassador H. Reimann of Switzerland serving as the chair of the conference. Since the Fifth Session, 10 new States Parties had joined the Organization, and the full program of work for 2000 had been completed. Inventory had been taken of all 70,000 tons of declared chemical weapons, nearly 20 percent of the declared munitions and containers had been destroyed, and more than half of the declared chemical weapons production facilities world-wide had been certifiably destroyed or converted to peaceful purposes. The OPCW's Director-General, José M. Bustani, announced that the implementation of the Convention was working smoothly. The Secretary-General of the United Nations, Kofi Annan, praised the progress of the OPCW in implementing the Convention's provisions, and expanding its activities. He called attention to the importance of garnering the full support of States Parties for the OPCW, especially to provide the necessary resources.

The most important decisions adopted by this session of the conference were the program of work and budget for 2002, and a request from the Russian Federation for the conversion of a former chemical weapons production facility in Dzerzhinsk for peaceful purposes. The necessity of attaining the universality of the CWC was also endorsed. In addition, the conference approved the relationship agreement with the United Nations, which had been signed at UN Headquarters in New York on 17 October 2000. The agreement was submitted to the UN General Assembly for approval in its 2001 session. The relationship agreement provides an opportunity for more intensive cooperation between the two organizations in areas of common interest, especially in the area of disarmament.

The conference adopted a decision on the transfer of Schedule 3 chemicals to states that are not party to the Convention. This decision requires that end-use certificates be prepared when Schedule 3 chemicals are exported to states not party to the CWC, if the product to be exported contains 30 percent or more of a Schedule 3 chemical. An end-use certificate is not required for products identified as consumer goods packaged for commercial or individual purposes. Also prohibited is the re-transfer of Schedule 3 chemicals by the receiving states.

In regard to the budget, the conference examined the cause of the Organization's inability to collect the full amount of its budgeted income in 2000 and 2001. It requested that the Executive Council determine a solution for the structural deficiencies in the budget. As an exceptional one-time measure, the conference authorized the Secretariat to retain the 1999 cash surplus, instead of redistributing it to States Parties. The conference also called for voluntary contributions, to ensure that sufficient resources would be available to the OPCW to effectively carry out its operational mandate. In spite of the Organization's funding problems, Mr. Bustani reiterated his intention to enhance program delivery, particularly in the areas of international cooperation and inspections. In addition, he praised the conference's recognition that operational activities will increase significantly in the coming few years.

2000: The OPCW stated on 25 January that the world's declared stockpiles of 70,000 tons of chemical weapons and more than eight million munitions and bulk containers had been inspected by OPCW inspectors, and were subject to a stringent international verification regime. Three of the four countries that had declared possession of chemical weapons were now actively destroying them under the continuous scrutiny of OPCW monitoring teams. All of the 60 declared chemical weapons production facilities around the world had been inspected and sealed. Of these, 20 had been certified as destroyed, and five had been approved for conversion to peaceful purposes. To prevent the proliferation of chemical weapons, a stringent industrial verification regime had been put in place, involving inspections of facilities that produce or consume "dual-use" chemicals that could be used for both peaceful purposes and to create chemical weapons. By 11 May, more than 4,000 tons of chemical agents had been destroyed. Over a million chemical bombs, shells, and rockets had been destroyed. OPCW staff had made more than 700 inspections in 35 countries, including 460 visits to weapons storage and destruction sites and over 240 inspections of industrial chemical plants since the entry into force of the Convention. The Organization's routine verification activities gave no indication that States Parties were not in full compliance with their fundamental obligations under the CWC, notwithstanding certain implementation-related inconsistencies and technicalities, which continued to occur. However, they were being addressed and corrected. To sum up, there was at the time no evidence to suggest that the essence of the CWC was not being upheld.

The Fifth Conference of the CWC States Parties held in The Hague from 15-19 May reappointed the Director-General of the OPCW Mr. José Bustani for a second term of four years starting 13 May 2001. The OPCW reported considerable success in efforts to ban the production, stockpiling, or use of chemical weapons. More than 4,000 tons of chemical agents and over a million chemical bombs, shells, and rockets had been destroyed. OPCW staff had made more than 700 inspections in 35 countries, including 460 visits to weapons storage and destruction sites and over 240 inspections of industrial chemical plants. The conference also recommended extending the deadline for Russia to destroy one percent of its chemical weapons. The conference also approved a number of requests from Russia and the United Kingdom for the conversion of former chemical weapons production facilities to peaceful purposes. Delegates also welcomed two new members to the OPCW, Malaysia, and the Federal Republic of Yugoslavia, which joined the organization on 20 May.

In October, the OPCW signed a relationship agreement with the UN. Both organizations undertook, inter alia, to explore possibilities for cooperation in the provision of assistance if chemical weapons are used in the future. The agreement addresses the fostering of international cooperation in relation to the peaceful use of chemistry, and will thus contribute to economic and technological development. The CWC is among the 25 multilateral treaties identified by the UNSG as core treaties for the new millennium. The signing of this relationship agreement is accordingly expected to initiate a significant enhancement and intensification of the everyday relationship between the two organizations in the pursuit of their shared goals of enhanced security and peace.

Developments: Executive Council

2008: The 52nd session of the Executive Council was held from 4-7 March.

The Council considered detailed plans for the destruction of chemical weapons at sites in the United States and Russia and reaffirmed the obligation of possessor States Parties to destroy their chemical weapons within the extended deadlines.

The Council considered and approved a facility arrangement between the OPCW and the United Kingdom regarding inspections at Ellesmere Port.

The Council requested the Conference to convene a Special Session on 7 April 2008 to amend a Rule of Procedure of the Conference.

The Council elected Ambassador Oksana Tomová as its new Chairperson for a term from 12 May 2008-11 May 2009, and the representatives to the Council of Algeria, Costa Rica, Germany, and the Islamic Republic of Iran as its new Vice-Chairpersons for the same period.

The 53rd session of the Executive Council was held from 24-27 June. Iraq was invited to participate as an observer.

Further to its consideration at previous sessions, the Council approved amendments to detailed plans for the destruction of chemical weapons at sites in the United States, Russia, and India. The Council also approved a number of facility agreements and amendments to existing agreements.

The Council approved proposed revisions to the specifications for three items of approved inspection equipment as well as a decision regarding declaration of import and export data for Schedule 2 and 3 chemicals.

The 54th session of the Executive Council was held from 14-17 October.

During the intersessional period, the Vice-Chairpersons served as coordinators for clusters of issues and held informal consultations. Each coordinator reported to the Council. In addition, the Chairperson reported on the activities of the Open-Ended Working Group on Terrorism and the Host Country Committee.

The Council considered and approved amendments to the agreed detailed plan for verification and destruction of chemical weapons at the Recovered Chemical Weapons Destruction Facility in the United States. The Council also approved verification and destruction plans as well as facility agreements for the Chemical Weapons Destruction Facility at Shchuchye in Russia and at the Rabta Toxic Chemicals Destruction Facility in Libya.

The Council took note of progress reports from States Parties that had been granted extensions of deadlines for the destruction of Category 1 chemical weapons and emphasized the timely commencement of destruction activities at all destruction facilities.

2007: The Executive Council met on the following dates: 13-16 March, 26-29 June, 25-28 September, 27-30 November.

The 48th Session of the Executive Council was held 13-16 March 2007. It was chaired by Ambassador Hlengiwe Buhle Mkhize of South Africa.

The Council considered a request from Iraq, not a state party, and invited it to attend the meeting as an observer. It discussed the combined plan for phase 3 of destruction and verification of the chemical weapons production facility, Open Joint Stock Company "Kaprolaktam-Dzerzhinsk" in Dzerzhinsk, Russian Federation, and approved this plan.

The Council considered and approved a request by Italy for an extension of the deadlines for the destruction of its old chemical weapons (OCWs).

The Council took note of information by Austria and Germany regarding three OCWs that Austria had

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discovered in October 2005 and October 2006 and had declared as OCWs in accordance with Article III, subparagraph 1(b)(i), and with Part IV(B) of the Verification Annex to the Convention, and also took note of the technical assessment by the Secretariat that these OCWs pose an imminent danger to the environment. It approved the proposal to transport these OCWs to a chemical weapons destruction facility in Munster, Germany, in order to destroy them.

The Council also concluded an agreement between the OPCW and the Republic of Chile on the privileges and immunities of the OPCW.

The Council elected Ambassador Romeo A. Arguelles of the Philippines as its new Chairperson and the representatives of Algeria, Chile, Ireland, and Russian Federation as its new Vice-Chairpersons for a term of office ending on 11 May 2008.

The Council supported the statement made by the Director-General on 23 February 2007 condemning in the strongest possible terms the recent multiple use of chlorine gas in Iraq, and condemned those attacks.

It firmly rejected the use of toxic chemicals under any circumstances to inflict harm, and emphasized that such abhorrent acts are contrary to the comprehensive prohibition of the use of toxic chemicals as weapons set out in the Convention. The Council stressed the importance of the universality of the Convention and of achieving the high level of readiness of the OPCW as well as of States Parties to fully implement all relevant provisions of the Convention, in particular Article X, with respect to timely and needed assistance and protection against the use or threat of use of chemical weapons.

The Chairperson informed the Council of the composition of the Committee on Relations with the Host Country. The Committee members are as follows:

(a) The Chairperson of the Council;

(b) Two representatives of each regional group:

(i) Africa: Algeria and South Africa;

(ii) Asia: the Islamic Republic of Iran and Pakistan;

(iii) Eastern Europe: Croatia and the Russian Federation;

(iv) Latin America and the Caribbean: Guatemala and Mexico;

(v) Western Europe and Other States: Switzerland and the United States of America;

(c) A representative of the Host Country: Ambassador Maarten Lak; and

(d) the Director-General.

The 49th Session of the Executive Council was held 26-29 June 2007. It was chaired by Ambassador Romeo A. Arguelles of the Philippines.

The Council noted the report by the Director-General on the progress that has been made by Albania in destroying its Category 1 and 2 chemical weapons stockpiles. It also received information by Albania on this matter. The Council restated its concern at the delays reported and noted that the completion of destruction of Albania's chemical weapons was imminent. It requested Albania to take measures to meet its obligation to complete destruction of

its Category 1 and 2 chemical weapons without any further delay, and to keep the Council informed of its progress.

The Council approved a facility arrangement with the Italian Republic regarding on-site inspections at the following Schedule 2 plant sites: Archimica S.R.L., Isso, and the Sandoz Industrial Products S.P.A., Rovereto Trento, the Italian Republic. The Council considered and approved a facility arrangement

with the Government of the United Kingdom of Great Britain and Northern Ireland regarding on-site inspections at the following Schedule 2 plant sites: Fluon Plant – AGC Chemicals Europe, Ltd, Thornton Cleveleys, Lancashire and Albemarle Chemicals (UK) Limited, Avonmouth Works, Avonmouth, Bristol.

It considered the draft report of the OPCW for 2006, and forwarded it to the Conference for consideration at its Twelfth Session.

The Council approved the list of mass-spectrometry (MS) data and decided to consider further at its next regular session the list of approved MS data for analytical derivatives of scheduled chemicals, and the list of approved gas-chromatography (retention-index) data for analytical derivatives of scheduled chemicals. It received the Draft Programme and Budget for 2008 that will be transmitted to the Conference of the State Parties at its Twelfth Session. It drew up the provisional agenda for the Twelfth Session of the Conference.

The 50th Session of the Executive Council was held 25-28 September 2007 and was headed by Ambassador Romeo A. Arguelles of the Philippines.

The Council noted the Note by the Director-General on the progress made by States Parties that have been granted extensions of deadlines for the destruction of their Category 1 chemical weapons. It also noted a Note by the Director-General on the destruction by Albania of its Category 1 chemical weapons stockpiles and another such Note on the completion by Albania of the destruction of its chemical weapons stockpiles.

The Council took note of the report of the Director-General to its Fiftieth Session on the status of implementation of Article VII of the Convention as at 22 August 2007 and welcomed the progress that had been made in the implementation of Article VII since the adoption of plan of action, while also noting that further efforts are needed in this regard.

The Council considered and noted the report that had been submitted to it and the Conference on the implementation of the action plan for the universality of the Convention by the Director General from 30 September 2006 to 31 August 2007.

The Council also considered and approved facility arrangements with the United Kingdom of Great Britain and Northern Ireland regarding on-site inspections at the converted chemical weapons production facility (CWPF) located at Randle Island Landfill Site (formerly ICI Randle), Astmoor, Runcorn Cheshire, at the former CWPF located at Valley Site (formerly ICI Valley), Rhydymwyn, Mold, North Wales, at the converted CWPF located at CRP Portreath (formerly Chemical Defence Establishment, Nancekuke), Portreath Redruth, Cornwall .

It also considered and approved a facility agreement with the government of the United States

of America regarding on-site inspections at the Schedule 2 plant site Ciba Specialty Chemicals Corporation-Mcintosh-A, Mcintosh, Alabama.

The Council adopted the Program and Budget of the OPCW for 2008 to be forwarded to the Conference for consideration at its Twelfth Session.

2006: The Executive Council met on the following dates: 14-17 March, 16–19 May, 4-7 July, and 7-10 November.

The 44th Session of the Executive Council was held from 14-17 March 2006. The chair of the meeting was Ambassador Alfonso Dastis of Spain. The council invited Iraq, a non-State Party, to participate in the session as an observer, and indicated that while this decision was not intended to set a precedent, further such requests would be considered on a "case-by-case basis."

The Executive Council approved the plan for verification of destruction of chemical weapons at Pine Bluff Binary Destruction Facility in Arkansas, USA, and the amendments to the plan for verification of destruction of chemical weapons at Anniston Chemical Agent Disposal Facility in Alabama, USA.

The council recommended that the organization's member-countries approve 21 December 2009 as the deadline for the completion of the third stage of Russia's chemical weapons disposal program. This amounts to Russia disposing of 45% of its chemical weapon arsenal, or 18,000 tons of chemical agents.

In order to achieve consensus on the most appropriate mechanism to establish an OPCW office in Africa, the council encouraged the working group to "intensify its work."

The council decided to establish a working group to begin preparations for the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons convention, as recommended by the Conference at the Tenth Session, and requested that the chairperson nominate a facilitator to coordinate activities.

The Open-Ended Working Group for the Second Review Conference (WGRC) held its first meeting on 7 July 2006. The WGRC's chairman, Ambassador Lyn Parker of the United Kingdom, opened the session, attended by representatives of 44 States Parties, including the vice-chairs from Iran, Mexico, Russia, and Sudan.

The WGRC agreed that the work of the First Review Conference as recorded in the official report serves as a good starting point for establishing a structure for the Working Group's discussions, and that every State Party must have the opportunity to express its views and contribute to the WGRC. OPCW director-general, Ambassador Rogelio Pfirter commended the review process' early start and informed the Working Group of steps taken by the Technical Secretariat in preparation for the Second Review Conference

The WGRC agreed to fix the dates of the Second Review Conference from 7 to 18 April 2008

On 27 April 2006, Remembrance Day for all victims of chemical warfare was observed for the first time at the headquarters of the OPCW. The commemoration was attended by representatives of OPCW member states and international organizations, among them the ICJ, the International Criminal Tribunal for the Former Yugoslavia, the OSCE, and the Preparatory Commission for the CTBTO. UN Secretary-General Kofi Annan sent a message addressing the commemoration.

In his Remembrance Day address, OPCW director-general, Ambassador Rogelio Pfirter, stressed that the aim of the Chemical Weapons Convention and of the OPCW is not only to ensure that those who possess chemical weapons destroy them safely and irreversibly, but also that those planning to misuse chemistry to produce new weapons will not succeed. He underscored the convention's purpose to deal with an inheritance of the past and to address the needs of the future by enhancing international peace and security.

Remembrance Day will be observed every year to raise awareness of the horror and suffering caused by chemical weapons, as well as to call for a world free of chemical weapons. The Remembrance Day concept was endorsed

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at the Tenth Session of the Conference of the State Parties in November 2005.

The 45th Session of the Executive Council was held 16-19 May 2006. The chair of the meeting was Ambassador Hlengiwe Buhle Mkhize of South Africa.

The council considered and approved the detailed plan for verification of destruction of Category 1 chemicals at Kambarka CWDF (Russian Federation) and approved a facility agreement with the Russian Federation in relation to on-site inspections at Kambarka.

At the meeting, US Ambassador Eric Javits stated that despite a recent request to extend its deadline for the complete elimination of its chemical weapons stockpile to 2012, the United States is committed to "the fullest possible transparency" of its chemical weapons destruction process.

The council reaffirmed the importance of the full implementation of Article X, and noted that only 55 States Parties submitted information under Article X, paragraph 4 (reporting of national protection programs) in 2004, and only 35 States Parties in 2005. Additionally, the council noted that only 66 States Parties had made submissions under Article X, paragraph 7 (offers of assistance) and requested that the Secretariat follow up with States Parties that have not yet fulfilled these obligations.

The council, having received a note from the director-general, commended the work of the open-ended working group on terrorism, and requested that it review the implementation of the council's decision on the OPCW's contribution to global anti-terrorist efforts. The council reconfirmed that the organization is not an anti-terrorism agency, and that it can operate only in strict accordance with its mandate as defined by the convention and decisions by the council and the Conference of States Parties, and in compliance with the OPCW Policy on Confidentiality.

The 46th Session of the Executive Council was held 4-7 July 2006. The Chair of the meeting was Ambassador Hlengiwe Buhle Mkhize of South Africa.

The council considered and approved the detailed plan for verification of destruction of chemical weapons at the Qaf-Molla CWDF, Albania, and similarly approved a facility agreement with Albania regarding on-site inspections at the Qaf-Molla CWDF.

The council considered and approved corrections to the detailed plans for destruction of the CWPF [production of VX-type substance and filling of munitions] Open Joint Stock Company (OJSC) Khimprom in Novocheboksarsk, Russian, and approved corrections to the plans for conversion of the CWPF [production of VX-type substance and filling of munitions, and the filling of munitions with sarin, soman, and viscous soman] OJSC Khimprom, Russia.

At the meeting, the US delegation submitted a formal request for an extension to the deadline for the total abolition of its chemical weapons. Despite a decision having been announced to make a request at the 45th Session, until now no formal draft request was submitted, in order to allow the United States to include as much information as possible as to why the extension was required.

The council heard the progress reports made by the United States of America and the Russian Federation on the progress they have made in meeting revised deadlines for destruction of Category 1 chemical weapons, and reaffirmed the understanding that nothing in the decisions of the CSP (C-8/DEC.13 and C-8/DEC.15) shall prejudice any of the obligations under the convention of the States Parties mentioned in those decisions.

The council approved a recommendation to the Conference of States Parties on the matter of the Libyan Arab Jamahiriya's request for an extension of the phase 4 deadline for destruction of its Category 1 chemical weapons stockpiles, and its proposal for the establishment of specific deadlines for the destruction of 1%, 20%, and 45% of those stockpiles.

The council considered and approved a request by China and Japan to extend the deadline for completing the destruction of chemical weapons abandoned by Japan in China.

The council welcomed the progress made by States Parties in establishing or designating National Authorities (Article VII), and noted that only 14 states had yet to do so, but noted that the number of States Parties that had yet to enact legislation and to adopt administrative measures to implement the Convention remained unchanged at 68. The council urged each State Party that has not yet established a national authority or taken the necessary steps to enact legislation, including penal legislation, to intensify its efforts, to specify its needs to the organization, and to take advantage of assistance offered by the Secretariat and other States Parties. The council requested that the director-general designate a "help-desk" within the Technical Secretariat to assist States Parties.

The council noted that Article X, paragraph 5 calls for the establishment of a databank of freely available information on protection against chemical weapons and information that may be provided by States Parties (including their offers under Article X, paragraph 7). The council requested that the Secretariat finish setting up the databank and make it available to States Parties by the Eleventh Session of the conference. The council welcomed the increased levels of activity under the

Assistance and Protection Branch and requested more timely and detailed reports on program activities.

The council considered and approved the lists of new validated data for inclusion in the organization's Central Analytical Database.

2005: The Executive Council met on the following dates: 15-18 March, 28 June–1 July, 27–30 September, and 6-9 December.

The Executive Council met for its 40th session on 15-18 March. The session was chaired by José Antonio Arróspide of Peru. The council noted states' progress on implementing the Article VII obligations action plan, but added that there was an urgent need to continue these efforts.

The 41st session of the Executive Council was held on 28 June–1 July. It was chaired by José Antonio Arróspide of Peru. The council considered and noted the report by the director-general on the readiness of the Secretariat to conduct challenge inspections. The council reaffirmed the request of the First Review Conference that the Secretariat continues to maintain a high standard of readiness in accordance with the provisions of the convention. The council further reaffirmed the request of the First Review Conference to resolve expeditiously the outstanding issues related to challenge inspections and requested that the facilitation efforts on the issue of challenge inspections be continued to resolve these issues.

The Executive Council met for its 42nd session on 27–30 September. The meeting was chaired by Ambassador Alfonso Dastis of Spain. The council considered and approved its report on the performance of its activities in the period from 3 July 2004 to 1 July 2005. It also undertook to review, at its Tenth Session, in November 2005, the status of implementation of Article VII and to consider and decide on any appropriate measures to be taken, if necessary, in order to ensure compliance by all States Parties with Article VII.

The Secretariat submitted a report to the Council on progress and implementation of a plan adopted at the 23rd Council meeting in 2003 to universalize the CWC. The council considered and approved a decision recommending to the Conference at its Tenth Session that it renew the appointment of the Director-General, Mr Rogelio Pfirter, for one further term of four years.

The Executive Council met for its 43rd session on 6-9 December. The meeting was again chaired by Ambassador Alfonso Dastis of Spain. At the meeting, the Council considered and approved the agreed detailed plan for verification of the destruction of chemical weapons at the Recovered Chemical Weapons Destruction Facility in the United States, further to the discussions on the topic held at the previous session. .

In a decision taken at its Tenth Session, the Conference recommended that the council establish an appropriate *ad hoc*, open-ended working group to examine the administrative, financial, and legal aspects of a proposal to establish an OPCW Office in Africa, and requested the council forward recommendation to the Conference at its Eleventh Session.

The council also decided to establish an open ended working group for the Second Review Conference, as per the recommendations made in the Tenth Session of the Conference of the State Parties.

2004: The Executive Council held sessions on 23-26 March, 29 June-1 July, 12-15 October, 14-17 December.

The Executive Council met for its 36th session during 23-26 March and was chaired by Petr Kubernát of the Czech Republic.

The council reaffirmed the action plan's provisions, urged states to continue requesting or offering assistance in implementing the action plan, and to keep the Secretariat informed about their related activities. The council also encouraged the Secretariat to enhance its coordination of activities under the plan with states.

First introduced at its 34th session, the council adopted a decision on the understanding of the concept of "captive use" in connection with declarations of production and/or consumption under the Verification Annex of the CWC, Parts VII and VIII.

The Executive Council met for its 37th session during 29 June-1 July 2004 and was chaired José Antonio Arróspide of Peru.

The council adopted the provisional agenda for the Ninth Session of the Conference of the States Parties.

The council approved deadlines and verification plans for chemical weapons destruction in Albania, Libya, and the United States. The council also approved arrangements for on-site inspections in Australia and Singapore.

The council noted the director-general's report on the status of Article X and XI implementation and decided that such reports in future should be addressed during intercessional periods.

The draft report of the OPCW for 2003 was consid- red by the council and referred to the Conference of the States Parties at its Ninth Session.

The 38th session of the Executive Council took place on 12-15 October and was chaired by José Antonio Arróspide of Peru. In addition to noting the supplement to the 2003 Verification Implementation Report, the council expressed its concern that only a few states submitted their annual declaration on past activities for 2003 on time and urged all states to submit timely annual declarations.

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The Executive Council met for its *39th session* on 14-17 December and was chaired by José Antonio Arróspide of Peru.

The council recommended, inter alia, that the conference

- Reaffirm the importance and urgency of states to implement their Article VII obligations
- Encourage state to continue taking appropriate and timely steps to implement the action plan
- Encourage the Secretariat to continue promoting cooperation between States Parties that have offered and requested assistance
- Request the Secretariat to provide feedback to states on progress in implementing the plan of action and receive feedback from states that have received assistance.

2003: The Executive Council held sessions on 18-21 March, 24-26 June, 23-26 September, and 2-5 December.

The Executive Council met for its 32nd session on 18-21 March. The session was chaired by Lionel Fernando of Sri Lanka. The council approved the work of the open-ended working group on preparations for the First Review Conference, which had held 30 meetings.

The Executive Council met for its 33rd session on 24-26 June. The first session was chaired Petr Kubernát of the Czech Republic.

The council considered and noted a report by the director-general on the optimization and efficiency of verification activities. The council was briefed by the Technical Secretariat on the progress made on the optimization of verification activities through more substantial use of monitoring equipment for cost-saving purposes.

The Executive Council noted a report on the status of conversion of former Chemical Weapons Production Facilities (CWPFs). The council requested that, during its last regular session of each year, it should be fully informed by relevant states about the status of conversion at former CWPFs located on their territories where conversion was still in progress.

The Executive Council met for its 34th session on 23-26 September. The session was chaired by Petr Kubernát of the Czech Republic. The Executive Council decided to continue working on assistance and protection against chemical weapons, including procedures for annual submission by States Parties of information relating to their national protective purposes programs, further to a request from the First Review Conference.

The Executive Council met for its 35th session on 2-5 December. The session was chaired by Petr Kubernát of the Czech Republic.

The council considered a draft decision on the understanding of the concept of "captive use" in connection with declarations of production and consumption under Parts VII and VIII of the Verification Annex and decided to return to the matter at its next regular session. It also decided that the issue of captive use of Schedule 1 chemicals should be addressed in separate intercessional consultations.

2002: The Executive Council met for its 28th Session from 19-22 March; the session was chaired by Abdel Halim Babu Faith of Sudan. The council adopted eight decisions and deferred decisions on more than 20 issues until the next session.

During the 28th Session, the US delegation submitted a draft decision on a no-confidence motion for the OPCW director-general. The Brazilian delegation submitted a draft decision on the establishment of an extraordinary committee aimed at resolving the situation through dialogue and cooperation. In two consecutive roll-call votes, neither the motion of no-confidence for the OPCW director-general nor the proposal calling for the establishment of an extraordinary committee was adopted by the required two-thirds majority of all 41 members of the council. The US delegation informed the council of its request submitted to the Director-General to convene a special session of the Conference of States Parties.

The council adopted a decision on the First Review Conference, which will convene for a two-week period commencing on 28 April 2003.

The council also elected Ambassador Lionel Fernando of Sri Lanka as its new chair for the term of office ending 11 May 2003, and the representatives of Germany, Mexico, the Russian Federation, and South Africa as its vice-chair, for the same period. The council recognized that a budget deficit of Euro 2.1 million was evident, and that this deficit, if unfunded, would severely impact the delivery of the approved program of work for 2002.

During the 29th Session and in accordance with the decision of the council at its 18th Meeting (EC-M-18/DEC.1, dated 31 May 2002), the council reviewed the situation in relation to the presentation of candidates for the post of director-general of the Secretariat. The council decided to convene a special meeting of the council on 16 July, with a view to making a recommendation to the conference on the appointment of the director-general, and also to recommend to the chair of the conference that the First Special Session of the conference should reconvene on 25 July to appoint the director-general.

The Executive Council met for its 29th Session from 25-28 June; Ambassador Lionel Fernando of Sri Lanka chaired the session. The council adopted four decisions and deferred decisions on more than 20 issues until the next session. Of the four decisions made, two adopted approved facility agreements with Iran and Yugoslavia

and two approved lists of new validated data for inclusion in the Central OPCW Analytical Database.

By 16 July, the OPCW Technical Secretariat had undertaken 1,210 inspections. All 61 declared chemical weapons production facilities around the world had been inspected and sealed. Of these, 36 had been certified as destroyed or converted to peaceful purposes. More than 6,700 tons of chemical agents had been destroyed. Over two million chemical bombs, shells, and rockets had been destroyed.

The Executive Council held its 30th Session from 10-13 September under the chairmanship of Ambassador Lionel Fernando of Sri Lanka. The council adopted two combined plans for destruction and verification of chemical weapons production facilities in the Russian Federation, as well as seven facility agreements (five for chemical weapons destruction facilities in the United States and two for Schedule 1 facilities — one in Yugoslavia another in South Africa), and recommended to the Conference of the States Parties the adoption of five conversion requests for chemical weapons production facilities in the Russian Federation, as well as of the agreed detailed plan for the verification of destruction of chemical weapons at Unit 1 of the Gorny chemical weapons destruction facility in the Russian Federation. The council also adopted an important decision on guidelines for declarations of the production, consumption, import and export of Schedule 2 chemicals and for import and export of Schedule 3 chemicals, which would contribute to the consistent application of the Convention's provisions in all States Parties.

2001: From 3-6 April, the Executive Council of the OPCW met for its 24th Session in The Hague. The session was chaired by Mr. Bernhard Brasack of Germany. In his opening statement, the Director-General, Mr. José M. Bustani, spoke about the OPCW's current financial crisis, and the Secretariat's efforts to continue its mandatory activities and frugally implement the CWC. He affirmed that the crisis should not prevent the full implementation of the CWC by OPCW States Parties. The director-general called on the States Parties to strive for a solution to the monetary problems. The council recognized the need to address the financial situation and called for additional information on the savings that are being made, and on possible additional funding requirements for the remainder of 2001.

The council adopted a decision on the combined plans for the destruction and verification of one more chemical weapons production facility, Khimprom, in Volgograd. The council also addressed the question of improving the language services provided to States Parties and delegations.

The council elected its new chair, H.E. Dr. Abdel Halim Babu Fatih Elrayah of Sudan, whose term began on 12 May 2001 and ended on 11 May 2002. It also elected four vice-chairs (from Mexico, the Republic of Korea, the Russian Federation, and Sweden). The Director-General congratulated the chair, noting that Sudan had joined the OPCW in 1999, and was now playing a very active role in the work of the Organization. He expressed his hope that Sudan would encourage other states in the region to accede to the CWC.

On 4 July, the OPCW announced the completion of its 1,000th inspection. Since the CWC entered into force, the OPCW's inspectors, coming from over 50 States Parties, have traveled over 21 million miles, and inspected a total of 462 facilities in 49 States Parties.

On 16 July, the chair of the OPCW Executive Council, Ambassador Abdel Halim Babu Fatih Elrayah, attended a summit of the Organization of African Unity (OAU) in Lusaka on behalf of the OPCW. He carried a personal message from OPCW Director-General José M. Bustani to the Foreign Ministers of those African states that still have to take action on the Convention. Upon his return to The Hague, Ambassador Babu Fatih Elrayah expressed his hope that African leaders will do their utmost to attain the ratification or accession to the CWC by all countries on the African continent. He spoke to the Foreign Ministers of Angola, Cape Verde, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Djibouti, Egypt, Guinea-Bissau, Libyan Arab Jamahiriya, Madagascar, Rwanda, Sao Tome and Principe, Sierra Leone, Somalia, and Uganda. He received many positive responses, with some African ministers indicating that their countries would be taking action on the CWC in the near future. Ambassador Babu Fatih Elrayah stressed the importance of sending a strong political signal to the world about Africa's commitment to the nonproliferation of chemical weapons, while underlining the many benefits of the CWC for Africa. These benefits extend to both political and security concerns and increased international cooperation in the chemical trade.

From 4-7 December, the Executive Council met for its 27th Session. The council adopted five decisions and deferred 24 draft decisions. The council adopted a decision on the OPCW's contribution to global anti-terrorism efforts and stressed that, at this stage; the contribution to global anti-terrorism should focus on the areas of promotion of universal adherence to the Convention, full implementation of the legislative measures, and the ability of the OPCW to respond to the assistance and protection provisions.

The Executive Council met for its 26th Session from 25-28 September. The Director-General took this opportunity to condemn the attacks of 11 September and said that terrorism was a looming threat that should prompt the

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OPCW to review the implementation of its mandate. He called on national governments to give serious consideration to the ways in which the OPCW could respond to emerging global threats.

2000: The OPCW held its 22nd Session of the Executive Council from 5-8 December, during which it discussed plans for destroying chemical weapons in various countries and carrying out inspections. It also covered the procedure for the payment by OPCW members of their annual contributions to the budget of this organization and a number of important organizational questions.

Financing: All States Parties make contributions to the OPCW budget, based on a modified UN scale of assessments. The total budget for 1998 was 141 million Dutch guilders ($70 million), with roughly 83 million guilders ($41.5 million) allocated for verification. Total annual budgets for 1999 and 2000 were approximately 138 and 133 million guilders ($72 and $62 million), 77 and 69 million guilders ($40.5 and $32 million) of which were allocated for verification. The total budget for 2001 was set at approximately 60 million Euros ($53 million), with 29.5 million Euros ($26 million) of that earmarked for verification. The total budget for 2002 is set at roughly 62 million Euros ($54.5 million), with 33 million Euros ($29 million) of that allocated for verification. The total budget for 2003 is set at roughly 68 million Euros ($59 million), with 35.5 million Euros ($29 million) of that allocated for verification. The total budget for 2004 is set at roughly 73 million Euros ($60 million), with 36 million Euros ($30 million) of that allocated for verification. The total budget for 2005 is roughly 75 million Euros ($62 million), with 38 million Euros ($31 million) of that allocated for verification. The total budget for 2006 is roughly 75.6 million Euros ($96 million), with 37 million Euros ($43.7 million) allocated for verification. The total budget for 2007 is set at roughly 75 million Euros ($98.8 million), with 37.5 million Euros ($49.4 million) allocated for verification.

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Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) Overview

Established: 19 November 1996
Duration: Indefinite
Number of Signatories: 180
Number of Ratifications: 148

The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO Preparatory Commission) is an international organization established at a meeting of States Signatories to the Treaty on 19 November 1996.

Mandate

Located at the Vienna International Center, Austria, the CTBTO Preparatory Commission prepares for the effective implementation of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and for the first session of the Conference of the States Parties to the Treaty. The Preparatory Commission's main tasks are establishing a global verification regime to monitor compliance with the comprehensive ban on explosive nuclear testing and promoting Treaty signature and ratification. The global verification regime consists of the International Monitoring System (IMS) and a consultation and clarification process to clarify and resolve matters concerning possible non-compliance with the basic obligations of the Treaty.

The Treaty

The CTBT is a cornerstone of the international regime on the nonproliferation of nuclear weapons and an essential foundation for the pursuit of nuclear disarmament. Its total ban of any nuclear weapon test explosion in any environment will constrain the development and qualitative improvement of nuclear weapons and end the development of advanced new types of these weapons.

The CTBT was adopted by the United Nations General Assembly, and was opened for signature in New York on 24 September 1996. It has achieved strong worldwide support.

Article XIV of the CTBT stipulates that the Treaty will enter into force 180 days after all 44 nuclear-capable countries (those that formally participated in the Treaty negotiations and possess nuclear power reactors and/or nuclear research reactors) have deposited their instruments of ratification with the United Nations. Currently, nine states on that list still must ratify in order for the Treaty to be legally binding. These states are China, the Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran, Israel, Pakistan, and the United

States. All but three, Pakistan, India and the Democratic People's Republic of Korea have already signed the Treaty.

Status

The CTBTO Preparatory Commission has concluded a Host Country Agreement with the Government of Austria and has a Relationship Agreement with the United Nations. The Relationship Agreement with the United Nations provides a framework for cooperation between the two organizations, as the Commission is an independent organization with its own membership and budget. Cooperation between the United Nations and the CTBTO Preparatory Commission facilitates the effective implementation of the Treaty, including the establishment of the global verification regime.

The Relationship Agreement allows the CTBTO Preparatory Commission to participate in United Nations meetings in the same capacity as the International Atomic Energy Agency (IAEA) and the World Trade Organization (WTO). These organizations may propose agenda items for consideration of the other and exchange documents, publications, and other information of mutual interest. The Executive Secretary of the CTBTO Preparatory Commission informs the United Nations of all its activities, such as in his annual address to the General Assembly. Using the United Nations laissez-passer as a valid travel document, officials of the Preparatory Commission engage in global activities aimed at facilitating the entry into force of the CTBT, for example holding regional workshops and conferences.

Structure

The CTBTO consists of a plenary body composed of all the States Signatories (also know as the Preparatory Commission), and the Provisional Technical Secretariat (PTS). A State becomes a member of the CTBTO Preparatory Commission upon signing the Treaty. Member States each have one representative in the Commission, who are accompanied by alternates and advisors. Member States support the activities of the CTBTO Preparatory Commission through payment of assessed contributions and participate in the Commission's decision-making process.

Non-signatory States who host or will host IMS facilities are accredited with observer status and may attend meetings and activities of the Working Groups and their subsidiary bodies that are related to the IMS. However, observer status does not permit non-signatory States to participate in the decision-making process of the CTBTO Preparatory Commission.

Preparatory Commission: The main task of the Preparatory Commission is to establish a global verification regime as foreseen in the CTBT so that it will be operational by the time the Treaty enters into force. The verification regime will include procedures for on-site inspections and confidence-building measures.

The Preparatory Commission has three subsidiary bodies: Working Group A advises on administrative, legal, and budgetary matters; Working Group B advises on technical verification issues; and the Advisory Group contributes to financial, budgetary, and associated administrative issues. Both Working Groups make proposals and recommendations for consideration and adoption by the Preparatory Commission at its plenary sessions. Ambassador Abdulkadir Bin Rimdap of Nigeria is Chairperson of Working Group A, and Dr. Hein Haak of the Netherlands is Chairperson of Working Group B. The Advisory Group, with André Gué of France as its Chairperson, is composed of experts of international standing serving in a personal capacity.

Provisional Technical Secretariat (PTS): Under the Executive Secretary of the CTBTO Preparatory Commission, Mr. Wolfgang Hoffmann, the PTS began its work on 17 March 1997. During its plenary session in November 2004, the CTBTO Preparatory Commission elected Tiber Tóth to succeed Mr. Hoffmann as Executive Secretary. The PTS has an international staff of approximately 260 members from 65 countries. The PTS cooperates with the host countries in the development and running of an international network of 337 monitoring facilities provided for in the Treaty.

The Secretariat is responsible for overseeing and coordinating the provisional operation of the IMS and the International Data Centre (IDC), which receives, processes, analyzes, and reports on IMS data. The Secretariat is also in the process of developing operational manuals, which guide the various components of the verification regime, including budgetary and work planning.

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Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) Developments

Established: 19 November 1996
Duration: Indefinite
Number of Signatories: 180
Number of Ratifications: 148

The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO Preparatory Commission) is an international organization established at a meeting of States Signatories to the Treaty on 19 November 1996.

Developments:

2008: On 12 February 2008, the Permanent Representative of Sweden, Ambassador Hans Lundborg, was elected the Chairperson of the Preparatory Commission for 2008. Ambassador Lundborg expressed a sense of optimism with regard to the prospects for the Treaty's entry into force, noting that already in 2008 three States had ratified the CTBT, including one Annex 2 State (Colombia). The Chairperson commented on the U.S. decision to fund the CTBTO with $24 million in 2008, stating that the money was "crucial if the CTBTO is to deliver on the build-up of the verification regime."

From 3-5 March, over 60 scientists from 30 countries met in Vienna for the launch of an International Scientific Study (ISS) project to evaluate the CTBT verification system. In June 2009, scientists will present research on the four verification technologies, system-wide performance, on-site inspection capabilities, atmospheric transport modeling, and new possibilities for IT analysis.

The CTBTO signed tsunami warning agreements with Japan on 11 August and with Australia and the Philippines on 12 September. These new arrangements will use the International Monitoring Stations (IMS) network to add two and a half minutes of warning time onto each country's civilian system.

On 24 September, a joint ministerial conference was held at the UN in New York to promote the Treaty's entry into force. 96 countries endorsed the joint statement, and speakers included Secretary General Ban Ki-Moon, former U.S. Defense Secretary William Perry, and UN Messenger of Peace, actor Michael Douglas. Shortly after the ministerial meeting, Burundi ratified the treaty, and Timor Leste signed, bringing the number of signatories to 180 and the number of ratifying states to 145.

An on-site inspection (OSI) simulation took place the entire month of September near the former Soviet nuclear test site in Semipalatinsk, Kazakhstan. The inspection team correctly ascertained that the contrived seismic event was not likely to be a nuclear explosion. Argon sampling technology was utilized for the first time ever in a field exercise, and the CTBTO learned many practical lessons by operating in challenging, realistic conditions.

Indonesia signed a tsunami warning agreement with the CTBTO on 10 November.

The work of the 31st Session of the Preparatory Commission was concluded in just two days of meetings (17-18 November) even though four were scheduled. This reflected a sense of common purpose among member states and a renewed commitment to the Treaty and the work of the organization. There were feelings of optimism that this period marked the beginning of the political change necessary for entry into force. As expected, Ambassador Tibor Tóth was reappointed for another four-year term as executive secretary.

By the end of 2008, 180 countries had signed the CTBT, and 148 had ratified it.

2007: On 17 March 2007, the Provisional Technical Secretariat (PTS) commemorated its 10th anniversary. On this day, the number of International Monitoring Stations (IMS) transmitting data to the International Data Center (IDC) was 193. The PTS began work on 17 March 1997 with nine staff members headed by Ambassador Wolfgang Hoffmann: by its 10th anniversary, the PTS had 254 staff members.

The 28th session of the Preparatory Commission convened from 19 to 22 June 2007. The budgetary situation dominated the session as the Commission encouraged States to pay their assessed contributions in full and in a timely manner. Executive Secretary Tibor Tóth also requested that Member States consider, on an exceptional basis, providing additional resources to the Commission. The Executive Secretary announced he had decided to implement exceptional austerity measures to avoid a provisional cash deficit in 2007.

During a regional CTBTO workshop in Manila, Philippines, the Pacific Island State of Palau announced that it had completed the national ratification process. The workshop was held from 27-29 June 2007 and aimed to promote Treaty ratification in the South East Asia, the Pacific and the Far East (SEAPFE) CTBT regional grouping. The three main issues addressed at the workshop were the political significance of the Treaty, verification technologies and capacity building, and civil and scientific applications of the IMS.

From 17 to 18 September 2007, in accordance with Article XIV of the CTBT, the fifth Conference on Facilitating the Entry into Force of the Treaty was held at the Hofburg in Vienna, Austria. Acting on behalf of the Secretary-General of the United Nations (the depository of the Treaty), United Nations High Representative for Disarmament Affairs, Mr. Sergio Duarte opened the Conference on 17 September 2007. The Foreign Ministers of Austria and Costa Rica, H.E. Ursula Plassnik and H.E. Bruno Stagno Ugarte, shared the presidency of the Conference.

There were 106 States Signatories and States that had already ratified the Treaty participating in the Conference. Three states that had not yet signed the Treaty, Iraq, Barbados, and Pakistan, attended the Conference with observer status. The International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Chemical Weapons (OPCW), the Organization for Security and Cooperation in Europe (OSCE), as well as 16 non-governmental organizations also attended the Conference. India, the United States, and the Democratic People's Republic of Korea – all Annex 2 States – were absent from the Conference.

On 18 September 2007, the Conference adopted by consensus a Final Declaration, which outlined measures to promote the entry into force of the CTBT. In the Declaration, States noted the "overwhelming support for the Treaty and its entry into force" as expressed by the "United Nations General Assembly and other multilateral organizations and initiatives." States also "affirmed the importance and urgency of signatures and ratifications without delay to achieve early entry into force of the Treaty as one of the practical steps for the systematic and progressive efforts towards nuclear disarmament and nuclear nonproliferation."

Since the 2005 Article XIV Conference, one State had signed the CTBT, while 15, including one Annex 2 State, had ratified the Treaty. The most recent ratifications came from the Republic of Palau and the Dominican Republic on 1 August and 4 September, respectively. At the close of the Conference, 140 States had ratified the Treaty, including 34 of the 44 Annex 2 States (all Annex 2 States must ratify the Treaty before it enters into force).

In preparation for an Integrated Field Exercise (IFE) planned for September 2008 in Kazakhstan, the CTBTO held a training exercise in Hungary on 30 October simulating an on-site inspection. The exercise conducted at Semipalatinsk, the former Russian nuclear test site, involved over 60 scientists and experts in verification technology.

From 12 to 14 November 2007, the Preparatory Commission of the CTBTO held its 29th Session. HE Ambassador Jennifer Macmillan, Permanent Representative of New Zealand and Vice-Chairperson of the Commission opened the session on 12 November in the absence of the Chairperson of the Commission, HE Ambassador Ana Teresa Dengo, Permanent Representative of Costa Rica. A total of 99 States Signatories participated in the meeting.

Executive Secretary Tibor Tóth presented his oral address at the first plenary meeting, addressing the financial situation of the organization in 2007, the 2007 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear Test Ban Treaty, verification achievements, restructuring of the PTS, and the 2008 Program and Budget.

With regard to the implementation of austerity measures and shortfall in payments of assessed contributions, contingency margins of approximately $16 million were imposed on a number of PTS activities. However, there was a significant increase in payment of full and partial assessed contributions. The number of States Signatories paying in full rose by roughly one third from 2006. The funding shortfall for 2007 stood at $22.5 million, down from $24.5 million reported in June 2007.

During the plenary meeting, some States encouraged the PTS to expedite its implementation of the decision of the 27th Session of the Commission regarding the provision of data to tsunami warning organizations.

A group of States requested that the Palestinian Ambassador brief the Preparatory Commission on Palestine's application for observer status with the Commission. A large number of States Signatories supported the request for observer status for Palestine. After having a series of consultations, the Chairperson reported to the Commission that there was still no consensus regarding the request. The Chairperson kept the request on the agenda and continued to consult with interested delegates on the issue.

As of 8 December 2007, a total of 141 States had ratified the CTBT, and 177 have signed. Out of the 321 monitoring stations in the IMS, 212 had been fully certified, while 10 out of 16 total radionuclide laboratories had been certified. New state of the art Computer and Operations Centers had also been installed within the PTS. The CTBTO is also in the process of migrating to a new Global Communications Infrastructure (GCI).

2006: In February 2006, Working Group B endorsed the planning for the preparation and conduct of an On-Site Inspection (OSI) Integrated Field Exercise (IFE) to be held in the latter half of 2008. OSIs are a fundamental

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component of the CTBT verification regime. The exercise aims at integrating the efforts of the various units of the PTS that will contribute to the execution of an OSI. The PTS is currently in the planning phase.

The PTS is also continuing its outreach activities aimed at enhancing the understanding of the Treaty and the work of the Preparatory Commission. The most recent outreach activity took place in Kuala Lumpur from 31 May to 2 June, in the form of a workshop designed to promote ratification of the Treaty while exploring the prospects of increased regional and sub-regional cooperation in the installation of IMS stations.

The 26th session of the Preparatory Commission convened from 20 to 23 June. In his report, the executive secretary expressed his concern about outstanding assessed contributions, stating that if the current trend were to continue, a significant cash deficit should be expected. It was reported that despite its financial situation, the PTS made substantial progress in the establishment of the Treaty verification regime; five additional IMS stations were certified, bringing the total number of certified IMS facilities to 167 out of 337 and 11 new IMS stations were connected to the IDC, moving the number of stations in IDC operations past the 50% mark.

During the plenary debate, Member States welcomed the ratification of the CTBT by Antigua and Barbuda, Cameroon, Cape Verde, Haiti, Suriname, and Zambia since the last session of the Preparatory Commission. Member States particularly welcomed the ratification of Vietnam, an Annex 2 State. Vietnam's ratification brings the total number of Annex 2 State ratifications to 34; an additional 10 ratifications are required for entry-into-force of the Treaty. Other States that have ratified the CTBT in 2006 include Andorra and Ethiopia.

Furthermore, the PTS was requested to prepare an options paper on a possible contribution of the Commission to tsunami warning systems. It is understood that data from IMS stations can contribute to decreasing substantially the time span needed for issuing a timely tsunami warning.

This year marks the 10th anniversary of the opening for the signature of the CTBT. In commemoration of the occasion, as well as to promote increased interaction between the scientific community worldwide, the Preparatory Commission for the CTBTO and State Signatories to the Treaty, a symposium entitled "CTBT: Synergies with Science 1996-2006 and Beyond" was held at Kongresszentrum Hofburg, Vienna from 31 August to 1 September. Statements were delivered by Preparatory Commission Executive Secretary Tibor Toth, United Nations Under-Secretary-General for Disarmament Affairs Nobuaki Tanaka, as well as a keynote address by IAEA Director-General Mohamed ElBaradei. Particularly appealing to those States that have not yet ratified the CTBT, all speakers underlined the contribution the CTBT would make, upon entry-into-force, in strengthening the nonproliferation regime.

Co-chaired by Australia, Canada, Japan, Finland, and the Netherlands, and signed by 59 foreign ministers, the third annual Joint Ministerial Statement in support of the CTBT was delivered in New York by Under-Secretary-General for Disarmament Affairs Tanaaka on 20 September. The statement affirmed the urgent need for the Treaty to enter into force as it would contribute significantly towards preventing the proliferation of materials, technologies, and knowledge that can be used for nuclear weapons.
On 9 October 2006, in reaction to the announcement by the DPRK that it had conducted a nuclear test, both the chairman of the 27th Preparatory Commission, Volodymyr Yelchenko and executive secretary of the CTBTO, Tibor Toth, issued statements in their respective capacities.

On 13 October 2006, (Part 1) a Special Session of the Preparatory Commission convened in connection with the announcement by the DPRK that it carried out a nuclear test on 9 October 2006. The Special Session was organized as the first part of the 27th Session of the Preparatory Commission. The Special Session was opened by the chairperson of the Preparatory Commission, Ambassador Volodymyr Yelchenko, the permanent representative of Ukraine.

At the plenary meeting of the Special Session, the PTS delivered a briefing on the data of the International Monitoring System and standard products of the International Data Center to State Signatories in connection with the aforementioned announcement. The Commission considered the presentation and expressed appreciation to the PTS both for its presentation and professional work in providing reliable data to States Signatories without delay. Also at the plenary meeting, a large number of States Signatories expressed their deep concern and regret over the declaration by the DPRK that it had conducted an underground nuclear test.

On 20 October 2006, Executive Secretary Tibor Toth addressed the 61st Session of the United Nations General Assembly. He expressed hope that, despite the recent announcement by the DPRK that it had conducted a nuclear test, the international community would refocus its attention on bringing the Treaty into force and to complete the build-up of the verification system.

Part II of the 27th session of the Preparatory Commission convened from 13-17 November. A total of 93 States participated. Ambassador Yelchenko of Ukraine served as chairperson of the Commission.

During the plenary, States Signatories welcomed the ratifications of the CTBT by Andorra, Armenia, Bosnia and Herzegovina, and Ethiopia, and the succession to the Treaty by Montenegro. States that have not ratified the

CTBT, particularly those designated as Annex 2, were urged to do so without delay.

States Signatories also supported the recommendation of Working Group B, for the Commission to adopt the principles and operating rules for the provision of data to tsunami warning organizations. The CTBTO will provide real time and continuous data from primary seismic, auxiliary seismic and hydroacoustic IMS stations to relevant tsunami warning organizations.

The special session, Part I of the Preparatory Commission, was recalled whereby a large number of States Signatories had made statements expressing deep concern and regret regarding the announcement by the DPRK that it had conducted a nuclear test. The statements released by the executive secretary and chairperson respectively soon after the test, were also noted. Participants noted that the event underlined the need for the early completion of the verification regime, including the noble gas stations, and for the early entry into force of the Treaty.

A number of States Signatories expressed their support for the request of Palestine to be granted observer status. The issue lacked consensus, and therefore States requested that the next chairperson of the Commission attempt to resolve the matter.

In his report to the Commission, the executive secretary emphasized that the DPRK test provided an opportunity for the PTS to demonstrate its technical capabilities. He expressed encouragement at the positive feedback and appraisals received from States Parties. The executive secretary also called attention to the lower collections rate than in previous years.

Permanent Representative of Costa Rica Ana Teresa Dengo will serve as the next chairperson of the Preparatory Commission, which is scheduled for June 2007.

2005: The Preparatory Commission held its 24th session from 27-30 June.

The 24th session welcomed the signature of the CTBT by the Bahamas and Rwanda and ratification by Rwanda and Saint Kitts and Nevis. States Signatories also expressed their regrets concerning the outcome of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

The Commission welcomed for review the final report on the review of the organizational structure of the PTS. States Signatories noted that the recommendations of the team should be examined by Working Groups A and B and adopted by the commission before their implementation. The Commission decided that Working Groups A and B should convene a joint meeting to analyze recommendations in detail.

In accordance with Article XIV of the CTBT, the Conference on Facilitating the Entry into Force of the Treaty was held 21-23 September at the United Nations Headquarters in New York City.

The Preparatory Commission held its 25th session from 14-18 November.

At the 25th session, States Signatories welcomed the successful outcome of the Conference on Facilitating the Entry into Force of the Comprehensive Test Ban Treaty held in New York in September. States Signatories also welcomed the adoption of a Final Declaration and Measures to Promote the Entry into Force of the CTBT, given recent disappointments at the multilateral level in the field of disarmament and nonproliferation.

Participants to the 25th session welcomed the signature of the Treaty by Lebanon, and its ratification by the Cook Islands, Djibouti, Madagascar, and Vanuatu.

Broad support was expressed for the recommendations of the final report on the review of the organizational structure of the PTS. The 26th session will be held in June of 2006.

2004: In January, Ambassador Yukio Takasu, Japan's Permanent Representative to the CTBTO Preparatory Commission, began his duties as the chair of the Commission. He was elected chair during the 21st session of the Commission in November 2003. At this session, States Signatories also agreed to extend the tenure of the chair of the Commission from six months to one year.

Libya deposited its instrument of ratification of the CTBT with the United Nations Secretary-General on 6 January 2004. As part of the terms of the Treaty, Libya agreed to host a radionuclide station, RN41, at Misratah. This station will be part of the 337-facility International Monitoring System used to verify compliance with the Treaty.

The 22nd session of the Preparatory Commission was held from 22 to 24 June. The Executive Secretary of the Preparatory Commission, Ambassador Wolfgang Hoffman, noted that 130 stations and 4 radionuclide laboratories are participating in the first system-wide performance test which is being carried out by the PTS. He also informed delegates that 83 stations and 4 laboratories of the 337 IMS facilities are now certified, and that legal arrangements between the Commission and Members States have been made to establish 332 IMS facilities in 81 countries. During the session, Member States welcomed the signature of the CTBT by Saint Kitts and Nevis and the Sudan, as well as the ratification of the Treaty by Bahrain, Belize, the Libyan Arab Jamahiriya, Serbia and Montenegro, Seychelles, and the Sudan. In addition, Tunisia announced the completion of its internal ratification process. The commission determined that

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Timor Leste would be included in the South East Asia, Pacific and the Far East geographical region.

On 23 September, the foreign ministers of 42 nations issued a second Joint Ministerial Statement calling upon all States to sign and ratify the CTBT, specifically identifying the 12 States whose ratifications are necessary for the Treaty's entry into force and which have yet to ratify the Treaty. The ministers continued to call for the maintenance of voluntary moratorium on nuclear testing. These calls were echoed by UN Secretary-General Kofi Annan, who appealed to States to sign and ratify the Treaty and encouraged the signatories of the joint statement to continue their efforts to promote the Treaty's entry-into-force.

The 23rd session of the Preparatory Commission took place 15-19 November. States Signatories welcomed the signature of the CTBT by United Republic of Tanzania and ratification by the Democratic Republic of the Congo, Liechtenstein, Togo, Tunisia, and the United Republic of Tanzania.

States Signatories also noted the progress of the external review team on the organizational structure of the PTS, underlining the importance of transparency and a balance between technical and political aspects, as well as major policy issues in the review process. States Signatories also noted the importance of a review of the organization and methods of work of the subsidiary bodies, and support was expressed for informal consultations on the issue to be held in 2005.

At this session, the Commission elected HE Ambassador Taous Feroukhi, Permanent Representative of Algeria, as the chair for 2005.

On 19 November, the Commission appointed, by acclamation, Ambassador Tibor Toth as the next executive secretary.

2003: The 20th session of the Preparatory Commission was held from 24-27 June. States Signatories welcomed the signature of the CTBT by Gambia and ratification by Albania, Cote d'Ivoire, Kuwait, Mauritania, and Oman, as well as the completion of the national ratification procedure in the Libyan Arab Jamahiriya since the previous session of the Commission. They also welcomed the resolution on "Inter-American support for the CTBT" adopted by the Organization of American States at its General Assembly in June 2003.

From 3-5 September, in accordance with Article XIV of the CTBT, the third Conference on Facilitating the Entry into Force of the Treaty was held in Vienna. All States, both signatories and non-signatories, were invited to attend the Conference as well as specialized agencies, international governmental organizations, and non-governmental organizations.

Afghanistan was the only non-signatory to address the Conference. The United States was not officially represented at the meeting. A representative of International Physicians for the Prevention of Nuclear War addressed the Conference on behalf of non-governmental organizations.

The Final Declaration adopted by the Conference reaffirmed "the importance of the Treaty and its entry into force for the practical steps for the systematic and progressive efforts towards nuclear disarmament and nuclear non-proliferation." The Declaration noted with concern that despite the progress made and the international community's strong support for the CTBT, the Treaty had not entered into force seven years after its opening for signature.

The Declaration contained 12 recommended measures to promote the CTBT's entry-into-force, including regional seminars to increase awareness of the Treaty's important role, the provision by the CTBTO's Provisional Technical Secretariat of legal assistance to States for the ratification process and implementation measures, and the establishment of a contact point for better exchange and dissemination of relevant information. The Conference also encouraged cooperation with civil society.

A key issue at the Conference was the fear that further delay in the CTBT's entry-into-force could lead to a resumption of nuclear testing, resulting in the acquisition of nuclear weapons by terrorists. Delegates also emphasized the need for the universal and complementary application of all instruments dealing with nuclear disarmament and nonproliferation.

The 21st session of the Preparatory Commission was held 10-14 November. States Signatories welcomed the recent ratifications of Afghanistan, Algeria, Cyprus, Eritrea, Honduras, Kuwait, Kyrgyzstan, and Oman. States Signatories also welcomed the successful outcome of the Article XIV conference and the adoption by consensus of a Final Declaration and Measures to Promote the Entry into Force of the CTBT.

The Commission also discussed the impending internal reform of the PTS. States Signatories agreed on the importance of a timely review of the organizational structure of the PTS. The Commission also proposed that the organization and methods of work of the subsidiary bodies be reviewed as well. In addition, States Signatories discussed the possible adoption of a split currency system, beginning with the Program and Budget for 2005, in order to deal with the adverse effects of currency fluctuations. Further research into the topic was delegated to working groups.

On 13 November, the Preparatory Commission elected HE Ambassador Yukio Takasu, Permanent Representative of Japan, as the chair for 2004.

2002: The Preparatory Commission held three sessions: the 17th PrepCom took place from 9-12 April, the 18th from 19-22 August, the 19th from 11-15 November.

At its 17th session, the Preparatory Commission welcomed the signature of the CTBT by Central African Republic and ratification by San Marino of the CTBT since the closure of the previous session of the Commission and urged all States to share legal and technical information and advice to facilitate the process of signature, ratification, and implementation of the Treaty. The States appreciated the PTS efforts to follow up the recommendations of the external evaluation on the management of human resources. They also expressed wide support for the possible agreement between the Commission and OPANAL.

On 29 April, the Republic of Palau signed a Facility Agreement with the Preparatory Commission. This agreement facilitates the activities of the PTS on Palau in establishing and certifying monitoring facilities to IMS standards.

The PTS installed the 100th satellite earth station (VSAT) on 30 May. VSATs, very small aperture terminals, are a key element in the global communications infrastructure (GCI), which transmits data from the facilities of the IMS to the IDC in Vienna.

At the 18th session of the PrepCom, the States Parties welcomed the ratification of the CTBT by Burkina Faso, Kazakhstan, and Venezuela. Various views were expressed on the initial draft 2003 Program and Budget Proposals. The States Parties noted the PTS efforts to keep the administration costs at the minimum level.

On 14 September, Australia, Japan, and the Netherlands hosted a "Friends of the CTBT" Foreign Minister's Meeting at the UN Headquarters to promote the Treaty's entry-into-force. The meeting was attended by the foreign ministers of 10 nations: Austria, Hungary, Japan, Jordan, the Netherlands, New Zealand, Peru, the Republic of Korea, South Africa, and Turkey. These ministers, along with the ministers of Canada, Chile, France, Nigeria, the Philippines, Russia, Sweden, and the United Kingdom, issued a Joint Ministerial Statement calling for all States that have not signed or ratified the CTBT, in particular the States whose ratifications are required for the Treaty's entry-into-force, to do so as soon as possible. The statement also calls for a continuation of the moratorium on nuclear testing.

At the 19th session of the PrepCom, the Commission welcomed the signatures by San Marino, Samoa, Georgia, Niger, and Botswana ratified the Treaty in 2002.

2001: On 14 March, the Commission signed the Sixteenth Facility Agreement with Peru that would enable the Commission to establish a new auxiliary seismic station and upgrade the existing auxiliary station on its territory.

The Commission held three sessions: the 14th session from 24-27 April, the 15th session from 21-24 August, and the 16th session from 19-23 November.

At its 14th session, the PrepCom welcomed the nine ratifications to the CTBT (by Benin, Croatia, Guyana, Kenya, Nicaragua, the Philippines, Saint Lucia, Uganda, and Ukraine) since the previous session and called on States that had not yet signed or ratified the Treaty to do so without delay. The States noted with satisfaction the progress made in the implementation of the seven major programs of the PrepCom, and the progress made in the development of the draft rolling text of the OSI Operational Manual.

At the 15th session of the PrepCom, the States Parties welcomed the ratifications (by the Holy See, Malta, and Namibia) and signature (by Yugoslavia) since the previous session and reiterated the importance of the 2001 Conference on Facilitating the Entry-into-Force of the CTBT.

From 11-13 November, in accordance with Article XIV of the CTBT, the second Conference on Facilitating the Entry-into-Force of the Treaty was held in New York. All States, both signatories and non-signatories, as well as specialized agencies, international governmental organizations, and non-governmental organizations were invited to attend the conference. The United States decided not to attend.

The conference adopted a Final Declaration, which reaffirmed the commitment of States Parties to work for the universal ratification of the Treaty and its early entry-into-force. The States Parties noted the progress that had been made in the ratification process and the fact that this progress had been sustained. They noted with regret, though, that the Treaty had not entered into force five years after it opened for signature and stressed their determination to strengthen efforts aimed at promoting the Treaty's entry-into-force at the earliest possible date. The States Parties called on all States to maintain a moratorium on nuclear weapon test explosions or any other nuclear explosions and welcomed progress in building a global infrastructure for treaty verification, including the IMS. The declaration called on those States that had not yet signed the Treaty or ratified it, to do so, particularly those States whose signature is required for the Treaty's entry-into-force, including nuclear weapon states (NWS).

At the 16th session of the PrepCom, the States Parties welcomed the signatures (by Belize, Cameroon, and Libya) and ratifications (by Costa Rica, Ecuador, Jamaica, Latvia, Nauru, Nigeria, Paraguay, Singapore, Sierra Leone, and Uruguay) of the Treaty since the previous session. The States Parties emphasized the importance of the CTBT for international peace and security, especially

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after the 11 September 2001 terrorist attacks on New York and Washington, DC.

2000: In his statement on 25 April at the 2000 NPT Review Conference, Wolfgang Hoffmann, Executive Secretary of the Preparatory Commission for the CTBT, noted that a background paper NPT/CONF.2000/2 prepared by the United Nations Secretariat for this Review Conference, offered comprehensive information on the CTBT and its global verification system.. The global verification system -- including an IMS; consultation and clarification procedures; on-site inspections; and CBMs – ensures the reliable detection and identification of any ambiguous event, and provides a credible deterrent to clandestine nuclear testing. The paper stated that the CTBT is thus more than the expression of the intention of each State Party not to carry out nuclear explosions. It is, at the same time, also a commitment by each State Signatory to ensure the Treaty's viability by establishing a regime to monitor adherence and to detect violations.

The Hoffmann paper added that one of the main tasks of the Preparatory Commission is to build up the worldwide network of stations that comprise the IMS. This cost-effective network of 170 seismological, 60 infrasound, 11 hydroacoustic, and 80 radionuclide stations ─ supported by 16 radionuclide laboratories ─ will be capable of registering vibrations underground, in the sea and in the air as well as detecting traces of radionuclides released into the atmosphere by a nuclear explosion. The stations will transmit a steady stream of data generated by these four complementary technologies, in near real time, via a global satellite communications system to the IDC, (at the seat of the PrepCom in Vienna), where all the data will be processed. All data, raw or processed, from the monitoring facilities will be made available to the States Signatories. There are provisions on consultation and clarification for dealing with ambiguous events. As a final verification measure, an on-site inspection may be requested.

Ambassador Hoffmann also noted that the CTBTO was building up the IMS according to a schedule determined by its annual program and budget. From the start of its operations in 1997 up to and including the 2000 fiscal year, the amount of money budgeted for capital investment in establishing or upgrading monitoring stations is $92.1 million. This sum represents about 43 percent of the total capital investment required to complete the entire monitoring network.

The CTBTO had also readied the IDC, the nerve center of the verification regime, for the first analysis of data, transmitted from IMS stations via the GCI. With the installation of the second of four releases of application software, in 1999, the IDC is capable of distributing IMS data and IDC bulletins and additional information to States Signatories seven days a week to assist them in verifying Treaty compliance.

The Hoffmann paper also reviewed the CTBTO after three years of its work: 10 facility agreements or arrangements have been signed, of which five have entered into force. In addition, 57 States have completed interim exchanges of letters; 204 IMS site surveys have been completed, where required. Site surveys for 53 additional stations are either under way or pending contract; and 77 site surveys for the GCI have been completed. In many cases, these site surveys and subsequent civil work were performed by or in cooperation with IMS staff. There are 88 IMS stations. The installation of 65 additional stations is either under way or pending contract. GCI very small aperture terminals (VSATs) have been installed at 26 of the IMS, National Data Centers, and developmental sites, with 41 more under way. Global satellite coverage was established with the commissioning of four GCI hubs and the frame relay infrastructure to link these hubs to the IDC in Vienna. GCI links to four independent sub-networks were commissioned, and a VSAT link to the independent sub-networks is now undergoing acceptance testing. Twenty-five IMS stations are sending data through the GCI and into the IDC on a test basis, with many more stations planned in 2000. The IDC established the capacity to receive and test data over the GCI.

Preparatory work was initiated in 2000 to provide test IMS data and IDC products to States Signatories. The Commission is also preparing the groundwork for on-site inspections, provided for by the Treaty. The OSI Operational Manual is being developed as a priority task, and the PTS has been supporting the Group of Friends of the OSI Program Coordinator. Initial specifications for equipment related to the four IMS technologies have been adopted, and a passive seismic system for aftershock detection will be received shortly for testing and training. On the invitation of the Government of Kazakhstan, a field experiment simulating aspects of an on-site inspection of a 100-tonne chemical explosion was conducted in Kazakhstan in October 1999.

To help States Signatories benefit from the CTBT and from the work of the Commission, two International Cooperation Workshops were held in Vienna and Cairo and two more are scheduled in Beijing and Lima. They explored the possible uses of verification technologies and IMS data for other peaceful applications; examined the potential for regional or international cooperation in collecting, analyzing, and using data; highlighted the fundamental importance of the CTBT for global peace and security; and promoted signature and ratification of the Treaty. The support of States Signatories has also been reflected in the collection rate of the assessed contributions, which is 100 percent for the 1996 budget, over 97 percent for 1997, over 96 percent for 1998, over

95 percent for 1999 and already close to 80 percent for 2000. The budget for 1998 was $58.4 million and for 1999 it was $74.7 million.

The Agreement to Regulate the Relationship between the United Nations and the Preparatory Commission for the CTBTO was signed in New York on 26 May by UN Secretary-General Kofi Annan and Executive Secretary Wolfgang Hoffmann. The Agreement will enter into force upon its approval by the UN General Assembly. The Preparatory Commission approved the Agreement during its 11th session, held from 2 to 5 May.

From 6-8 June, a Regional Workshop for CTBTO International Cooperation and National Implementation /Ratification Procedures was held in Beijing by the CTBTO PrepCom. The 47 participants from the Asia-Pacific region, *inter alia*, reviewed ways and means of promoting cooperation to facilitate the Treaty's verification technologies, and discussed ways to maximize benefits of the application of these technologies.

The 12th preparatory session took place in Vienna from 22-24 August. The States signatories welcomed the recent ratifications of the CTBT (Chile, Iceland, Portugal, and Russia) and commented on the progress made in the implementation of the verification programs. The Commission considered reports of Working Group A and Working Group B and adopted the recommendations contained in the reports.

The first Conference on Facilitating the Entry-into-Force of the Comprehensive Nuclear-Test Ban Treaty was held in Vienna, from 6 to 8 October. The conference reaffirmed the importance of a universal and internationally and effectively verifiable CTBT and pledged to keep working for universal ratification of the Treaty, and its early entry-into-force, as provided for in Article XIV. The Conference's Final Declaration called upon all States that had not yet signed the CTBT to sign and ratify it as soon as possible and, until such time, to refrain from acts that would defeat its object and purpose.

The Preparatory Commission of the CTBTO held its 13th session in Vienna on 20-21 November. The signatory States welcomed recent signatures (Guyana, Kiribati, Nauru, Nigeria, and Sierra Leone) and ratifications (Belarus, Cambodia, Gabon, Kiribati, the Lao People's Democratic Republic, Maldives, and the UAE) of the CTBT and commented on the progress made in the implementation of the work program of the Commission. The Commission adopted a program of work and budget for 2001 totaling $83,499,500. Ambassador Jaap Ramaker of the Netherlands was elected as chair for the first half of 2001.

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Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) Verification Regime

Established: 19 November 1996
Duration: Indefinite
Number of Signatories: 180
Number of Ratifications: 148

The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO Preparatory Commission) is an international organization established at a meeting of States Signatories to the Treaty on 19 November 1996.

The Verification Regime

In accordance with the provisions of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), a global verification regime must be operational at entry into force to monitor compliance with the Treaty. The verification regime must have the capacity to detect nuclear explosions in all environments – underground, underwater, and in the atmosphere. The main activity of the CTBTO Preparatory Commission is to establish this global nuclear explosion alarm system.

The global verification regime comprises the International Monitoring System (IMS) and a consultation process to clarify and redress violations of the Treaty. If a State Party suspects a violation has occurred, that State has the right to request an on-site inspection to clarify whether a nuclear explosion has in fact been carried out. The consultation and clarification process also involves the use of confidence-building measures that serve the dual purpose of assisting in the calibration of IMS stations as well as aiding in the resolution of any compliance concerns arising from a State's possible misinterpretation of verification data relating to chemical explosions, such as large mining explosions.

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The International Monitoring System (IMS)

The International Monitoring System (IMS) comprises a network of 321 monitoring stations and 16 radionuclide laboratories that monitor the earth for evidence of nuclear explosions in all environments. This network of monitoring sensors search for, detect, and provide evidence of nuclear test explosions. The system uses four verification methods, that employ the most modern technology available. Information collected by IMS stations is sent in real time to the International Data Center (IDC) in Vienna for further analysis. Once the data is analyzed, the IDC distributes data products to Member States.

***Evidence of a nuclear explosion*:** Two basic phenomena occur when a nuclear device is detonated; the release of energy and the creation of physical products. Energy released from the explosion interacts with the environment and propagates through the earth as sound vibrations. The physical products created by the nuclear explosion are released into the surrounding medium and can escape into the atmosphere from underground or underwater. The radioactive particles and gases released during a nuclear explosion mostly decay within seconds to months, but some last much longer.

Monitoring technologies: Seismic, hydroacoustic, and infrasound stations are employed to monitor the underground, underwater, and atmosphere environments, respectively. These stations use wave technologies to detect the transient signals created when energy released from a nuclear explosion propagates through the earth as sound vibrations. The data collected from these stations, in digital waveforms or timeseries, provide diagnostic information to detect, locate, and characterize the energy source.

In order to determine whether an event registered by an IMS station is the result of a nuclear explosion, radionuclide technology is used to collect and analyze air samples for the physical products created and carried by the winds. Radionuclide stations can detect radioactive debris released from atmospheric explosions or vented by underground or underwater nuclear explosions. Radionuclide monitoring is achieved through the collection and analysis of air samples containing atmospheric particulate matter deposited on collection filters. Evidence collected by the radionuclide facilities can confirm the occurrence of a nuclear explosion.

Seismology: Composed of 50 primary stations and 120 auxiliary stations, the seismological component of the IMS detects and locates seismic events. The primary stations send their data to the IDC in real time, while auxiliary stations make their data available upon request from the IDC. Seismic stations in the IMS collect data used to distinguish between underground nuclear explosions and naturally occurring earthquakes.

The seismic network consists of two types of seismic stations, three-component stations and array stations. With sensors placed at one site, three-component stations measure the three components of the waves (up-down, east-west, and north-south) caused by seismic events, such as earthquakes and explosions. Array stations are composed of between 9 and 25 geometrically arranged seismic sensors. The enhanced detection capacity of seismic array stations enables independent measurement of the direction and distance to the source of a seismic event.

Hydroacoustic: The IMS employs hydroacoustic technology to detect acoustic waves produced by natural and man-made phenomena propagated through the world's oceans. Comprised of 11 stations, the hydroacoustic network covers the entirety of the earth's oceans. Because acoustic energy propagates through the ocean in an extremely efficient manner, very few stations are required in the hydroacoustic network.

The hydroacoustic network consists of six hydrophone stations and five T-phase (seismic) stations. Hydrophone stations use underwater microphones (hydrophones) that transmit captured signals via trunk cable to the shore facility. While extremely sensitive and very effective in picking up signals from underwater events at large distances, the installation of such stations is expensive and maintenance can be quite costly. Therefore, the hydroacoustic network also includes five T-phase monitoring stations. Located on oceanic islands, T-phase stations employ seismometers to monitor and record seismic waves that have been converted from acoustic waves upon coming into contact with land.

Infrasound: IMS infrasound stations use microbarometers (acoustic pressure sensors) to monitor low frequency sound waves in the atmosphere. The infrasound network consists of 60 stations located in 34 countries around the world. IMS infrasound stations use arrays of four to eight sensors that are located one to three kilometers apart. The sensors detect changes in atmospheric pressure produced by infrasonic waves. Infrasonic waves are the result of natural and man-made phenomena such as exploding volcanoes, meteorites entering the atmosphere, re-entering space debris, rocket launches, aircraft in supersonic flight, and mining and large chemical explosions.

One of the principle uses of infrasound data is the prompt detection of an event, which enhances the potential for a successful on-site inspection in case of a nuclear explosion. Infrasonic waves are characterized by the ability to travel long distances and get around obstacles with little dissipation.

Radionuclide: The radionuclide network consists of 80 stations that employ air samples to detect the presence of radioactive particles resulting from atmospheric

explosions. Half of the radionuclide stations will be equipped with noble gas detection systems. Noble gases, such as xenon-133, leak into the atmosphere during an underground or underwater nuclear explosion. The Provisional Technical Secretariat (PTS) utilizes atmospheric transport modeling technology to determine the source and timeframe of a possible nuclear test by evaluating backtracking calculations, which identify possible source regions for air samples collected by radionuclide stations.

After a very brief high-neutron flux irradiation process, nuclear fission and activation products from a nuclear explosion are released into the atmosphere. Since there is no time for decay, the composition of these radionuclides is different from that of other sources, such as hospitals, nuclear accelerators and reactors. The radionuclide network is the only component of the IMS that can unequivocally identify a nuclear explosion if radionuclides are detected in the atmosphere.

Establishment of a monitoring station: The IMS requires many stations located in remote and inaccessible parts of the globe and thus poses engineering challenges unprecedented in the history of arms control. The 321 IMS stations and 16 radionuclide laboratories in about 250 different locations in nearly 90 countries provide roughly equal global coverage. International monitoring experts designed the IMS during the CTBT negotiations to have the capability to detect nuclear explosions anywhere in the world with at least a one-kiloton yield, provided the weapons were tested without efforts to hide their yields.

Locations listed in Annex I to the Protocol of the Treaty must be verified by site surveys to ensure that they meet the stringent requirements for establishing or upgrading and operating stations as part of the IMS. During each site survey, experts evaluate the physical and environmental characteristics of the site, the local infrastructure, and available technical personnel. If a station existed prior to its selection for the IMS, officials from the PTS conduct the equivalent of a site survey, gathering information from the operators of the station and requesting necessary upgrades.

The CTBTO Preparatory Commission has approved a set of technical requirements that all IMS stations must meet. The provisions of the Financial Regulations and Rules of the Commission specify procedures for the installation or upgrading of monitoring equipment. Uniform equipment specifications ensure that in case of an upgrade, new equipment will be compatible with existing equipment.

***Certification of IMS stations*:** Once the installation and testing period of a station is completed, a certification process will determine whether it can become part of the IMS. The certification process ensures that the site is acceptable and that the equipment meets IMS station requirements and communications specifications. Certification criteria require that the station interface to the Global Communication Infrastructure (GCI) works properly, and that operational practices are consistent with IMS standards. Data availability and timeliness must also be within a predetermined range.

The certification process occurs in three phases. First, all data regarding the station's technical characteristics, operating environments, and performance history must be gathered. Next, the PTS sends out a certification team to inspect the station and discuss any potential issues with the managers and operators of the station. Finally, the certification team evaluates all the necessary information and informs the Certification Group at the IDC of its recommendations. Chaired by the Director of the respective IMS Division, the Certification Group makes the final decision on whether a station can be certified. The Group then sends the notification of certification to the host or responsible State and reports the information to Working Group B.

Upon completing the certification process, all monitoring stations are operated by local institutions under contract with the CTBTO Preparatory Commission. As of November 2008, 38 primary seismic stations, 83 auxiliary seismic stations, 39 infrasound stations, 10 hydroacoustic stations, 54 radionuclide stations, and 10 radionuclide laboratories had been fully certified. There are 224 certified monitoring stations, out 321, and another 34 are in currently in the testing phase. Construction is already underway on another 35 stations, many of them in remote locations. By the end of 2008, the CTBTO Preparatory Commission plans to have 90% of the IMS network installed.

The International Data Centre (IDC)

Located at the seat of the CTBTO Preparatory Commission in Vienna, the International Data Center (IDC) supports the verification responsibilities of the IMS by providing objective products and services to ensure effective monitoring worldwide. These data products are developed based upon information collected by IMS stations. The raw data and data products are then transmitted to States Parties for their final assessment, which may be used to request clarification on an event or an on-site inspection. The GCI provides the means with which to distribute data and products between Member States and the IDC.

Computer infrastructure and support: The IDC is responsible for receiving, collecting, processing, analyzing, reporting on, and archiving IMS station data, including analysis completed at certified IMS radionuclide laboratories. The IDC manages the computer infrastructure that allows the PTS to effectively execute its mission.

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The IDC uses a relational database management system for information management, and has also created full network redundancy to ensure uninterrupted operations. The IDC possesses a 125 terabyte mass data storage system that provides an archiving capacity for over 10 years of verification data. The United States provided much of the software developed specifically for CTBT monitoring purposes on a cost-free basis. Significant contributions were also provided by IDC staff, other international monitoring experts, and through IDC-funded contracts.

Data products and services: IMS stations transmit collected monitoring data in real time to the IDC for analysis. Upon transmission to the IDC, these data are processed immediately and the first automated products are distributed to Member States within two hours of the arrival of the raw data. The data products comprise data collected on seismological events, acoustic events, and radionuclides that have been detected by IMS stations. After receiving raw data from IMS facilities, IDC analysts review these lists in order to prepare quality-controlled bulletins.

Standard products: As stipulated by the CTBT, the IDC processes raw data to produce and archive standard IDC products on behalf of all States Parties cost free. These data products are currently distributed to 800 institutions in nearly 100 countries. These products include integrated lists of all signals detected by the IMS, standard event lists and bulletins, executive summaries of the various IDC products as well as the performance and operational status of the IMS and IDC.

Services to States Parties: The CTBT guarantees to all States Parties open, equal, timely, and convenient access to all IMS data, raw or processed, all IDC products, and all other IMS data in the archive of the IDC. The methods for supporting data access and the provision of data include automatic and regular forwarding of IMS data and IDC products, as well as the provision to individual States Parties of expert technical analysis of IMS data and other relevant data to help identify the source of a specific event.

Technical assistance: The IDC will provide technical assistance to individual States Parties in formulating their requirements for selection and screening of data and products, installing computer algorithms or software to compute new signal and event parameters at no cost, as well as assisting with the development of processing and analysis capabilities for IMS data at national data centers.

Transmission of data to States Signatories: Since February 2000, the IDC has been providing IMS data and IDC products to States Signatories on a test basis .Approximately, 100 secure signature accounts have been established, which allow States Signatories to access these data and products.

The Global Communications Infrastructure (GCI)

Monitoring data from IMS facilities is transmitted in near-real time to the IDC in Vienna for processing and analysis through the Global Communications Infrastructure (GCI). States Parties also receive raw data, IDC products, and reports relevant to Treaty verification. Digital signatures and keys are used to ensure the authenticity of the data and prevent tampering with IDC products and data.

Transmission of data to the IDC: Over 200 stations are already transmitting data to the IDC, many of them continuously. The GCI, which receives and distributes data through a network of three satellites, ensures global coverage. The GCI became functional in mid-1999.

Very Small Aperture Terminal (VSAT) technology: The GCI network is based on Very Small Aperture Terminal (VSAT) technology, and is the first global communications network of its kind. VSAT technology is a two way satellite ground station with a dish antenna that is smaller than three meters in diameter. VSATs access satellites in geosynchronous orbit to relay data from small remote earth stations to other terminals and master earth station hubs.

VSAT technology enables IMS facilities and States Parties in all but near-polar areas of the world to exchange data via their local VSAT earthstations through one of three geosynchronous satellites. Transmissions are routed through the satellites to hubs on the ground, and then to the IDC via terrestrial links. In order to attain economical coverage of North America and Europe, the GCI uses an additional two satellites. A State hosting IMS stations may request that its data be routed through national communication nodes before being routed into the GCI.

Design and status: With the objective of providing data within seconds from origin to final destination, the GCI is designed to be cost-effective and operate with 99.5% availability. The GCI transmits data at a rate nearly six times faster than the internet. Installed and operational since 1999, the five GCI hubs are located in the United States, Italy, Germany, Australia, and Japan. To date, GCI terminals have been set up at 260 IMS stations, national data centers, and development sites. The GCI hubs are connected via terrestrial links to the IDC in Vienna.

On-Site Inspections (OSIs)

Concerns about possible non-compliance with the Treaty, should an event occur, may be addressed through a consultation and clarification process. States Parties also can request an on-site inspection (OSI), which is the final verification measure under the CTBT and can be invoked only after the Treaty has entered into force.

Procedures: An OSI is a means to gather facts that might assist in clarifying whether a nuclear weapon test or any other nuclear explosion has been carried out in violation of the Treaty. Verification procedures shall be based on

objective information, limited to the subject matter of the CTBT, and carried out with full respect for the sovereignty of States Parties. All necessary measures shall be taken to protect the confidentiality of any information related to civil and military activities and facilities obtained during an inspection.

Request: A State Party may request an on-site inspection in the event that a possible nuclear explosion is detected by the IMS or by national technical means of verification in a manner consistent with principles of international law. The requesting State Party shall be obligated to keep the OSI request within the scope of the Treaty and shall refrain from unfounded or abusive inspection requests.

Specific information, including the location of the event triggering the request, the State Party or States Parties to be inspected, the probable environment of the triggering event, and the estimated time of the event, and all data upon which the request is based must be included in the OSI request. The request should also include a record of the consultation and clarification process preceding to the OSI request or an explanation as to why such a process has not taken place.

The requesting State Party shall present the OSI request to the Executive Council and the Director-General of the Technical Secretariat of the CTBTO at the same time. If the Executive Council finds that a frivolous or abusive request has been made, it can decide to implement measures set out in the Treaty to redress the situation.

Follow-up to a request: The Executive Council immediately begins its consideration upon receipt of an OSI request. After receiving the request, the Director-General acknowledges its receipt to the requesting State Party within six hours, and communicates the request to the State Party sought to be inspected within six hours. The Executive Council and all States Parties are notified within 24 hours of the request by the Director-General.

Upon receipt of an OSI request, the Director-General immediately contacts the State Party that is the subject of the request to clarify and resolve the concerns expressed in the request. Within 72 hours, that State Party must provide the Director-General with an explanation and any other pertinent information. Any additional information available from the IMS or provided by any other State Party, as well as any relevant information from within the Technical Secretariat on the event specified in the request shall be transmitted to the Executive Council by the Director-General. The Executive Council shall decide whether to approve an OSI unless the requesting State Party considers the concerns expressed in the OSI request to be resolved and withdraws the request.

Executive Council decisions: The Executive Council shall decide whether an OSI is warranted within 96 hours of receiving the inspection request. The decision to approve the OSI shall be made by at least 30 affirmative votes of members of the 51-member Executive Council. During the deliberations of the Executive Council, the requesting State Party and the State Party sought to be inspected may participate without voting. The Director-General shall notify all States Parties within 24 hours about the Council's decision and any reports, proposals, requests, and recommendations.

Follow-up after Executive Council approval: An inspection team designated by the Director-General and in accordance with the provisions of the CTBT and the Protocol shall conduct an OSI following an approval by the Executive Council. An inspection mandate for the OSI, issued by the Director-General, shall contain specified information including the location and boundaries of the inspection area, the planned types of activity of the inspection team, and the list of equipment to be used in the inspection area. Within 24 hours of the expected arrival of the designated inspection team, the Director-General shall notify the inspected State Party of the planned inspection.

Conduct of an OSI: In accordance with the Treaty, a State Party must permit an OSI on its territory or any place under its jurisdiction or control. However, no State Party shall have to accept simultaneous on-site inspections.

The Inspected State Party has the right and obligation to demonstrate its compliance with the Treaty and enable the inspection team to fulfill its mandate while retaining the right to take the necessary measures to protect national security interests and prevent the disclosure of information unrelated to the OSI. Appropriate access within the given inspection area for the purpose of determining facts relevant to the OSI mandate must be granted to the inspection team and the Inspected State Party must not obstruct the OSI process by invoking its rights under the Treaty to conceal any violation of its obligations under Article I.

As specified in the Treaty, on-site inspections shall be conducted in the least intrusive manner possible, consistent with the efficient and timely accomplishment of the inspection mandate. Wherever possible, the inspection team shall begin with the least intrusive procedures and then, only if necessary, progress to more intrusive procedures in order to collect sufficient information. An inspection teams must collect only the information and data required to complete its mandate.

The Inspected State Party is obligated to assist the inspection team throughout the OSI, as well as provide for or arrange amenities necessary for the inspection team.

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These may include means of communication, interpretation services, transportation, working space, lodging, meals, and medical care. The CTBTO will reimburse the Inspected State Party for all expenses related to the stay and the functional activities of the inspection team.

Observers: The requesting State Party may send a representative observer along with the inspection team. The Inspected State Party shall notify the Director-General of its acceptance or non-acceptance of the observer within 12 hours of the Executive Council's approval of the inspection. There shall be no more than three observers from an aggregate of requesting States Parties.

Reports of an OSI: On-site inspection reports shall include a description of the activities conducted by the inspection team as well as the factual findings of the inspection team relevant to the purpose of the inspection. The report shall also contain an account of the cooperation granted by the Inspected State Party during the inspection, as well as a factual description of the extent of the access granted.

Within 48 hours of the inspection, the Inspected State Party has the right to provide the Director-General with comments on the draft inspection report or identify any data that, in its view, are not related to the purpose of the inspection. Comments and explanations provided by the Inspected State Party to the report shall be annexed to the inspection report.

The Director-General shall promptly transmit the results of the inspection to the requesting State Party, the Inspected State Party, the Executive Council, and all other States Parties. The results may include the report, any results of sample analysis in designated laboratories, relevant data from the IMS, assessments of the requesting and Inspected States Parties, as well as any other information deemed relevant by the Director-General.

In keeping with its powers and functions, the Executive Council shall respond appropriately in accordance with Article V of the Treaty if it reaches the conclusion that further action may be necessary. Article V specifies measures, including sanctions, for redressing a situation and ensuring compliance.

Operational manual: The Provisional Technical Secretariat is in the process of developing an OSI Operational Manual to guide the actions of the inspection team. Some of the issues that need to be addressed include procedures for overflights during an OSI for the purpose of providing the inspection team with a general orientation of the inspection area, narrowing down and optimizing the locations for ground-based inspections, communications between the inspection team and the Director-General, provisions regarding the health and safety of team members. Measures for preventing the disclosure of confidential information must also be addressed.

The manual will also contain a list of core and auxiliary inspection equipment, as well as procedures for calibrating, checking, and protecting such equipment.

Point of Contact:

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Nonproliferation Export Control Regimes

Nuclear Suppliers Group (NSG)

The Nuclear Suppliers Group is a group of nuclear supplier countries that seeks to contribute to the nonproliferation of nuclear weapons through the implementation of two sets of Guidelines for nuclear exports and nuclear-related exports. The NSG first met in November 1975 in London, and is thus popularly referred to as the "London Club" ("Club de Londres").

Membership: Forty-five supplier states—Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, People's Republic of China, Poland, Portugal, Romania, Russian Federation, Slovak Republic, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and United States.

Permanent Observer: European Commission.

Membership Criteria: Factors taken into account for membership include the following:

- The ability to supply items (including items in transit) covered by the annexes to Parts 1 and 2 of the NSG Guidelines;
- Adherence to the Guidelines and action in accordance with them;
- Enforcement of a legally based domestic export control system which gives effect to the commitment to act in accordance with the Guidelines;
- Full compliance with the obligations of one or more of the following: the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Treaties of Pelindaba, Rarotonga, Tlatelolco, Bangkok, or an equivalent international nuclear nonproliferation agreement; and
- Support of international efforts towards nonproliferation of weapons of mass destruction and of their delivery vehicles.

Goals: NSG members pursue the aims of the NSG through adherence to NSG Guidelines that are adopted by consensus, and through an exchange of information, notably on developments of nuclear proliferation concern. The first set of NSG Guidelines governs the export of items that are especially designed or prepared for nuclear use. These include: (i) nuclear material; (ii) nuclear reactors and equipment therefore; (iii) non-nuclear material for reactors; (iv) plant and equipment for the reprocessing, enrichment, and conversion of nuclear material and for fuel fabrication and heavy water production; and (v) technology associated with each of the above items. The second set of NSG Guidelines governs the export of nuclear-related dual-use items and technologies (items that have both nuclear and non-nuclear applications), which could make a significant contribution to an unsafeguarded nuclear fuel cycle or nuclear explosive activity.

The NSG Guidelines are consistent with, and complement, the various international, legally binding instruments in the field of nuclear nonproliferation. These include the NPT, and the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the South Pacific Nuclear Weapons-Free Zone Treaty (Treaty of Rarotonga), the African Nuclear-Weapons-Free Zone Treaty (Treaty of Pelindaba) and the Treaty on the Southeast Asia Nuclear-Weapons-Free Zone (Treaty of Bangkok).

The NSG Guidelines aim to ensure that nuclear trade for peaceful purposes does not contribute to the proliferation of nuclear weapons or other nuclear explosive devices, while not hindering international trade and cooperation in the nuclear field. The NSG Guidelines facilitate the development of peaceful nuclear trade by providing the means whereby obligations to facilitate peaceful nuclear cooperation can be implemented in a manner consistent with international nuclear nonproliferation norms. NSG members commit themselves to conditions of supply, in the context of the further development of the applications of nuclear energy for peaceful purposes.

Safeguards: The NSG aims to ensure that nuclear exports are carried out with appropriate safeguards, physical protection, and nonproliferation conditions, and other appropriate restraints. The NSG also seeks to restrict the export of sensitive items that can contribute to the proliferation of nuclear weapons.

The NSG, taking into account the work already done by the Zangger Committee, agreed on a set of Guidelines incorporating a trigger list. These were published in 1978 as International Atomic Energy Agency (IAEA) Document INFCIRC/254 (subsequently amended) to apply to nuclear transfers for peaceful purposes to help ensure that such transfers would not be diverted to an unsafeguarded nuclear fuel cycle or nuclear explosive activities. There is a requirement for formal government assurances from recipients to this effect. The Guidelines also include a requirement for physical protection measures agreement to exercise particular caution in the transfer of sensitive facilities, technology, and weapons materials—and strengthened re-transfer provisions. In doing so, the Guidelines recognize that there is a class of technologies and materials that are particularly sensitive because they can lead directly to the creation of weapons-usable material. The implementation of effective physical

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protection measures is also critical to help prevent the theft and illicit transfer of nuclear material.

At the 1990 NPT Review Conference, the committee reviewing the implementation of Article III made a number of recommendations that had a significant impact on the NSG's activities in the 1990s. These included the following recommendations: that NPT parties consider further improvements in measures to prevent the diversion of nuclear technology for nuclear weapons; that States engage in consultations to ensure appropriate coordination of their controls on the exports of items, such as tritium, not identified in Article III.2 but still relevant to nuclear weapons proliferation and therefore to the NPT as a whole; that nuclear supplier States require, as a necessary condition for the transfer of relevant nuclear supplies to non-nuclear weapon States (NNWS), the acceptance of IAEA Safeguards on all their current and future nuclear activities (i.e, full-scope safeguards, or comprehensive safeguards).

The endorsement at the 1995 NPT Review and Extension Conference (NPTREC) of the full-scope safeguards policy already adopted by the NSG in 1992 showed that the international community believed this nuclear supply policy is vital to promote shared nuclear nonproliferation commitments and obligations. Specifically, Paragraph 12 of the decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament" at the 1995 NPTREC states that full-scope safeguards and international, legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices should be a condition for granting licenses for trigger list items under new supply arrangements with NNWS.

The final document of the 2000 NPT Review Conference reaffirmed Paragraph 12 of the decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament" and recognized the value of export restrictions to prevent the further proliferation of nuclear weapons.

Dual-use Controls: At the beginning of the 1990's it became apparent that export control provisions then in force had not prevented Iraq, a party to the NPT, from pursuing a clandestine nuclear weapons program, which later prompted UN Security Council action. A large part of Iraq's effort had been to acquire dual-use items not covered by the Guidelines and then to build materials within Iraq needed for a nuclear weapons program. Iraq's program gave substantial impetus to the NSG's development of its dual-use Guidelines. In doing so, the NSG demonstrated its commitment to nuclear nonproliferation by ensuring that items like those used by Iraq would only be used for peaceful purposes. These items would remain available for peaceful nuclear activities subject to IAEA safeguards, as well as for other industrial activities that would not contribute to nuclear proliferation.

Following these developments, the NSG decided in 1992 to establish Guidelines for transfers of nuclear-related dual-use equipment, material, and technology (items that have both nuclear and non-nuclear applications), which could make a significant contribution to an unsafeguarded nuclear fuel cycle or nuclear explosive activity. These dual-use Guidelines were published as Part 2 of INFCIRC/254 to establish a framework for consultation on the dual-use Guidelines, for the exchange of information on their implementation, and for procurement activities of potential proliferation concern; to establish procedures for exchanging notifications that have been issued as a result of national decisions not to authorize transfers of dual-use equipment or technology, and to ensure that members do not approve transfers of such items without first consulting with the State that issued the notification; and to make a full-scope safeguards agreement with the IAEA a condition for the future supply of trigger list items to any non-nuclear weapon State. This decision ensured that only NPT parties and other States with full-scope safeguards agreements could benefit from nuclear transfers.

Regime Procedures & Early Developments: The NSG requires IAEA safeguards as a condition of supply, with full-scope safeguards as the norm; national control laws and procedures; physical protection against theft for sensitive parts of the nuclear fuel cycle; restraint of enrichment and reprocessing plant assistance to countries of proliferation concern; a common control list; export restraint to regions of conflict and instability; and information-sharing among members.

The Guidelines for Nuclear Transfers, initially agreed upon by supplier States in 1977 and transmitted to the IAEA Director-General in January 1978, envisage additional export control restraints beyond those provided for in the NPT. These restraints prohibit the use of exports from being used in any nuclear explosive device; mandate restraint in the transfer of facilities and technologies used for reprocessing, uranium enrichment, and heavy water production; require physical protection of nuclear materials and facilities; and mandate control of re-transfer of items and acceptance of the Zangger Committee Trigger List.

At its 1992 Warsaw meeting, the NSG agreed on the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material and Related Technology and the List of Nuclear-Related Dual-Use Equipment and Materials and Related Technology, which includes 67 categories of dual-use items.

Also at the 1992 Warsaw meeting, the NSG adopted the Statement on Full-Scope Safeguards, requiring the application of IAEA safeguards on all source and special fissionable materials in recipient States' current and future nuclear activities.

The 1993 Lucerne NSG meeting endorsed an amendment to the NSG Guidelines that requires IAEA safeguards on all current and future nuclear activities as a condition for any significant new supply commitments to NNWS. Transfers to NNWS without a full-scope safeguards agreement shall be authorized only in exceptional cases when the transfers are deemed essential for the safe operation of existing facilities, and only if safeguards are applied to those facilities. This policy does not apply to agreements or contracts drawn up on or prior to 3 April 1992. The updated NSG Guidelines were published as IAEA document INFCIRC/254/Rev 1, Part 1 and 2.

The NSG called on nuclear supplier countries that have not yet adopted the full-scope safeguards policy to do so as soon as possible. In return, the NSG would attempt to ensure that indirect supply through third countries does not undermine this policy.

The 1993 Lucerne meeting also adopted an arrangement that established the procedure for joining the regime. The procedure calls for the NSG members to reach a consensus about the invitation of a new State and requires the new State to accept the NSG Guidelines in their entirety (i.e., both Parts 1 and 2 of INFCIRC/254/Rev 1). Countries adhering only to Part 1 may be granted the right to attend the meetings, although they may not participate fully before their adherence to Part 2. The invitation of observers, whether they are countries or international organizations, requires the consensus of all members.

On the basis of recommendations by the Technical Working Group on conditions of supply, the NSG reviewed the Guidelines for Nuclear Transfers (INFCIRC/254/Rev.1/Mod. 1, Part 1) and adopted several changes in order to respond to new concerns in the field of nuclear proliferation. The Group agreed to strengthen the retransfer provisions of the Guidelines and to incorporate a new provision underlining the importance of members' satisfying themselves that their transfers would not contribute to the proliferation of nuclear weapons or other nuclear explosive devices.

The Technical Working Group was mandated to continue reviewing the nuclear-related items included in the Annex to Part 1 of the Guidelines. A new Technical Working Group was created to review the Annex to Part 2 of the Guidelines.

The NSG decided to restructure its arrangements for exchanging information on proliferation threats with the objective of further enhancing the members' ability to respond to these threats. The NSG affirmed the principle of transparency and agreed that members should continue their efforts to brief nonmembers on the aims and activities of the Group.

The NSG, the Zangger Committee, and the NPT: The Zangger Committee's provisions are closely tied to Article III.2 of the NPT. In contrast to Zangger Committee members, NSG members are not required to be parties to the NPT, but they all must adhere to instruments that contain equally binding commitments. The NSG Guidelines are designed to strengthen implementation of the nonproliferation undertakings contained in those legal instruments.

The NSG and the Zangger Committee differ in the scope of their trigger lists of especially designed or prepared items (EDP) and in the export conditions for items on those lists. Concerning the scope of those lists, the Zangger list is restricted to items falling under Article III.2 of the NPT. As an export condition for the items on the trigger lists, the NSG has a formal full-scope safeguards requirement as a condition of supply. However, all members of the NSG and the Zangger Committee apply full-scope safeguards as a condition of supply for trigger list items to NNWS.

The NSG arrangement covering exports of dual-use items is a major difference between the NSG and the Zangger Committee. As dual-use items cannot be defined as EDP equipment, they fall outside the Zangger Committee's mandate. As noted above, the control of dual-use items has been recognized as making an important contribution to nuclear nonproliferation.

The NSG Guidelines apply to transfers to all NNWS. The Zangger Committee memoranda only apply to transfers to NNWS not party to the NPT, as compliance with NPT obligations fulfills the criteria of the Zangger Committee understandings. In 1994, the NSG also strengthened its re-transfer provisions to require government-to-government assurances to support the stipulation that a supplier's consent be obtained for the re-transfer of trigger list items from any State that does not require full-scope safeguards as a condition of supply. At the same time, the NSG also adopted the so-called "nonproliferation principle," whereby a supplier, notwithstanding other provisions in the Guidelines, should authorize a transfer only when satisfied that the transfer would not contribute to the proliferation of nuclear weapons. The nonproliferation principle seeks to cover the rare, but important cases where adherence to the NPT or to a nuclear-weapon-free zone treaty may not by itself be a guarantee that a State will consistently share the objectives of the treaty or that it will remain in compliance with its treaty obligations.

Despite these differences between the two regimes, they serve the same objective and are equally valid instruments of nuclear nonproliferation efforts. There is close cooperation between the NSG and the Zangger Committee on the review and amendment of the trigger lists.

Verification and Compliance: The NSG regime is a voluntary association, not bound by a treaty, and therefore has no formal mechanism to enforce compliance. The NSG guidelines are applied both to members and non-

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members of the NSG. As practiced by NSG members, export controls operate on the basic principle of cooperation with restrictions as the exception. Few NPT parties have been refused controlled items: this has occurred when a supplier State had good reason to believe that the item in question could contribute to nuclear proliferation. Almost all rejections by NSG members of applications for export licenses have concerned States with unsafeguarded nuclear programs.

Developments:

2008: The NSG held its 18th Plenary Meeting in Berlin on 22-23 May. Ambassador Viktor Elbling of the German Federal Foreign Office chaired the meeting. Members debated a draft text of guidelines to govern the transfer of enrichment and reprocessing technology and equipment (ENR) but failed to reach a consensus. This was a continuation of discussion on the same topic from a Consultative Group meeting held in Vienna in April 2008. A number of NSG countries including Canada, Australia, South Africa, and the Republic of Korea expressed interest in developing commercial uranium enrichment.

The U.S. changed its position and supported a criteria-based approach for ENR exports to countries without indigenous capabilities. Consensus could not be achieved on the inclusion of subjective factors such as projected effects on regional stability or the rationale for a country's pursuit of enrichment or reprocessing programs. Brazil, Argentina, and South Africa argued that any subjectivity compromises the right of non-discrimination in nuclear trade enshrined in Article IV of the NPT. Furthermore, Brazil and Argentina remain firmly opposed to making the IAEA Additional Protocol a condition of supply.

On 6 September 2008, at an NSG meeting in Vienna, India was granted a waiver from the NSG guidelines that require comprehensive international safeguards as a condition of nuclear trade. Consensus was achieved after overcoming concerns expressed by a number of countries, but especially by Austria, Ireland, and New Zealand,

The NSG agreed to several minor changes to the waiver text proposed by the United States. The most important was the incorporation of a reference to the 5 September statement made by India's Minister of Foreign Affairs, highlighting India's moratorium on nuclear testing and its no-first-use policy. A number of countries stated that their understanding of the waiver was that they would not transfer ENR equipment to India and that all members of the NSG would take India's compliance with its commitments into account before agreeing to any nuclear transfers.

In the U.S., the House and the Senate approved the agreement on 27 September and 1 October, respectively. Secretary of State Rice pledged that the U.S. will make it the "highest priority" to achieve a decision at the NSG to prohibit the export of ENR to non-members of the NPT. On 8 October, U.S. President Bush signed the legislation to enact the U.S.-India nuclear deal.

During an NSG meeting on 19-20 November, progress seamed to have been achieved on rules restricting transfers of ENR. The U.S. had demanded that exports should use "black box" technologies, wherein only the supplier can access the technology, but Canada had initially opposed the provision. Brazil had also opposed making the Additional Protocol a condition for ENR transfers.

2007: The NSG held its 17th Plenary Meeting in Cape Town, South Africa on 19-20 April. Ambassador Abdul Samad Minty, the South African Special Representative for Disarmament, chaired the meeting. The plenary discussed developments and challenges to nuclear export controls, including ways to assist in the implementation of UNSC Resolutions 1718 (DPRK) and 1737 (Iran). Throughout the year NSG members continued to discuss possible criteria for governing the transfer of enrichment and reprocessing technology and equipment, and they debated whether or not to adopt the IAEA Additional Protocol as a condition of supply. The 45 participating governments could not reach a consensus on how to deal with the three NPT non-signatories. The issue of granting India a special exemption was notably absent from the plenary agenda.

During a Consultative Group meeting in November in Vienna, U.S. officials briefed NSG members on the details of the U.S.-India nuclear agreement. France and Russia declined to provide the group with more information regarding their future intentions for cooperation with India, and it was suggested that all future Indian exceptions should require the same nonproliferation standards as the agreement with the U.S.

2006: The 16th Plenary Meeting of the NSG was held in Brasilia, Brazil from 1–2 June. The meeting was chaired by Ambassador José Artur Denot Medeiros, the Brazilian Special Representative for Disarmament and Non-Proliferation. The plenary took stock of the developments since the 2005 Oslo plenary and the Extraordinary Plenary Meeting in Vienna in October 2005. In doing so, NSG members exchanged information on and analyzed current proliferation challenges; called on all states to exercise extreme vigilance and make best efforts to ensure that none of their exports of goods and technologies contribute to nuclear weapons programs; and discussed the value of continued review of trigger and dual-use lists, and the lists of producers of sensitive technologies and related items to ensure the appropriate control of unlisted items that could be used, directly or indirectly, in programs of concern. NSG members also recognized the crucial role of UN Security Council Resolution 1540 in developing an effective mechanism to prevent the proliferation of weapons of mass destruction, their means

of delivery and related materials to or from states and non-state actors world-wide. They welcomed the extension of the mandate of the 1540 Committee for a further period of two years.

NSG members also exchanged information on current proliferation issues, focusing primarily on the Islamic Republic of Iran. In this regard they expressed support for the efforts of the IAEA in fulfilling its mandate in Iran and called on the government of Iran to cooperate fully with the agency. The members also expressed support for various processes underway to find a diplomatic solution to the Iranian nuclear issue.

In order to further strengthen their national export controls, NSG members adopted a number of measures, including revised guidelines for NSG information sharing; means to incorporate the outcomes of the NSG workshop on sensitive technologies into outreach activities; an amendment to Part 1 of the NSG guidelines to include especially designed or prepared valves for use in enrichment plants; and to continue the Consultative Group discussions on the Additional Protocol.

While the plenary could not agree on a number of issues, NSG members agreed to continue discussion on non-member adherence to NSG Guidelines so as to ensure wider implementation of comprehensive control systems; further strengthening of the Guidelines with respect to special controls on sensitive exports; and whether NSG internal procedures should be reviewed or clarified for enhancement of information.

With regard to the controversial U.S. – India nuclear cooperation agreement, NSG members discussed a possible NSG-India relationship on civilian nuclear cooperation and decided to continue to examine the issue at the next regular NSG Consultative Group meeting. Under current NSG guidelines, India is not eligible to receive major nuclear exports since it has not accepted IAEA safeguards on all its nuclear facilities. The United States is seeking to make an exception in the application of the NSG restrictions, and to make similar changes to U.S. legislation.

2005: The fifteenth Plenary Meeting of the NSG took place from 23-24 June in Oslo, Norway. The meeting was chaired by Ambassador Roald Naess of the Ministry of Foreign Affairs, Oslo. At this meeting, Croatia was approved by the plenary as the 45th participating government to the NSG, effective 15 July 2005.

The plenary took note of the developments since the fourteenth Plenary Meeting in 2004. Members reiterated a strong commitment to non-proliferation despite the lack of substantive outcome at the NPT 2005 Review Conference. Members also exchanged information on the current proliferation challenges, specifically naming the cases of the Democratic People's Republic of Korea (DPRK) and Iran.

During the meeting the NSG agreed to establish a "procedure towards suspending, through national decisions, nuclear transfers to countries that are non-compliant with their safeguards agreements." In addition, it was agreed that the "supplier and the recipient states should elaborate appropriate measures to invoke fall-back safeguards if the IAEA can no longer undertake its Safeguard mandate in a recipient state." Finally, NSG members agreed to "introduce the existence of effective export controls in the recipient state as a criterion of supply for nuclear materials, equipment and technology and a factor for consideration for dual use items and technologies."

NSG members also agreed to continue to place a high priority on continued discussions of the Additional Protocol as a condition of supply, as well as discussions to help further strengthen NSG guidelines with respect to enrichment and reprocessing technologies.

2004: The NSG held its fourteenth Plenary Meeting in Goteborg, Sweden from May 27-28th. The meeting was chaired by Mr. Richard Ekwall, Director, Department for Strategic Export Controls, Ministry for Foreign Affairs, Stockholm. At this meeting Estonia, Lithuania, Malta, and the People's Republic of China were approved as new participants. Their new status will take effect on June 10, 2004. Delegates welcomed Libya's voluntary decision to forgo the development of a nuclear weapons program. Participants also shared their concerns with the situation in both the DPRK and Iran. They stressed the importance of both States acting in compliance with their IAEA obligations. NSG members adopted the following guidelines, inter alia, to improve national export controls: establish a "catch-all" mechanism to control items not on trigger lists, strengthen the annual information exchange between members, reinforce the NSG's contacts with non-partners, and strengthen the relationship between the NSG and the IAEA. The plenary also considered the following issues: conditions for the supply of nuclear and dual-use items on control lists and the suspension of the supply of nuclear items following decisions taken by the IAEA Board of Governors regarding a state's non-compliance with NPT Safeguards.

2003: The Nuclear Suppliers Group held its thirteenth Plenary from May 19-23 in Busan, South Korea. The Chairman was South Korean Ambassador, Chun Yung-woo, with 37 out of 40 NSG members participating, and the European Commission attending as a permanent observer. The meeting primarily focused on the situations in North Korea and Iran, stressing the need for "increased vigilance to prevent North Korea from obtaining nuclear material and technologies" and calling on States to "prevent North Korea from trying to find loopholes in the international nonproliferation system." In regard to the Iranian nuclear weapons program, the members urged Iran to "resolve all outstanding questions about this

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program." While NSG members underlined the need to ensure that "peaceful uses of nuclear energy are not to be hampered," they also called for continued dialogue with countries outside the NSG to "prevent the proliferation of nuclear materials and equipment." The Russian delegation demanded that Israel's reported nuclear weapons program be addressed, stating "Israel presents a greater nuclear threat to the Middle East than does Iran."

2002: The 2002 Plenary Meeting of the NSG was held on the 16-17 of May in Prague, Czech Republic. This meeting was chaired by Ambassador Pavel Vacek, the Czech Permanent Representative to the International Organizations in Vienna. The Member States of the NSG welcomed Kazakhstan as its newest participating country and mandated the Chair to continue the dialogue with the non-NSG countries such as China, Egypt, India, Indonesia, Iran, Malaysia, Mexico, Pakistan, and Israel that have developed nuclear programs and are potential nuclear suppliers, with a view to cooperate with those countries to strengthen the global nonproliferation regime and apply export controls. The plenary made a reference to the September 11 terrorist attacks in the United States and agreed that the NSG members would continue efforts to prevent and counter nuclear terrorism. The NSG also acknowledged the need for effective export controls and strong support for the anti-terrorism measures being undertaken by the IAEA. In that context, it emphasized the importance of the requirement of IAEA full-scope safeguards as a condition of supply, strengthening of physical protection of nuclear materials and nuclear facilities, and prevention of illicit trafficking of nuclear materials. Member States also agreed to find new ways to increase information-sharing capabilities among themselves and called on countries that have not yet done so, to conclude comprehensive safeguards agreements with the IAEA and Additional Protocol and to follow NSG Guidelines.

2001: The annual Plenary Meeting was held in May in Aspen, Colorado. A new procedural arrangement to improve the effectiveness of the group was approved and a standing intercessional body, the Consultative Group, was created. This body is tasked with holding consultations on issues associated with guidelines on nuclear supply and the technical annexes. The NSG mandated the chair to pursue a dialogue with non-member States, and in particular to continue contacts with Kazakhstan, China, Egypt, India, Iran, and Pakistan. The Chair was also invited to open a dialogue with Indonesia, Malaysia, and Mexico, and to consider making recommendations for a dialogue with transshipment States.

2000: The 2000 Plenary Meeting was held in June in Paris. Members endorsed the provisions of the IAEA's 1997 model Additional Protocol for more intrusive safeguards, as it would "strengthen the nuclear safeguards regime and facilitate the exchange of nuclear and nuclear-related material in peaceful nuclear cooperation." Belarus, Cyprus, and Turkey were admitted as members, and Slovenia attended as an observer. In an effort to open the Group to new members, continued contacts with non-member States were mandated, particularly with Slovenia and Kazakhstan. It was also decided to establish a web site to ensure transparency and easier access to public information.

Slovenia was admitted as a new member and subscribing government at the meeting held in Vienna in October 2000, thus expanding NSG membership to 39. Nuclear supplier States made substantial progress toward reaching agreement on eliminating the current separate dual-use regime. The United States delivered a report on India's nuclear program and voiced concerns about nuclear cooperation between Russia and India. This issue was fully discussed in a special intersessional plenary meeting held in early November 2000 in Vienna.

1999: The Plenary Meeting was held in Florence in May. The NSG agreed to improve electronic information sharing among its members and to address issues of intangible technology transfer. Two working groups were established, one to clarify the appropriate control of components and the other to study ways to improve the effectiveness of the Dual-Use Regime. The Chair was mandated to contact Turkey, Belarus, Cyprus, Kazakhstan, and Slovenia with a view to taking inter-sessional decisions on their membership.

1998: The NSG Plenary Meeting was held in Edinburgh in April. Latvia was admitted to the NSG. Members again agreed to continue their efforts to promote greater transparency and openness in the activities of the NSG to non-members. The Group decided to follow the success of the 1997 International Seminar on the Role of Export Controls in Nuclear Nonproliferation with an additional seminar in New York in the spring of 1999 before the NPT Preparatory Committee.

1997: The NSG Plenary Meeting was held in Ottawa in May. The Group reiterated its commitment to greater transparency and openness in its activities and agreed to host an International Seminar on the Role of Export Controls in Nuclear Nonproliferation to be held on 6-7 October 1997 in Vienna. Additional measures to facilitate the sharing of information among Member States were adopted. Matters relating to membership issues and expressions of interest by some non-member States in joining the NSG were discussed.

1996: The Buenos Aires NSG Plenary Meeting held in April noted the positive developments that had taken place: the decision on the indefinite extension of the NPT and on strengthening the review process for the NPT; the signature by France, the United Kingdom, and the United States to the Protocols of the Treaty of Rarotonga; and

also the signature of the Pelindaba Treaty. The plenary considered these actions to have made a significant contribution to international peace and security, together with the Treaty of Tlatelolco. Responding to Decision 2 "Principles and Objectives for Nuclear Non-Proliferation and Disarmament," adopted at the NPT Review and Extension Conference (NPTREC) on 11 May 1995, the NSG agreed to promote openness and transparency through further dialogue and cooperation with non-member countries by establishing a working group to advance this objective. The NSG welcomed the endorsement by the NPTREC of the requirement for IAEA full-scope safeguards as a precondition for new supply arrangements.

1995. The plenary held in Helsinki in April reviewed the Guidelines for Nuclear Transfers on the basis of recommendations by its working groups. It also considered options to update its Guidelines and Annexes. The NSG decided to continue its efforts to ensure that exports of nuclear or nuclear-related dual-use items for peaceful purposes were not diverted to nuclear explosive or unsafeguarded nuclear activities. The NSG affirmed the principle of openness and agreed that members should continue to brief other countries on the aims and activities of the NSG in order to increase transparency and to enlarge membership.

NSG Point of Contact:

The NSG, as an informal arrangement, has no central contact point to address general inquiries. Specific information can be gathered by contacting the appropriate national authority as listed at http://www.nsg-online.org/contact

Website: http://www.nuclearsuppliersgroup.org

Australia Group (AG)

Established: 1985

Membership: 41 Members —Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and United States.

The Australia Group (AG) is an informal association that works on the basis of consensus. It aims to allow exporters or transshipment countries to minimize the risk of further proliferation of chemical and biological weapons (CBW). The Group meets annually to assess ways in which the national level export licensing measures of its 41 participants can collectively be rendered more effective to ensure that would-be proliferators are unable to obtain necessary inputs for CBW programs, which are banned under the provisions of the Chemical Weapons Convention (CWC).

All States participating in the AG are Parties to the CWC and the Biological and Toxin Weapons Convention (BTWC).

Background: In April 1984, following the findings of a special mission dispatched by the UN Secretary General to Iran to investigate the use of chemical weapons (CW) by Iraq in the Iran-Iraq War, a number of governments introduced licensing measures on the export of certain chemicals used in the manufacture of CW. They took this action in order to meet the political requirement for a response to Iraq's violation of the 1925 Geneva Protocol through the use of chemical weapons against Iran in the Iran-Iraq War and the very clear evidence that Iraq had obtained much of the materials for its CW program from the international chemical industry.

These countries perceived an urgent need to address the problem posed by the spread of CW and to ensure that their industries were not, either purposely or inadvertently, assisting other States to acquire and use such weapons in violation of international law and norms. The measures imposed by these governments, however, lacked uniformity in scope or application. It also became apparent that attempts were being made to use this lack of uniformity to circumvent them. This led Australia to propose, in April 1985, that the countries that had introduced licensing for exports might meet in order to try to harmonize the measures taken individually and to enhance cooperation among them on this issue. The first meeting of what subsequently became known as the Australia Group took place in Brussels in June 1985. All participating countries agreed there was benefit in continuing the process, and meetings of the AG are now held in Paris on an annual basis.

Likewise, the emergence of increasing evidence of diversion of dual-use materials to biological weapons (BW) programs led the countries concerned in 1990 to take steps to address the increasing problem of the spread of BW.

The number of countries participating in the AG has grown from the original 15 in 1985 to 41 at present,. The AG meets once a year in Paris with Australia as a chair. (Until 1994, the AG averaged two meetings each year.) The 20th anniversary meeting in 2005 took place in Australia.

Regime Goal: The AG aims to limit the spread of CBW through the control of chemical precursors, CBW equipment, and BW agents and organisms. All

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participating countries have licensing measures covering over 60 CW precursors.

Participating countries also require licenses for the export of 1) dual-use chemical manufacturing facilities and equipment and related technology; 2) plant pathogens; 3) animal pathogens; 4) biological agents; and 5) dual-use biological equipment. These items form the basis for the Group's "Common Control Lists," which have been developed during AG consultations and are adjusted from time to time to ensure their continued effectiveness. The six Common Control Lists cover: 1) CW precursors; 2) dual-use chemical manufacturing facilities and equipment and related technology; 3) dual-use biological equipment; 4) biological agents; 5) plant pathogens; and 6) animal pathogens.

Measures agreed upon by meetings of the Group are applied on a national basis. Also all participants agree they will be more effective if similar measures are introduced by all potential exporters of relevant chemicals, biological agents, and equipment and by countries of possible transshipment. As to the nature of the export licensing measures taken by participating countries, important considerations are 1) the measures should be effective in impeding the production of chemical and biological weapons; 2) they should be reasonably easy and economical to implement, and practical; and 3) they should not impede the normal trade of materials and equipment used for legitimate purposes. In practice, they constitute monitoring and licensing control arrangements for exports: an export is denied only if there is particular concern about potential diversion for CBW purposes.

Regime Procedures: The AG mechanisms include national control laws and procedures; Common Control Lists (precursors, equipment, agents, and organisms); guidelines for the industry to assist in identifying potential CW equipment transactions; and information-sharing among members when suspicious inquiries are received, cases are denied, or information suggests possible international procurement for untoward purposes.

In 1989, 50 dual-use chemicals appeared on the AG "warning list" with a suggestion that AG members place controls on them. In 1991, the AG agreed on additional control lists of equipment related to the manufacture of CW precursors; and biological organisms and equipment. AG members agreed to control all 50 (currently 63) precursor chemicals on a worldwide basis. The AG then considered imposing controls on BW-related dual-use equipment and microorganisms having BW applications. At the May 1991 meeting, Group members developed a dual-use CBW equipment list, which was adopted during the December 1991 meeting.

Since the conclusion of the CWC in 1992, meetings of the Group have focused closely on the interaction between Group controls and the nonproliferation and trade encouragement measures, which came into operation when the CWC entered into force.

Verification and Compliance: Participants in the AG do not undertake any legally binding obligations. The effectiveness of the cooperation between participants depends solely on their commitment to CBW nonproliferation goals and the effectiveness of the measures they each implement on a national basis. Key considerations governing these national measures by AG participants are that: 1) the measures should be effective in impeding the production of chemical and biological weapons; 2) they should be reasonably easy to implement, and should be practical; and 3) they should not impede the normal trade of materials and equipment used for legitimate purposes.

Compliance with this regime is reinforced by membership of all AG States to the Chemical Weapons Convention (CWC) and the Biological and Toxin Weapons Convention (BTWC). The group has met privately since 1984 to exchange intelligence information and coordinate export controls for chemical and biological agents and related equipment to countries outside the group.

Developments:

2008: Representatives of 40 countries and the European Commission took part in the Annual Plenary held in Paris from 14 to 18 April, 2008. It was co-hosted by the French government, Members shared information on proliferation attempts by states of concern and non-state actors, and discussed detection of such attempts and counter-measures, including enhancement and coordination of licensing and customs controls.

No new members were added at the time. The Group continued to enhance cooperative measures to deal with Intangible Technology Transfers (ITT), an area of increasing priority in the defense against the proliferation of chemical and biological weapons capabilities. The AG's control lists continue to be an international benchmark for best practice controls on chemical and biological agents and equipment, and are increasingly used as a guide for international action in this area, including in the support and application of relevant UN Security Council resolutions.

Members agreed to form a synthetic biology advisory body as a means of ensuring the Group is kept abreast of, and can respond quickly and appropriately to, technological developments in this area. Several changes were proposed to the Group's chemical and biological control lists, and were adopted or referred for further consideration as appropriate.

The Australia Group plenary reviewed its outreach efforts and priorities, and agreed to continue an active outreach program in 2008-09. Informative and cooperative outreach to domestic industry and academic sectors was emphasized as a continuing priority for Australia Group members.

In April, the Australia Group released its Biological Equipment, Chemical Equipment and Animal Pathogens updates on their website. In May, the Australia group listed its membership application guidelines online.

2007: The 22nd annual plenary of the Australia Group took place in Paris June 4-7. The Australia Group welcomed Croatia as its newest member.

Besides sharing information on proliferation attempts that had been detected during the past year, the participants considered the inclusion on the AG control lists of several new biological agents and chemicals. It agreed to amend its animal pathogens list to clarify the coverage of controls on Mycoplasma mycoides and to pay particular attention to synthetic biological agents with a view to formulating an appropriate response.

The AG furthermore agreed that participants should consider, where appropriate, the activities of brokers and intermediaries when determining whether an export license should be granted and adopted enhanced measures to deal with intangible technology transfers (ITT).

It agreed to continue its active outreach program to non-members and other international bodies in 2007-08 to further increase acceptance of its controls and practices.

The AG also decided to revamp its public website to make it more accessible and user-friendly, and adopted a new design for a promotional brochure ("Australia Group Booklet").

2006: The 21st annual plenary of the Australia Group was held in Paris from 12 – 15 June.

The participants shared information on the development and spread of new technologies posing proliferation threats. Niobium was identified as a possible element in the development of chemical weapons and it was agreed to place controls on it. Thus, niobium and several other biological agents, which are capable of being used to produce biological weapons were added to the AG control lists. The importance of tighter controls of exports to distributors was emphasized as imperative to prevent proliferation especially by terrorists. The possibility of 'labeling' controlled equipment was brought up as a means to control trade in second-hand equipment.

The Group welcomed the availability of the AG website in the official UN languages and agreed to expand information on controlled items contained in order to increase its usefulness as a reference tool for enforcement officers. It was also agreed to further develop the Australia Group Information System to facilitate secure electronic information sharing. Furthermore, the challenge of controlling technical information relevant to the production of chemical and biological weapons without repressing legitimate scientific research was acknowledged by the members. The members reiterated their commitment to ensure that non-proliferation export controls did not hinder legitimate trade and technical cooperation in the chemical and biological sectors.

2005: The 20th annual plenary of the Australia Group took place 18-21 April, 2005, in Sydney, Australia. The meeting welcomed Ukraine as its 39th member.

Voicing concern on terrorists' interests in dispersal devices, participants agreed to add "the most threatening aerosol sprayers" to the control list for biological equipment. Members also agreed to review recommendations for the addition of 25 more substances to the control list of biological agents.

In the interest of increasing the effectiveness of communication and information dispersal within the group, the participants agreed on the creation of the Australia Group Information System, a secure electronic communication tool.

The Group also agreed to review countries' individual brokering controls with the aim of developing best practice guidelines. Tighter controls on brokering and other intermediary activities will help to prevent procurement activities.

Participants also voiced an interest in expanding their outreach activities with a "more practical focus." They discussed combating terrorism through more effective awareness campaigns and stricter controls on sources, control of brokering and other activities by intermediary agents, and examination of emerging technologies that could present a future chemical or biological threat.

The group was pleased to note that Israel recently announced its intention to adhere to the group's guidelines. The Australia Group encourages broader adherence to its measures outside its membership and offers to assist countries to meet both their individual export safety goals and obligations to establish effective export controls as presented by UN Security Council Resolution 1540.

2004: The Australia Group's annual plenary meeting convened in Paris from 7-10 June with the goal of

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strengthening "participating countries' export control measures for preventing the production and spread of chemical and biological weapons." Among those participating were representatives of the organization's new member States: Estonia, Latvia, Lithuania, Malta and Slovenia. The participating States addressed the "growing acceptance" of Australia Group controls as "international benchmarks" for global standards regarding the export of chemical and biological weapons, particularly in light of recent revelations regarding the proliferation of weapons of mass destruction, such as Libya's recent decision to dismantle its chemical weapons program.

The Group decided to place five additional plant pathogens that could potentially be used for chemical or biological weapons programs on its list of common controls. These common controls include a variety of plant and animal pathogens and biological agents as well as chemical weapons precursors, dual-use biological equipment and dual-use chemical manufacturing facilities and equipment. They also agreed to expand medical exemptions for one controlled toxin. Among other additions to the list of controls that were considered, but that have not yet been agreed upon, were airborne spraying and fogging systems able to disperse biological agents in aerosol form. Group members also discussed the status of procurement activities, and agreed to take into consideration the issue of brokering controls, which they believe might prove essential "in curtailing the activities of intermediaries and front companies." In addition, they approved strategies for regional training and assistance to non-member supplier and transshipping States in improving their export controls. Other topics discussed included information sharing and possible procedures for better enforcement of export controls.

2003: The Australia Group held it plenary meeting from the 2-5 June in Paris, primarily focusing on adding the number of human pathogens to the Biological Control List in order to help both members and nonmembers decrease the danger of chemical and biological weapons. During the meeting the group added 14 human pathogens to the list including, two toxin-producing strains of bacteria, six bio-safety level (BSL)-4 viruses, and six BSL-3 viruses, all of which are considered to be "potentially lethal biological weapons." Several strains of "Hantavirus," which caused a 1993 outbreak in the Four Corners region (the borders of Utah, Colorado, Arizona, and New Mexico), killing more than half of the 48 people, along with "Escherichia coli" a strain, which caused a 1993 outbreak in a restaurant in western United States and in the United Kingdom. .

In addition to enlarging the Biological Control List, the group also agreed to increase transparency and information sharing and to approve a practical guide to help ensure compliance with the group's export controls. The text of this guide was circulated in advance of the plenary meeting, with an invitation for comments and contributions. A consolidated text was endorsed by the Member States, with the United Kingdom undertaking to produce it as a CD-ROM for distribution to enforcement officers in the future. The guide is intended for Australia Group officials use only and will be revised on an annual basis. The member states greed to a cooperative program of action to engage countries in the Asia-Pacific region on chemical and biological weapons-related export control issues.

2002: At its annual meeting in Paris from 3-6 June, the AG agreed to adopt tougher export controls aimed at preventing the spread of CBW, including to terrorist groups. The 33 participating countries agreed to adopt formal guidelines governing the licensing of sensitive chemical and biological items; include a "catch-all" provision in the AG's guidelines; apply more rigorous controls to the export of fermenters, lowering the volume threshold from 100 liters to 20 liters; add eight new toxins to the Group's biological control list, raising to 19 the total number of controlled toxins; control technology associated with dual-use biological equipment that could be used to manufacture biological weapons; and control, for the first time, the intangible transfer of information and knowledge that could be used for CBW purposes.

The Group also agreed to additional measures to promote awareness of the threat of CBW proliferation through the publication of a booklet, "Fighting the spread of chemical and biological weapons: Strengthening global security." Members renewed their commitment to fair and transparent trade in chemical and biological materials for peaceful purposes. They agreed that the non-discriminatory application of national export licensing measures would allow lawful trade to expand without being restricted by the fear of proliferation.

2001: At its annual meeting in Paris from 1-4 October, the AG was joined by a new Member State, Bulgaria. Members re-affirmed their commitment to strengthening national efforts to prevent the spread of CBW.

Participants condemned the terrorist attacks in the United States on 11 September and expressed the resolve of their governments to prevent CBW proliferation by State or non-State actors. Recalling that terrorist groups have used or attempted to use chemical and biological agents, AG members agreed that the AG has an important role to play in reducing the threat of CBW terrorist attacks. Also, in light of technological developments since its last meeting, the Group updated the Common Control Lists. In addition, they welcomed the establishment of the AG website and agreed to continue promoting greater public awareness and understanding of the Group's activities in the lead-up to its next meeting in June 2002.

2000: During the 2-5 October meeting, the AG was joined by two new members, Cyprus and Turkey. The Group reiterated that effective export licensing at the national level was critical in achieving the elimination of CBW and ensuring peaceful uses of chemical and biological technology. It recognized that the technical environment for combating CBW had changed and introduced some adjustments to the common lists. Participants undertook to ensure that their respective national stances on transfers of chemical mixtures were brought into line with the recent decisions of the Organization for the Prohibition of Chemical Weapons (OPCW). The Group recognized the importance of transparency in its operations.

1999: At their 4-8 October meeting, AG members reaffirmed that their national chemical and biological export licensing measures were directed at CBW nonproliferation, and were designed not to hamper legitimate trade. They also endorsed individual members' actions in hosting regional seminars aimed at encouraging countries not participating in the Group to consider implementing similar measures to prevent CBW proliferation.

1998: The AG met from 9-15 October. The members reaffirmed the importance of the implementation of national measures as a way to meet their obligations under the CWC and BTWC, and agreed to keep national legislation under review. They also emphasized the important role of seminars for countries not participating in the Group.

1997: The AG's 1997 meeting was held from 6-9 October. Participants continued to review national export licensing policies, reaffirmed their commitments to the CWC, and welcomed the progress of efforts to strengthen the BTWC in the negotiations taking place in the Ad Hoc Group of BTWC States Parties in Geneva. Participants also agreed to continue contacts with countries not participating, and in this context, endorsed the importance of regional seminars as valuable means of widening contacts with other countries. They welcomed the Asian regional seminar on export controls held in Tokyo in January 1997 and the regional CBW export control seminar for countries of Central and Eastern Europe and the Commonwealth of Independent States held in October 1996.

1996: The AG met from October 14-17 to discuss the continuing problem of CBW proliferation. The participants reiterated their strong belief that full adherence to the CWC and to the BTWC was the best way to eliminate these types of weapons. In this context, the maintenance of effective export controls will remain an essential practical means of fulfilling obligations under the CWC and the BTWC. South Korea took part for the first time in the AG consultations. Experts from participating countries discussed national export licensing systems aimed at preventing inadvertent assistance to the production of CBW. They agreed to continue working to focus these national measures efficiently and solely on preventing any contribution to CBW programs, and also agreed to continue a wide range of contacts as well as briefings for countries not participating in the Paris consultations of the AG. The statement noted that 24 of the 30 countries participating in the AG had already ratified the CWC, and reaffirmed participants' prior declarations of intent to become original parties.

1995: At the October 16-19 meeting the AG agreed to several amendments to the lists of biological weapons-relevant materials and equipment, taking into account developments that occurred since these lists were last reviewed, including revelations concerning the Iraqi BW program. The participants also exchanged views on their national approaches to ensure that all relevant regulations promoted the object and purpose of the CWC and to ensure they would be fully consistent with it upon its entry into force. They expressed the view that the lessons derived from practical experience in export licensing would assist individual countries in their preparations for national implementation of their principle obligations under the CWC while ensuring that they would not restrict or impede trade and other exchanges not prohibited by the convention. Participants also considered how best to contribute to international dialogue on the need for and role of national measures focused on preventing assistance to CBW production in line with the international bans on these weapons. They agreed to continue with a wide range of contacts, including an active program of briefings for countries not participating in the talks, and to promote regional consultations to further awareness and understanding of national policies in this area. The meeting also discussed the terrorist use of CBW, noting that recent developments had heightened concerns about such risks.

1994: At the May meeting, the Group's discussions centered on their increased focus on activities in support of the entry into force of the CWC. A group of technical experts considered the interaction between the AG's list of chemicals, the export of which should be monitored, and the CWC chemical schedules. All AG members agreed to review their export licensing procedures to ensure consistency with the CWC. The AG finalized a common approach to licensing of chemical mixtures and agreed on the need for a more active dialogue with non-members on the role of export licensing measures in preventing the proliferation of chemical and biological weapons. At this session, the Czech Republic was admitted to the Group.

1993: The June 1993 meeting, held at the Australian Embassy in Paris, focused primarily on technical aspects of the AG's work, and considered how to make this work better known and understood among countries not participating in the Group. Consolidation of the Group's

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common export control lists was achieved as a result of three subsidiary experts' meetings, which covered BW issues, CW dual-use equipment, and CW precursor chemicals. The consolidation of the Group's export control lists resulted in agreement on a comprehensive range of key materials (54 chemicals, agents and toxins, dual-use equipment), which could be used in CBW programs.

At the 29 November to 1 December meeting of the Group in Paris, participating countries discussed national export licensing systems aimed at preventing any inadvertent assistance to the production of CBW. They agreed to continue working to focus national measures efficiently and exclusively on preventing association with CBW programs and agreed to continue with a wide range of contacts, including an active program of detailed bilateral briefings for non-participating countries.

1992: At the June AG meeting, the Group expanded precursor controls to 54, made a CBW-related BW list of human, plant, and animal pathogens to be placed under export control, and established a warning mechanism on microorganisms and toxins that could be used in a BW program.

Argentina and Hungary were invited to attend the 7-10 December meeting as new members. The AG released a press release on its activities, agreed on the continuing role of the AG in support of the CWC and BWC, and agreed on measures to control the export of biological agents and equipment that could be used in a BW program.

1991: During the AG meeting in May, members reached a consensus to control 50 CW precursors, developed a draft of the CW equipment list, adopted a press release, established technical working groups, and recommended Sweden for membership.

At the December meeting, Sweden and Finland attended as members. The AG established working groups on equipment, BW, customs/licensing, and precursors. Export controls were established for CBW-related equipment, microorganisms, toxins, and one item of BW-related equipment. A warning mechanism was placed on potential uses of various chemicals in CW programs and on microorganisms and toxins that could be used in a BW program.

1990: At the June meeting, the AG added #15 to the core list, increasing the list to 10 core chemicals. There was inter-sessional consideration of chemicals #11, 12, and 29. The Group also adopted BW guidelines, proposed a Soviet and Eastern European seminar, and heard a US proposal to share information on chemical license approvals.

At the December meeting, the AG added #11, 12, and 29 to the core list, increasing the total to 13 chemicals. The Soviet and Eastern European seminar was held after the AG meeting in London and customs enforcement exchanges began.

1989: At the May meeting, the AG adopted the US proposal for notifications of denials. In addition, six chemicals were added to the warning list, making it a list of 50 chemicals. Japan imposed controls on the 50 chemicals, and Austria requested membership.

During the July meeting, the AG documentation system was instituted and biannual meetings were proposed.

Austria attended the December meeting as a new member. The AG adopted a CW equipment warning List, heard a US proposal on harmonization with emerging suppliers, and put BW on the agenda for information and policy exchange.

1988: During the April meeting, the AG discussed the CW equipment warning list.

At the December meeting, thionylchloride was added to the core list, increasing the list to nine chemicals. Four chemicals were added to the warning list (for a total of 44 chemicals).

1987: At the September meeting, the AG increased the core list to a total of eight chemicals.

1986. In May the AG adopted the warning list of 35 chemicals.

1985: At the first AG meeting in June, the Group adopted a core list of five chemicals. During the September meeting, the AG developed a "warning list" of dual-use CW precursors and bulk chemicals.

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Missile Technology Control Regime (MCTR)

Established: April 1987.

Membership: 34 States ─ Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Russian Federation, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and United States.

The MTCR is an informal non-treaty association of governments sharing common interests in the nonproliferation of missiles, unmanned air vehicles, and related technologies. The regime consists of the Guidelines and an Equipment and Technology Annex.

Background: Formal discussions on controlling missile proliferation began in 1983 among France, Germany, Italy, the United Kingdom, and the United States. They were later joined by Canada and Japan, and in 1985, an interim agreement to control the proliferation of nuclear-capable ballistic missiles, including dual-use missile items, was reached. A nuclear-capable missile was defined as one capable of delivering at least 500 kilograms (kg) to a range of 300 kilometers (km) or more. The G-7 States formally announced the Missile Technology and Control Regime (MTCR) on 16 April 1987.

Since then, membership has expanded to the present 34 States, the additional members being Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Czech Republic, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Luxembourg, The Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Russian Federation, South Africa, Spain, Sweden, Switzerland, Turkey and Ukraine. Some other States, including China, India, Israel, Romania, and Slovakia, have pledged to abide by the MTCR Guidelines.

Regime Goal: The regime goal is to limit the risks of proliferation of weapons of mass destruction (i.e. nuclear, chemical and biological weapons) by controlling the transfers that could make a contribution to delivery systems (other than manned aircraft) for such weapons.

Regime Guidelines: The regime guidelines consist of national control laws and procedures; a two-category common control list; information-sharing on any denied cases to ensure no commercial advantage; no impediment to national space programs; presumption of denial of any transfers in terms of nuclear weapon delivery systems development; and no retransfers without authorization.

Equipment and Technology Annex: *Category I* items of the Equipment and Technology Annex include complete rocket and unmanned-air-vehicle delivery systems and subsystems. The transfer of Category I items is subject to a strong presumption of denial. The transfer of production technology for Category I items is prohibited. *Category II* items include propulsion and propellant components, launch and ground support equipment, as well as the materials for the construction of missiles. The transfer of Category II items is less restricted, but still requires end-use certification or verification where appropriate.

Verification and Compliance: The MTCR is an informal non-treaty association of governments sharing common interests, and therefore has no formal mechanism to enforce compliance. The implementation of the MTCR is dependent on the resolve of its Member States. The Member States usually deal with the implementation of the MTCR somewhat differently. The United States, being the most ardent MTCR participant, backs the implementation of the MTCR by a sanctions law, whereas other States have used a more low-profile approach. The only countries besides the nuclear-weapon states with long-range missiles or space-launch vehicles are India, Israel, Japan, and Saudi Arabia. China's sale of some tens of 3,000-km range DF-3 (CSS-2) missiles to Saudi Arabia in 1988--the only transfer of missiles having a range greater than 600 km (aside from the US sale of Polaris and Trident missiles to Britain)--caused an international uproar and helped strengthen measures such as the MTCR. No further sales have occurred.

Developments:

2008: The 23rd MTCR Plenary Meeting was held from 5-7 November in Canberra. The meeting was chaired by Mr. John Quinn of the Australian Department of Foreign Affairs.

Discussions emphasized the challenges posed by missile proliferation in Northeast Asia, South Asia, and the Middle East, and partners noted the importance of implementing in a vigilant manner UN Security Council Resolutions 1718, 1737, 1747, 1803, and 1835. These resolutions relate to missile and nuclear tests by the Democratic People's Republic of Korea (DPRK) and the implementation of safeguards in Iran. Partners expressed their support for UNSCR 1540, and agreed that as MTCR Chair, Australia would continue contact with the 1540 Committee.

Partners reiterated their intentions to engage in cooperative outreach with non-member states in order to strengthen missile-related export controls on a broader scale.

Partners welcomed Brazil's offer to host the 2009 Plenary Meeting and to serve as Chair for the 2009-2010 term.

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2007: The 22nd MTCR Plenary Meeting was held from 7 to 9 November in Athens and was chaired by Ambassador Eleftherios Danellis. Missile proliferation in the Middle East, Northeast Asia, and South Asia were prime topics of discussion. Delegations also noted the direct relationship between the MTCR and UNSC resolutions 1718, 1737, 1747, and 1540. In particular, it was stressed that the MTCR Plenary Chair maintains contact with the 1540 Committee in order to facilitate and implement the export control process. Also, the Plenary agreed to several changes to the list of controlled goods while encouraging information-sharing for those non-listed items of proliferation concern.

Australia will host the next Plenary Meeting to be held in December 2008.

2006: The 21st Plenary Meeting held in Copenhagen convened from 2 to 6 October. The plenary was opened by H.E. Mr. Per Stig Møller, minister for foreign affairs of Denmark and chaired by Ambassador, Political Director Liselotte Plesner. Mr. Per Fischer, special adviser to the minister for foreign affairs on non-proliferation was confirmed as chair of the MTCR until the next plenary.

Partners exchanged information and discussed trends in missile developments, particularly expressing concern over missile proliferation in Northeast Asia, South Asia, and the Middle East.

MTCR partners noted the direct relevance of recent U.N. Security Council Resolutions 1695 and 1696 to MTCR export controls and expressed their determination to implement the calls in these resolutions

The plenary also expressed its strong support for UN Security Council resolution 1695, regarding the proliferation threat posed by the DPRK's missile activities. The plenary voiced its determination for partners to fully implement the export control requirements in this UNSC resolution. Practical measures to implement these resolutions, including exchange of information, were also agreed upon.

In a broader context, the plenary reiterated its support for UN Security Council Resolution 1540. It confirmed the willingness of partners in a position to do so to assist non-member states as foreseen in the resolution and mandated the chair to pursue contact with the 1540 Committee.

Partners welcomed Denmark's intention to host an international conference in Copenhagen on missile proliferation on the occasion of the 20th anniversary of the MTCR in April 2007.

2005: The 20th Plenary Meeting was held in Madrid from 14 to 16 September, marking the start of the Spanish Chairmanship. Ambassador Manuel Viturro de la Torre was confirmed as the new chair.

Recalling the language put forth in the United Nations Security Council Resolution 1540, partners to the MTCR particularly emphasized that the proliferation of WMD delivery systems constitutes a threat to international peace and security and therefore stressed the need to reduce the risks associated with terrorism in this regard. Furthermore, partners welcomed India's announcement that it intends to adhere unilaterally to the MTCR guidelines.

It was recognized that further action against missile proliferation remains a priority at the international and national levels and that export controls are an essential tool to address these challenges. The plenary also reaffirmed its commitment to strict implementation and enforcement of export controls by agreeing to a number of amendments to the MTCR Annex, including adaptations to and strengthening of existing rules to respond to technological developments and the evolving security environment. Also, in response to increasingly complex procurement situations, the plenary continued to examine matters such as intangible transfer of technology, transit and transshipment, brokering, and the activities of intermediaries and front companies.

Denmark is scheduled to host and assume chair of the 2006 Plenary Meeting.

2004: The Missile Technology Control Regime held its 19th Plenary Meeting in Seoul from 6 to 8 October 2004. The purpose of the meeting was to review its activities and further strengthen its efforts to prevent missile proliferation. The Plenary was chaired by Mr. OH Joon, Director General for International Organizations in the Ministry of Foreign Affairs and Trade of the Republic of Korea.

The Plenary welcomed the recently adopted Security Council resolution 1540. In this regard, the Plenary stressed the utility of effective national export controls. It called upon all non-MTCR members to apply the MTCR control list and guidelines. MTCR members in a position assist non-MTCR members in this respect underlined their willingness to do so. Members acknowledged that the risk of proliferation of WMD and their means of delivery remained a major threat for global and regional security which must be dealt with at the national, regional and global level. In particular, they expressed their serious concern over missile proliferation in Northeast Asia, the Middle East, and South Asia, and reaffirmed their determination to continue discouraging missile program and activities of proliferation concern.

The Plenary also recognized the necessity of enhancing export controls, strictly implementing them and keeping them up to date with the ever-advancing technological development.

In response to increasingly sophisticated procurement attempts, the Plenary recognized the need to consider the issues of intangible transfer of technology; transit, transshipment and brokering controls; and the need to curtail the activities of intermediaries and front companies.

The Korean chairmanship was encouraged to pursue intensified outreach activities and dialogue with relevant states concerning export controls, transshipment and the fulfillment of the objectives of the MTCR.
Spain will host the next Plenary Meeting in the fall of 2005 and will serve as Chair of the MTCR for the subsequent year.

2003: The 18th Plenary Meeting was held in Buenos Aires from 19 to 26 September. At this meeting, the actions taken by members to prevent missile proliferation were reviewed. Participants identified missile proliferation as an issue that continues to threaten both regional and global security. To address this threat, proposals were made that called for MTCR members to engage in strict implementation, enforcement, and updating of export controls. Another area addressed during the meeting was the growing concern posed by terrorists acquiring weapons of mass destruction and their delivery systems. MTCR partners agreed to limit the risk of controlled items falling into terrorists' hands and called on non-MTCR members to do so as well. MTCR partners also decided to include national catch-all controls as part of the regime's guidelines. Catch-all controls will provide a legal basis to control the export of items that do not appear on a control list. The Argentine chair offered to contact non-MTCR members to encourage voluntary compliance with MTCR guidelines and increase awareness of proliferation risks.

2002: The 17th Plenary Meeting was held in Warsaw from 24-27 September to review MTCR activities and strengthen its efforts to prevent missile proliferation. The Members expressed the need for further efforts to limit the risk of controlled items and their technologies falling into the hands of terrorists. To this end, they adopted a joint Action Plan stressing the need to give the necessary impetus to actions to combat terrorism. The Members also decided to study how possible changes to the MTCR guidelines may contribute to this objective. The plenary also recognized that further action against missile proliferation was essential at the national, regional, and international level. In this regard, the MTCR Partners re-emphasized the important role played by export controls, the need for their strict implementation and enforcement, and the need for continued adaptation and strengthening of such controls to respond to technological developments and the evolving security environment. To this end, the plenary also decided to make a number of changes in the Regime's Annex (i.e. Control List).

2001: The 16th Plenary was held in Ottawa on 25-28 September to review MTCR activities and strengthen its efforts to prevent missile proliferation. The Partners expressed their concerns for global and regional security and agreed that more must be done at the national, regional, and global levels. MTCR Members confirmed that the tragic events of 11 September 2001 in the United States also reinforced the importance of the MTCR's work in that regard. During the 2001 plenary session, the important role played by export controls was re-emphasized and Members agreed on the need to strengthen them further. The need for the strict implementation and adaptation of export controls in the face of technological developments was also among the major issues to be discussed during the plenary. A draft Code of Conduct against Ballistic Missile Proliferation was also adopted at the plenary session following a process of negotiation among Partners. The Members agreed that univerzalisation of the draft Code should take place through a negotiating process open to all States. The Plenary noted that France is scheduled to host the first negotiation session in 2002.

2000: The 15th Plenary took place in Finland on 10-13 October. MTCR Members confirmed that WMD and their means of delivery posed the major security threat to global and regional stability and further deliberated on the responses to challenges posed by indigenous missile programs and missile exports. They agreed that the MTCR must continue to adapt itself to developments in technology and renewed their commitment to firmly implement their export controls and strengthen them if necessary. MTCR Members expressed willingness to promote dialogue with non-Parties, and to consult with them on the variety of aspects related to missile nonproliferation in order to encourage them to observe the MTCR guidelines. The issues of principles, commitments, confidence-building measures, and a "code of conduct" against missile proliferation were also discussed during the 2000 Plenary.

1999: The 14th Plenary was held in Noordwijk, the Netherlands from 1-15 October. MTCR Members agreed on the need for continued vigilance in light of developments in South and North East Asia and in the Middle East, with particular concern for the number of indigenous programs with increasingly longer-range delivery systems. Members renewed their commitment to combating missile proliferation and to the strict implementation of their export controls. Confidence-and

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security-building measures as well as increased outreach activities with non-members were discussed.

1998: The 13th Plenary took place from 5-9 October in Budapest. Three new members, the Czech Republic, Poland and Ukraine, were in attendance. MTCR Members agreed to make the regime more transparent. To that end, they supported the idea of establishing dialogues with non-Member governments. Members repeated their invitation to China to join, and issued a statement in which they expressed concern over the missile-related activities of North Korea. They also agreed to organize a seminar for border guards and customs experts in 1999.

1997: The 12th Plenary was held in Tokyo from 4-6 November. Members expressed their concern over missile developments in the Middle East and Asia, and stressed continuing restraint and vigilance in bilateral contacts with non-MTCR members. Members did agree, however, to encourage non-members to abide by MTCR guidelines, in addition to reaffirming the usefulness of dialogues with transshipment centers.

1996: During the 11th Plenary Meeting, held in Edinburgh in October, the Members supported US initiatives to follow up on the success of the June/July 1996 meetings. The Members agreed to "be proactive in encouraging" key non-MTCR transshippers to adhere to the MTCR Guidelines and Annex, and to give them "practical assistance" to implement transshipment controls on missile technology. The Member States agreed on steps that could be taken to improve the regime's effectiveness in restricting missile proliferation in South Asia and the Persian Gulf. In addition, the Members agreed to increase the transparency of the regime's objectives and activities, and to pursue dialogue with non-MTCR countries to encourage their voluntary adherence to the regime's guidelines.

In July, the United States hosted an MTCR Seminar on Transshipment Issues in Washington, DC. Foreign policy-makers and specialists from 12 MTCR Member States and seven non-MTCR countries attended the seminar. During the seminar, a "productive exchange of ideas on how to impede proliferators' misuse of transshipment" took place. The participants identified a number of issues for potential future deliberation, which the United States addressed subsequently during the MTCR's 1996 Plenary Meeting in Edinburgh, on October 7-11.

In June, the MTCR Member States held the regime's Reinforced Point of Contact Meeting on Regional Missile Proliferation Issues. Participants discussed actions that could be taken both collectively and individually to address specific concerns raised by missile proliferation in regions of tension.

1995: The MTCR held its 10th Plenary session in Bonn, Germany, on October 10-12. The meeting was attended by 27 Member States, including Russia and South Africa for the first time. The Members agreed to expand the regime's membership to include Brazil, and amended the Equipment and Technology Annex to reflect technical developments. The Members also considered the impact of missile proliferation on regional security and reaffirmed their commitment to preventing through export controls the proliferation of delivery systems capable of carrying WMD. The Members expressed a willingness to cooperate in space activities for peaceful purposes.

1994: On October 4, the United States and China issued a joint statement on "missile proliferation." The United States agreed to lift sanctions imposed on China (in August 1993) for missile exports to Pakistan. Once sanctions were lifted, China agreed not to export missiles "featuring the primary parameters of the MTCR." This Chinese commitment, according to the statement, goes beyond the MTCR's "strong presumption of denial" language. China also agreed to the US formulation on "inherent capability," that is, any missile capable of generating "sufficient energy to deliver a 500 kg payload at least 300 km, regardless of its demonstrated or advertised combination of range and payload."

At the plenary held in Stockholm in October, Members pledged to intensify their contacts and cooperation with non-Members in order to foster understanding of the purposes and goals of the MTCR. They reacted favorably to Russia's application for full membership.

1993: The plenary held in Interlaken, Switzerland, in November-December, was devoted to planning the future of the regime. It was agreed to redouble efforts to persuade potential exporters outside the regime to abide by MTCR guidelines. The third update to the Annex was agreed upon and it became effective in July 1994.

At the plenary held in Canberra in March, it was agreed that MTCR Guidelines for missile-related transfers remain an essential mechanism for the prevention of the proliferation of missiles capable of delivering weapons of mass destruction.

In July, Member States implemented two new Annex items: item 19 (complete rocket systems not covered in item 1, capable of a range greater or equal to 300 km), and item 20 (complete subsystems usable in item 19, but not in item 1, and production facilities and equipment for individual rocket stages and solid/liquid propellant rocket engines).

This was the second update of the Annex. The Annex was first amended in November 1991, with the addition of items 17 (materials, devices, and specially-designed software for reduced observables) and 18 (devices to protect rocket systems against nuclear effects), new definitions, and supplementary terminology.

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The Waasenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (Successor to COCOM)

Established: 19 December 1995 with a declaration issued at the Peace Palace in the Hague.

Participating States: 40 states — Argentina, Australia, Austria, Belgium, Bulgaria, Cana da, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slova kia, Slovenia, Spain, South Africa, Sweden, Switzerland, Turkey, Ukraine, United Kingdo m and United States.

Membership in the Wassenaar Arrangement (WA) is universal and nondiscriminatory for countries meeting the established criteria:

- produce/export arms or associated dual-use goods and technologies;
- implement national policies that do not permit the sale of arms or sensitive dual-use items to countries whose behavior is a cause for concern;
- adhere to international nonproliferation norms and guidelines; and
- implement fully effective export controls.

Members of the WA are obligated to maintain rigorous national export control systems analogous to those of the former Coordinating Committee for Multilateral Export Controls (COCOM) countries. In turn, participating States have to be members of or be acting in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Missile Technology Control Regime (MTCR), Chemical Weapons Convention (CWC), and the UN Register of Conventional Arms.

The Wassenaar States meet regularly in Vienna, Austria, and make their decisions based on consensus.

Structure: The WA Plenary is the decision-making and governing body of the Arrangement. It is composed of representatives of all Participating States who normally meet once a year, usually in December. Chairmanship of the Plenary is subject to annual rotation among Participating States.

The Plenary establishes subsidiary bodies for the preparation of recommendations for plenary decisions and calls ad hoc meetings for consultations on issues related to the functioning of the WA. At present, the WA main subsidiary bodies are: the General Working Group (GWG) dealing with policy-related matters and the Experts Group (EG) addressing issues related to the lists of controlled items. Once a year, a Licensing and Enforcement Officers Meeting (LEOM) is held under the auspices of the GWG.

Vienna Points of Contact (VPOC) are called for periodic meetings under the Plenary Chair to facilitate intersessional information flow and communications between/among Participating States and the Secretariat.

A small Secretariat, currently headed by Ambassador Sune Danielsson (Sweden), provides necessary support to WA operations from Vienna where it is located. Every four years, the Arrangement undertakes a wide-ranging review of how effectively it functions as an organization and contributes to international security. The latest of these assessments was concluded in December 2007.

The July 1996 Plenary adopted the WA Initial Elements which outline the purpose and function of the Arrangement and the responsibilities of Participating States. Subsequent Plenaries have amended this document and approved supplementary guidelines such as best practices and item-specific elements documents to be used as the basis for decision-making at the national level.

The Purpose of the Arrangement: As reflected in the Initial Elements, the purpose of the WA is to contribute to regional and international security by:

- promoting transparency and greater responsibility with regard to transfers of conventional arms and dual-use goods and technologies, thus preventing destabilizing accumulations;
- seeking through national policies to ensure that transfers of these items do not contribute to the development or enhancement of military capabilities that undermine these goals, and are not diverted to support such capabilities;
- complementing and reinforcing, without duplication, the existing control regimes for weapons of mass destruction and their delivery systems, as well as other internationally recognized measures designed to promote transparency and greater responsibility, by focusing on the threats to international and regional peace and security that may arise from transfers of

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armaments and sensitive dual-use goods and technologies where risks are judged greatest; and

enhancing cooperation to prevent the acquisition of armaments and sensitive dual-use items for military end-uses, if the situation in a region or the behavior of a State is, or becomes, a cause for serious concern to the participating States.

Verification and Compliance: This regime is a voluntary association, not bound by a treaty, and therefore has no formal mechanism to enforce compliance. In a step towards developing confidence-building measures, the Member States agreed in December 2000 at the sixth Plenary Meeting in Bratislava, on "non-binding best practices" regarding the effective enforcement of national export controls; the disposal of surplus military equipment; and the control of exports of items designated as very sensitive.

COCOM: COCOM existed from 1950 to 31 March 1994, and consisted of 17 States (Australia, Belgium, Canada, Denmark, France, Germany, Greece, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom, and United States). It was a non-treaty, non-chartered organization whose goal was to restrict the export of sensitive items that, if diverted, could contribute significantly to military potential and the proliferation of weapon systems, creating instability and international tension. Historically, targets of constraints were communist States.

In 1990, COCOM began helping Eastern European States adopt controls to stem the proliferation of military technology. COCOM also played a role in coordinating efforts to prevent "brain-drain," particularly in the review of projects supported by any member government.

The Secretariat comprised about 30 persons, headquartered in an annex of the US Embassy in Paris. The COCOM Cooperation Forum was established in 1992, with the goal of progressive relaxation and elimination of export restrictions, and had its first meeting in Paris in November 1992. Forty-two countries participated in the Forum.

At the US-Russian Summit in Vancouver, Canada on 4 April 1993, the presidents of Russia and the United States agreed that it was necessary to achieve the earliest possible resolution of questions about cooperation in the nonproliferation of missiles and missile technology, in accordance with the principles of existing international agreements. They decided to work together to remove obstacles impeding Russia's access to the global market in high technology and related services.

In November 1993, negotiations among the 17 COCOM Member States began on the structure and objectives of COCOM's successor organization. Its members agreed to continue implementing technology transfer restrictions pending agreement on the successor organization. Consensus was reached on the new organization, known as the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, on 9 December 1995.

COCOM's proscribed items lists have been altered, with the old Atomic Energy Control List transferred to the Nuclear Suppliers Group (NSG) for administration. In turn, the International Industrial List has been replaced by a narrowly focused dual-use technology "core list," itself subdivided into "basic," "intermediate," and "sensitive" categories. Unique information sharing (among group members), and end-use certification requirements are mandated for each category of technology, with the most sensitive items subject to presumptive denial of transfer requests.

An additional difference between the WA and COCOM is the absence of a veto of revisions of these lists. Whereas under COCOM any member could veto the relaxation (or inclusion) of new technologies on the industrial or munitions control lists, under the new system, national governments enjoy discretion as to whether to adhere to the consensus on transfer restrictions. This fact creates the potential for increasing variations in implementation of controls among the group's members.

The COCOM International Munitions List has been transferred, albeit in a slightly different format, to the WA. In addition, a system of pre-delivery consultations has been implemented, through which weapons exporters liaise with one another on the transfer of arms into regions of high tension or ongoing conflict. This consultative mechanism is designed to increase the transparency of arms and dual-use trade among members, thus reducing suspicions among suppliers, who are also trade competitors, that restrictions are being used for protectionist reasons.

Developments:

2008: In 2008, efforts of the Arrangement focused on implementation of the 2007 Assessment conclusions, a wide-ranging review of the Arrangement's overall function and its contribution to regional and international security and stability.

The fourteenth Plenary meeting of the Wassenaar Arrangement, chaired by Ambassador Chavdar Zhechev of Bulgaria, was held in Vienna on 2-3 December 2008. The Plenary noted the substantive and useful contributions made by Participating States through information sharing on regional issues of concern. The Plenary also agreed to conduct a focused effort on, and to include, the issue of destabilizing accumulations of conventional arms as an agenda item for future meetings.

In view of the concerns about the acquisition of man-portable air defense systems (MANPADS) by unauthorized users, the Plenary stressed the importance of effective implementation of the WA Elements for Export Controls of MANPADS (adopted at the 2003 Plenary and amended in 2007), the need to continue to monitor the situation closely, and to continue discussion in order to strengthen export controls on MANPADS. The Plenary also encouraged Participating States to continue to promote the Wassenaar Elements on Export controls of MANPADS to non-Participating States.

The Plenary agreed to a significant number of amendments to the control lists. Particular attention was given to items of potential interest to terrorists such as charges and devices containing certain explosives. Participating States also worked actively to make the existing control text more easily understood and "user-friendly" for commercial exporters and licensing authorities.

The Wassenaar Arrangement continues to undertake outreach dialogue with non-Participating States and international organizations aimed at promoting and sharing the Arrangement's best practices related to export controls, and raising awareness of the Wassenaar Arrangement and its work. In 2008, outreach activities have included post-Plenary briefings, interaction with industry and bilateral outreach to China, Israel and Belarus.

The next regular Wassenaar Arrangement Plenary meeting will take place in Vienna in December 2009. Canada will assume the Chair of the Plenary from 1 January 2009. Canada has designated Ambassador Marie Gervais-Vidricaire, its Permanent Representative to the International Organizations in Vienna, as the Plenary Chair.

2007: The thirteenth Plenary meeting of the Wassenaar Arrangement, chaired by Ambassador Cristina Funes-Noppen of Belgium, was held in Vienna from 4-6 December 2007. This meeting concluded the third assessment, which is undertaken by the Arrangement every four years to carry out a wide-ranging review and evaluation of its overall functioning and its contribution to regional and international security and stability by preventing destabilizing accumulations of conventional arms.

Participating States felt that the Arrangement was measuring up well to its purposes as set forth in its Initial Elements. In the framework of the assessment process, the focus was on the following main areas: Best Practices of Export Control Regulations, Re-export Control of Conventional Weapons Systems, Transparency, and Outreach.

The Plenary agreed to a significant number of amendments to the control lists, including some in technically complex and challenging areas such as on low-light level and infrared sensors. Particular attention was given to items of potential interest to terrorists such as devices used to initiate explosions and specialized equipment for the disposal of improvised explosive devices as well as equipment that could help protect civil aircraft from MANPADS attacks. In view of continuing international concerns about the acquisition of MANPADS by unauthorized users, the Plenary approved amendments to the 2003 Elements for Export Controls of MANPADS to ensure its more effective implementation.

Participating States also worked actively to make the existing control text more easily understood and "user-friendly" for commercial exporters and licensing authorities. Some 2,500 editorial changes were made to the Lists. The Plenary welcomed the first dialogue at the technical level between the Wassenaar Arrangement Experts Group and its counterpart from the Missile Technology Control Regime which took place in 2007. This dialogue was aimed at developing a common understanding of terminology and technical parameters on controls of certain navigation equipment.

The Plenary adopted Best Practices to Prevent Destabilizing Transfers of Small Arms and Light Weapons through Air Transport containing a series of specific measures that may be taken at national level regarding non-governmental air transport of small arms and light weapons. The Plenary agreed to update the 2002 Best Practices for Exports of Small Arms & Light Weapons to bring them in line with language adopted by the UN in 2005 on marking and tracing of small arms and light weapons.

The Plenary agreed to continue to undertake outreach through dialogue with non- Participating States and international organizations relevant to the purpose and objectives of the Arrangement with the aim of promoting, through the sharing of, the Arrangement's best practices related to export controls.

The Plenary approved a Statement of Understanding on End-Use Controls for Dual-Use Items which recommends the application of flexible risk management principles to all three phases of end-use controls – pre-license, application procedure and post-license – in order to subject sensitive cases to a greater degree of scrutiny.

The next regular Wassenaar Arrangement Plenary meeting will take place in Vienna in December 2008. Bulgaria will assume the Chair of the Plenary from 1 January 2008. Bulgaria has nominated its Permanent Representative to Vienna.

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2006: On 28 February 2006, South Africa's membership in the WA was formalized by an exchange of letters between the chair of the WA Plenary and the South African permanent representative to the United Nations and International Organizations in Vienna. Despite only becoming a member in 2006, South Africa had already incorporated the 2003 WA control lists as part of the National Conventional Arms Control Act, Act No. 41 of 2002

The twelfth Plenary Meeting held on 5 and 6 December in Vienna marked the WA's tenth anniversary in existence and was chaired by Ambassador Peter Shannon of Australia. The plenary successfully agreed on a number of amendments to the control lists while expressing a desire to establish a dialog with the WA Experts Group and the Missile Technology Control Regime as a means of improving the regime's ability to keep up with advancing technology, market trends, and international security developments. Additionally, the plenary decided to make two best practices documents publicly available – Best Practices for Implementing Intangible Transfer of Technology Controls and Best Practice Guidelines for the Licensing of Items on the Basic List and Sensitive List of Dual-Use Goods and Technologies – in order to complement the plenary's agreement to maintain a high priority on transparency and outreach to non-participating states and international organizations as a means of promoting a strengthening of export controls.

During the meeting, concerns were expressed regarding the potential for the acquisition of Man-Portable Air Defense Systems (MANPADS) by unauthorized users in particular. To this end, it was decided that participating states should specifically encourage non-participating states to adopt the WA export controls pertaining to MANPADS.

Since 2007 will be an assessment year for the WA, the plenary established a framework for evaluating the effectiveness of the Arrangement in accomplishing its objectives as well as establishing several task forces to assist in the review process. Participating States subsequently reaffirmed their commitment to implementing all UNSCR provisions relevant to the purposes of the WA.

The next Plenary Meeting will take place in Vienna in December 2007. Ambassador Philippe Nieuwenhuys of Belgium will assume the Chair of the WA from 1 January 2007.

2005: The 2005 plenary chair, Ambassador Dorothea Auer (Austria), was mandated to continue consultations on other pending membership applications. These consultations resulted in decisions, taken in April-June 2005, to admit also Croatia, Estonia, Latvia, Lithuania, and Malta to the Wassenaar Arrangement as new participating states.

The eleventh Plenary Meeting was held in Vienna, from 13-14 December 2005, and was chaired by Ambassador Dorothea Auer (Austria). The meeting reviewed the accomplishments of the year and considered further export control measures. It also approved membership of South Africa, the first African member of the WA.

The plenary agreed to a number of amendments to the control lists, including in relation to items of potential interest to terrorists groups such as electronic jamming equipment, unmanned aerial vehicles, and special emphasis was placed on portable anti-aircraft systems. The plenary highlighted the WA's continued emphasis on transparency and outreach to non-participating states and international organizations, with the aim of promoting the objectives of the WA and noted special outreach efforts in 2005 of the WA toward China. Finally, the WA decided at the plenary meeting to make public the **WA Control Lists**.

The plenary extended the appointment of Ambassador Sune Danielsson (Sweden) as head of the WA Secretariat for a further four years

2004: The tenth Plenary Meeting was held in Vienna, 8-9 December 2004. The meeting was chaired by Ambassador Elsa Kelly of Argentina. The plenary welcomed Slovenia as a new participating state.

The tenth plenary reviewed the accomplishments of the year and considered further export control measures. During 2004, the participating states had worked to implement and expand the progress against terrorism achieved during the 2003 assessment year. At this meeting, they committed themselves to further development of implementation measures. The group noted that this work against terrorism was a matter of high priority.

The Plenary Meeting also noted its approval of the adoption of UN Security Council resolution 1540, adopted on 28 April, 2004. The requirement set forth in the resolution declares that all states "shall establish, develop and maintain appropriate and effective export and trans-shipment controls." The members noted that the requirements of the resolution are consistent with the primary objective of the Wassenaar Arrangement. Participating states expressed their willingness to provide assistance to states seeking to develop effective export controls consistent with the resolution.

Also during the meeting, participating states reaffirmed their commitment to intensifying efforts to prevent terrorist acquisition of conventional arms, dual-use goods, and other technologies. The Plenary Meeting also agreed

to amendments to the control lists. The amendments pay particular attention to items that may be used for terrorist purposes, such as the export of MANPADS.

The plenary also noted the success of their first Outreach Seminar, which took place 19 October 2004 and included more than 50 organizations in an effort to raise awareness of the positive contributions of the WA. Participating states recognized the value and success of the seminar and agreed to hold another event in Vienna sometime in autumn of 2005.

The next Plenary Meeting will take place in Vienna in December 2005. Ambassador Dorothea Auer of Austria will assume the chair of the plenary on 1 January 2005.

2003: The ninth Plenary Meeting was held from 10-12 December in Vienna under the chairmanship of Ambassador Kenneth C. Brill of the United States. Several major initiatives were approved to combat the threat of terrorism by means of WA export controls. These measures included recognizing the threat to civil aviation by the proliferation of MANPADS and tightening existing controls over them, expanding the scope of mandatory reporting of small arms and light weapons by adding a new category to Appendix 3 of the Initial Elements and agreeing to enhance transparency, and adopting end-use controls to encourage member governments to support the UN arms embargoes and exercise strict export controls on unlisted items. The next regular Plenary Meeting will be held in December 2004 in Vienna and will be chaired by Ambassador Elsa Kelly of Argentina, who assumed the chair of the plenary on 1 January 2004.

2002: The eighth Plenary Meeting was held in Vienna from 11-12 December, under the chairmanship of Ambassador Volodymyr Ohryzko (Ukraine). Participating States developed new means for sharing information and for implementing concrete actions to strengthen export controls over conventional arms and dual-use items in order to prevent the acquisition of these items by terrorist groups and organizations, as well as by individual terrorists. In this context, Participating States agreed to review existing WA guidelines regarding MANPADS to assess the adequacy of these guidelines in preventing terrorist use of such items.

The plenary agreed on a major new initiative on small arms and light weapons. Participating States adopted a document setting out a detailed "best practices" guidelines and criteria for exports of small arms and light weapons. The plenary reaffirmed the importance of and effective export controls over small arms and light weapons in order to prevent uncontrolled proliferation, destabilizing accumulations, and diversion.

Participating States also adopted a Statement of Understanding on the importance of controlling arms brokering. They agreed to continue elaborating and refining the criteria for effective legislation on arms brokering, and to continue the discussion of enforcement measures, for the purpose of developing a Wassenaar policy on arms brokering.

2001: The seventh Plenary Meeting was held in Vienna from 6-7 December, under the chairmanship of Ambassador Aydin Sahinbas (Turkey). In light of the September 2001 terrorist attacks in the United States, Participating States underlined the importance of strengthening export controls and maintaining responsible national policies in the licensing of exports of arms and sensitive dual-use items. Recalling UN Security Council Resolution 1373 (2001), the plenary agreed that Participating States will continue to prevent the acquisition of conventional arms and dual-use goods and technologies by terrorist groups and organizations as well as by individual terrorists, and that such efforts are an integral part of the global fight against terrorism. To make this commitment explicit, they decided to add an appropriate paragraph (paragraph 5 of Part I, "Purposes") to the Initial Elements. The plenary agreed to take concrete steps to implement this decision.

Participating States expressed their concern about flows of illicit arms to zones of conflict and areas covered by UN Security Council embargoes, as well as licit transfers to zones of conflict from States not participating in the WA. They support the UN Security Council's efforts to prevent arms transfers to the UNITA forces in Angola and to terrorist groups operating from and in Afghanistan. Participating States also agreed to continue consideration of practical measures to support regional arms control initiatives, including the Economic Community of West African States (ECOWAS) Moratorium. Responsible export policies towards, and effective export controls over, small arms and light weapons were seen as key to preventing destabilizing accumulations and diversion. Participating States, therefore, agreed they would continue to share relevant information and explore practical enforcement measures.

The plenary agreed to include two additional sub-categories of military items in mandatory reporting of transfers/licenses granted under Appendix 3 of the Initial Elements: armored bridge-launching vehicles (under Category 2, sub-Category 2.3) and gun-carriers specifically designed for towing artillery (under Category 3, sub-Category 3.4). The plenary also agreed to a number of Control List amendments, approved a revised Statement of Understanding on Intangible Transfers of Software and Technology, (which will appear on page 187 of the revised Control List), and decided to consider ways to develop contacts with non-Wassenaar members, including major arms producers.

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2000: The sixth plenary was held in Bratislava, Slovakia on 30 November-1December. The participants reaffirmed their commitment to maintaining responsible national policies in the licensing of exports of arms and sensitive dual-use items and agreed to continue consideration of practical arms control measures, including the role of the ECOWAS Moratorium. The plenary agreed on elements of export controls on MANPADS. The Participating States reaffirmed the importance of responsible policies and export controls to prevent destabilizing accumulations of small arms and light weapons. The plenary agreed on non-binding best practices with regard to effective enforcement of national export controls, disposal of surplus military equipment and control of exports of items designated as very sensitive, and on a number of Control List amendments to be announced later. The participants identified other areas for further consideration, including arms transparency and brokering, intangible transfers, and review of computer and microprocessor controls.

1999: The fifth Plenary Meeting of the WA was held from 1-3 December, with Ambassador Staffan Sohlman (Sweden) serving as chair. Participants noted with concern continuing illicit arms flows to zones of conflict, including to States and parties subject to mandatory UNSC arms embargoes, and licit transfers to conflicts from States not participating in the WA. The plenary also concluded the first overall assessment of the functioning of the Arrangement.

1998: The fourth Plenary Meeting was chaired by Ambassador Staffan Sohlman (Sweden) from 2-3 December. The plenary approved a paper entitled "Elements for Objective Analysis and Advice Concerning Potentially Destabilizing Accumulations of Conventional Weapons" and agreed to Control List amendments that take into account recent technological developments.

1997: The third Plenary Meeting was held from 9-10 December, at which the plenary recognized that the Arrangement had become fully operational.

1996: The inaugural Plenary Meeting took place in Vienna from 2-3 April in Vienna, Austria. A consensus could not be reached on all issues during this session and the meeting was suspended, allowing time to resolve outstanding issues. The Plenary Meeting resumed on 11-12 July 1996, with final consensus on the Initial Elements. This document formed the base of the WA and established the new control lists and information exchange to be implemented from 1 November 1996.

The second Plenary Meeting of the newly operational WA was held on 12-13 December 1996 in Vienna.

Point of Contact:

The Secretariat of the Wassenaar Arrangement is based in Vienna, Austria.

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Zangger Committee (ZAC)

Membership: 37 States — Argentina, Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Republic of Korea, Luxemburg, The Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States of America.

Permanent Observer: European Commission.

Background: The Committee was formed in 1971, under the chairmanship of Claude Zangger (Switzerland), to draft a "trigger list" of (a) source or special fissionable materials, and (b) equipment or materials especially designed or prepared for the processing, use, or production of special fissionable materials. Under Art. III.2 of the Nuclear Non-Proliferation Treaty (NPT), these items should be subject to International Atomic Energy Agency (IAEA) safeguards if supplied by NPT parties to any non-nuclear weapon States (NNWS). In 1974, the Zangger Committee published a Trigger List, a list of items that would "trigger" a requirement for safeguards and guidelines ("common understandings") governing the export of those items to NNWS not party to the NPT. These guidelines establish three conditions of supply: a non-explosive use assurance, an IAEA safeguards requirement, and a re-transfer provision that requires the receiving state to apply the same conditions when re-exporting these items. The Trigger List was first published in September 1974 as IAEA document INFCIRC/209 and has been amended several times since then.

The Committee decided that its status was informal and that its decisions would not be legally binding upon its members. The decisions are put into legal effect by unilateral declarations of each member to the other members, with subsequent letters to the Director-General of the IAEA requesting him to publish these unilateral policy declarations in IAEA document INFCIRC/209.

By 1974, the Zangger Committee arrived at a consensus on the basic guidelines, which were set out in two separate memoranda dated 14 August 1974. The first defined the list of source and special fissionable material, and the second defined exports of equipment and non-nuclear material. These are commonly known as the Trigger List, and were published as IAEA document INFCIRC/209 of 3 September 1974. Attached to the original Trigger List was an annex clarifying the items described in the list in some detail. Since then, additional clarification exercises, conducted on the basis of consensus and then transmitted to the IAEA, have taken place. They contain new items on plants for the production of heavy water, technological development in the field of isotope separation by the gas centrifuge process, and fuel reprocessing plants. Other items on the list are currently under review. The IAEA maintains a collection of all past INFCIRC/209 documents. The latest revision of INFCIRC/209 took place on 9 March 2000.
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Since 1974, the Zangger Committee has continuously reviewed, updated, and amended its Trigger List. Six major revisions have taken place:

- November 1977 – heavy water production equipment added, and clarification on zirconium;
- February 1984 – isotope separation by gas centrifuge process added;
- August 1985 – clarification on reprocessing plants;
- February 1990 – clarification on isotope separation plant equipment from the gaseous diffusion method;
- 1994 – further clarification to the enrichment section and a modification of the entry on "primary coolant pumps" (to include water pumps), and the same year an understanding was reached on the safeguards procedural management of bulk quantities of source material for non-nuclear use; and
- 1996 – further clarification of the less sensitive Trigger List items (Sections 2 and 5).

The Committee has agreed to exchange information about actual exports or issue of licenses for exports to any NNWS not party to the NPT through its system of "Annual Returns," which are circulated on a confidential basis among its Member States each year in April.

The Committee meets in Vienna twice a year, in May and in October. These meetings are informal and confidential. The members also exchange confidential annual reports in April detailing actual exports and the issuance of any export licenses to any NNWS not party to the NPT.

Verification and Compliance: This regime is a voluntary association, not bound by a treaty, and therefore has no formal mechanism to enforce compliance. The Committee adopted voluntary measures to strengthen confidence, such as the agreement to exchange information about actual exports or issue of licenses for exports to any NNWS not party to the NPT through its system of "Annual Returns," which are circulated on a confidential basis among its Member States each year in April.

Chairmanship: The term of office of the chair of the Committee is indefinite and is for the duration of the professional life (in the nuclear field) of the incumbent. Four chairs have held the office thus far: Professor Claude Zangger of Switzerland from 1971 until 1989, Mr. Ilkka Makipentti of Finland from 1989 to 1993, Dr. Fritz Schmidt of Austria from 1993 to 2005, and Mr. Pavel Klucky since 2006.

Developments:

2008: In February, the IAEA circulated among its Member States a letter from the chairman of the Zangger Committee including the amended Memorandum B of the Trigger List. In May, the Committee submitted a working paper for the NPT 2008 Preparatory Meeting. At its meeting on 18 November, the Zangger Committee accepted Kazakhstan as a new member.

2007: The Committee submitted a Trigger List clarification to the IAEA. On 10 May, the chairman of the Zangger Committee, Pavel Klucky, delivered a statement regarding the activities of the Committee to the Cluster II of the first meeting of the Preparatory Committee for the 2010 NPT Review Conference.

2006: Croatia joined the Committee on 30 June. On 1 August, Mr. Pavel Klucký of the Czech Republic became the chairman of the Committee.

2005: After the passing away of the long-time chair of the Committee, Mr. Fritz Schmidt, the election of a new chair was pending. Until a new chairperson was elected, the United Kingdom Mission to the United Nations in Vienna acted as the Secretariat and interim chair of the Committee.

At the NPT Review Conference, the Joint Member States of the Zangger Committee submitted a document entitled "2005 Multilateral nuclear supply principles of the Zangger Committee." The paper was intended to describe the work of the Committee and further the understandings of its objectives.

2004: The Zangger Committee postponed its meeting that had been scheduled for early 2004 to 18-19 October. On 19 October the Zangger Committee welcomed the unanimous adoption of UN Security Council Resolution 1540 and, furthermore, stated that its members stood ready to respond positively to the resolution and to provide any assistance required within the mandate of the Committee.

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2003: The Committeemet on 10 April to discuss plans for updating its "common understandings" for export control, including those relating to physical protection of materials and to the International Atomic Energy Agency Additional Protocol, and to continue to discuss possible outreach activities with non-member States parties to the Nuclear Nonproliferation Treaty. It also considered Belarus' application for membership on the Committee, but did not grant it.

The Committee's second 2003 meeting convened in Vienna on the morning of 14 October, and was directly followed later that day by a "friends of the chair" meeting. Members again addressed the issue of Belarusian membership, but the U.S. would not agree to its admittance, reiterating previously-stated concerns regarding its nonproliferation efforts. Committee members identified Egypt, Mexico, Peru, and Chile as current priorities for outreach efforts. Regarding the Trigger List, the U.S. suggested an amendment to the graphite entry, asking members to address issues related to graphite control and to take a questionnaire on graphite licensing. It was decided that the U.S. would create an updated report on graphite issues and on proposed Trigger List amendments to be distributed to Committee members in the spring of 2004.

Another topic of discussion during the October meeting was the possibility of Zangger Committee States holding a special meeting to formulate a response should Iran be found in noncompliance with its International Atomic Energy Agency safeguards agreements. Some supported this, while others felt that this would be contrary to the Committee's function as a technical rather than a political organization.

2002: The Committee held formal meetings in June and October. Issues under consideration included implementation of the NPT 2000 Review Conference recommendations and discussion of where the Zangger Committee should focus its efforts to fulfill its technical role for the NPT to best effect.

2001: The Committee held its formal meeting in May. The issues under discussion were updating the Trigger List to include equipment for the separation of plutonium and uranium, IAEA safeguards on nuclear facilities, outreach to non-members, and the NPT 2000 Review Conference recommendations. Regarding outreach, the Committee decided to launch a new program between its members and third countries with the objectives of establishing a "strong and sustainable relationship" with them, increasing the transparency of the Committee's activities by explaining its role, and providing opportunities for dialogue regarding nonproliferation and nuclear export control issues. The program was to be restricted to States parties to the NPT.

2000: The October meeting was dedicated to discussion of the results of the 2000 NPT Review Conference. The members reached an agreement to create two informal "friends of the chair" groups to consider preparations for the 2005 NPT Review Conference. The Committee also decided to continue considering possible future adoption of a policy of requiring full-scope safeguards as a condition of supply to NNWS. The members were able to reach agreement not to include americium and neptunium on the Trigger List, while attempts to add plutonium enrichment equipment to the Trigger List were not successful.

1999: Seeking to update the Trigger List, 32 Zangger Committee member governments communicated with the Director-General of the IAEA in November. The governments clarified their objective to apply certain procedures in cases of export of source or special fissionable material to NNWS not party to the NPT. China and Russia did not send communications to the IAEA at that time. The procedures outlined in the communication were the foundation for INFCIRC/209/Rev.2 of 9 March 2000.

1998: China joined the Zangger Committee in the fall and took part in the October meeting. At the Committee's May meeting, members issued a statement deploring the nuclear tests conducted by India and Pakistan, expressing regret at the damaging impact of these tests on global prevention of nuclear proliferation, calling on India and Pakistan to refrain from further testing, and urging them to adhere to the NPT unconditionally.

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Regional Organizations and Regimes

Europe

European Union (EU)

Membership: 27 States**:** Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom.

Croatia and Turkey are official candidates for EU membership.

In addition, most countries of the European Free Trade Association also participate in the European Economic Area, making them part of the EU single market. Iceland, Switzerland, and Norway, while not official members, also have special agreements with the Union.

Background: The European Union (EU) is the result of a process of cooperation and integration that began in 1951 between six countries (Belgium, France, Germany, Italy, Luxembourg, and the Netherlands). After more than 50 years, with six waves of accessions (1973: Denmark, Ireland, and the United Kingdom; 1981: Greece; 1986: Spain and Portugal; 1995: Austria, Finland, and Sweden; 2004: Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia; 2007: Bulgaria and Romania.)

Objectives: The EU's mission is to organize relations between Member States and between their peoples in a coherent manner and on the basis of solidarity. The main objectives are to promote economic and social progress; to assert the identity of the EU on the international scene (through European humanitarian aid to non-EU countries, common foreign and security policy, action in international crises, and common positions within international organizations); to introduce European citizenship (which does not replace national citizenship but complements it and confers a number of civil and political rights on European citizens); to develop an area of freedom, security, and justice (linked to the operation of the internal market and more particularly the freedom of movement of persons); to maintain and build on established EU law (all the legislation adopted by the European institutions, together with the founding treaties).

Structure and Institutions: There are five institutions involved in running the European Union: the European Parliament (elected by the peoples of the Member States), the European Council (representing the governments of the Member States), the European Commission (the executive and the body having the right to initiate legislation), the European Court of Justice (ensuring compliance with EU law), and the Court of Auditors (responsible for auditing the overall efficiency of the EU bureaucracy). These institutions are supported by other bodies: the Economic and Social Committee and the Committee of the Regions (advisory bodies that help to ensure that the positions of the EU's various economic and social categories and regions respectively are taken into account), the European Ombudsman (dealing with complaints from citizens concerning poor administration at the European level), the European Investment Bank (the EU's long-term lending institution), and the European Central Bank (responsible for monetary policy in the Euro-area).

The European Council unanimously defines the principles and general guidelines for the Common Foreign and Security Policy (CFSP). A Political Committee, consisting of Political Directors, monitors the international situation in the areas covered by the CFSP and contributes to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. The Political Committee also monitors the implementation of agreed policies, without prejudice to the responsibility of the Presidency and the Commission.

The Cooperation Politique (COPO) assists the Political, Economic and Security Cooperation (PESC) and the Council.

Presidency: The EU Presidency is determined by a pre-established six-month rotational system. Since 2007, the Presidency is in some regards being executed in a shared manner in order to cope with the rather short six month term. Three successive presidents forming a "triple-shared presidency" work together over a 1.5 year period to accomplish a common agenda by the current president simply continuing the work of the previous "lead-president".

For 2009, the Czech Republic and Sweden will share the Presidency. In 2008, Slovenia and France shared the Presidency. Recent Presidencies included Germany and

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Portugal (2007), Austria and Finland (2006), the United Kingdom and Luxembourg (2005), Ireland and the Netherlands (2004), Greece and Italy (2003), and Spain and Denmark (2002).

Principal Organs:

European Council of Ministers: The European Council of Ministers, also called the Council of Ministers or the "Council", is the European Union's chief decision-making body. The Council is comprised of ministers from Member States and endeavors to make decisions by consensus; otherwise, it takes votes by qualified majority, unless one country considers the matter under consideration to be one of national interest, in which case it can apply a veto. The Council is headquartered in Brussels, Belgium.

Commission of the European Communities: As of January 2009, the Commission consisted of 27 commissioners, each appointed by national governments. The Commission makes decisions by a simple majority vote. However, the objective is to try to make decisions by consensus.

On 17 December 1999, the European Council adopted a Joint Action (EU JA) to cooperate with the Russian Federation in its efforts related to the non-proliferation and disarmament of weapons of mass destruction. This action, implemented by the European Commission and performed in the framework of the EU's Common Foreign and Security Policy (CSFP), implements a set of objectives that had been defined in the June 1999 European Union Common Strategy for the Russian Federation. The main goal of the EU JA is to provide a legal and operational framework for an enhanced EU role in risk reduction activities in the Russian Federation through project-oriented cooperation. It promotes coordination and avoids duplication with existing programs at the Community, Member State, and international levels.

Ongoing EU JA projects include the financing of chemical weapons destruction facilities in the Russian Federation in cooperation with the Russian Ammunitions Agency (RAA) and in accordance with Russian commitments under the Chemical Weapons Convention (CWC). In the nuclear field, the EU JA cooperates closely with the Ministry for Atomic Energy of the Russian Federation (MINATOM) and provides funding for the conversion of excess weapons-grade plutonium into MOX fuel. All EU JA projects are discussed and negotiated with the Ministry of Foreign Affairs of Russia (MID), and are implemented through existing bilateral agreements between the Russian Federation and EU Member States.

Directorate General for Energy and Transport (DG TREN): This Directorate General has been in operation since 1 January 2000, as a result of the merge between the Directorate General for Transport and the Directorate General for Energy. In June 2002 the EURATOM Safeguards Office became part of the DG TREN. The DG TREN, based in Brussels, reports to Andris Piebalgs, the Energy Commissioner of the EU.

The DG TREN is responsible for developing and implementing European policies in the energy and transport field. The subject of nuclear energy is of the utmost importance within the EU, since the nuclear industry currently supplies one-third of the EU's electricity.

Developments:

2008: On 10 March, the European Council noted that the adoption of UNSC resolution 1803 regarding Iran (adopted on 3 March 2008) was a clear signal of the international community's unity. The Council also adopted an updated version of the common list of military equipment covered by the EU code of conduct on arms exports.

On 29 April, the Council underlined its commitment to work with Pakistan on nonproliferation and disarmament issues. The Council stressed that support from Pakistan for the beginning of negotiations on an FMCT at the CD would be a strong signal in that respect and underlined the importance of Pakistan's cooperation with the IAEA regarding Iran.

On 16 June, the Council approved the last progress report on the implementation of the EU nonproliferation strategy and an updated list of priorities for its implementation in the future. The Council also approved a progress report on the implementation of EU's strategy to combat the illicit accumulation and trafficking of small arms and light weapons. Finally, the Council took note of an inventory of EU instruments relevant for addressing CBRN risks (The CBRN Inventory), outlining the instruments that can be used to prevent, prepare for and respond to CBRN risks and enable the Council to take stock of the EU's CBRN prevention capabilities and help towards proposing policy measures in 2009.

On 13 October, the Council noted the 10th annual report on the EU Code of Conduct on arms exports on the implementation of the Code and recommended improvements.

On 10 November, the Council noted that the EU Satellite Centre was soon to benefit from government-source satellite images enhancing the Union's analysis capability and the conduct of ESDP crisis management operations and missions. The Council also recalled the need to secure the EU's future space observation capability and noted the

European Space Agency's program and work to strengthen Europe's surveillance capability.

On 11 November, the Council amended its Common Position on Iran concerning restrictive measures, with a view to the implementation of UNSC resolutions. The amended Common Position provided that Member States shall exercise vigilance over the activities of financial institutions within their jurisdiction with all banks domiciled in Iran and their branches and subsidiaries in order to avoid such activities contributing to proliferation sensitive nuclear activities or to the development of nuclear weapons delivery systems. The Council identified the banks, branches, and subsidiaries to which the provisions apply and modified the annexes to the Common Position accordingly. Finally, the Council amended EU Regulations concerning restrictive measures against Iran to ensure the implementation of the measures contained in the Common Position in the Community legislation and its uniform application by economic operators within the Union.

Also on 11 November, the Council adopted a Joint Action in support of the BWC within the framework of the EU Nonproliferation Strategy.

On 8 December, the Council approved the progress report on the implementation of the EU Nonproliferation Strategy and endorsed the "New Lines for Action by the EU in Combating the Proliferation of WMD and their Delivery Systems," that underlined, among other measures, increased awareness, intensified cooperation with third parties, the provision of technical assistance to third countries, measures to combat intangible transfers of knowledge, and intensifying efforts to combat proliferation financing.

At the same meeting on 8 December, the Council also decided to express its support for the establishment of a nuclear fuel bank under the control of the IAEA and underlined the intention of the EU to contribute up to 25 million Euro ($33 million) to this project, once the conditions and modalities for the bank have been approved by the Board of Governors of the IAEA, and manifested its intention towards the elaboration of a Council Joint Action establishing the political, financing, and security framework for the bank.

Also on 8 December, the Council approved the progress report on the implementation of EU's strategy to combat the illicit accumulation or and trafficking in small arms, light weapons, and ammunition and agreed upon a common text to be used in future SALW negotiations. The Council also replaced a Code of Conduct with a Common Position governing the control of exports of military technology and equipment, obliging each Member State to assess, on a case-by-case basis, export license applications made to it for items on the EU Common Military List, in accordance with a list of established criteria. Finally, the Council adopted a set of conclusions on the draft Code of Conduct for outer space activities.

On 9 December, the High Representative Javier Solana presented his "Report on the Implementation of the European Security Strategy – Providing Security in a Changing World." Solana stressed that five years after the adoption of the Strategy, dangers have not gone away but "some have become more significant, and all more complex. Moreover, globalization is accelerating shifts in power and is exposing differences in values." Solana stressed that the Strategy remained a work in progress and the Europeans needed to be "still more capable, more coherent and more active."

2007: On 12 February, the European Council reached an agreement on a draft common position on deterring Iranian nuclear ambitions in accordance with UNSCR 1737 (adopted on 23 December 2006). The document called for restrictive measures including a ban on goods, technology, and financial support that could be used for nuclear proliferation; visa bans for persons associated with the Iranian nuclear program; and steps to prevent teaching and training of Iranian nationals in matters associated with nuclear proliferation.

Several important nonproliferation issues were discussed during the 23 April European Council meeting in Luxembourg. The Council agreed to hold a conference with the EU Institute of Security Studies on the topic of universalization and compliance with the International Code of Conduct (ICOC) against ballistic missile proliferation. The Council also discussed ways of implementing UNSC Resolutions 1737 and 1747 (adopted on 24 March 2007), both of which concerned the Iranian nuclear program. Specifically, the Council approved an additional list of targets subject to economic sanctions not mentioned in the UNSC list.

The Council also approved several conclusions for the 2007 NPT PrepCom meeting. The conclusions expressed support for the NPT, calling it the "cornerstone of the non-proliferation regime." Support was also expressed for nuclear disarmament in accordance with Article VI and peaceful nuclear energy under Article IV.

At the 17-18 June meeting of the European Council, a conclusion was adopted expressing European Union support for a legally binding international Arms Trade Treaty. This action was taken in response to UN Secretary-General Ban Ki-moon's January 2007 request for UN member states to express their views on such a treaty.

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At the 15-16 October meeting, the Council underlined its continuous commitment to the comprehensive package proposed to Iran in June 2006, reaffirmed its support for the resolutions of the UN Security Council, and regretted the fact that Iran had failed to comply with the call of the international community to suspend all enrichment related activities.

On 19 November, the Council welcomed the progress made towards the denuclearization of the DPRK, in particular through the shutdown of nuclear facilities, and adopted a joint action on financial support as am extra-budgetary contribution for monitoring and verification activities by the IAEA in the DPRK.

On 10 December, the Council endorsed a progress report of the High Representative and the Commission on the implementation of the EU nonproliferation strategy. The Council also welcomed the report of the UN Secretary General towards an Arms Trade Treaty and underlined the importance of the work of the UN-appointed Group of Governmental Experts.

2006: The European Council of Ministers, on 27 February, adopted the European Union's "joint action" for the Biological and Toxin Weapons Convention. This will provide "immediate and direct" application to a number of the components pertaining to the 2003 European Strategy. The Council also adopted the biological and toxin weapons action plan which supports the previously mentioned joint action. However, this action plan will be executed by member states in the case of biological or chemical weapon violation within the EU. Finally, on 16 November, the European Parliament adopted a resolution calling for stronger Union commitments in order to strengthen the convention.

On 20 March, the Council adopted a common position relating to the 2006 review conference of the BTWC. The document states that the EU considers the BTWC a key component of the nonproliferation regime and that more effective verification and compliance measures are needed to strengthen the convention. The common position was approved in light of the BTWC preparatory committee (26-28 April) and review conference (20 November-8 December).

The Council also confirmed its support for the Comprehensive Nuclear-Test-Ban Treaty. Specifically, the Union encouraged the improvement of the verification systems, fulfilling the obligations of signatory members, and finally, augmenting the benefits of treaty participation.

On 6 June, the European Council of Ministers approved a joint action on support for IAEA activities for nuclear security and implementation. The document specifically mentions the need to work toward universalization of nonproliferation security instruments such as the comprehensive safeguards agreement and the Additional Protocol, the need to provide regulatory and legislative assistance for safeguards, and the need to prevent illicit trafficking of sensitive nuclear material.

The European Council of Ministers, on 11 December, adopted a concept paper pertaining to the monitoring and improvement of implementation for the EU's WMD and nonproliferation strategy. Ultimately, the Council is working to create a cooperative working method within the Union to improve implementation.

2005: Following the conclusion of the 2005 NPT Review Conference, the EU released a Council Common Position document related to the conference. The EU stressed that it continues to regard the NPT as "the cornerstone of the global nuclear non-proliferation regime." The document noted the need to work toward the universal accession of the NPT and achieve the full compliance of all States Parties. The importance of a commitment to both nonproliferation and disarmament was highlighted, as was the importance of developing effective export controls and adopting the Additional Protocol as the standard of verification.

On 8 June 2005, the EU released the Progress Report on the implementation of Chapter III of the EU Strategy against the Proliferation of Weapons of Mass Destruction. The report highlighted the efforts the EU will undertake to promote nonproliferation and nuclear safety. Among the initiatives mentioned was the importance of the NPT's three pillars and global effort toward its universalization. The EU also emphasized the importance of the universalization of the Additional Protocol. The EU noted that all its member states have ratified the CPPNM and encouraged widening the scope of the convention. The document also placed a heavy emphasis on developing export controls on WMD. It was noted that the EC 2005 budget included EUR 3 million for the investigation of measures to combat the proliferation and illicit trafficking on WMD and light weapons.

The Brussels European Council occurred 16-17 June. The meeting emphasized several issues, including the importance of the fight against terrorism. The Council noted the need to develop strategies to stop the financing of terrorists and encourage international review and dialogue of ways to combat terrorism. The Council also supported the Convention for the Suppression of Acts of Nuclear Terrorism and called on all UN members to sign the convention. The Council also noted its support for the NPT and its disappointment in the 2005 Review Conference failure to achieve a final document by consensus. On the issue of Iran, the European Council welcomed negotiations for trade and cooperation, but pointed out that the total suspension of all enrichment-

related and reprocessing activities will have to be maintained in order for dialogue to continue.

On 20 June the EU and the United States discussed a Joint Programme on the Work on the Nonproliferation of Weapons of Mass Destruction. Agreement was reached on a number of initiatives, which include building global support for nonproliferation, reinforcing the NPT, recognizing the importance of biological threats, promoting full implementation of UNSCR 1540, establishing a dialogue on compliance and verification, strengthening the IAEA, advancing the Proliferation Security Initiative, reaffirming their commitment to the Global Partnership, and enhancing nuclear security.

The EU and the United States also released on 20 June the Declaration on Enhancing Cooperation in the Field of Nonproliferation and the Fight Against Terrorism. The document notes the growing threat of terrorism using weapons of mass destruction and pledges to cooperate in efforts to combat terrorism on a global scale with the goal of adopting the Comprehensive Convention Against Terrorism.

On 18 July, the 2674th General Affairs Council Meeting released a statement announcing the adoption of a Joint Action initiative on support for nuclear security and verification efforts by the IAEA. The EU will allocate nearly EUR 4 million for support in four areas:

- Strengthening protection of nuclear materials in use, storage, and transport;
- Strengthening security of radioactive materials in non-nuclear applications;
- Strengthening capabilities for detection and response to illicit trafficking;
- Drafting legislation for the implementation of states' obligations under agreements with the IAEA.

2004: On 26 February, the European Parliament issued a Resolution on Nuclear Disarmament. The resolution, which was an EU preparation for the Third NPT PrepCom 2004, called upon Member States to form a common front and attach special importance to new initiatives on nuclear disarmament and the revitalization of the UN Conference on Disarmament.
On 17 May, the Council of the European Union adopted the "Council Joint Action on support for IAEA activities under its Nuclear Security Programme and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction." According to paragraph 1 of Article 1 of the Joint Action, the EU shall support the IAEA activities under the Nuclear Security Plan for the purposes of giving immediate and practical implementation to some elements of the EU Strategy against the Proliferation of WMD. Paragraph 2 states that the projects of the IAEA, corresponding to measures of the EU Strategy, are projects that aim at strengthening:

- the physical protection of nuclear materials and other radioactive materials in use, storage and transport, and of nuclear facilities;
- the security of radioactive materials in non-nuclear applications;
- the states' capabilities for detection and response to illicit trafficking.

These projects (for which the Council has allocated a budget of EUR 3,329,000) will be carried out in countries needing assistance in the area of nuclear security. For their implementation, the EU Commission shall conclude a financial agreement with the IAEA on the conditions for the use of the EU contribution. The IAEA shall ensure visibility of the EU contribution. The Annex to the Joint Action contains a detailed description of the projects to be carried out.

On 26 June, the EU and the United States agreed to expand their cooperation to prevent, contain, and reverse the proliferation of weapons of mass destruction and their delivery systems. Their commitments build on their agreement at the 2003 U.S.-EU summit and further President Bush's February 11 proposals to heighten international action against WMD proliferation and the G-8 Action Plan on Nonproliferation adopted at the Sea Island Summit.

On 13 December, the General Affairs and External Relations Council reviewed the progress of the Action Plan Against Proliferation of WMD established by the European Council in Thessaloniki in 2003. The Council encouraged strengthening the efficiency of the EU export control system for the control of dual use goods.

2003: On 20 and 21 March, the Council of the European Union met in Brussels to discuss issues concerning nonproliferation and the war against terrorism. At this meeting, the Council acknowledged the role that defense- and security-related research and development could play in encouraging cutting-edge technologies to help stimulate innovation and competitiveness. In addition, it specifically noted the role of the UN Security Council and its ability to help prevent the spread of weapons of mass destruction (WMD). With respect to the situation in Iraq, the EU Council committed itself to the territorial integrity, sovereignty, political stability, and the full and effective disarmament of Iraq. In terms of North Korea, the Union expressed deep concern and called on that country to abstain from any action that could aggravate the current situation. It also reaffirmed that North Korea's non-compliance with its international obligations in the field of nuclear weapons was a serious concern for the entire international community and was detrimental to its own

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interest. In the international field, the EU strongly emphasized its commitment to the fundamental role of the United Nations in the international system. The Union expressed its support for the Security Council with respect to the maintenance of international peace and stability. In addition, the EU stated that it will continue to assist the further strengthening of the international coalition against terrorism. It committed itself to intensifying work for a comprehensive, coherent, and effective multilateral policy of the international community to prevent the proliferation of WMD.

From July to October 2003, the Council of the European Union and the General Affairs and External Relations Council met several times to discuss issues related to the nonproliferation of WMD and security in the region. Some of the most highly debated topics throughout these meetings included the EU/UN Cooperation in Crisis Management and the nonproliferation of weapons of mass destruction.

In late September, the Council announced a joint declaration by the EU and the UN on Cooperation in Crisis Management. The aim of the declaration is to increase effectiveness of support provided by the EU under the European Security and Defense Policy (ESDP). The declaration concluded months of discussion on the development of EU civilian and military crisis management capabilities in such a way that UN action may effectively benefit from an EU contribution.

With regard to the non-proliferation of WMD, the Council concluded in late September to implement an Action Plan against the Proliferation of WMD. The plan is intended to be a follow-up to the Basic Principles for an EU Strategy Against Proliferation of WMD.

The Council also adopted a decision on the implementation of a joint action with respect to the EU's contribution to combating the accumulation and spread of small arms and light weapons in Latin America and the Caribbean. The Decision provided financial support for projects aimed at training law enforcement instructors, improving control of the legal firearms trade, combating illicit trafficking, and facilitating the destruction of surplus weapons and improvements of stockpile management. The Council made a financial agreement with the UN and the Department for Disarmament Affairs in New York for the allocation of resources for this project.

On 12-13 December 2003, a European Council of Heads of State and Government was held. During this summit, an "EU Strategy against the Proliferation of Weapons of Mass Destruction" was formally adopted.

The Strategy, which is set to be periodically updated, creates an integrated framework for EU action in the field of nonproliferation. Furthermore, it makes nonproliferation an EU. The cornerstone of the EU strategy for combating proliferation of WMD is effective multilateralism. The instruments available for curbing WMD proliferation range from multilateral treaties and verification mechanisms; export controls; political and economic levers including trade and development policies; Cooperative Threat Reduction (CTR); and interdiction of illegal procurement activities to, as a last resort, coercive measures in accordance with the UN Charter.

On 22 December 2003, the Council adopted Directive 2003/122/EURATOM on the control of high-activity sealed radioactive sources and orphan sources within the EU. The strengthening of the control of high-activity radioactive sources in all third countries, in accordance with the G-8 statement and Action Plan on securing radioactive sources, remains an important objective to be pursued by the Council.

2002: On 15 April, the Council of the EU adopted conclusions on a list of concrete measures with regard to the implications of the terrorist threat on the nonproliferation, disarmament, and arms control policies of the EU. Those measures concern multilateral instruments, export controls, international cooperation, and political dialogue. As regards multilateral instruments, the Council adopted the following concrete measures: 1) support all activities related to the universalization of existing multilateral instruments (e.g., CWC, BWC, Geneva Protocol, NPT, CTBT, CCWC, and Ottawa Convention); 2) work for the effective implementation of the international instruments as well as political commitments worldwide; 3) support the work of the international organizations (e.g., OPCW, CTBTO, IAEA) in their endeavors; and 4) reinforce, where needed, the multilateral instruments.

On 21 May, the EU Internal Market Council approved Euro 645,000 in funding for the EU Co-operation Program for Non-Proliferation in the Russian Federation for the period 2002-03. The money will pay for one expert and secretary in Moscow, and a team of three experts plus a Head of Section based in Brussels. The program was launched by a Council Joint Action in December 1999.

On 24 May, the EU warmly welcomed the signing of a US-Russian nuclear disarmament treaty, describing the landmark deal as a step forward for the international community. At the same time, the EU expresses its hope that this treaty will be followed by other initiatives to strengthen international security and stability.

In July, the Council of the European Union, which makes the decisions necessary for defining and implementing CFSP on the basis of general guidelines established by the

European Council, agreed measures to take external action against terrorism. Those measures include implementing and developing the targeted initiatives within the field of nonproliferation, disarmament, and arms control adopted by the European Council on 15 April 2002. Another measure is to develop a common evaluation of terrorist threat against the Member States or the forces deployed under European Security and Defence Policy outside the Union in crisis management operations, including the threat posed by terrorist use of weapons of mass destruction (WMD).

On 30 September, in the general debate at the First Committee of the 57th session of the General Assembly, the EU reiterated its support of the International Code of Conduct against the proliferation of ballistic missiles (ICOC). The EU urged all States to attend the ICOC launching conference at the Hague on 25-26 November 2002 and join the Code.

On 27 September, the EU welcomed Cuba's decision to adhere to the NPT. "The European Union calls upon those states not yet members to accede to the NPT as non-nuclear weapons states," the statement continued, adding "The Union attaches special importance to achieving universal adherence to the NPT."

2001: On 10 December, the European Council decided to launch an initiative to respond to the international threat of terrorism. This initiative will focus on strengthening and guaranteeing the implementation of relevant multilateral instruments in the field of nonproliferation, disarmament, and arms control; strengthening export controls, particularly through the full implementation of the EU code of conduct on the export of military equipment; international cooperation to promote protection against the use and threat of chemical and biological weapons and assistance in this field; and a political dialogue with third countries.

On 6 September, the European Parliament adopted a resolution on measures to promote a commitment by non-State actors to a total ban on anti-personal landmines.

On 27 July, the Council of Ministers issued a Common Position on the Fight Against Ballistic Missile Proliferation.

On 25 July, legislation for establishing the EU Institute for Security Studies was issued, incorporating features of existing Western European Union structures.

At the 18-24 July UN Conference on the Illicit Trade of Small Arms and Light Weapons in All Its Aspects, the EU put forward proposals in key areas in pursuit of a politically binding program of action. These areas include export controls and criteria, marking and tracing, brokering, stockpile management, surplus and destruction, disarmament, demobilization and reintegration of ex-combatants, assistance for implementation of concrete measures, and follow-up.

On 21 June, the EU made a joint declaration with Canada on nonproliferation, arms control, and disarmament. *Inter alia,* they underlined the importance of continued reductions in all types of nuclear weapons, and looked for reduction to be accompanied by effective mechanisms of transparency and irreversibility.

They welcomed the decision to hold a conference on the facilitation of the entry into force of the CTBT in New York in September 2001, and they agreed on the need for active follow-up to promote ratification especially by the remaining 13 States necessary for entry into force. They noted that the early entry into force of the Comprehensive Test Ban Treaty (CTBT) is crucial to the strengthening of the global nuclear nonproliferation regime.

The two sides announced their full support for efforts to strengthen the effectiveness and improve the efficiency of the International Atomic Energy Agency (IAEA) safeguards and welcomed the adoption by the Agency of a Model Protocol supplementing existing safeguard agreements.

They also announced their deep disappointment that the Conference on Disarmament (CD) had not yet fulfilled its 1995 mandate to negotiate a treaty banning the production of fissile material (FMCT) for nuclear weapons and urged all CD members to reach an agreement to allow for the opening of FMCT negotiations during the current CD session. They also supported the creation of committees on nuclear disarmament and on the prevention of an arms race in outer space (PAROS).

They reaffirmed their concerns on the proliferation of the means of delivery of WMD and will seek new ways to augment multilateral action to limit such proliferation. They supported efforts to promote an international code of conduct on missile activities open to all States and they welcomed work to strengthen the Missile Technology Control Regime (MTCR).

The EU participated actively in the United Nations Convention against Transnational Crime, adopted by the UN General Assembly on 31 May 2001.

The EU hosted a conference on progress in Non-Proliferation and Disarmament in Brussels on 8-9 March. The aim was to reinforce coordination among programs with a focus on science, technology, and expertise on nonproliferation. The main actions focus on projects like plutonium and spent fuel storage; monitoring of storage safety, environment, and human security at nuclear sites; preparation of decontamination, and re-conversion of production facilities.

On 15 February, Sweden's Ambassador Henrik Salander spoke to the UN Conference on Disarmament on behalf of the EU and the countries of Central and Eastern Europe

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associated with the EU, laying down expectations and hopes for 2001. The EU pledged to contribute to the full implementation of the Final Document of the NPT, stressing the two agreed practical steps with regard to the CD (FMCT negotiations and a subsidiary body to deal with nuclear disarmament). Salander stated that an immediate launch of FMCT negotiations with engagement in both nuclear disarmament and PAROS under the auspices of subsidiary bodies constituted the basis for an agreement to begin work in the CD. He further noted that the Amorim proposal contained aspects necessary for agreement if the Conference viewed it pragmatically.

On February 26, EU ministers signed the Treaty of Nice (the fourth version of the Union's founding charter since the mid-1980s). It provides for the enlargement of the 20-member European Commission to 27 and lets countries opt out of common policies they do not like. This treaty also alters the voting rights of the existing 15 Member states, paves the way for additional EU membership, and sets the EU on the path toward another round of treaty reforms to be completed by 2004. The Treaty of Nice must be ratified by the 15 EU legislatures and the European Parliament to take effect.

2000: On 1 January, Greece joined the Euro zone, which, as of May 2004, includes 12 Member States.

On 2 March, the Political and Security Committee (COPS) was launched. Its aim is to equip the EU to respond effectively to international crises using all the tools at its disposal: diplomacy, economic measures, humanitarian assistance and, ultimately, the use of military force. The goals of these measures are to set the EU apart and allow it to play an international role consistent with its responsibilities and the expectations of its citizens.

Jaime Gama (State Minister and Minister for Foreign Affairs of Portugal) delivered the EU statement at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, on 24 April.

The EU "Common Position" noted its intention to help build consensus on substantive issues in the 2000 NPT Review Conference, taking into account the preparations in the three sessions of the Preparatory Committee and bearing in mind the fundamental importance of the decisions and resolution adopted by the 1995 Review and Extension Conference.

The EU strongly supported the early entry into force of the CTBT through ratification without delay and without conditions, in particular by the 44 States whose ratification is required for the Treaty to enter into force. Members of the EU have already signed and ratified the Treaty, and the EU was actively involved in promoting universal adherence to it. The EU planned to continue its efforts until the mechanisms established by the Treaty become fully operational. It welcomed the announcement by the Russian Federation that the State Duma had approved the Treaty for ratification.

The EU particularly called upon those nuclear weapon States (NWS) that had not done so to expedite their CTBT ratification process so as to encourage others to follow.

The EU deeply regretted the US failure to ratify the CTBT. The EU also underlined its full support for efforts to establish the Treaty's verification regime in a timely and effective manner and emphasized the need for the provision of adequate financial support to enable the CTBT international monitoring system to be established.

The EU called for the immediate commencement and early conclusion of negotiations in the CD in Geneva on a FMCT. It supported the efforts being undertaken at the CD in Geneva to restart negotiations without delay on a non-discriminatory, multilateral, and internationally and effectively verifiable treaty, on the basis of the Shannon report and the mandate contained therein. The EU called on all States that had not yet done so, to stop the production of fissile material for nuclear weapons or other nuclear explosive devices.

The EU would continue to encourage the determined pursuit by the NWS of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of complete disarmament under strict and effective international control. The EU also wished to see non-strategic nuclear weapons included in the framework of arms reduction efforts. The EU reaffirmed the importance of the Anti-Ballistic Missile (ABM) Treaty, as one of the pillars of strategic stability.

1999: On 1 January, the Euro became the official currency of eleven Member States of the European Union, with a fixed conversion rate into their national currencies. Euro notes and coins will not appear until 1 January 2002, but the new currency may already be used by consumers, retailers, companies, and public authorities in non-cash form.

The European Council launched a decision on EU Joint Action on Non-Proliferation and Disarmament in Russia and other Newly Independent States (NIS). This agreement was to reinforce, coordinate, and improve public awareness of the EU in this field.

The Amsterdam Treaty entered into force on 1 May. It defines the beginnings of a CFSP by increasing EU responsibilities for peacekeeping and humanitarian work, and sets out institutional reforms to precede EU enlargement. It also elucidates the role of the Western European Union (WEU) as an integral part of the development of the EU and announces that the EU will foster closer institutional relations with the WEU with a view to possibly integrating it into the EU.

As a result of the Kosovo conflict, the Cologne European Council, which was held from 3-4 June, placed the Petersberg tasks (defined as the full range of conflict prevention and crisis management tasks) at the core of the European common security and defense policy.

On 10-11 December, the Helsinki European Council built on the guidelines of the Cologne Council and agreed to specific measures to apply to all Member States in the case of military operations. The presidential conclusions of this meeting stressed that the EU would contribute to international peace and security in accordance with the principles of the UN Charter; the EU recognizes the primary responsibility of the UN Security Council for the maintenance of international peace and security; and the EU is determined to develop an autonomous capacity to make decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. The process will avoid unnecessary duplication and does not imply the creation of a European army.

1998: On 17 December, the Council adopted a Joint Action on the EU's contribution to combating the destabilizing accumulation and uncontrolled spread of small arms and light weapons.

1997: On 26 June, the EU program for preventing and combating illicit trafficking in conventional arms was adopted by the General Affairs Council of the EU.

The Amsterdam Treaty was signed on 2 October.

1995: Full implementation of the Schengen Treaty began in July with the removal of internal border controls between six of the seven signatories.

1993: The single EU market was established.

The Maastricht Treaty entered into force on 1 November. Under this Treaty, the European Political Cooperation (EPC) was transformed into the "Common Foreign and Security Policy." The objectives of the Common Foreign and Security Policy (CFSP) are to preserve peace and strengthen international security, in accordance with the principles of the UN Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter.

1987: The Single European Act enters into force.

1986: The Single European Act was passed. By this Act, each State agreed to the setting-up of a single market throughout the European Union by 1992. It also introduced a new legislative procedure, the cooperation procedure, and it created an initial legal framework for a common foreign policy among the Member States. The program involved the abolition of exchange controls, the recognition of qualifications, the abolition of restrictions on internal transport, liberalization of the market in air services, public procurement tendering, life insurance and banking services, and the abolition of frontier controls.

1985: The signing of the Schengen Agreement created an area of free circulation within the EU. The original signatories are Belgium, the Netherlands, Luxembourg, France, Germany, Portugal, and Spain. Its purpose is to remove all controls at internal land, sea and airport frontiers. In order to maintain internal security, a variety of measures have been taken, including coordination of visa controls at the external borders of the Member States through a common approach to visa policies and asylum procedures.

1969: From 1969 until the 1993 entry into force of the Maastricht Treaty, the EPC conducted the coordination of foreign policy initiatives of the European Community Member States.

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Organization for Security and Cooperation in Europe (OSCE)

Background: The Conference on Security and Co-operation in Europe (CSCE) convened on 3 July 1973 in Helsinki. The Helsinki Final Act was signed by 35 States on 1 August 1975. It was renamed the Organization for Security and Co-operation in Europe (OSCE) in 1994.

Participating States: 56 – Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Holy See, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, the former Yugoslav Republic of Macedonia, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, United States of America, and Uzbekistan.
Partners for Cooperation fall into two groups: The Mediterranean Partners for Co-operation (Algeria, Egypt, Israel, Jordan, Morocco and Tunisia) and the Asian

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Partners for Co-operation (Afghanistan, Japan, Mongolia, Republic of Korea and Thailand).

The Organization for Security and Cooperation in Europe (OSCE) is the largest regional security organization in the world. It is engaged in early warning, conflict prevention, crisis management, and post-conflict rehabilitation. The OSCE maintains a cooperative and comprehensive approach to security, dealing with a variety of security-related matters, including arms control, preventive diplomacy, confidence- and security-building measures, human rights, democratization, election monitoring, and economic and environmental security.

Agreements: Major agreements and documents in an OSCE context: "Treaty on Conventional Armed Forces in Europe" (CFE), 19 November 1990; "Charter of Paris for a New Europe," adopted on 21 November 1990; "Vienna Document on Confidence- and Security- Building Measures," 4 March 1992; "Declaration on the Treaty on Open Skies," 24 March 1992; Helsinki Summit Document "The Challenges of Change," 10 July 1992; Budapest Summit Document "Towards a Genuine Partnership in a New Era," 6 December 1994; Lisbon Summit Declaration "A Common and Comprehensive Model for Europe for the Twentieth Century," adopted 3 December 1996; Istanbul Summit Document, "Charter for European Security," adopted 19 November 1999.

Structure and Institutions:

Summits of Heads of States or Governments: Meetings set priorities and provide orientation for OSCE work at the highest level. The most recent summit took place in Istanbul from 18-19 November 1999, and concluded the "Istanbul document". Since 1975, there have been six CSCE (OSCE) summits.

Ministerial Council (formerly the CSCE Council): The council comprises the foreign ministers of the OSCE Member States. It is the central decision making and governing body of the OSCE. It holds meetings once a year.

Senior Council (which replaced the Committee of Senior Officials): The Senior Council is responsible for the overview, management, and coordination of OSCE activities. It is the central body for consultation on current political issues, and OSCE members are encouraged to be represented at the level of political directors. It meets twice a year in Prague and once a year as the Economic Forum.

Permanent Council (formerly the Permanent Committee): The Permanent Council is responsible for the day-to-day operational tasks of the OSCE. Its members are permanent representatives of OSCE Member States. The Permanent Council takes decisions on all issues pertinent to the OSCE. It holds weekly meetings and is based in Vienna.

Forum for Security Cooperation (FSC): The Forum meets weekly in Vienna and negotiates and consults on concrete measures aimed at strengthening security and stability throughout Europe. Its main objectives are negotiations on arms control, disarmament and confidence- and security-building measures; regular consultations and intensive cooperation on matters related to security; and the further reduction of the risks of conflict. It is also responsible for the implementation of confidence-and security-building measures (CSBMs), the preparation of seminars on military doctrine, the holding of annual implementation assessment meetings, and for the provision of a forum for discussion and clarification of information exchanged under agreed CSBMs.

Chairman-in-Office (CIO): The CIO is responsible for executive action. This function is performed by the foreign minister of the state who hosted the last meeting of the Ministerial Council. The CIO for 2008 is the Finnish foreign minister Ilkka Kanerva. The CIO is assisted by:

Troika: The delegation comprises the preceding, present, and succeeding chairs (the 2008 Troika consists of Spain, Finland and Greece); ad hoc steering groups may be established as needed to assist the CIO, particularly in the field of conflict prevention and crisis management; personal representatives are designated by the CIO, with clear mandates for assisting the CIO in dealing with a crisis or conflict.

Secretary General: The secretary general acts as the representative of the CIO and supports the chair's activities. The secretary general is the OSCE's chief administrative officer, appointed by the council for a period of three years. The current secretary general is Ambassador Marc Perrin de Brichambaut (France).

Secretariat: The secretariat is under the direction of the secretary general. In addition to the Office of the Secretary General, it consists of the Conflict Prevention Centre (CPC), the Department for Administration and Operations, and the Coordinator of OSCE Economic and Environmental Activities, as well as the Prague Office of the Secretariat. The secretariat services an Open Skies Consultative Commission (OSCC) established under the 1992 Treaty on Open Skies for consideration of all questions related to compliance with the treaty.

Verification and Compliance: The OSCE is founded on the principle that all participating States are accountable to each other with respect to their relations vis-à-vis other participating States and also with respect to the way they treat their own citizens. Cooperative security and arms control issues are dealt with by the Vienna Forum for Security Cooperation (FSC). Of critical importance is the issue of implementing and verifying existing agreements (confidence- and security-building measures –CSBMs– in accordance with the Vienna Document of 1999 and the

1994 Code of Conduct on politico-military aspects of security). Furthermore, the arms control regime defined by the 1995 Dayton Accords (Annex 1B on regional stabilization) is implemented under the auspices of the FSC. Through continued negotiation, confidence-building measures have been extended, and higher expectations for treaty compliance and verification have been set.

Developments:

2008: The Forum for Security Co-operation convened on 16 January 2008 in Vienna and decided that its work for this year will be guided by the Madrid Ministerial Decision of November 2007. This means that the focus will be on arms control, disarmament, confidence- and security-building measures, conflict prevention, addressing new security challenges, and implementation of the UNSCR 1540.

The 17th Annual Session of the OSCE Parliamentary Assembly was held in Astana from 29 June - 3 July 2008. The theme was "Transparency in the OSCE" and the meetings brought together 227 parliamentarians. They debated issues ranging from water management to trade to cyber-security to migration and concluded the Astana Declaration with calls for more transparency in the organization of, and access to, political and historical archives. It also urges participating States to increase transparency in the use of private military contractors and to ensure that these contractors operate under international law.

2007: The 15th Economic and Environmental Forum (formally known as the Economic Forum) met for the first of two meetings on 22-23 January. The theme "Key challenges to ensure environmental security and sustainable development in the OSCE area: Land degradation, soil contamination, and water management" analyzed the link between environmental change and security. The forum discussed how climate change, desertification, resource scarcity, pollution, and other environmental problems can lead to poverty and environmentally induced migration. The meeting also addressed the balance between environmental protection and economic growth.

The second meeting of the Economic and Environmental Forum convened in Prague from 21-23 May. The forum continued the discussion from the January meeting on the topic of environment and security.

The Forum for Security Cooperation held a special meeting in Vienna on 21 March to discuss illicit small arms and light weapons (SALW) trafficking by air. The meeting brought together representatives from OSCE member states, several international organizations, and the private air transportation sector. Discussion during the meeting focused on the complexity of SALW transportation and the responsibility shared by governments and private sector companies alike in preventing illicit trafficking.

The Extraordinary Conference of the States Parties to the CFE Treaty was held in Vienna on 12-15 June. Russia officially requested the meeting on 28 May. According to article XXI of the treaty, any state party can request an extraordinary conference under "exceptional circumstances." The Russian government stated that the "exceptional circumstances" included the expansion of NATO and "NATO foot-dragging on ratification of the Agreement on the Adaptation of the CFE Treaty."

The 16th OSCE Parliamentary Assembly met on 5-9 July in Kyiv. In its Kyiv Declaration, the Assembly expressed regret at the lack of progress in resolving so-called 'frozen conflicts' in the OSCE region, and recommended strengthened action in several fields, including migration, energy, and environmental security.

Representatives of Russia and the United States convened on 31 October at a meeting of the OSCE Forum for Security Co-operation (FSC) to discuss the missile defense initiative.

The 15th Ministerial Council met in Madrid on 29-30 November. The Council agreed on a new decision to ensure that the OSCE states focus on arms control, disarmament, confidence- and security-building measures, conflict prevention, and address new security challenges. The decision supported the UN Global Counter-Terrorism Strategy, and tasked the OSCE Forum for Security Co-operation to promote the implementation of UN Security Council Resolution 1540 by sharing experiences and identifying ways to assist participating states in implementing the Resolution nationally.

The November Council also approved a decision to step up OSCE's engagement with Afghanistan in order to help secure and manage borders between OSCE's Central Asian countries and Afghanistan, train police, and support the fight against drug trafficking.

2006: The 14th Economic Forum met twice throughout the year. On 23 and 24 January, representatives met in Vienna, Austria to discuss the theme of "Transportation in the OSCE area: Secure transportation networks and transport development to enhance regional economic co-operation and stability." The meeting addressed important issues of the 2006 Belgian chairmanship including improving economic integration between Europe and Asia, combating corruption, and assisting landlocked countries. Representatives stressed the importance of transportation for international cooperation, economic development, and conflict resolution.

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The 14th Economic Forum reconvened 22-24 May in Prague with 370 representatives from 60 countries. The forum continued its discussion on transportation issues in the OSCE region, especially in the South Caucuses, the Transdniestran region of Moldova, and the landlocked countries of Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan. Other issues addressed included security and environmental issues. Participants stressed the importance of transportation development as a means of increasing economic efficiency and improving trade relations with Asia.

The 15th Annual Session of the Parliamentary Assembly convened in Brussels on 4-7 of July. The assembly passed the Brussels Declaration, a document that makes proposals on a variety of issues including security, economics, the environment, and human rights violations including "crimes of honour." The declaration also called for increasing support of OSCE field site operations in the Balkans.

The Forum for Security Cooperation continued its 2005 work on the nonproliferation of weapons of mass destruction. The Workshop on the Implementation of Security Council Resolution 1540 was held in Vienna on 8 November. The OSCE hopes to take an important regional role in the prevention of proliferation and terrorist activity by working closely with the UNSC Resolution 1540 Committee. The meeting addressed national strategies and plans for adhering to the obligations of Resolution 1540. Topics addressed included the security of nuclear material, legal reforms, and export controls.

The 14th Ministerial Council met in Brussels 4 – 5 December. The meeting was successful in passing a range of decisions and statements on issues such as transportation, energy, crime, Kosovo, Nagorno-Karabakh, and sexual exploitation of children. CIO Karel De Gucht of Belgium stated progress was made on small arms trafficking and proliferation. The CIO also expressed concern over "frozen" conflicts in Europe, namely Moldova and Georgia, but said that progress was being made in Nagorno-Karabakh.

A report of the OSCE Audited Final Statements, published by an External Auditor on 10 July 2007, assessed that for the FY 2006 the total income of the Organization totaled to €188.7 million and the total expenditures to €180.9 million. The professional staff positions amounted to 1,415 and the General Service position to 2,147, which means a total staff of 3,562.

2005: On 10 June 2005, Ambassador Marc Perrin de Brichambaut was appointed as OSCE secretary general for a three-year term.

Later that month, on 27 June, the Panel of Eminent Persons presented its report, "Common Purpose," on strengthening the effectiveness of the OSCE to the Slovenian CIO. The report includes numerous recommendations in the following categories: strengthening the OSCE's identity and profile, improving consultative and decision-making processes, clarifying the roles of the CIO and secretary general, enhancing field operations, and strengthening operational capacities.

A second important report issued in June was the report on the future of the OSCE prepared by a joint project between the OSCE Parliamentary Assembly and the Swiss Institute for World Affairs.

The Chairmanship continues the efforts to implement strategies for OSCE work in the politico-military dimension. Preventing and combating terrorism is high on the agenda. Furthermore, the OSCE Border Security and Management Concept will be continued.

2004: During the first half of the year the OSCE, under the chairmanship of Bulgarian foreign minister Solomon Passy, attended to concerns surrounding possible terrorist activity and arms control. On 11-12 March, the OSCE, in conjunction with the United Nations Office on Drugs and Crime, held a follow-up conference to the United Nations Counter-Terrorism Committee Special Meeting in Vienna. Discussion focused on current issues of global terrorism, including MANPADS and narco-terrorism. Participants, who included counterterrorism experts from around the world, also adopted a Special Declaration expressing sympathy and solidarity in light of the terrorist attacks in Madrid, Spain on 11 March. In addition, they issued a Vienna Declaration, pledging to "seek ways in which to enhance the effectiveness of our efforts against terrorism" and implement UN Resolution 1373, among other commitments.

On 17-18 May, the Forum for Security Cooperation and the OSCE Conflict Prevention Center held a regional seminar for the Central Asian States introducing the *Handbook of Best Practices on Small Arms and Light Weapons*, recently published by the OSCE's Forum for Security and Co-operation. Later that month, at a Plenary Meeting on 26 May, the OSCE's Forum for Security Cooperation adopted a decision, "OSCE Principles for Export Control of Man-Portable Air Defence Systems," outlining acceptable exports of surface-to-air missiles. The decision specified, for instance, guarantees the recipient country must make prior to the authorization of MANPADS exports.

The OSCE held its 12th Economic Forum, "New Challenges for Building up Institutional and Human Capacity for Economic Development and Co-operation,"

in Prague from 31 May to 4 June. Discussions centered mainly on economic development and cooperation and, specifically, the OSCE's earlier adoption of a "Strategy Document for the Economic and Environmental Dimensions." Those in attendance advocated greater interaction between State governments and the business community as a means to fostering cooperation and prosperity and preventing conflict.

The OSCE Annual Security Review Conference in Vienna began on 23 June. The CIO delivered a speech asking participating States to focus on chemical, biological, radiological, and nuclear materials in their efforts to prevent terrorism, especially "in view of recent research indicating the increased risk of asymmetric and non-conventional threats." He also noted that member States should increase efforts to prevent terrorists from acquiring conventional explosives by securing civilian sites and removing the risks of ammunition and conventional explosive stockpiles. During the two-day conference, several working groups met, including groups discussing "Comprehensive Security" and "Preventing and Combating Terrorism." At the latter, participants expressed the view that the risk of terrorists obtaining or transferring fissile or biological material across international borders should be treated as a priority concern by the OSCE, and that there is a great need to focus on preventing terrorists acquisition of WMD.

The Thirteenth Annual Session of the OSCE Parliamentary Assembly, themed "Co-operation and Partnership: Coping with New Security Threats," convened in Edinburgh, Scotland from 5-9 July. Representatives from 42 OSCE States adopted the "Edinburgh Declaration," a statement dealing with various aspects of this theme. Specifically, the Declaration addresses and condemns terrorism and its implications, and urges the international community to assist in carrying out the fight against terrorism while conforming to international laws of human rights and refugee protection. The Declaration also addresses other issues, and reaffirms principles outlined in the 2003 Rotterdam Declaration.

In a report to the General Committee on Political Affairs and Security, rapporteur Clifford Lincoln addressed the need for new responses to contemporary threats such as international terrorism. He discussed the threat of the proliferation of nuclear, chemical and biological weapons in addition to conventional arms, particularly noting the danger of terrorists acquiring weapons from unsecured stockpiles.
Acknowledging the work done by the Forum for Security Cooperation, he addressed new obstacles such as changes in militaries since the end of the Cold War, and stressed that the OSCE should work to improve "the integration of armed forces into civil society, [strengthen] parliamentary oversight of the army, police and security forces in its member states." The report also addressed issues of internal reform within the OSCE.

Prior to the conclusion of the Annual Session, the Parliamentary Assembly elected Alcee Hastings, a U.S. Congressman, to a year-long term as its president, and also elected several new committee officers. The Winter Meeting of the Parliamentary Assembly had been held in February in Vienna. The fall meeting of the Parliamentary Assembly was held in Greece from 29 September to 1 October, and the Twelfth Meeting of the OSCE Ministerial Council will take place in Bulgaria from 6-7 December.

2003: From 20 to 23 May, the OSCE held its 11th Economic Forum on "Trafficking in Human Beings, Drugs, Small Arms and Light Weapons: National and International Impact" in Prague. The forum addressed the New Strategy Document on economic and environmental challenges and the preparation for a "practical, organizational response to the pervasive, OSCE-wide problem of trafficking." Personal representative of the CIO, H.E. Daan Everts, summarized issues discussed at the forum, including government policies, the need for signing and ratifying the UN Convention against organized crime, the appointment of a Special Representative on trafficking, and the role of the business community in the fight against trafficking and terrorism. Other issues addressed were the role of both large and small NGOs and the relationship between economic and environmental challenges facing the OSCE region. In November, the Organization will submit to the Maastricht Ministerial Conference a New Strategy Document for the Economic and Environmental Dimension, indicating the economic and environmental challenges that affect security and stability in the OSCE region.

On 5-9 July, the OSCE held its 12th Annual Session of the OSCE Parliamentary Assembly in De Doelen, Rotterdam. The Assembly adopted the Rotterdam Declaration, which focuses on the political, economic and human rights aspects of the central theme of the session: "The Role of the OSCE in the New Architecture of Europe." Resolutions that were adopted included Combating Anti-Semitism in the 21st Century, prisoners detained by the United States at the Guantanamo Base, the International Criminal Court as well as resolutions on Belarus and Moldova. The Rotterdam Declaration states that "the security structure of Europe is undergoing continuous development and that the real strength of the OSCE lies both in its capacity to respond to security threats and challenges, and in its strong field presence." It emphasizes the importance of the further enhancement of the Economic and Environmental Dimension of the OSCE and suggests that the OSCE "adopt a more balanced regional approach when promoting the

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implementation of the participating States' human dimension commitments, and to take into account the differences of each country and region." The Assembly concluded its annual session with the adoption of a resolution on the parliamentary follow-up of OSCE activities at the national level as well as the re-election of Bruce George, the Chair of the Defense Committee of the House of Commons, as the OSCE president for a second one-year term. The Parliamentary Assembly had last met at its winter meeting in Vienna in February, where one of the major topics discussed was the ongoing situation in Iraq.

The OSCE's Forum for Security Cooperation issued several decisions related to arms control in 2003. At a Plenary Meeting on 18 June, it adopted a decision regarding "Best Practice Guides on Small Arms and Light Weapons." Members endorsed the guides' development and compilation into a handbook to be presented at the First OSCE Annual Security Review Conference in Vienna on 25-26 June 2003 and at the First Biennial Meeting of States on the implementation of the United Nations Program of Action in New York from 7-11 July 2003. On 23 July, the Forum for Security Cooperation issued a decision on MANPADS, in which it promoted the implementation of "effective and comprehensive" MANPAD export controls and urged member States to suggest projects to deal with MANPADS-related problems, including stockpile security and management and collection and control programs. At a Plenary Meeting on 19 November, the group adopted a "Document on Stockpiles of Conventional Ammunition," describing risks posed by such stockpiles, explosive material, and surplus detonating devices and prescribing a series of general principles. It also established a clear procedure to address and manage this threat and to provide assistance to States requesting it. This step came after Belarus became the first participating State to request assistance in destroying and controlling excess small arms and light weapons in July.

Several seminars addressed various aspects of terrorism and arms control. From 20-31 October, the OSCE Center in Tashkent and Conflict Prevention Center held a training program to combat the illicit trafficking of small arms and light weapons between Afghanistan and Uzbekistan in Termez, Uzbekistan. The program was a follow-up to a training project in November 2002. And from 20-21 October, the OSCE Action Against Terrorism Unit, Office for Democratic Institutions and Human Rights and UN Office on Drugs and Crime's Global Program against Terrorism hosted a seminar in Dushanbe, Tajikistan regarding the provision of technical assistance in implementing UN Security Council Resolution 1373.

From 1-2 December, the OSCE Eleventh Meeting of the Ministerial Council was held in Maastricht, the Netherlands. The ministers laid out a "Strategy to Address Threats to Security and Stability in the Twenty-First Century." In it, they stressed the need for a comprehensive security approach and the role of human rights and environmental and socio-economic factors as a means to stability. The strategy noted that the threat of inter- and intra-State conflict may "pose a risk to neighboring areas and may give rise to instability and other types of threats, such as terrorism, proliferation of weapons of mass destruction, excessive and destabilizing accumulation and uncontrolled spread of small arms and light weapons," among other things. It described terrorism as demanding "a global approach, addressing its manifestations as well as the social, economic and political context in which it occurs."

Regarding nonproliferation, the OSCE Ministers, in the strategy document, noted that work is needed in the area of illicit conventional arms and small arms and light weapons transfers, and stated that the Forum for Security Cooperation is actively working to develop "structured dialogue" on nonproliferation. The strategy document also noted efforts to address the proliferation of MANPADS, and to promote the implementation of effective export controls, to destroy excess MANPADS, and to the integrity of national stockpiles. In addition, in the document, the Ministers recognized the significance of the CFE treaty and the Treaty on Open Skies, adding that there is still room for additional measures to reduce threats.

In addition to endorsing an "Action Plan to Combat Trafficking in Human Beings," and making decisions on non-discrimination, elections, and other issues, the 55 OSCE foreign ministers endorsed the Forum for Security Cooperation document relating to the risks posed by stockpiles of conventional ammunition. This document provides additional procedures and mechanisms, including "voluntary, transparent, complementary and sustainable" measures for the destruction of stockpiles. They also endorsed the FSC decision regarding Man-Portable Air Defense Systems, encouraging the effective implementation of export controls and noting concerns offered by participating States surrounding the possible acquisition of MANPADS by terrorist organizations. In addition, OSCE ministers committed to the creation of a Counter-Terrorism Network in order "to promote the strengthening of co-ordination of counter-terrorism measures and information-sharing between OSCE participating States." It was also decided that Belgium would assume the OSCE chairmanship in 2006.

Throughout 2003, the Action against Terrorism Unit of the OSCE, established in 2002, worked with the United Nations Counter-Terrorism Committee and the UNDODC in Vienna in 2003, organizing two regional workshops on travel document security and other terrorism-related topics. The ATU also conducted an assessment of

bilateral and multilateral counter-terrorism and law enforcement assistance programs.

The OSCE's field missions during 2003 included a presence in Albania, missions to Bosnia and Herzegovina, Croatia, Kosovo, Serbia and Montenegro, and a monitor mission to Skopje. The organization was chaired by Jaap de Hoop Scheffer and, later, Bernard Rudolf Bot of the Netherlands during 2003.

2002: On 17 January, the new CIO of the OSCE, Portuguese foreign minister Jaime Gama, announced in his first speech to the Permanent Council that the fight against terrorism will be one of OSCE's priorities during the Portuguese Chairmanship in 2002. He announced his plan to appoint a Personal Representative on Terrorism and to elaborate a draft proposal for a possible OSCE Charter on Terrorism.

On 4-5 February, the OSCE held a workshop on the implementation of the OSCE Document on Small Arms and Light Weapons that was endorsed by the OSCE Ministerial Council meeting in November 2000. The workshop examined the results of the information exchange and offered a clearer picture of the implementation of the document. It also helped to develop "best practice" guidelines on weapons marking, export policies, and weapons destruction. The participating States examined how the document can contribute to the fight against terrorism,

On 25 March, the OSCE, in cooperation with the French Foreign Ministry, held a two-day seminar on the socio-economic impact of disarmament in Paris. The three main topics of the seminar were 1) measurement of the macroeconomic impact of disarmament, and the related question of evaluation of peace dividends; 2) the question of conversion to peaceful purposes in its different aspects; and 3) management of the process.

On 12 June, senior officials from the UN, NATO, the EU, and the Council of Europe met at the invitation of the OSCE Chairmanship to discuss coordinating international efforts in the fight against terrorism. The high-level representatives addressed cooperation in preventing and combating terrorism at the international level, as well as the promotion and protection of human rights and strengthening the rule of law.

On 6 September, the OSCE hosted a meeting with other organizations in the OSCE region to discuss practical ways of improving cooperation and coordination of efforts in the fight against terrorism. More than 25 organizations were presented, ranging from the Council of Baltic Sea States to the Central Asian Cooperation Organization and the Southeast European Cooperation Initiative.

On 22 February the Parliamentary Winter Session took place in Vienna. On 6 July, the 11th OSCE Parliamentary Assembly will hold its annual session in Berlin.

2001: In December, the OSCE and the United Nations Office for Drug Control and Crime Prevention (UN ODCCP) held a Conference in Bishkek, Kyrgystan on preventing and countering terrorism. The meeting was concluded with the adoption of a Declaration and a Program of Action. The aim of this Program is to develop concrete steps to be undertaken by the participating States and organizations to effectively prevent and counter terrorism. According to Mircea Geoana, the OSCE CIO and Romanian foreign minister, "this conference has taken the first step to follow up the OSCE Bucharest Action Plan for combating terrorism by drawing up the Program of Action which this Conference has adopted."

From 2-4 December, the Ninth Meeting of the Ministerial Council was held in Vienna. The meeting concluded with agreement on a Ministerial Declaration and the adoption of a broad-ranging Action Plan on counter-terrorism measures. Within the declaration, the participating States affirm their determination to address the threats to security and stability in the 21st century: "We request that the Permanent Council (of the OSCE) develop a strategy for the OSCE to do its part to counter these threats." The declaration also expresses the determination of Member States to protect citizens from new challenges to their security, while at the same time safeguarding the rule of law, individual liberties, and the right to equal justice under the law.

Other decisions made at the Ministerial Council include the confirmation that the Netherlands will succeed to the OSCE Chairmanship in 2003 (after Portugal, which is due to take over the chair on 1 January 2002), the agreement to hold the next Ministerial Council in Porto, Portugal in autumn 2002, and the extension of Secretary General Jan Kubis' term of office for an additional three years.

The Ministerial Council also welcomed the Concluding Document on Article V of Annex 1-B of the Dayton Peace Accords, to provide for security and stability in the former Yugoslavia and its neighboring territories. A central part of this document is a set of voluntary confidence-and security-building measures, which will come into effect on 1 January 2002. This is the last of three instruments that the OSCE was mandated to elaborate and implement by the Peace Accords.

2000: On 3-5 April, the OSCE Forum for Security Cooperation (FSC) organized a seminar on small arms and light weapons. This seminar, which was attended by more than 220 participants from OSCE participating States, as well as a number of international organizations and NGOs, has produced a significant number of proposals and suggestions.

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At its 308th Plenary Meeting on 24 November, the OSCE FSC adopted a Document on Small Arms and Light Weapons, in which the participating States agreed to cooperate on the issue of the excessive and destabilizing accumulation and uncontrolled spread of small arms and to develop norms, principles, and measures covering all aspects of the issue. They committed themselves to combat illicit trafficking in all its aspects through the adoption and implementation of national controls on small arms; contribute to the reduction and prevention of the excessive and destabilizing accumulation and uncontrolled spread of small arms; exercise due restraint to ensure that small arms are produced, transferred, and held only in accordance with legitimate defense and security needs; build confidence, security, and transparency through appropriate measures on small arms; and develop appropriate measures on small arms at the end of armed conflicts including their collection, safe storage, and destruction linked to the disarmament, demobilization, and reintegration of combatants. The participating States agreed on national control measures over the manufacture of small arms, common export criteria, management, and reduction or destruction of stockpiles, and on early warning, conflict prevention, crisis management and post-crisis rehabilitation measures.

1999: On 16 November, the FSC adopted the Vienna Document of 1999 dealing with regional security issues. In that document, the FSC encouraged participating States to complement the CSBM regime with measures tailored to specific regional needs. The Vienna Document improved current CSBM and emphasized the importance of regional cooperation.

The Istanbul Summit Document of 1999 welcomed the successful adaptation of the Treaty on Conventional Armed Forces in Europe, which would provide for a stricter system of limitations, increased transparency, and lower levels of conventional armed forces and adoption of the 1999 Vienna Document on CSBM. The participants also welcomed the decision of the FSC to launch a broad and comprehensive discussion on all aspects of the problem of the spread of small arms and light weapons and to study concrete measures to deal with this issue.

The Open Skies Treaty was further endorsed and its early entry into force was urged. In addition, the document reaffirmed support for international cooperation in promoting global humanitarian action against anti-personnel mines, including promoting mine clearance activities, mine awareness programs, and the care, rehabilitation, and social and economic reintegration of mine victims.

1998: The Seventh Ministerial Council meeting of the OSCE, held in Oslo on 2-3 December, reaffirmed the participating States' commitment to arms control as an important element of their common security. They also reaffirmed the importance of the CFE treaty as a cornerstone of European security, stressed that full implementation of the treaty and its adaptation to the changing security environment in Europe would be an essential contribution to their common and indivisible security and welcomed the commitment made by the States Parties to complete the adaptation process by the time of the OSCE Summit in 1999. The States Parties reaffirmed the significance of the Open Skies Treaty and the necessity of its entry into force without delay.

1997: The provisions of the Principles Governing Conventional Arms Transfers document adopted at the November 1993 FSC meeting were reinforced by the introduction of an annual exchange of information of transfers of weapons and equipment systems.

In September, the follow-up conference to review possible ways and means of bringing about the improved implementation of the Code of Conduct on politico-military aspects of security was held. At the conference, the participating States reported on their process of implementation of the Code's provisions and discussed means to strengthen its implementation and enhance its wider and more consistent application.

The Sixth OSCE Ministerial Council meeting, held in Copenhagen on 18-19 December, confirmed the importance of implementation of existing arms control and confidence- and security-building measures as well as their adaptation to the new security environment. Its participants also underlined the continued significance of the CFE treaty as a cornerstone of European security, and the importance of the Vienna Document and the Code of Conduct on politico-military aspects of security.

1996: The Lisbon Summit Document of 1996 stated that arms control constitutes an important element of common security and that the CFE will remain key to security and stability. The FSC adopted two decisions defining new directions for further work, "A Framework for Arms Control," which aimed to create a web of interlocking and mutually reinforcing arms control obligations that would give expression to the principle of indivisible security. It also provided guidelines for future arms control negotiations, including sufficiency, transparency through information exchange, verification, and where necessary, limitation on forces.

The Summit also adopted the document "Development of the Agenda of the Forum for Security Cooperation," outlining priority issues to be addressed by the Forum, including implementation of arms control measures and development of a web of arms control agreements. It recalled the Budapest Decision of 1994 on the significance, entry into force, and implementation of the Open Skies Treaty. In addition, it called for ending illegal arms supplies, in particular to zones of conflict, as a major contribution not only to regional, but also, global security.

1995: On 1 January, pursuant to the decision of the 1994 Budapest Summit Document of 1994, the new name, the Organization of Security and Cooperation in Europe (OSCE), became effective to reflect the dramatic growth of its role in shaping the European common security area.

The participants of the Fifth OSCE Ministerial Council meeting, held in Budapest on 7-8 December, discussed and welcomed the OSCE's intensive, ongoing work on a common and comprehensive security model for Europe for the 21st century. They decided on objectives, guidelines, and organization for future work on a security model. The chair noted that the OSCE Forum for Security Co-operation worked on an Arms Control Framework outlining future arms control priorities. In spite of expectations that the Framework would be concluded by the time of the Ministerial Council meeting, he said, further negotiations were required.

1994: The Vienna Document adopted by the 91st Plenary Meeting of the Special Committee of the FSC, held in Budapest on 28 November, expanded and strengthened previously agreed upon provisions of the CSBM regime by introducing additional thresholds for notification and observation, and provisions regarding defense planning and military contacts.

The FSC also adopted the Document on Principles Governing Non-Proliferation, providing support for existing international WMD nonproliferation agreements, and providing for an obligation to reflect the existing commitments in national legislation, regulation, and procedures.

The Budapest Summit Document of 1994 stated that, in view of the new threats posed by the proliferation of weapons of mass destruction, the Heads of State or Governments agreed on basic principles to guide their national policies in support of common nonproliferation objectives and stated that they are strongly committed to the full implementation and indefinite and unconditional extension of the Non-Proliferation Treaty (NPT). The participating States reaffirmed their commitment to prevent the proliferation of nuclear weapons; to prevent the acquisition, development, production, stockpiling, and use of chemical and biological weapons; to control the transfer of missiles capable of delivering weapons of mass destruction and their components and technology.

The participants stated that the OSCE would be a primary instrument for early warning, conflict prevention, and crisis management in the region. They may, in exceptional circumstances, jointly decide that a dispute will be referred to the UN Security Council on behalf of the Forum on Security and Cooperation in Europe.

The Summit participants also adopted the Code of Conduct on politico-military aspects of security, which reaffirmed and reiterated their determination to act in solidarity in case of violation of the CSCE norms and commitments and to facilitate the concerted response to security challenges. The Code also broke new ground by formulating norms regarding the role of armed forces in democratic societies.

1993: The 49th Plenary meeting of the FSC held in Vienna on 25 November, adopted several important documents. The "Principles Governing Conventional Arms Transfers" document introduced principles designed to guide arms transfers and determine whether certain arms transfers should be avoided. The Military Contact and Cooperation Program dealt with exchanges and visits between members of armed forces, joint military exercises and training, visits to military facilities, seminars on co-operation, etc. The Document on Defense Planning required States to provide information about their defense policies and doctrines, force planning, budgets, etc. The Forum also conducted negotiations on the development of the CSBM regime, resulting in the adoption of the Vienna Document of 1994.

The participants at the Fourth CSCE Ministerial Council meeting held in Rome on 30 November-1 December underlined the importance of the work of the FSC. They encouraged completion of the Program for Immediate Action, including the proposal to establish a Code of Conduct.

1992: The CSCE Helsinki Summit Document of 1992 spelled out these major objectives with respect to arms control and nonproliferation: to give impetus to the process of arms control, disarmament and confidence- and security-building, to enhance consultation and cooperation on security matters and to the further the process of reducing the risk of conflict; to take further steps to stop the proliferation of weapons; to ensure the nonproliferation of nuclear weapons and relevant technology and expertise; and to intensify cooperation in the field of effective export controls applicable to nuclear materials, conventional weapons, and other sensitive goods and technologies.

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EURATOM: EURATOM Supply Agency and Nuclear Safeguards

Signed: 25 March 1957
Effective: 1 January 1958

Membership: 27 member states of the European Union — Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and United Kingdom. The process of enlargement of the European Union was launched on 30 March 1998.

Background: In 1957, Belgium, France, Germany, Italy, Luxembourg, and the Netherlands, "realizing that nuclear energy constitutes the essential resource for ensuring the expansion and invigoration of production and for effecting progress in peaceful achievements," signed a treaty establishing the European Atomic Energy Community (EURATOM). This treaty, which covers all civil nuclear activities in the European Union, is designed to provide a common market in nuclear materials, to guarantee a supply of nuclear fuels and to ensure that nuclear materials are not diverted from their intended purpose. It also allows EURATOM to establish contacts with other countries to promote progress in the peaceful uses of nuclear energy. Within the European Union (EU), International Atomic Energy Agency (IAEA) safeguards are implemented under a number of specific agreements: INFCIRC/193 (non-nuclear weapon states, or NNWS), INFCIRC/263 (United Kingdom), and INFCIRC/290 (France). The IAEA carries out inspections in close cooperation with inspection teams from EURATOM.

The Treaty of Rome, which established EURATOM under its aegis, became effective in 1958. This branch of the EU, which provides a framework for nuclear energy development in the Member States, has developed an independent and comprehensive regional nuclear safeguards system.

Directorate General for Energy and Transport

Within the European Commission, this Directorate General is responsible for implementing EURATOM Safeguards, and has been in operation since January 1, 2002. DG Energy and Transport is headed by a Director General and consists of eleven Directorates two of which are focused on nuclear energy and nuclear safeguards. In addition, the EURATOM Supply Agency (ESA) is under the direct supervision of the Director General. As of February 2009, the DG for Energy and Transport is Matthias Ruete.

EURATOM Supply Agency (ESA): Title II, chapter 6 of the EURATOM treaty lays down the legal basis for the establishment of ESA whose Statute was adopted in 1958. In January 2008, the European Council decided to amend the 1958 Statute and set new objectives and tasks for ESA. To that end, Council Decision of 12 February 2008, establishing Statutes for the Euratom Supply Agency (2008/114/EC, Euratom) was adopted and entered into force as of 6 March 2008.

Operating within the office of the DG for Energy and Transport, ESA's aim is to perform the tasks entrusted to it by the EURATOM treaty, which include ensuring a regular and equitable supply of nuclear fuels for Community users.

Article 52 of the EURATOM treaty gives ESA the right to acquire ores, source materials, and special fissile materials produced in the community and an exclusive right to conclude contracts for the supply of such materials from inside the community or from outside. In order to be valid under community law, supply contracts must be submitted to ESA for conclusion.

According to Article 1 of the 2008 Statute, ESA shall perform the following tasks:

(1.) Provide the Community with expertise, information and advice in subjects connected with the operation of the market in nuclear materials and services,

(2.) Play a market-monitoring role by monitoring and identifying market trends that could affect security of the European Union's supply of nuclear materials and services,

(3.) Seek the advice of, be supported by and act in close cooperation with its Advisory Committee.

ESA carries out its tasks under the responsibility or supervision of three bodies.

First, according to Article 3 of the Statute, the responsibilities of the Director General of ESA include:

(1.) To ensure the performance of the tasks listed in Article 1.

(2.) To exercise the right to conclude supply contracts for nuclear materials and its right of option.

(3.) To keep the Committee regularly informed and to consult on any other matters under the Committee's competence.

Second, the European Commission supervises ESA and it may issue directives to it and has the right of veto over its

decisions. The Commission also appoints ESA's Director General

Finally, Article 11 of ESA's Statute provides for the establishment of a Committee, which is composed of 56 members from the Member States of the Union. The selection of the committee members takes into account the financial participation of the Member States in ESA's capital and also the State's relevant experience, expertise and/or activities in fields such as trade in nuclear materials and services of the nuclear fuel cycle or nuclear power generation. Member States select their representatives on the basis of their relevant experience and expertise in the nuclear field.

According to its terms of reference, contained in ESA's Statute, the Committee shall assist ESA in carrying out its tasks pursuing Article 1 of the Statute by giving opinions and providing analyses and information. In addition, the Committee shall be consulted in other matters, including:

(1.) The capital of the Agency.

(2.) The conditions applicable to the building up and withdrawal of commercial stocks by ESA.

(3.) The annual report

The current director general of the ESA is Christian Cleutinx.

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Nuclear Safeguards

According to Article 1 of the EURATOM Treaty, the task of EURATOM Safeguards is to make certain that nuclear materials are not diverted to purposes other than those for which they are intended. In addition, according to Article 77 of the treaty, EURATOM Safeguards aim to ensure compliance with safeguarding obligations under an agreement concluded with a third States or an international organization.

Article 78 and 79 of the treaty obliges operators of nuclear facilities to supply the European Commission with information about their facilities and the nuclear material in their possession. Furthermore, according to Article 81 of the EURATOM Treaty, the Commission may send inspectors anywhere in the European Union, and they have shall access to all places and data and to all persons who, by reason of their occupation, deal with materials, equipment or installations subject to safeguards**.**

Article 83 of the treaty provides for the imposition of sanctions by the Commission in the event of infringement of the Treaty's safeguards provisions. These sanctions can range from a published written warning to withdrawal of the nuclear material concerned.

Relationship with the IAEA

In 1973 the IAEA and EURATOM concluded a safeguards agreement in connection with the Treaty on the Nonproliferation of Nuclear Weapons. (INFCIRC/193). This safeguards agreement is based on INFCIRC/153 (corrected), and includes a protocol. This Protocol specifies the conditions and means according to which co-operation in the application of safeguards shall be implemented. The protocol aims to avoid unnecessary duplication of EURATOM's safeguards activities.

Before joining the European Union, a number of countries had concluded safeguards agreements with the IAEA. These agreements were suspended when these countries joined the EU, and the 1973 EURATOM safeguards entered into force.

Developments:

2008: On 12 February 2008, a Council Decision establishing Statutes for the ESA (2008/114/EC, Euratom) was adopted and entered into force as of 6 March 2008. It repealed the previous Statutes of 1958 so as to apply modern financial regulations on budgetary issues and most importantly to rearrange the number and distribution of seats on the Advisory Committee, cutting the seats from 75 to 56, due to functionality problems observed by the increase in numbers caused by the accession of new member states.

On 26 November, the European Commission adopted a revised proposal for a Directive (COM (2008) 790/3) setting up a Community framework for nuclear safety, updating the framework tabled in September 2004.

2007: On 12 February 2007, the European Parliament issued a draft report assessing the EURATOM treaty. The Rapporteur, Eugenijus Maldeikis, was called upon to consider whether the EURATOM Treaty is suited to the present situation of nuclear energy in the EU and whether it provides the tools necessary to meet the energy challenges of the future. On 10 May, the European Parliament issued a resolution—(2006/2230(INI)) "50 years for European Nuclear Energy Policy"—which contains the findings of the February report. The resolution identifies certain gaps in the EURATOM treaty that need to be filled and provides guidelines for the future. The Parliament adopted the report by a vote of 406-175 with 44 abstentions.

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On 19 December, the European Atomic Energy Community acceded to the Convention on the Physical protection of Nuclear Material and Nuclear Facilities.

2006: On 15 February, the commission issued a decision warning British Nuclear Group Sellafield that the company had infringed certain provisions of the EURATOM Treaty and Regulation 302/2005. The violations were related to particular reporting obligations and provisions related to access to certain facilities.

Also in March, the EC began urging the EU to request Euratom membership in the IAEA. Euratom currently maintains observer status in the IAEA but is hoping to upgrade to full-member status with voting rights.

2005: On 8 February, the European Commission issued an important regulation concerning EURATOM safeguards.

Commission Regulation 302/2005 was necessary due to several reasons. First, there has been an increase in the quantities of nuclear materials being produced, used, carried, and recycled in the EU. In addition, the trade of such material has seen a substantial increase. For this reason, the commission was of the view that the nature and extent of the 1976 3227/76 EURATOM safeguards regulation needed to be updated, especially in the fields of nuclear and information technology. Another reason for this new regulation is related to the IAEA Additional Protocol, which contains requirements that made it necessary for the commission to update its safeguards regulations, especially concerning reports on nuclear sites and certain types of waste.

The regulation has seven chapters containing 40 articles in total, which are strictly related to the application of safeguards. The regulation also contains 15 annexes, which aim to be used by any person or undertaking that is involved in setting up or operating an installation for the production, separation, reprocessing, storage, or other use of source material or special fissionable material, and to which the regulation applies.

The council adopted on 24 January 2005 a decision approving the accession of the European Atomic Energy Community to the "Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management."

On 20 July a commission regulation was adopted, amending the rules of implementation of the Financial Regulation applicable to the general budget of the European Communities in regard to EURATOM.

2004: European Union decision-making bodies took several actions affecting EURATOM in the first half of 2004. On 13 January, the European Parliament decided to support, and proposed some amendments to, a package of European Commission proposals, devised in 2002 and adopted by the commission in 2003, that aim to set common standards on nuclear safety. The parliament acted despite protests from many that the proposals would be ineffective. These protests, and other opposition at the council level, forced the European Commission to redraft the proposals prior to a May vote. However, according to press reports, on 17 May, the EU states announced they had failed to reach a decision on the proposals, with some expressing concern that they might undermine their national safety regimes and procedures. On 28 June, the council adopted conclusions regarding nuclear safety and the safe management of spent fuel and radioactive waste management within the EU, but the proposals themselves remained, neither adopted nor rejected.

In March, the European Commission approved a EURATOM proposal for a 223.5 million euro loan to the Romanian National Nuclear Power Company for the financing of safety measures at a nuclear power plant. On 1 April, the commission supported the construction of five thermonuclear fusion projects under the Sixth EURATOM Framework Program for research and development. Later that month, the Council of Ministers approved a European Commission regulation regarding EURATOM safeguards, thereby ensuring its nuclear safety competences and confirming which articles of the Nuclear Safety Convention apply to the organization. The amended declaration will be sent to the International Atomic Energy Agency. A series of complementary guidelines to facilitate the regulation's implementation are also scheduled to be adopted by the commission.

Several states were warned regarding their failure to comply with EURATOM nuclear safety regulations in 2004. In March, the commission gave Britain a 1 June deadline to create an action plan regarding the clean-up of spent nuclear fuel at a Sellafield plant in Cumbria, stating that under the EURATOM Treaty, safety verifications would be required. It also found that Austria's legislation failed to conform to two EURATOM Treaty directives regarding the protection of workers and the public against ionizing radiation. In June, Portugal faced potential legal action at the European Court of Justice for failing to comply with a EURATOM nuclear safety standard directive at its nuclear technology institute, home to a research reactor.

During the late spring and summer, EURATOM's Joint Research Center was scheduled to begin the process of decommissioning nuclear facilities at Ispra, Italy; Petten, the Netherlands; Geel, Belgium; and Karlsruhe, Germany. This followed a 19 May European Commission announcement of a program for decommissioning and managing related waste from these facilities.

On 6 June, concern arose when, due to a slight drop in pressure, a small amount of radioactive water escaped from a circuit at Temelin nuclear power plant in the Czech Republic. The commission sent a team to investigate the incident in compliance with the EURATOM Treaty, but determined that no radioactive material had been released outside the reactor building and that no one had been exposed to radioactive material. Also in June, the commission approved the construction of a European pressurized reactor nuclear power plant in Finland in 2005 in accordance with the terms of the EURATOM Treaty.

2003: In the EURATOM Supply Agency's Annual Report, Director-General Christian Waeterloos noted that 2003 was "an important, if not decisive, year for the future of the Euratom Treaty" for several reasons. One of these was EURATOM's focus on preparing for the anticipated enlargement of the European Union; as noted in the Supply Agency's annual report, five of the acceding states have nuclear power programs and, together, 19 operating nuclear power reactors. In June, the EURATOM Supply Agency held a seminar for representatives of acceding states to address their nuclear fuel supply situations and familiarize them with their future obligations and role within EURATOM. A second seminar convened in November for the energy attaches of the acceding countries' missions to the EU. Following accession, the Supply Agency's advisory committee will increase from 51 to 69 members, and its capital will be considerably higher as well.

Developments also occurred regarding two proposals laid out in 2002. On 30 January, the European Commission adopted the "proposal for a directive setting out the basic obligations and general principles on the safety of nuclear installations" and the "proposal for a directive on the management of spent nuclear fuel and radioactive waste." These potential directives were given to the council in May, which solicited the opinion of the European Parliament. The first proposal is intended to ensure protection against ionizing radiation during nuclear installations, and suggests a set of common safety standards and verification measures for EU Member States based on recognized International Atomic Energy Commission principles. The second seeks to obligate participating states to adopt national programs and common deadlines in managing and disposing radioactive waste, and suggests collaborative efforts in research and technology.

A crucial administrative development was the commission's 11 February decision to concentrate all activities related to the implementation of Chapters 3 and 10 of the EURATOM Treaty in Luxembourg, and thus to establish a branch of the supply agency there. It was scheduled to open on 1 February 2004.

The EURATOM Supply Agency Advisory Committee met twice during 2003. The first meeting, held in March, discussed the future role of the ESA and of the EURATOM Treaty. The Advisory Committee accepted a EURATOM Supply Agency proposal for a joint working group to help develop an action plan regarding the "security of supply" of nuclear materials. This group met several times during the year, and prepared a list of risks arising from nuclear fuel supply in the European Union. The group will continue to meet and present its findings in 2004. At the second Advisory Committee meeting, held in November and attended by observers from the acceding states as well as Member States, the ESA proposed an extension of the chair's and executive bureau's terms until 30 April 2004. The council also adopted a mandate regarding nuclear trade negotiations between EURATOM and Russia, authorizing the commission to negotiate a cooperation agreement; these negotiations are scheduled to begin in the spring of 2004.

In September, representatives at the EU Convention agreed to a proposal to maintain the conditions of the 1957 EURATOM Treaty, upholding it as a separate legal identity. However, the European Parliament called for a major revision of the treaty, suggested a co-decision process involving the European Parliament, and claimed there were inconsistencies between the treaty and the proposed European Union Constitution. No final decision on the issue had been made by the end of the year.

The following month, on 16 October, the European Commission decided to take the United Kingdom to the Court of Justice because it failed to comply with the EURATOM Treaty's rules on military-generated radioactive waste. The United Kingdom had, without commission authorization, disposed of radioactive waste from spent fuel from its Trident submarines.

In December, the commission issued a report, *The Operation of EURATOM Safeguards in 2002*. It stated that 2002 was a "pivotal year" for the organization, and noted the impact that the adoption of a new mission statement and creation of two new directorates, continued to have on EURATOM. The report surveyed EURATOM Safeguard's 2002 activities, noting that some inconsistencies were originally found, but that investigations showed no misuse of nuclear materials. The report addressed the safety and security of EU nuclear installations, noting a number of problem areas, such as monitoring of the UK's Sellafield reprocessing center and a high level of unaccounted for material at France's Cogema-Cadarache plant. However, the report noted that "necessary corrective actions" were taken with regard to these problems. The safeguards report also addressed a

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number of other issues, including the IAEA Additional Protocol, noting that EURATOM plays a crucial role in its implementation. It added that the upcoming EU enlargement should not be problematic in terms of providing comprehensive safeguards, despite some budget concerns stemming from the increase in the number of verification measures that will be needed.

Also that month, the EU Council of Ministers approved an extension of EURATOM competences under the 1994 Nuclear Safety Convention, thus amending the EURATOM Declaration. The Convention was established following the Chernobyl nuclear power plant disaster in 1986 and aims to provide international monitoring of nuclear safety standards.

The ESA Annual Report noted that in terms of the nuclear industry, 2003 was "tense from the point of view of the nuclear supply chain," with several events adversely affecting the market. Uranium purchases by the European industry doubled, and there were significant levels of purchasing of Russian highly enriched uranium in Europe. Specific developments mentioned included the signing of an agreement between the European Community and Uzbekistan on 6 October to cover transfers of nuclear materials and the European Council's 26 November selection of Cadarache, France, as the location of the International Thermonuclear Experimental Reactor project. In addition, the Annual Report also noted the Belgian Parliament's approval of a law on the phasing out of old commercial power plants, the progression of plans to build a new nuclear power unit in Finland, the closing of a nuclear power plant in November, the release of an Energy White Paper in the UK in February, Italy's selection of a site for the repository of radioactive wastes, and a decrease in electricity productivity in Sweden.

The report also covered the anti-dumping and anti-subsidy investigations launched by the United States against low-enriched uranium from France, Germany, the Netherlands, and the UK in 2000, the Annual Report notes. A review of measures taken by the United States, including the imposition of countervailing duties on imports from some of these states, began in March, and the U.S. Court of International Trade (CIT) remanded several issues to the U.S. Department of Commerce for "further explanation and consideration." The CIT in September upheld some of these actions, but rules that the anti-dumping law can only apply to certain transactions.

Regarding bilateral discussions, EURATOM'S nuclear cooperation with the United States, Australia and Canada proceeded normally in 2003, included in several rounds of talks. On 22 October, the United States and EURATOM met for consultation in Washington to discuss nuclear policy developments, long-term waste repositories, the diversification of supply, safeguards and other issues. As five countries scheduled to accede to the EU have bilateral agreements for cooperation with the United States, these will be folded into the EURATOM-U.S. agreement, and material and equipment transferred under these agreements will become part of the EURATOM-U.S. inventory.

2002: A high-level expert group, set up by the European Commission (EC) in 2001, submitted a report to the commission that issues a new mission statement and a series of recommendations to enhance the EURATOM Safeguards Office (ESO). The mission statement clarified the ESO's objectives. The ESO should first and foremost ensure that all those involved with nuclear materials hold correct accounts and apply effective monitoring systems. The ESO should ensure that nuclear materials are not diverted from their original purpose, and co-operate openly with its partners in the context of bilateral agreements, notably with the IAEA. The ESO should act as a central contact point with the IAEA for the implementation of the supplementary Protocol on non-nuclear materials by the EU and the IAEA

The expert group also made 12 recommendations. For example, in terms of cooperation with other partners, the group recommended ESO inspections might be justified along the lines with of those conducted by the IAEA. It also proposed a series of concrete measures such as the creation of a EURATOM scientific advisory group on nuclear safety and the drafting of a revised budget for 2003. Those recommendations are to be endorsed by the European Commission's Directorate-General for Transport and Energy, into which the ESO will be fully integrated.

On 12 September, Friends of the Earth Europe organized a conference on the issue of reforming the 1957 EURATOM Treaty. During the Conference, the European Parliament's Director-General for Research circulated a working paper that summed up relations between the European Parliament and EURATOM, and put forward several ideas for an alternative institutional relationship. The European Parliament's main concern about the EURATOM Treaty was its lack of accountability since the EU's elected representatives are excluded from the EURATOM decision-making process.

The EURATOM Supply Agency's 2002 Annual Report stated that supply of nuclear fuels to EU utilities "remained stable," and that the market situation was much like that of 2001, though worldwide production of natural uranium dropped slightly. The Report noted the European Commission's adoption of a new Green Paper, "Towards a European Strategy for Security of Energy Supply," which was released in 2000 and emphasized the importance of guiding energy consumption and the role of nuclear energy in the EU. It also described a package of measures – two proposals for directives regarding the safety of nuclear installations, the management of

radioactive waste, and the security of supply, and one proposal for a decision on a nuclear trade agreement between EURATOM and Russia – that the Commission proposed in an effect to foster a "community approach."

Another issue addressed in the report is the participation of the ESA in negotiations on EU enlargement, which is expected to impact the supply and demand of nuclear fuels as well as the size and capital of the ESA. Other developments noted are decisions regarding the closure of nuclear plants in the United Kingdom and Spain and a "phase out" of some Belgium plants; negotiators' signing of a nuclear cooperation agreement between EURATOM and Japan; and the conclusion of negotiations with Uzbekistan regarding the transfer of nuclear material.

The Annual Report also stated that the Convention on the Future of Europe had "renewed interest in the Euratom Treaty and its future," and that some suggestions had arisen regarding possibly revising or even abolishing its terms.

2001: The advisory committee to the supply agency, at its meeting on 28 March, adopted an opinion on the Green Paper "Towards a European Strategy for the Security of Energy Supply". According to the EURATOM supply agency's annual report, the paper raised "considerable interest" and debate. Renewed levels of interest in nuclear power outside Europe were also attributed to international power shortages and other issues that arose during the year.

The Annual Report also noted that the supply of nuclear fuels to EU utilities was steady throughout 2001, and that natural uranium availability did not represent an immediate problem. It described developments within the EU, including Belgium's announcement of a proposed law to phase out old nuclear reactors; Finland's continued construction of nuclear capacity to meet Kyoto protocol goals; Germany's clarification of its nuclear phase out program through an amendment to the Nuclear Power Act; a legal disagreement between the government of the Netherlands and the operators of one of its nuclear power plants; and the commissioning of a report in the UK to address long-term energy policy. In regards to bilateral cooperation in the field of nuclear energy, the ESA and European Commission continued talks with Australia, Canada and Russia in efforts to retransfer depleted uranium to Russia for re-enrichment.

2000: The EURATOM Supply Agency 2000 Annual Report stated that nuclear electricity continued to be produced satisfactorily during the year and that a steady supply of nuclear fuels to the EU utilities was maintained. Nuclear plants generated about one-third of the electricity produced in the EU. However, the report called attention to the fact that production of natural uranium worldwide continued to be far below world requirements and that if this should continue in the longer term, it could lead to periods of instability due to a lack of readily available material. The report discussed general developments, supply and demand for nuclear materials and enrichment services in the EU, nuclear energy developments in the Member States of the EU in a state-by-state analysis, and international relations through an analysis of bilateral arrangements. The final chapter contains the Administrative Report and is followed by annexes of the fuel loaded and deliveries from 1980-2000, ESA average prices from 1980-2000, and questions raised by the Green Paper.

On 29 November, EURATOM issued its 2000 Green Paper "Towards a European Strategy for the Security and Energy for All." This paper was intended to open a debate on all aspects related to securing the EU's energy supply. All interested parties were invited to contribute to the debate and were encouraged to provide comments.

The EURATOM Advisory Committee held two meetings. The agency consulted extensively with industry and the committee on the supply policy and the appropriateness of adapting its application in view of developments in the newly independent States (NIS) and the lifting of restrictions in the United States, in particular the separate treatment of the individual Republics of Kazakhstan, Uzbekistan, and Ukraine. The Bureau prepared a paper setting out the potential adaptations that received broad support in the committee. The agency briefed the committee on other events of special interest such as the new dual-use regulation and the publication of the Green Paper.

The commission services reported to the committee on progress concerning potential new EURATOM nuclear cooperation agreements (with Japan, Ukraine, Kazakhstan, and Uzbekistan), as well as on the exploratory talks held with China. Updates were also provided on the commission's work in the framework of the General Agreement on Trade and Services (GATS) 2000 negotiations.

At the end of the year, the United States filed a petition on anti-dumping against European enrichers which attracted the attention of the committee.

1999: The Advisory Committee held two meetings during the year and discussed the supply policy to be applied in the EU to natural uranium derived from highly enriched uranium (HEU) from the Russian Federation and to uranium from the re-enrichment facilities within the Russian Federation of depleted uranium transferred from the EU. Exchanges of views took place on market developments, levels of production and stockpiles in producer countries, especially the Russian Federation and other NIS. The EURATOM Supply Agency and the commission briefed the committee on meetings with Russian authorities in the context of the Partnership and Co-operation Agreement between the EU and Russian

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Federation and on the results of conversations with U.S. authorities concerning the matter of overpricing of enrichment services by the United States Enrichment Corporation (USEC) to two EU companies.

By the end of the year, the European Commission installed 77 digital surveillance systems in the Member States of EURATOM for joint use with the IAEA to improve the effectiveness and efficiency of safeguards. This equipment is designed for use without an attendant, leading to possible reduction in the frequency of inspections.

The EURATOM Supply Agency's Annual Report stated that the supply of nuclear fuel was "unhindered" in 1999, but also noted that production levels of natural uranium were below consumption levels, and that "short to medium term disruption is possible." The disposal of Russian highly enriched uranium is recognized as an important secondary source in supplementing uranium supply levels. The Report added that the nuclear industry suffered in 1999 due to negative publicity and political pressure, but that only one European Union reactor, Sweden's Barseback 1, actually closed. In addition to supply and demand issues, the Report briefly addressed the ESA's involvement in discussions between the commission and potential EU states as enlargement remains a major issue.

1998: Three new agreements to strengthen nuclear safeguards were approved by the EU General Affairs Council (GAC) and the IAEA. These additional protocols include one each for France and the United Kingdom and one covering the remaining 13 EU states which do not have nuclear weapons. EURATOM is also a Party to these three agreements.

During the two annual meetings of the Advisory Committee, the agency informed it of developments related to supply policy, in particular with regard to the disposition of ex-military HEU from Russia and from other NIS. Discussion took place from a supply perspective of the possible policies in the EU for depleted uranium enriched in Russia. The agency also informed the committee about a proposal to convert the agency's capital from EMA units of account into Euros, and on official consultations with the United States, Australia, and Canada within the framework of existing nuclear agreements, as well as on the developments of potential EURATOM international agreements in the area of nuclear fuel supply.

The 1998 ESA Annual Report described major developments regarding the nuclear fuels markets and industry. It stated that total world production of natural uranium declined slightly from 1997 figures, with the discrepancy between production and consumption filled by secondary sources, and the European Union diversification of its supply sources. Specifically, large exports from NIS contributed to a sustainable balance. Significant developments noted by the Report included the Council of Ministers' May approval of negotiations for nuclear cooperation with Japan, the progression of talks with Russia regarding nuclear cooperation, and the European Commission's December proposal of negotiations with Ukraine.

1997: The overview of the policy on supply sources of ore and fissile materials was published in the EURATOM Supply Agency's Annual Report. This Report notes that the Kyoto Protocol, negotiated in December, provides a strong argument for some countries to maintain and increase their nuclear contribution to the total energy supply. Two international nuclear agreements entered into force: namely, the Partnership and Co-operation Agreement with Russia and the Nuclear Co-operation Agreement with Argentina. Also, the fabrication of MOX fuel for Japan, to take place in Belgium, was covered by an exchange of diplomatic notes between the European Commission and Japan in February. During the Advisory Committee's two annual meetings, Commission Services gave a presentation of its draft "Illustrative Nuclear Program of the Community", which was followed by an exchange of views.

1996: In September, the commission adopted a draft "Indicative Nuclear Program for the Community" (PINC).

The commission also published its white paper on energy policy for the EU. Along with key energy policy objectives of competitiveness and environmental protection, the objective of security of supply is a common thread throughout the development of energy policy in the EU, which is the world's largest net importer of energy.

The new EURATOM/USA Agreement for Cooperation entered into force on 12 April 1996.

The annual report of the supply agency noted that the Commonwealth of Independent States (CIS) was the EU's biggest source of natural uranium and that the Russian Federation remained the EU's single largest supplier country in 1996. In this connection, the agency pursued its policy of diversification of sources of supply and market-related prices with regard to offers of material from CIS countries' production or from military or other stockpiles.

1995: The Russian Federation was the EU's main external source of supply of natural uranium. When concluding supply contracts, the agency applied the procurement policy established in 1992 with the general goal of diversifying sources in order to protect the security of its supply.

The advisory committee met in March and December. The first meeting focused on follow up work from the Ad Hoc Working Group on certain practicalities related to the

future implementation of the June 1994 Partnership and Cooperation Agreement (PCA) with Russia. The committee adopted a resolution recommending that the agency continue monitoring supply contracts for materials of Russian origin, and to report its findings to the committee on a regular basis. The committee also heard reports on developments with regard to proposals for negotiating directives with five CIS Republics, the Energy Charter Treaty, and consultations with Canada and Australia.

Negotiations on a new EURATOM/USA agreement for cooperation moved into their final phase and the new agreement was signed in Brussels on 7 November. This replaced the former agreement of 1960, which would expire on 31 December 1995.

On 15 September, the Court of First Instance dismissed an action brought by a Portuguese natural uranium producer who sought preference for disposing of community output and challenged the simplified procedure introduced by Article 5 of the Agency Regulation of 1960, as amended in 1975. The court emphasized that the agency has the discretion to refuse to enter into supply contracts that could conflict with the objectives of the EURATOM Treaty.

1992: EURATOM and the IAEA signed an agreement on 28 April on the initiation of the "partnership approach," an implementing accord between the IAEA director general and EU commissioner for energy. The agreement is intended to streamline the implementation of certain parts of the basic agreement concluded in 1973 (INFCIRC/193). Under the partnership agreement, inspection activities are to be performed on the basis of "one job, one man" supplemented by quality control measures to enable both organizations to reach their own independent conclusions and required assurances. These arrangements are to be designed and performed in such a manner that they do not result in unnecessary duplication of effort. Implementation of the partnership agreement was progressively introduced at different facility types. The savings in person-days of inspections achieved were due mainly to the discontinuation of the observation and joint team regimes. Implementation was initiated at three light water reactors (LWRs) without MOX and could be expanded to cover other such LWRs.

Two other agreements among the IAEA, EURATOM and each of the two NWS of the EU for the application of safeguards in those states are INFCIRC/263 (UK) and INFCIRC/290 (France). They are modeled on INFCIRC/193, but there is no partnership arrangement. The states supply the IAEA with a list of facilities in which it may apply safeguards, and the IAEA makes a selection from the list.

1973: An agreement was concluded through INFCIRC/193 under which IAEA safeguards are applied, together with those of EURATOM, in NNWS of the EU. (INFCIRC/193 is an agreement between the IAEA, the NNWS of the EU, and EURATOM.)

1960: The EURATOM Supply Agency became operative. It was established by the EURATOM Treaty to ensure a regular and equitable supply of ores and nuclear fuels by means of a common supply policy based on the principle of equal access to sources of supply.

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Euro-Atlantic Partnership Council

Membership: 49 States — Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyz Republic, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Ukraine, United Kingdom, United States, and Uzbekistan.

Background: Created in 1997, the Euro-Atlantic Partnership Council (EAPC) succeeded the North Atlantic Cooperation Council, and brings together the 26 NATO Allies and 20 Partners in a forum providing for regular consultation and cooperation. It meets periodically at the level of ambassadors and foreign and defense ministers, and, when appropriate, heads of state and government of the 44 members can also meet.

The EAPC has played a valuable role as a forum for consultation on the crisis in Kosovo. A series of extraordinary meetings was held to keep Partners informed of the status of NATO planning and preparations for possible military options in Kosovo and to exchange views with Partners on developments.

EAPC activities are based on a two-year action plan that focuses on consultation and cooperation on a range of political and security-related matters, including regional issues, arms control, international terrorism,

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peacekeeping, defense economic issues, civil emergency planning, and scientific and environmental issues. Almost all of the non-NATO EAPC Members have established diplomatic missions accredited to NATO, expanding contacts between NATO and Partners and increasing the efficiency and effectiveness of cooperation. Ambassadors of the EAPC meet monthly while foreign and defense ministers, along with chiefs of defense, meet annually. Occasionally, meetings will be held at the summit level.

The EAPC also helps to foster practical regional security cooperation through topical seminars which form part of the EAPC action plan. The first such regional cooperation seminar was hosted by Georgia in October 1998. Since then similar events have been held in Lithuania and Slovakia, with two additional seminars in Bulgaria and Uzbekistan in 1999.

Many ideas for further practical initiatives are being explored, including ways in which the EAPC might support global humanitarian action against mines and ways of controlling transfers of small arms.

Developments:

2006: On 29 November 2006, the member states of NATO reaffirmed their dedication to EAPC at the Riga Summit**.** These commitments include developing the relationship between NATO and partners, support for the Political-Military Framework for NATO-led operations, and combating global terrorism.

On 19 September 2006, the EAPC agreed on a Memorandum of Understanding (MoU) that will provide faster and more proficient assistance to disaster or humanitarian crises (including chemical, biological, radiological, or nuclear) victims. This multilateral accord endeavors to achieve these goals through the improvement of civil cross-border transport movements of signatory nations. The accord is currently available to NATO signatories and partners.

At the United Nations Conference on 29 June 2006, NATO Ambassador Martin Erdmann presented an EAPC report to evaluate the implementation of the 2001 Programme of Action, which aims to abolish the illicit trade of small arms and light weapons. Throughout the meeting, the EAPC emphasized NATO's Partnership for Peace's strong role in the destruction of munitions.

2005: The first ever Euro-Atlantic Partnership Council Security Forum was held in Are, Sweden, from 24 to 25 May 2005. The event brought together a number of ministers from NATO and partner countries, as well as senior decisionmakers, representatives of think tanks, and civil society. The meeting demonstrated NATO's desire to reach out to civil society in recognition of the role nongovernmental organizations play in all aspects of NATO's agenda, particularly peace-building and reconstruction in areas such as the Balkans and Afghanistan.

The forum addressed topics such as Europe's unresolved conflicts, NATO and its other partnerships, Central Asia and future cooperation in the EAPC, and how institutional cooperation in the Balkans and elsewhere can make the world more secure.

2004: The Euro-Atlantic Partnership Council Military Committee met with the NATO Chiefs of Staff at NATO Headquarters on 7 May. The Supreme Allied Commander, Europe General James L. Jones delivered an update on the Alliance's partner operations, including various efforts against terrorism. Similar discussion followed at a meeting of the heads of state and government of the 46 EAPC States that was convened during NATO's Istanbul Summit, held from 28-29 June. Addressing a wide range of security issues, participants reaffirmed their need for the EAPC to help "fight the scourge of terrorism" through the continued implementation of the Partnership Action Plan against Terrorism. They also welcomed the establishment of the Individual Partnership Action Plan for internal reform, and discussed various regional concerns.

From 24-26 May, a meeting of civil emergency experts convened in Dubrovnik, Croatia to review and evaluate operations conducted by the Euro-Atlantic Disaster Response Coordination Center, which organizes disaster relief projects involving EAPC States, over the course of the last six years. Among issues discussed was how to improve the EADRC's capabilities in light of security threats involving chemical, biological and nuclear weapons.

2003: During the NATO Meeting of Foreign Ministers in Madrid from 3-4 June, the foreign ministers and representatives of EAPC Member States met to address various regional issues and security threats, including terrorism. In an opening statement, NATO Secretary-General Lord Robertson noted the EAPC's expanding role and welcomed actions taken at the 2002 Prague Summit, including the introduction of the Partnership Action Plan against Terrorism. The ministers further discussed progress made towards objectives outlined in this action plan, as well as efforts to improve the protection of civilians against attacks involving biological, chemical, radiological and nuclear agents, but also stressed the continued work that lay ahead. Later that month, the defense ministers and representatives of EAPC States met in Brussels to elaborate discussion of these security challenges. They emphasized the role of the Partnership for Peace in combating terrorism, and discussed in depth the situation in Afghanistan

In November, during a Military Committee-level session at NATO Headquarters, the NATO Chiefs of Defense

Staff met with all 46 members of the Euro-Atlantic Partnership Military Committee. Discussion focused on the status of the Action Plan against Terrorism, as well as the situations in Afghanistan and the Balkans. Also that month, EAPC States released their 2004-2005 Action Plan, intended to succeed the 2002-2004 Action Plan that was developed in 2001. In a section on the EAPC's Long-Term Program for Consultation and Cooperation, the document noted a number of arms control, disarmament and nonproliferation issues to be addressed over the next two years. These included political and defensive efforts against the proliferation of nuclear, biological and chemical weapons and missiles, and the challenges of small arms and light weapons proliferation. It also described plans for States' collaboration in implementing the CEP Action Plan for the improvement of civil preparedness against possible chemical, biological, and radiological weapon attacks against civilians, and for the expansion of the EADRC's role in this process. In addition, the action plan's agenda includes a series of meetings, seminars, workshops and courses to be held regarding arms control implementation and anti-terrorism efforts.

Two meetings involving the EAPC States convened in Brussels in December: a meeting of the EAPC defense ministers on 2 December, and of the EAPC foreign ministers on 5 December. The Action Plan against Terrorism was a primary issue discussed at both, with participants advocating increased cooperation between the partners in coordinating civil and military structures. At the 5 December meeting, the foreign ministers specifically encouraged the facilitation of increased consultations within the EAPC regarding the protection of civilians against risks posed by weapons of mass destruction.

2002: On 28 and 30 January, a workshop examining the practical lessons learned in the anthrax crisis in the United States took place in Ahrweiler, Germany, under the auspices of the EAPC. The workshop, which was jointly organized by NATO's Civil Emergency Planning Directorate and the Weapons of Mass Destruction Centre, was attended by come 55 public health management experts from 27 EAPC countries. The main focus of the workshop was the experience of the US Centers for Disease Control. However, presentations outlined the gaps in preparedness that exist in all countries in terms of both crisis and consequence management. Participants endorsed two concrete proposals, a list of "lessons learned" to guide future work and a prioritized list of proposals for future workshop.

The foreign ministers and representatives of the EAPC States met on 15 May in Reykjavik, Iceland. In an opening statement to the meeting, NATO Secretary-General Lord Robertson addressed the implications the terrorist attacks of 11 September 2001 had on the global security situation, and discussed the "political solidarity" of the Euro-Atlantic community. The ministers reiterated the role of the Partnership in light of emerging security threats, and received various reports on current activities. They also noted the objective of presenting the Heads of State and Government with a package of proposals to enhance the EAPX and Partnership for Peace.

On 6-7 June, defense ministers of the EAPC met in Brussels to discuss the future of the Partnership for Peace (PfP) and the EAPC, and the role of PfP in the international fight against terrorism. Ministers agreed that the EAPC has been, and will continue to be, an essential pillar of the international coalition against terrorism and exchanged views on how to respond effectively to terrorism-related security concerns. Ministers agreed that the requirements of the fight against terrorism should be taken fully into consideration in the review and adaptation of the EAPC and PfP, and they discussed what specific elements could be included in a possible Partnership Action Plan against terrorism.

On 21 June, disarmament experts from NATO and Partner countries held a meeting to review developments and discuss work underway in the area of nonproliferation. The aim of the meeting was to give the opportunity to national experts from EAPC Member countries to exchange views and reach a better understanding of national positions on disarmament. Themes covered included outer space arms control, nuclear nonproliferation, the Comprehensive Test Ban Treaty (CTBT), means of countering the proliferation of biological weapons, and new steps to support the nonproliferation of weapons of mass destruction (WMD). This was the first meeting on disarmament to which Partner countries were allowed to participate, as a follow-up to the implementation of NATO's WMD Initiative.

In November, during the NATO Prague Summit, representatives of the EAPC States issued a Partnership Action Plan against Terrorism, in which they called upon all Member States to take efforts towards the suppression and prevention of terrorism in accordance with United Nations Security Council Resolution 1373. The plan listed numerous objectives, including enhanced cooperation on arms control and non-proliferation, which, the document noted, "make an essential contribution to the global combat against terrorism, in particular by helping prevent the use of WMD." Among specific courses of action prescribed were: intensifying consultations and sharing information; enhancing preparedness for combating terrorism through defense and security sector reform, armaments cooperation and other means; impeding support for terrorist organizations through border control and stricter control of WMD and small arms and light weapons; and holding NATO-led activities to enhance capabilities against WMD-related terrorism and civil

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preparedness against attacks involving chemical, biological, nuclear, and radiological threats.

Also during the Prague Summit, the Heads of State and Government and other representatives of the EAPC States met to discuss security issues relevant to the Euro-Atlantic area. They reaffirmed the importance of efforts against terrorism, heard a review report on the EAPC and Partnership for Peace, and welcomed the Partnership Action Plan against Terrorism as a "concrete expression of their desire to join forces against the terrorist menace."

2001: Foreign ministers and representatives of the Member States met in Budapest on 30 May. After hearing the opening remarks by Foreign Minister Svilanovic of the Federal Republic of Yugoslavia, Members exchanged views on developments in "South-East Europe and expressed support for Yugoslavia's efforts to integrate itself into the Euro-Atlantic community. Ministers welcomed the South-East Europe Common Assessment Paper on Regional Security Challenges and Opportunities" (SEECAP), developed by a number of EAPC nations, as a key document to build regional cooperation and lasting stability and security.

Defense ministers met in Brussels on 8 June to exchange views on the security environment in the Euro-Atlantic region, to discuss the contribution made by PfPs to crisis management capabilities, and for those concerned, to approve the new Ministerial Guidance for Partnership for Peace Planning and Review Conference. Ministers re-affirmed their commitment to the full implementation of UNSC Resolution 1244 and support for Kosova Force (KFOR)'s role in creating a safe and secure environment in Kosovo.

On 19 December, defense ministers met in Brussels to discuss three main issues: improving cooperation and capabilities to address terrorism and other non-conventional threats, practical cooperation under the Partnership for Peace program, and approval of the Planning and Review Process Ministerial Guidance 2002. The importance of the EAPC was reiterated as an essential pillar of the international coalition against terrorism.

2000: In December, the EAPC held a ministerial level meeting in Brussels. Following a briefing by Mr. Wolfgang Petritsch, High Representative for Bosnia and Herzegovina, the ministers exchanged views on the situation in that area and commended Stabilization Force (SFOR)'s continued efforts in supporting the full implementation of the Dayton Peace Accords. They emphasized that more progress needed to be made towards a self-sustaining multi-ethnic democracy by newly elected officials, and that the officials should assume greater ownership of the process. Ministers further underlined the importance of regular consultations that had taken place within the EAPC framework on the situation in the Federal Republic of Yugoslavia.

The action plan for the period 2000 until 2001 was updated in the fall. A major part of the work schedule will be devoted to the development and implementation of the Partnership-related initiatives launched at the Washington Summit.

The EAPC met at the defense ministers level in Brussels on 9 June. The ministers welcomed the successful completion of the SFOR restructuring and heard briefings on various aspects of the situation in the Balkans. They welcomed the development of the first full set of Partnership Goals and received a Summary Report of the main trends and issues in the PfP Planning and Review Process. These Goals aim to further develop and enhance effective and interoperable forces and capabilities for the full range of NATO-led PfP operations.

During the year, four open-ended Ad Hoc Working Groups were convened to explore possible EAPC contributions to: Global Humanitarian Mine Action, the Challenge of Small Arms and Light Weapons, Prospects for Regional Cooperation in South Eastern Europe, and in the Caucasus.

1999: Heads of State and Government of the 44 Member States met in Washington in April. This summit was an opportunity for open discussions among the leaders of the Member countries on security-related cooperation within the EAPC in the 21st century. The leaders concentrated on key security challenges in the EAPC area, in particular the situation in Kosovo. The Heads of State and Government endorsed two documents relating to the further development of the Partnership for Peace. The first of these, the "Political-Military Framework for NATO-led PfP Operations," addresses the involvement of Partner countries in political consultations and decision-making, in operational planning, and in command arrangements for future NATO-led operations in which they participate. The second document is entitled "Towards a Partnership for the 21st Century — the Enhanced and More Operational Partnership." This outlines the main elements designed to make the Partnership for Peace (PfP) more operational.

1998: The Euro-Atlantic Disaster Response Coordination Centre (EADRCC) was inaugurated in June at the NATO headquarters following a proposal to the EAPC by the Russian Federation. This Centre was immediately called upon to support the UN High Commissioner for Refugees in relief efforts in Albania for refugees fleeing from Kosovo. EADRCC also played a significant role in coordinating humanitarian relief for flood-hit parts of western Ukraine in 1998.

NORTH ATLANTIC COOPERATION COUNCIL (NACC)

Created in 1991 as an organization for discussion and coordination on mutual security issues and replaced by the Euro-Atlantic Partnership Council in 1997.

Membership: 40 States, including 16 NATO States, and Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Czech Republic, Estonia, Georgia, Hungary, Kazakhstan, Kyrgyz Republic, Latvia, Lithuania, Moldova, Poland, Romania, Russian Federation, Slovakia, Slovenia, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, and Uzbekistan. Austria, Finland, Sweden, and Switzerland had observer status as Partnership for Peace participants. Since March 1992, the CIS members have been participants in the NACC process.

Many of NACC's original activities such as cooperation on defense-related issues, in military and peacekeeping fields, including exercises, have been subsumed into Partnership for Peace activities. The subsequent framework focused on consultation and cooperation in political and security related matters, economic issues related to defense budgets and conversion, information activities, and scientific and environmental issues. Most of these activities are now being pursued in the Euro-Atlantic Partnership Council (EAPC) forum.

The NACC was replaced by the EAPC. The concluding meeting of the North Atlantic Cooperation Council took place in Sintra, Portugal on 30 May 1997, followed by the inaugural meeting of the EAPC. All current NACC members and participating countries could automatically become members of the EAPC if they wish.

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http://www.nato.int/issues/eapc/index.html

North Atlantic Treaty Organization (NATO)

Established: 1955.

Membership: 26 Alliance Members: Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, United Kingdom, and United States.

Background: The Brussels Treaty of 1948, revised in 1984, represented the first step in the post-war reconstruction of Western European security and brought into being the Western Union and the Brussels Treaty Organization. It was also the first step in the process leading to the signature of the North Atlantic Treaty in 1949 and the creation of the North Atlantic Alliance. The Brussels Treaty is the founding document of the present day Western European Union (WEU).

Negotiations culminated in the signature of the Treaty of Washington in April 1949, bringing into being a common security system based on a partnership among 12 countries: Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the United Kingdom, and the United States. In 1952, Greece and Turkey acceded to the Treaty. The Federal Republic of Germany joined the Alliance in 1955 and, in 1982, Spain also became a member of NATO. The Czech Republic, Hungary, and Poland joined NATO in 1999. Bulgaria, Estonia, Latvia, Lithuania, Slovakia, Slovenia, and Romania became NATO members in 2004. Croatia and Albania were invited to join at the 2008 NATO summit and are expected to receive full membership before April 2009.

Objectives and Structure: The North Atlantic Alliance was founded on the basis of a Treaty between Member States entered into freely by each of them after public debate and due parliamentary process. The Treaty upholds their individual rights as well as their international obligations in accordance with the Charter of the United Nations. It commits each member country to sharing the risks and responsibilities as well as the benefits of collective security and requires each of them to undertake not to enter into any other international commitment that might conflict with the Treaty.

NATO's structure comprises separate civil and military structures and various organizations and agencies. Within the civil structure, the main bodies are the NATO Headquarters (HQ), the Permanent Representatives and National Delegations, The Secretary General, and the International Staff (IS). The main bodies of the military structure are the Military Committee, the Chairman of the Military Committee, Strategic NATO Commanders,

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International Military Staff, Allied Command Europe (ACE), and Allied Command Atlantic (ACLANT).

Regional bodies related informally to NATO include the Euro-Atlantic Partnership Council and the NATO Parliamentary Assembly.

NATO Nuclear Policy: In its new Strategic Concept unveiled in April 1999, NATO affirmed its intention to maintain nuclear forces in Europe for the indefinite future. The NATO document stressed that these forces would be "at the minimum level consistent with the prevailing security environment" and that circumstances in which their use might have to be contemplated were "extremely remote."

The collective security provided by NATO's nuclear posture is shared among all members of the Alliance, providing reassurance to any member that might otherwise feel vulnerable. The presence of US nuclear forces based in Europe and committed to NATO provides an essential political and military link between the European and North American members of the Alliance. At the same time, the participation of non-nuclear countries in the Alliance nuclear posture demonstrates Alliance solidarity, the common commitment of its member countries to maintaining their security, and the widespread sharing among them of burdens and risks.

NATO's Nuclear Planning Group, for example, routinely receives briefings on the nuclear arsenals of the United Kingdom and the United States, and the part they play in the security policy of all members of the Alliance. While NATO members all subscribe to Alliance strategy, they make individual national decisions as to their level of participation. Iceland, with no armed forces, is not in the Nuclear Planning Group. Also excluded is France, despite its nuclear weapons capability. Denmark, Norway, and Spain do not allow deployment of nuclear weapons on their territory in peacetime.

Political oversight of NATO's nuclear posture is also shared between member nations. NATO's Nuclear Planning Group provides a forum in which the defense ministers of nuclear and non-nuclear Allies alike participate in the development of the Alliance's nuclear policy and in decisions on NATO's nuclear posture.

Alliance Policy on WMD Proliferation: In June 1994, NATO Foreign Ministers issued the "Alliance Policy Framework on Proliferation of Weapons of Mass Destruction," a public document stating that the principal goal of the Alliance and its Member States is to prevent proliferation from occurring or, should it occur, to reverse it through diplomatic means. The document also noted that proliferation might nevertheless occur despite international nonproliferation norms and agreements, and that weapons of mass destruction (WMD) and their delivery means can pose a direct military threat to NATO territory, populations, and forces.

There are three senior NATO groups dealing with the Alliance's political and defense efforts against WMD proliferation, namely the Senior Politico-Military Group on Proliferation (SGP) and the Senior Defense Group on Proliferation (DGP), which deal respectively with the political and defense dimensions of NATO's response; and the Joint Committee on Proliferation (JCP), which coordinates and brings together the work of both aspects. The SGP considers a range of factors in the political, security, and economic fields that may cause or influence proliferation and discusses political and economic means to prevent or respond to proliferation. The DGP addresses the military capabilities needed to discourage WMD proliferation, to deter threats and use of such weapons, and to protect NATO populations, territory, and forces.

The Alliance's WMD Initiative: The Alliance provides an essential consultative forum for its members on all aspects of their defense and security, including arms control, disarmament, and non-proliferation. Consultation takes place in the full range of NATO bodies, but most particularly in the various proliferation groups within NATO as well as the Euro-Atlantic Partnership Council, the NATO-Russia Council, and the NATO-Ukraine Commission. In addition, NATO bodies regularly meet with experts on disarmament, notably prior to significant international meetings such as the nuclear Non-Proliferation Treaty (NPT) Review Conference, the UN First Committee, and the Conference on Disarmament. NATO also provides a forum for consultations on the implications for Alliance security and global strategic stability of theatre missile defense options and WMD.

Verification and Compliance:

Verification: The body for verification is the NATO Council, which considers matters concerning the implementation of the Washington Treaty. The Council is organized to be able to meet promptly at any time. The Council is mandated to set up subsidiary bodies it may deem necessary, in particular a defense committee which recommends measures for implementation. NATO members, as stipulated in the Treaty of Washington of 1949, agreed to consult together whenever the territorial integrity, political independence, or security of any of the Parties is threatened. The Parties agreed that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all. Consequently, they agreed that in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, they would assist the Party or Parties attacked by taking such action as NATO deemed necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Compliance: Any such armed attack and all measures taken as a result would immediately be reported to the

Security Council. Such measures would be terminated when the Security Council took the measures necessary to restore and maintain international peace and security. This Treaty does not affect in any way the rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.

NATO established a Council, on which each member is represented, to consider matters concerning the implementation of NATO obligations. The Council is organized to be able to meet promptly at any time. The Council sets up subsidiary bodies as needed; in particular, it may establish immediately a defense committee to recommend measures for implementation.

Provision for Withdrawal: Any Party may cease to be a Party one year after its notice of denunciation has been given to the government of the United States, which will inform the governments of the other Parties of the deposit of each notice of denunciation.

Developments:

For developments on important regional bodies related informally to NATO, see the Euro-Atlantic Partnership Council and the NATO Parliamentary Assembly.

2008: On 17 February 2008, NATO Secretary General Mr. de Hoop Scheffer issued a statement in response to Kosovo's declaration of independence. The Secretary General stated that NATO will continue to provide security to the people of Kosovo in an impartial manner according to its mandate under UNSCR 1244.

On 6 March, NATO's 26 foreign ministers met at Headquarters in Brussels to discuss and set the agenda for the Bucharest NATO Summit scheduled for 2 to 4 April. Issues slated to be discussed during the Brussels Summit included: NATO missions in Kosovo, NATO enlargement, the applicant status of Albania, Croatia, and the former Yugoslav Republic of Macedonia. Secretary General Mr. de Hoop Scheffer made it clear that he expected the application process to be concluded by the Bucharest Summit. Members also discussed the importance of strengthening ties with the Balkan states and Eastern Europe.

On 1-3 April, NATO met for its largest-ever summit in Bucharest, Romania. The meeting released the "Bucharest Summit Declaration Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Bucharest on 3 April 2008", which contained over 50 points. Among these, NATO invited Albania and Croatia to begin accession talks; welcomed Georgia and Ukraine's membership aspirations and committed to engagement to help both countries with their MAP applications; welcomed Bosnia and Montenegro's decisions to begin an Individual Partnership Action Plan and reiterated approval for the enlargement process. NATO also announced that KFOR in Kosovo will continue to help maintain stability in the Balkans while clarifying that NATO's UN-mandated International Security Assistance Force in Afghanistan remains the top priority. Furthermore, NATO emphasized its role in implementing UN resolutions related to both the fight against terrorism (UNSCR 1373 from 28 September 2001) and nonproliferation (UNSCR 1540 from 28 April 2004), and encouraged Russia to cooperate more fully in both arenas. It reaffirmed missile defense as a response to ballistic missile proliferation and announced its intention to ensure that all NATO allied territory and population will eventually receive coverage. At the same time, NATO endeavored to reassure Russia that the missile defense system was not a threat and reiterated the possibility of NATO-US-Russia cooperation on the system in the future. NATO also released "ISAF's Strategic Vision Declaration by the Heads of State and Government of the Nations contributing to the UN-mandated NATO-led International Security Assistance Force (ISAF) in Afghanistan" to review its activities and goals in Afghanistan.

On 9-10 October, NATO Defense Ministers met in Budapest to discuss how to further develop NATO's Response Forces and review recent improvement and transformation efforts.

On 13-14 October, more than 150 officials from over 50 countries met in Berlin for the fourth NATO seminar on the challenges of WMD proliferation under the auspices of the Senior Politico-Military Group.

NATO Foreign Ministers held discussions on the Alliance's engagement in Afghanistan during a meeting of the North Atlantic Council on 3 December 2008.

2007: On 8-9 February, NATO defense ministers met in Seville, Spain, to discuss the organization's future policies and actions. Topics included: the future of Kosovo (the desire for a quick conclusion was stressed), NATO's military role in Afghanistan (which was supported), missile defense, and finally, the threat of terrorism in the Mediterranean.

On 5 March, Czech Prime Minister Topolánek visited NATO headquarters. While the possibility of a US missile defense system based in the Czech Republic was discussed, it was ultimately agreed that the issue is a bilateral matter between the Czech Republic and the United States. Therefore, NATO did not take an official position on the matter.

As part of NATO's Istanbul Cooperation Initiative Work Program, a team of NATO experts visited Kuwait on 6 and 7 May to assist in the review of the country's national radiation protection program.

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On 14 June, NATO's 26 countries agreed to assess by February 2008 the political and military implications for the Alliance of the US missile defense system. Following up on decisions from NATO's 2006 Riga Summit, the assessment was planned to include an update on missile threat developments, taking into account the discussions about a U.S. "third site" in Europe. NATO decided to pursue a three-track approach to missile defense: (i.) continue the ongoing NATO project to develop by 2010 a theatre missile defense for protecting troops deployed on missions from missile threats, (ii.) assess the full implications of the U.S. system for the Alliance, and (iii.) continue existing cooperation with Russia on theatre missile defense as well as consultations on related issues.

On 21-22 September, around 60 experts and officials from Russia and NATO Member States gathered in Florence, Italy for a seminar on "Proliferation Threats and Challenges," organized under the NATO-Russia Council.

On 8-12 October, a multinational team of 12 experts held an advanced training course for the Ukrainian Border Guard Academy in Varna, Bulgaria, to train the trainers in how to combat the risk of terrorists acquiring WMD through improved border security.

On 17 October, the North Atlantic Council and the NATO-Russia Council discussed missile defense issues. National delegations included high-ranking officials and experts from capitals. The NATO-Russia Council session included updates on bilateral consultations, most notably the ongoing dialogue between the U.S. and Russia, as well as current projects undertaken in the framework of the NATO-Russia cooperation, such as the Theatre Missile Defense initiative.

On 24 October, a second NATO Partnership for Peace Trust Fund project in Georgia was launched to support the destruction of stockpiles of close to 9 000 missiles. With a budget of $688,065 U.S. dollars, the project was expected to be carried out in 2008 and focus on the dismantling of 1,080 surface-to-air S-8 missiles, as well as 5,724 Alazan and , 976 Kristall anti-hail rockets. Estonia, Latvia, and Lithuania were the lead countries for the project and Bulgaria, the Czech Republic, Romania and two partner countries, Finland and Switzerland, were to contribute. The NATO Maintenance and Supply Agency was to serve as the project's Executing Agent and the project was to be implemented in close cooperation with the OSCE.

On 25-26 October, a NATO-sponsored workshop on building cooperative and regional approaches to preparedness and defense against bio-terrorism took place in Bucharest, Romania.

On 11-12 December, nuclear experts from Russia and NATO countries exchanged views on the prevention of nuclear weapons incidents and accidents during a seminar at NATO Headquarters. The event was organized under the auspices of the NATO-Russia Council and participants included over 50 senior officials and experts dealing with nuclear weapons safety and security issues from foreign and defense ministries, national delegations at NATO Headquarters, NATO Military Authorities and NATO international staff.

2006: On 9-10 February, at a meeting in Taormina, Italy, NATO defense ministers discussed steps necessary to ensure that NATO's 25,000-strong Response Force is fully up and running by the end of 2006.
The informal meeting of defense ministers from the 26 NATO countries focused on NATO's political and military transformation. The Response Force - due to become fully operational in October 2006- was one of the key elements of the transformation. Ministers also discussed the future of NATO's operations and missions in Afghanistan, Iraq, the Mediterranean, as well as the Alliance's assistance to the African Union in Darfur.

On 27-28 April, at a meeting held in Sofia, Bulgaria, foreign ministers from NATO countries and Russia agreed to a document laying out priorities for NATO-Russia cooperation, including political dialogue, the fight against terrorism, and interoperability. Participants adopted recommendations for priorities in the further development of NATO-Russia relations.

NATO's role in Afghanistan was a primary issue for the 2006 Riga Summit. While NATO leaders reaffirmed their military commitments, they also called for more extensive international involvement. The declaration of the Riga Summit can be found here.

On 28 November, NATO contracted a team of companies, led by Science Applications International Corporation, to begin constructing a ballistic missile defense system. NATO expects the system will be operable by 2010. The contract, worth 75 million euros, was signed on the first day of the Riga Summit as witnessed by NATO Secretary General Jaap de Hoop Scheffer and NATO Assistant Secretary General for Defense Investment Marshall Billingslea. The goal of the system is to protect deployed troops from short to medium range ballistic missile by intercepting them at the boost phase.

2005: On 22 February, all 26 NATO members agreed on a meeting at Nice, Italy to contribute to NATO's assistance to Iraq. All NATO allies are now contributing to NATO's training of Iraqi security forces, either in Iraq, outside of Iraq, through financial contributions, or donations of equipment. The leaders also discussed the ongoing expansion of NATO's presence in Afghanistan, as well as enhanced cooperation and coordination with the

US-led Operation Enduring Freedom. Heads of state and government endorsed the importance of giving the Alliance a stronger political role, where political subjects of importance to transatlantic security would be discussed at NATO.

Also on 22 February, at a special NATO-Ukraine Summit, the Alliance leaders expressed support for Ukraine's ambition of Euro-Atlantic integration. As another sign of deepening NATO-Ukraine cooperation, a NATO Partnership for Peace (PfP) Trust Fund project was established. Its aim is to help Ukraine destroy stockpiles of surplus munitions, small arms and light weapons, and Man-Portable Air Defense Systems. The project is the largest single demilitarization effort in the world. The Trust Fund project responded to Ukraine's request for assistance in eliminating 133,000 tons of munitions and 1.5 million small arms and light weapons. Since much of this material is stored in the open, it poses a major security threat to local civilian population and infrastructure. Safe destruction of these stocks would eliminate potential proliferation risk. The Trust Fund project will be executed in four phases, over 12 years.

On 21 April, at an informal meeting of the foreign ministers, NATO invited Ukraine to begin an "Intensified Dialogue" on Ukraine's aspirations to membership and relevant reforms, without prejudice to any eventual Alliance decision.

At the same meeting the foreign ministers broadened the Alliance's political dialogue by tackling a wider range of strategic issues. The meeting was the first concrete step towards implementing a decision by heads of state and government in February 2005 to strengthen strategic political dialogue in the Alliance. A wide range of issues was discussed, including the peace process in the Middle East and the situation in the Darfur region of Sudan.

On 24-25 May, the first ever Euro-Atlantic Partnership Council Security Forum was held in Are, Sweden. The event brought together a number of ministers from NATO and partner countries, as well as senior decision-makers and representatives of think tanks and civil society. The forum gave delegates an opportunity to discuss more openly and in greater depth than is usual in ministerial meetings the key issues in Euro-Atlantic security today.

On 9-10 June, at a meeting at NATO headquarters, NATO ministers of defense discussed new ideas for further transforming the Alliance's capability to take on 21st century military operations where and when necessary.

On 8 December, at a meeting held at NATO headquarters, NATO Foreign Ministers discussed a broad range of strategic political issues in the transatlantic dialogue.

2004: On 5 January, the new Secretary General of NATO, Mr. Jaap de Hoop Scheffer of the Netherlands, began an initial four-year term in office. He is the 11th NATO Secretary General, following Lord Robertson, who held the post from 1999 to 2003. Upon arriving at NATO headquarters in Brussels, Mr. de Hoop noted that NATO had taken on new responsibilities and is "going through a continuous process of transformation to be able to meet new challenges." His stated that his main priorities would be to continue this transformation, ensure the smooth entry of the seven countries joining NATO in March, and to improve dialogue between Europe and North America. He singled out Afghanistan as the main challenge on the Alliance's current agenda. He reiterated this on several occasions throughout the first half of 2004, calling for more support for the NATO-led peacekeeping mission there in late February.

On 15 January, Afghani militia forces turned over weapons, including tanks, artillery and other hardware, to the government in a weapons collection program supported by NATO through its International Security Assistance Force. It was the second such transfer since December.

On 28-30 January, 100 experts gathered in Norway to discuss minimum standards for protection of civilian populations against WMD based on guidelines requested by NATO. The anti-terrorism conference, held as part of the Civil Emergency Action Plan for the Improvement of Civil Preparedness for Possible Attacks Against the Civilian Population with Chemical, Biological, Radiological or Nuclear agents agreed to at the 2002 Prague Summit, worked to develop non-binding guidelines and minimum standards for protection of civilian populations against chemical, biological, radiological and nuclear (CBRN) risks. The participants, who were from NATO and partner countries, are experts in civil emergency planning.

On 8-12 March, NATO and Russia conducted a computer-simulated Command Post Exercise, testing their joint responses to missile attacks against deployed troops for the first time. Following the terrorist attacks in Madrid on 11 March, the Secretary General issued a statement expressing "shock and anger," emphasizing solidarity with Spain and NATO's "determination to vigorously pursue our efforts to combat terrorism." Later that month, NATO announced it would expand the area covered by Operation Active Endeavour, intended to provide surveillance and monitoring of major shipping to prevent terrorism, to the whole Mediterranean.

On 29 March, in its most expansive enlargement to date, NATO officially welcomed Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia as new members. The accession marked the fifth since the Alliance's founding and brought its total membership to 26 countries. The accession was followed by a flag-

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raising ceremony on April 2. Secretary General Jaap de Hoop Scheffer had invited the seven countries to become members on 2 March, after each of the 19 NATO member countries notified the United States of their acceptance of protocols to the North Atlantic Treaty regarding their accession.

After the accession ceremony, the Foreign Ministers and Representatives of NATO met at NATO headquarters, where they adopted and issued a Declaration on Terrorism, in addition to addressing other issues. Dialogue surrounding the fight against terrorism was continued on 5 April at the third NATO-Russia conference on terrorism in Norfolk, Virginia. On 16 April, NATO member countries decided to purchase a common ground surveillance system, composed of special aircraft, unmanned flying drones and ground equipment, by spring of 2005.

On 5-6 May, NATO's Chiefs of Defense met at NATO headquarters, addressing a number of issues, including current missions in the Balkans and Afghanistan. On 6 and 7 May, Armaments Directors from NATO member countries met at the biannual Conference of National Armaments Directors to launch several projects designed to protect against terrorist attacks. Those in attendance recognized combating terrorism as the highest priority and endorsed a Program of Work for Defense Against Terrorism. The Program specifies eight major projects, one of which is improving the "detection, protection and defeat of chemical, biological, radiological and nuclear weapons."

On 28-29 June, at a summit in Istanbul, NATO leaders approved a major expansion of the Alliance's role in Afghanistan through Provincial Reconstruction Teams and support for elections, offered assistance to the new Iraqi government with the training of its security forces, and announced an upcoming end to the NATO-led Stabilization Force in Bosnia and Herzegovina. They also agreed to a collection of measures against terrorism, including the threat of attacks involving weapons of mass destruction. These included efforts towards upgrading intelligence sharing at an existing Terrorist Threat Intelligence Unit in Brussels and the development of new high-tech defenses. These actions stemmed from the April declaration on terrorism and the Program of Work for Defense Against Terrorism.

In a communiqué released at the Summit, NATO leaders recognized the threats posed by the proliferation of weapons of mass destruction and terrorism, committing to several preventative steps. They also addressed the Alliance's commitment to arms control and disarmament, specifically reiterating NATO's support for the nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, and the Hague Code of Conduct against the Proliferation of Ballistic Missiles. The communiqué also expressed support for UN Security Council Resolution 1540 and the G-8's adoption in June of an Action Plan for Nonproliferation. They also noted NATO's "strong support" for the Proliferation Security Initiative, its support of Libya's decision to dismantle its WMD program, and its commitment to progress regarding the Conventional Armed Forces in Europe Treaty. According to their communiqué, "the Alliance's policy of support for arms control, disarmament and non-proliferation will continue to play a major role in the achievement of the Alliance's security objectives, including preventing the proliferation of Weapons of Mass Destruction and their means of delivery."

2003: On 7-8 February, NATO dealt with a number of issues relating to arms control and the risk of terrorists' use of WMD in 2003. At an annual St. Petersburg Conference, diplomats, academics, and parliamentary and military representatives addressed the role of NATO and Russia in anti-terrorism operations and examined the NATO-Russia relationship more generally.

On 19 February, following a meeting of the Defense Planning Committee on 16 February, the Alliance's highest defense committee authorized the deployment of missile and chemical and biological defenses, as well as of NATO aircraft, to Turkey,. The following month, NATO also assisted Turkey in preparing for humanitarian crisis situations, including chemical and biological attacks. The remaining NATO forces, part of Operation Display Deterrence, left the area on 3 May. Also in March, NATO forces began escorting civilian shipping from member countries through the Straits of Gibraltar in response to concerns over terrorism.

On 2 April, NATO representatives and officials from Azerbaijan signed a Memorandum of Understanding regarding cooperation in the clearance of unexploded ordnance under the Partnership for Peace Trust Fund. This project was formed in 2000 to support the destruction of anti-personnel land mines and surplus arms and small weapons.

On 3 April, NATO Foreign Ministers met in Brussels at a special session of the North Atlantic Council regarding the situation in Iraq and transatlantic relations. They concurred that the UN and other international organizations would play a role following the conflict and reaffirming a commitment to act in accordance with the Washington Treaty in the case of an attack on Turkey.

Also in April, NATO-led peacekeepers worked on securing arms and munitions in Kosovo and Bosnia and Herzegovina, confiscating thousands of rounds of ammunitions and explosives, rifles, pistols, and mines. Later, in August, it was announced the NATO-led peacekeeping force there would support the UN's Weapons Amnesty Program, establishing and running special weapons collection points in September.

On 29 April, NATO naval forces conducted the first boarding operation in the Mediterranean as part of Operation Active Endeavour, intended to help prevent possible terrorist activities there.

On 8-9 May, NATO representatives met at the Conference of National Armaments Directors to review progress on projects to enhance NATO's operational capacity in anticipation of meetings of NATO's Foreign and Defense Ministers in June. The Alliance's Military Committee also held a meeting at the levels of the Chiefs of Defense Staff at NATO HQ in May.

NATO made several significant decisions in June. The North Atlantic Council approved providing the support requested by Poland regarding its anticipated role in stabilizing Iraq; although NATO will not have a permanent presence in Iraq, it will provide Poland with aid in areas such as communication and logistics.. At a 12-13 June meeting in Brussels, NATO Defense Ministers approved a reform of the Alliance's command structure and plans for a NATO Response Force designed to respond quickly to conflict areas and modern threats. NATO operation commanders further discussed these changes at a 17-18 June meeting in Mons, Belgium. Also in June, Secretary General Lord Robertson identified countering weapons of mass destruction as one of five "priority areas" in cooperation with NATO's seven Mediterranean Dialogue countries during a conference in London.

On 31 July, NATO initiated a project to destroy 11.6 thousand tons of small arms and light weapons (SALW) ammunition in Albania as part of the Partnership for Peace Trust Fund. On 11 August, NATO assumed leadership in and near Kabul, Afghanistan in the UN-mandated International Security Assistance Force.

NATO continued to address concerns over terrorist attacks and weapons proliferation in the fall. From 7-10 October, roughly 1,700 civil emergency personnel from NATO countries participated in Dacia 2003, an exercise to deal with the aftermath of terrorist attacks involving radioactive material, in Romania. And in November, the Senior Civil Emergency Planning Committee met to discuss improving preparedness for terrorist attacks involving chemical, biological, or radiological weapons use against civilians. Anti-terrorism efforts were also among issues addressed at a meeting of the Euro-Atlantic Partnership Military Committee during a 12-13 November conference among NATO's Chiefs of Defense staff.

On 1 December, NATO's new Multinational Chemical, Biological, Radiological and Nuclear Defense Battalion, established by the North Atlantic Council to respond to the use of weapons of mass destruction, achieved initial operational capacity,. It is to be headquartered in the Czech Republic. Also on 1-2 December, NATO Defense Ministers met and agreed to expand NATO's mission in Afghanistan and reduce it in Bosnia. At the Council's December meetings at the level of Foreign and Defense Ministers, leaders committed to "continue and expand" dialogue about nonproliferation and to "further explore the possibilities for practical cooperation."

Among the roundtable discussions and seminars NATO held in 2003 were several that addressed the threat of chemical, biological, and nuclear weapons proliferation. On 15-17 January, a workshop in Bad Neuenahr-Ahrweiler, Germany examined the risk of radiological contamination to civilians, and specifically assessed a scenario involving the dispersion of radio-nuclear material. Simultaneously, a 15-18 January workshop in Warsaw addressed the threat of bio-terrorism. Other discussions included a 26 February roundtable in Kyev addressing the role of threats posed by WMD within the current security agenda and, specifically, the relevance of this to NATO-Ukraine interaction, and a March Moscow workshop on the "Detection of Explosives for Anti-Terrorism Purposes. In addition, at a September seminar hosted by Sweden and organized within the framework of the Euro-Atlantic Partnership Council (EAPC), experts examined challenges surrounding the proliferation of chemical, biological, radiological, and nuclear weapons and concluded that the EAPC should include a "more focused" work program, including greater exchange of information and cooperation. Proliferation issues were again addressed at a NATO workshop held in Pultusk, Poland in December in the framework of the NATO-Russia Council – the first time this has occurred.

NATO also witnessed administrative developments in 2003. In January, General James L. Jones, US Marine Corps, was made Supreme Allied Commander, Europe in a ceremony at the Supreme HQ Allied Powers Europe (SHAPE), and later in the year, Admiral Edmund Giambastiani, Jr., US Navy, became Supreme Allied Commander, Transformation. On 22 September, the North Atlantic Council appointed Dutch Minister of Foreign Affairs Mr. Jaap de Hoop Scheffer as Secretary General of NATO and Chairman of the North Atlantic Council. He was scheduled to assume his functions as Secretary General on 1 January 2004.

On 26 March, representatives of NATO countries signed Protocols of Accession that, as amendments to the North Atlantic Treaty, would allow Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to join NATO following ratification.

2002: On 16 January, two E-3A Airborne Early Warning and Control Systems aircraft (AWACS) were deployed by NATO in support of US homeland security. On 28 January, a senior US official held talks at NATO HQ on international terrorism to exchange information and assess the problems that remain to be addressed. A NATO-Russia conference on the role of the military in combating terrorism took place in Rome, Italy, at the NATO Defense

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College on 4 February. On 7 March an international conference on "The world after September 11: lessons learned," was held in Monaco. On 25-27 September, NATO and Russia held their first-ever joint crisis response exercise in Noginsk, 70 kilometers outside of Moscow. The exercise simulated an international response to a terrorist attack on a chemical plant.

NATO held a variety of projects and seminars on WMD and radiation issues during 2002. The "Science for Peace" study of the radioactive contamination at the former Soviet nuclear test site in Semipalatinsk, Kazakhstan, was presented to a Technical Meeting of the International Atomic Energy Agency (IAEA) held in Vienna on 14-18 January. On 13 February, NATO held a workshop on warning and detection procedures for the protection of populations against dangers such as radiation, in Bucharest, Romania. On 16 March, INTEX 2002, of the NATO Group of Experts on Warning and Detection Systems (GOEWDS), took place in Bulgaria. Its aim was to practice communications and procedures for the international exchange of information on detection and monitoring of radiation releases threatening populations. From 22-24 April, there was a NATO-Russia workshop on decommissioning nuclear-powered vessels. On 23 September, a seminar was held at NATO HQ to discuss means of protecting populations and industries from WMD.

At a November Prague Summit, NATO Heads of State and Government formally invited Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to begin accession talks with the Alliance. In a declaration released at the Summit, leaders noted the historic enlargement would "strengthen security for all in the Euro-Atlantic area, and help achieve our common goal of a Europe whole and free, united in peace and by common values."

2001: Following the terrorist attacks of 11 September, NATO collaborated extensively in addressing terrorism. On 12 September, NATO reaffirmed that the terrorist attacks against the United States were regarded as an action covered by Article 5 of the Washington Treaty, which stipulates that an armed attack against one or several members shall be considered as an attack against all. From 19-21 September, high-level policymakers met in Berlin for the 14th NATO Review conference on the future of the Alliance. Established in 1989, these conferences are an opportunity to discuss the evolution of NATO in light of recent international developments and changes in the security environment. On 9 October, for the first time in NATO's history, Alliance assets were deployed in support of Article 5 operations. On 6 December, NATO's 19 Foreign Ministers met to examine issues on the Alliance's current agenda, including NATO's response to terrorism since the attacks of 11 September 2001, steps toward enhancing NATO-Russia relations, the situation in the Balkans, as well as enlargement, missile defense, and NATO-EU relations.

NATO organized a variety of projects and seminars on WMD and radiation issues. On 15 January, high-level groups consider possible health risks related to depleted uranium. On 23 January, the new Ad Hoc Committee on Depleted Uranium (AHCDU) held its second meeting on 23 January at NATO HQ, with a further increase in the number of participants. On 20 March, about 80 scientists and professionals involved in arms control, foreign policy, or security studies, gathered in Budapest at a NATO-sponsored "Advanced Study Institute" for an in-depth analysis of scientific and technical issues related to the implementation of the Protocol of the Biological and Toxin Weapons Convention (BTWC). On 16 April, a conference was held at the University of St. Petersburg, Russia, to discuss environmental change and its impact on international security, including topics such as land mines and the contamination by nuclear and chemical waste.

NATO also dealt with the issue of missile defenses. The first in a series of meetings on the issue of missile defenses took place at NATO HQ on 8 May. A delegation of representatives from the US administration, led by Under Secretary of State for Political Affairs, Marc Grossman and Deputy National Security Adviser, Steve Hadley explained President Bush's latest thinking on missile defenses to NATO Secretary General Lord Robertson and the North Atlantic Council, NATO's top decision-making body. In addition, the issue of missile defenses was addressed on 7 June at the NATO defense ministers meeting in Brussels; on 13 June at a special meeting at NATO HQ; on 25 October at a high-level briefing; and on 5-6 November at the Conference of National Armaments Directors (CNAD).

2000: On 2 February, NATO's Verification Coordinating Committee hosted its 10th seminar on conventional arms control agreements, the first seminar was organized since the Agreement adapting the Conventional Armed Forces in Europe Treaty was signed in November 1999. On 18 March, an international warning and detection exercise involving 16 NATO Allies and five Partner countries, INTEX 2000, was held to assess and develop procedures for the exchange of information on radioactive, chemical, and other hazards.

On 22 May, the Weapons of Mass Destruction (WMD) Centre was established at NATO HQ. This development in NATO's efforts to multiply consultations on disarmament and nonproliferation issues is part of the Initiative on Weapons of Mass Destruction approved at the Washington Summit in April 1999. The Centre will aim to improve co-ordination of WMD-related activities, as well as strengthen consultations on nonproliferation, arms control, and disarmament issues. In addition, it will support defense efforts to improve the preparedness of the

Alliance to respond to the risks of WMD and their means of delivery.

On 8 June, defense ministers from NATO and Partner countries met. Discussions in the Nuclear Planning Group included a proposal to set up a high-level group with Russia on the safety of nuclear weapons, and a briefing on recent talks between the United States and Russian presidents on nuclear nonproliferation and missile defense issues. On 26 June, a NATO-Russia Permanent Joint Council (PJC) met twice on 26 June and 20 September at NATO HQ, where the issue of cooperation in theatre missile defense was raised. On 5 December, NATO defense ministers met at NATO HQ. The Defense Planning Committee adopted a five-year force plan, reviewed the Allies' national defense plans for the period 2001-2005, and approved new ministerial guidance for NATO and national defense planning up to 2008. The Nuclear Planning Group reviewed the status of NATO's nuclear forces and discussed related issues. Ministers approved a final report on the nuclear aspects of efforts to improve confidence-and-security-building measures, verification, nonproliferation, arms control, and disarmament. They were also briefed by US Secretary of State for Defense William Cohen on US-Russian efforts to establish a Joint Data Exchange Center in Moscow to share information from early warning systems regarding missile launches.

In addition to WMD, NATO met on the issue of small arms and light weapons (SALW). In March, two in a series of workshops took place. The first was held on 16-17 March on the subject of export control and SALW transfers; the second on the marking and tracing of SALW, took place on 20-21 March.

1999: From 23-25 April, NATO held the Washington Summit. At this summit, the Alliance revised and updated its Strategic Concept, which provides political and military guidance for NATO's future development. In particular, it confirmed that as an alliance of nations committed to the Washington Treaty and the UN Charter, it would perform the following fundamental security tasks: consultation, deterrence and defense. And in order to enhance the security and stability of the Euro-Atlantic area, it agreed to further measures on: crisis management, partnership, and action against the proliferation of WMD.

The WMD Initiative launched at the Washington Summit expanded understanding of proliferation issues and focused appropriate attention on WMD risks. The WMD initiative integrated political and military aspects of Alliance work, including through improved intelligence and information-sharing, enhanced public information and the creation of the WMD Centre at NATO HQ. The WMD initiative complements existing international regimes and arms control efforts underway to respond to the proliferation of WMD and their delivery means.

On 11 November, the NATO Parliamentary Assembly held its bi-annual plenary session in Amsterdam. It made a number of recommendations to NATO's highest decision-making body, the North Atlantic Council, and to member governments on relations with Russia, Chechnya, the reconstruction of Kosovo, economic recovery in Southeast Europe, biological weapons, and other current issues.

1998: On 25 February, the Secretary General of NATO welcomed the agreement between the UN Secretary General and Iraq on a diplomatic resolution to the Iraq crisis. He underlined the importance of providing immediate unconditional and unrestricted access to UNSCOM weapons inspectors in accordance with UN Security Council resolutions.

On 20 May, the North Atlantic Council condemned India's decision to conduct nuclear tests. On 30 May, the NATO Secretary General condemned further nuclear tests by Pakistan and called on India and Pakistan to halt nuclear and missile testing, adhere to the NPT and Comprehensive Nuclear Test Ban Treaty (CTBT) and begin a dialogue to reduce tensions.

On 17 December, The North Atlantic Council met at the defense minister level, with the participation of the three invitee countries, the Czech Republic, Hungary, and Poland. There were ministerial meetings of the Defense Planning Committee and the Nuclear Planning Group. Ministers approved the 1998 Ministerial Guidance providing political guidance to NATO's Military Authorities for the period up to 2006 and beyond.

1997: On 21 January, negotiations on a revision of the 1990 Conventional Armed Forces in Europe Treaty began in Vienna. On 20 February, NATO allies proposed major changes to the CFE Treaty, which limits conventional forces in Europe. NATO accepted the principle of limits on the arsenals of individual countries as opposed to regions. The Alliance also accepted Russia's wish on having territorial rather than national limits on troop deployments, which effectively prevented NATO from massing troops in one particular area near Russia's borders.

On 26 September, NATO and Russian Foreign Ministers met for the first time as the NATO-Russia Permanent Joint Council. A Work Plan was approved, providing for consultations on confidence-building measures in arms control, joint peacekeeping in Bosnia, and the stationing of Russian military representatives at NATO.

On 2-3 December, the first meeting of the NATO-Russia Permanent Joint Council was held at the Defense Minister level. Military chiefs of staff from 44 countries also met in the framework of the Euro-Atlantic Partnership Council. Defense Ministers of 15 NATO member countries met within the Nuclear Planning Group and Defense Planning Committee. The 16 members of the

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Alliance met shortly afterwards in the North Atlantic Council.

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NATO Parliamentary Association (North Atlantic Association)

Established: 1955.

Membership: 26 NATO Alliance members (Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, Turkey, the United Kingdom and the United States). Associate members include 59 representatives from 13 additional states (Albania, Armenia, Austria, Azerbaijan, Croatia, Finland, Former Yugoslav Republic of Macedonia, Georgia, Moldova, Russian Federation, Sweden, Switzerland, and Ukraine).

Background: The NATO Parliamentary Assembly (PA), superseding the North Atlantic Assembly (NAA), operates separately from NATO and has no formal link to it. However, the PA enjoys a strong working relationship with NATO and represents a tangible expression of NATO's fundamental mission. Formal recognition would require amending the Washington Treaty, which is not supported by all governments or all parliaments. The idea of an assembly engaging alliance parliamentarians in collective deliberations on the problems confronting the transatlantic partnership emerged in the early 1950s and was consummated with the creation of an annual conference of NATO parliamentarians in 1955. In November 1967, the North Atlantic Council recommended that an informal relationship be established between NATO and the NATO-PA. In 1974, the Belgian Parliament granted the NATO-PA special legal status and, later in the year, the leaders of Allied governments indirectly endorsed the work of the PA in its Declaration on Atlantic Relations.

Objectives and Structure: The NATO Parliamentary Assembly acts as a forum for legislators to consider issues of common interest and concern to the Alliance. The assembly operates through five committees: Civilian Affairs, Defense and Security, Economic, Political, and Science and Technology. Three sub-committees operate under the Defense and Security Committee: Sub-Committee on Defense and Security Co-Operation between Europe and North America, Sub-Committee on the Future of the Armed Forces, and Sub-Committee on Northern Security Issues. The committees meet in the spring and fall assembly sessions, coordinated by the secretariat. The committees report on issues affecting the Alliance, make policy recommendations, and receive briefings from government officials, international organizations leaders, and other experts. Assembly meetings are intended to inform parliamentarians about key issues mainly in security-related areas, thereby creating "cadres" in national parliaments that are well versed in international security matters. The PA produces informative reports and non-binding policy recommendations, which are circulated to national governments, parliaments, and NATO authorities. In addition, sub-committees meet several times a year to gather facts and explore specific issues in more detail.

Since the end of the Cold War, the PA has adapted its traditional mission and structure to accord better with the new realities of Europe's fundamentally altered security and political landscape. Recent study topics have included NATO enlargement and the new democracies, Baltic security, security problems in southeastern Europe, East-West economic cooperation, weapons proliferation, and the future of the armed forces. Both the Defense and Security Committee and the Science and Technology Committee follow issues of weapons proliferation. The Standing Committee is the governing organ coordinating the work of these committees, preparing the Assembly sessions' agenda, overseeing the finances, and appointing the secretary general.

Verification and Compliance: Recommendations arising from the committees are non-binding.

Developments:

2008: On 6-8 March the 68th Rose-Roth Seminar was held in Baku, Azerbaijan. Members of the NATO Parliamentary Assembly met with their Central Asian counterparts to discuss security in the Caspian and Central Asian regions. This seminar marked the first time that delegations from Kazakhstan and Uzbekistan, along with participants from Kyrgyzstan and Tajikistan, met with NATO parliamentarians. Central Asia's role in NATO's mission in Afghanistan was intensely discussed. Security in the South Caucasus was also discussed, specifically including the armed conflicts between Armenia and Azerbaijan and the independence of Kosovo.

The NATO Parliamentary Assembly met in Berlin from 23-27 May. NATO officials emphasized the importance of closer cooperation with Russia in combating the

proliferation of WMD and the principal conclusion emerging from the NATO-Russia Parliamentary Committee session was that the two sides had to engage in a much more constructive dialogue to make further progress. The PA also addressed issues related to Central Asia, the International Criminal Tribunal for the former Yugoslavia, and the situation in Afghanistan.

From 14-18 November, the NATO PA met in Valencia, Spain, for its 54th Annual Session. The PA addressed the situation in Afghanistan and Pakistan, received briefings on the United States' new Africa Command, discussed the integration of women in the armed forces of the Member States, urged governments and parliaments of NATO member and partner countries to remain committed to securing peace and stability in Kosovo, and received a letter from the President-elect of the U.S., Barack Obama, pledging close work with the incoming NATO PA President, U.S. Congressman John Tanner. On 18 November, the PA passed a resolution urging governments and parliamentarians of NATO Member States to increase cooperation with Russia, particularly in the military sphere, and improve public diplomacy efforts towards Russia, while at the same time reducing certain activities with Russian parliamentarians. The PA also adopted reports on nuclear disarmament, suggesting that NATO should be involved in discussing the issue, the Iranian nuclear file, arguing that the international community should continue its two-track approach offering Iran incentives and penalties, and missile defense, concluding that a limited system should be implemented and additional clarifications should be pursued with Poland, the Czech Republic, and Russia.

2007: The NATO Parliamentary Assembly met in Madeira, Portugal on 25-28 May. The main topics of discussion included Kosovo, military support in Afghanistan, and US missile defense radar systems in Poland and the Czech Republic. PA President Jose Lello opened the conference with a speech calling for a new NATO Strategic Concept. He also referred to Afghanistan as NATO's "top priority." For the first time in NATO PA history, parliamentary delegations from Pakistan and Afghanistan attended the meeting. In addition, Bosnia and Herzegovina, Montenegro, and Serbia transitioned from "parliamentary observers" to "associate members."

On 24 March in Budapest, Hungary, the NATO Parliamentary Assembly's Standing Committee appointed a new secretary general – David Hobbs, a British national, was to start his mandate once Simon Lunn's term was to expire on 31 December 2007.

From 5-9 October, 26 members of the NATO Parliamentary Assembly met for the 53rd Annual Session in Reykjavik, Iceland. Two resolutions pertaining to NATO's role in Afghanistan and the further development of NATO's relations with the Russian Federation were passed. During the plenary meeting, many delegations expressed their support for Albania, Croatia, and the former Yugoslav Republic of Macedonia to join the Alliance. Other topics discussed include territorial issues pertaining to the opening of the north-west passage; Canada and Russia in particular voiced concerns.

Mr. Simon Lunn stepped down as secretary general of the NATO Parliamentary Assembly after more than 10 years of service to the organization.

2006: The NATO Parliamentary Assembly's 52nd Annual Session took place in Quebec City, Canada on 11-17 November. The five main bodies of the Parliamentary Assemblies met on 14 and 15 November. Major issues addressed included: current operations in Afghanistan, the maintenance and extension of partner nations, and the Alliance transformation. The PA further confirmed that NATO's success depends on the support provided by the Alliance's governments. It was expected that an Alliance-focused dialogue would better facilitate the Riga Summit (28-29 November) where NATO heads of state and government were to reconvene. During the session, on 17 November, the Science and Technology Committee presented a policy recommendation entitled Resolution on The Nuclear Weapon Test by the Democratic People's Republic of Korea. The policy condemned the North Korean nuclear test, supported the UN Security Council's Resolution 1718, and advocated diplomatic measures through NATO and Six Party Talks.

The NATO PA also met in Paris on 26-30 May. Topics discussed included: operations in Afghanistan, the Iran nuclear crisis, Iraq's negative effects on the War on Terror, and security threats pertaining to the Black Sea.

Reports commissioned for the 2006 Annual Session included: The Nuclear Policy of Iran, Energy Security, Transition in Ukraine, and Afghanistan and the Future of the Alliance, among others.

2005: On 31 May a nuclear terrorism simulation exercise, named "Black Dawn" was presented at a plenary session of the NATO Parliamentary Assembly Spring Session in Ljubljana, Slovenia. Approximately 300 parliamentarians from North America and Europe participated in the presentation, which explored measures to prevent nuclear terrorism and develop recommendations which NATO and individual European governments can implement now, before an attack occurs. The Black Dawn exercise specifically simulated a terrorist group attacking a European civilian reactor to acquire HEU and building a crude bomb from available materials.

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The NATO Parliamentary Assembly's 51st Annual session took place in Copenhagen from 11-15 November. The NATO Parliamentary Assembly's five committees (Political, Defense and Security, Economics and Security, Civil Dimension of Security, and Science and Technology) met during this session on 12 and 13 November. There were discussions on a range of topics and crisis situations from Belarus, where the PA is supporting the democratic opposition, to the emergence of China as a great power; these topics emphasized the breadth of activities in which the Alliance and its parliamentary arm, the NATO-PA, are now involved in.

2004: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia became members on 29 March.

The spring session of the NATO Parliamentary Assembly began on 29 May in Bratislava, Slovakia. Major topics of discussion during the individual committee sessions included the challenge of post-conflict reconstruction in Afghanistan and Iraq, NATO's military role in Afghanistan, developments in the war against terrorism, and nuclear proliferation. Meetings of the Committee on the Civil Dimension of Security, the Political Committee, the Defense and Security Committee, the Economics and Security Committee, and the Science and Technology Committee were held on 29 and 30 May, and a plenary meeting convened on 1 June.

During the meeting of the Science and Technology Committee, Chairperson Pierre-Claude Nolin of Canada presented a report on Nuclear Weapon Proliferation. The report reviewed the threats posed by nuclear armaments, existing mechanisms and agreements designed to reduce these threats, and recent proposals outlined by U.S. President George Bush and IAEA Director General Mohamed El Baradei for strengthening the nonproliferation regime. The report also analyzed the current situations in Iran, Libya, North Korea, and Pakistan and discussed the proliferation-related concerns they pose. It concluded that "revisiting and hardening the nuclear nonproliferation regime must be the centerpiece of all international strategies against the proliferation of nuclear materials and technologies," and proposed the committee use both the Bush and El Baradei proposals to generate a set of recommendations for the PA to improve the nonproliferation regime. The report received support from committee members as well as some suggestions for amendments, but will not be adopted or rejected until the fall plenary meeting, as per NATO-PA procedures.

Several additional conferences convened during the summer. Members of the NATO-PA and the Russian State Duma met in Moscow from 17-18 June to address cooperation in combating terrorism, proliferation, and other issues. Additionally, from 3-6 August, 40 NATO Parliamentary Assembly legislators met at a seminar in Spitzbergen, Norway to discuss security and environmental issues in the Arctic, including the threat of radiological pollution from nuclear facilities in northwestern Russia.

The NATO Parliamentary Assembly's 50th annual session took place from 12-16 November in Venice. The five-day special session brought together close to 300 parliamentarians from North America and Europe for discussions on a wide range of issues currently affecting the Transatlantic Alliance, including Afghanistan and Iraq, terrorism, NATO's capabilities and partnerships, the threat from weapons of mass destruction (WMD), and the relationship between NATO and the European Union.

2003: On 9 and 10 April, NATO and Russian parliamentarians met together in St. Petersburg, Russia to discuss several key topics, including improving cooperation in counterterrorism efforts and major threats to the current global security environment. From 24-28 May, the NATO Parliamentary Assembly held its spring session in Prague. Primary issues addressed included the situation in Iraq and the threat posed by WMD. The Economic and Security, Defense and Security, and Science and Technology Committees met on 25 May, the Political and Civil Dimension of Security committees met on 26 May, and plenary meetings were held on 26 and 28 May. Nonproliferation, arms control, and the possible weaponization of space were among the primary issues discussed at the Science and Technology Committee meeting. On behalf of rapporteur Teresa Riera, Committee Vice Chairman Jose Lello presented a draft general report entitled "Non-Proliferation in the 21st Century: A Transatlantic Agenda." The report recognized the threat posed by WMD and noted the increased awareness of this issue since September 11, 2001. It addressed recent American actions, noting that the Bush administration's approach "has generated several important questions about both the nature and the effectiveness of the arms control and non-proliferation regime" and that "debate is ongoing within the international community on the need to adapt the international non-proliferation regime to a new security environment, and this has stimulated a new debate about non-proliferation." The report reviewed various international organizations, export control regimes, and treaties dealing with nonproliferation, and specifically examined the U.S. National Security Strategy and National Strategy to Combat Weapons of Mass Destruction and European responses to these documents. In it, the committee rapporteur recommended that several measures be taken to strengthen the nonproliferation regime, including the following: strengthening the NPT, expanding participation in the International Atomic Energy Agency Additional Protocol, and establishing a permanent UN body for monitoring and verification, among others. The committee also heard an additional presentation on, and extensively discussed, broad issues of nuclear proliferation, and the draft report was put aside

for the committee's consideration during the fall session, according to NATO-PA procedure.

The 2nd meeting of the joint NATO-PA Parliamentary Standing Committee also took place in Prague within the context of the spring meeting, on 25 May. The primary focus of the meeting was the war in Iraq and the debate over whether or not evidence existed proving Iraq's possession of WMD.

From 5-8 June, NATO parliamentarians met with non-government officials and analysts to address the threat posed by WMD at the 55th Rose Roth seminar. They discussed the possibility of terrorist organizations acquiring chemical, biological and radiological weapons and using them to conduct mass casualty attacks, and possible scenarios of how this acquisition might take place. Most participants stressed the importance of international cooperation in managing proliferation risks. They also discussed NATO's role in this process, and the importance of civil protection and readiness. The threat of nuclear proliferation, and particularly the possibility of Iran developing nuclear weapons, was also among the topics addressed at the 9th NATO-PA Mediterranean seminar, which convened in Malaga, Spain from 9-10 October to provide a forum for discussing the situation in the Middle East.

The fall session of the Parliamentary Assembly was held in Orlando, Florida from 7-11 November. Discussions were held on the war against terrorism, the threat of WMD, and the current state of transatlantic relations. Simon Lunn was reappointed secretary general of the NATO PA for an additional four-year term. During the session, the Science and Technology, Political, Civil Dimension of Security, Defense and Security and Economics and Security Committees each met on 8 and 9 November. The Science and Technology Committee adopted a Resolution on Non-Proliferation in the 21st Century. It urged NATO governments and parliaments to take several actions to reduce the risk of proliferation. These included: strengthening the NPT by implementing recommendations of the 1995 and 2000 Review Conferences and making the IAEA Additional Protocol mandatory; encouraging India, Pakistan and Israel to sign the NPT and CTBT, supporting the Six Party Talks and placing North Korean activities under IAEA safeguards; encouraging Russian and American disarmament efforts, banning radiological weapons, improving the Biological Weapons Convention, the Organization for the Prohibition of Chemical Weapons and export control regimes; supporting the Proliferation Security Initiative; implementing the G-8 Global Partnership, and expanding the Convention on the Physical Protection of Nuclear Material. In addition, committee members discussed the draft general report on "Nonproliferation in the 21st Century: A Transatlantic Agenda," which was presented during the spring meeting. They agreed to eventually adopt the report, but only pending the chair's review and the reaching of a compromise between the U.S. delegate and rapporteur on some parts of the text, as some delegates expressed concerns about the report's portrayal of the U.S. as a threat to nonproliferation. A report on Weapons in Space and Global Security was adopted unanimously.

2002: At the spring meeting in Sofia, Bulgaria on 25-28 May, the PA adopted the Declaration on NATO Enlargement, which states that Bulgaria, Romania, Slovakia, Slovenia, Estonia, Latvia, and Lithuania have proved their progress towards NATO membership through successful program of reform. In the same meeting, the leadership of the PA and the leaders of the Russian Federal Assembly agreed to create a parliamentary counterpart to the NATO-Russia Council endorsed at the Rome Summit. The parliamentary dimension will take the form of a NATO-Russia Parliamentary Standing Committee that will cover the same issues as the NATO-Russia Council and will provide an overall coordination role concerning relations between the PA and the Russian Federal Assembly.

On 15-19 November, the 48th Annual Session of the NATO Parliamentary Assembly was held in Istanbul, Turkey to discuss the adaptation of the NATO Alliance to meet the new challenges posed by the proliferation of WMD, the terrorist threats to its members, and the forthcoming enlargement of NATO.

In the session, the PA accorded priority to defense against terrorism and the proliferation of WMD, which together pose a qualitatively new threat to its societies. It recognized substantial adjustments to capabilities and structures to deal with these challenges, including the internal structures within NATO itself. The PA recognized that defense expenditures must be effective and well directed; research in the field of defense should be coordinated with particular emphasis on balanced exchanges of technology between the United States and the other members of the Alliance.

The PA stressed that NATO should now endorse defense against the threat of terrorism and WMD, and particularly the threat of biological, chemical, or radiological agents, as a priority for the Allies. Defense against WMD should be given priority at all levels: arms control, counter-proliferation and disarmament, and the appropriate military capabilities.

2001: The president and secretary general of the PA visited Slovakia and Slovenia from 12-16 November to hear the perspectives of both countries as they prepared their respective candidacies for NATO membership.

The PA held its fall assembly session in Ottawa from 6-9 October. The assembly passed a series of policy recommendations to NATO and its member governments, including support for efforts to counter nuclear, biological

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and chemical weapons, and an endorsement of adding new members to the Alliance the following year. The PA also discussed the substantive reports presented by the committees, which were prepared during the 27-31 May meeting in Vilnius.

2000: At the fall meeting in Berlin, the departing president Bliley warned that EU ambitions could weaken NATO. The new president, Rafael Estrella, called for a future EU-NATO accord on defense. Estrella enumerated various priorities for his presidency, including ensuring that the collective commitment to peace and stability in the Balkans is sustained until the mission there is completed, supporting and encouraging the efforts of those partners who have expressed the willingness to join NATO, making Serbia a priority among the new partners, pursuing a fruitful dialogue with partners in the South, and bringing relations with Russia back on track.

1999: At NATO's 50th Anniversary Summit, held in Washington, DC from 22-25 April, the PA's president, Javier Ruperez, addressed the meeting of Heads of State and Governments, and other leading assembly members, and participated in a variety of other summit meetings and events.

At the November plenary session in Amsterdam, the secretary general addressed the PA on the topic of European Security and Defense Identity (ESDI). He stated that efforts to develop an independent ESDI should include all members of the Alliance, including those outside of the European Union.

1998: The PA held its spring session in Barcelona in May. During this time, the leadership of the PA and a delegation from the Russian Federal Assembly agreed to establish a joint parliamentary group to monitor the implementation of the NATO-Russia Founding Act, as well as the workings of the Permanent Joint Council (PJC) and its subordinate groups.

1997: The president of the PA, Senator William Roth, addressed the heads of state at the Madrid Summit, a meeting in which formal invitations to join NATO were extended to Poland, Hungary, and the Czech Republic. Also at this summit the Founding Act on Mutual Relations, Co-operation and Security Between the Russian Federation and NATO was signed. In July, the NATO-Ukraine Charter was signed. The two signatories explicitly charged the PA with expanding its dialogue and cooperation with both the Russian Duma and the Ukrainian Rada.

1993: The Science and Technology Committee created a Sub-Committee on the Proliferation of Military Technology.

1990: The PA broadened its mandate when it first began to admit Eastern and Central European countries as associate members. President of the assembly, Congressman Charlie Rose and Senator Bill Roth initiated the PA Rose-Roth program of seminars and conferences to deepen cooperation with the parliaments of those countries.

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Nuclear Energy Agency (NEA)

Established: 1958.

Membership: 28 States — Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, Norway, Portugal, Republic of Korea, Slovak Republic, Spain, Sweden, Switzerland, Turkey, United Kingdom, and United States.

Background: The Nuclear Energy Agency (NEA) is a specialized agency within the Organization for Economic Co-operation and Development (OECD), based in Paris, France. It was established on 1 February 1958 under the name of the European Nuclear Energy Agency (ENEA) but was renamed the Nuclear Energy Agency on 20 April 1972, to reflect its broader membership (including the United States, Canada, and other non-European nations).

Mission: The objective of the Agency is to assist Member countries in maintaining and developing nuclear energy as a safe, environmentally acceptable, and economical energy source by serving as a forum where states can share information and experience and promote international co-operation.

NEA membership currently consists of 28 countries across Europe, North America, and the Asia-Pacific region. It represents 85 percent of the world's installed nuclear capacity and includes a large majority of the more advanced countries in the nuclear field.

Aims: The NEA seeks to promote cooperation between the Member governments on the safety and regulatory aspects of nuclear power, and on the development of nuclear energy as a contributor to economic progress. The statute of the NEA refers to the objective of preventing the proliferation of nuclear explosive devices. However, the Agency does not have direct nonproliferation responsibilities.

Its areas of work include nuclear safety and regulation, nuclear energy development, radiation protection and public health, nuclear law and liability, nuclear science, maintenance of a data bank, and information and communication services.

Steering Committee: This committee is composed of representatives from all Member governments and from the European Union. The Secretariat serves seven specialized standing technical committees on radiation protection, nuclear safety and regulation, nuclear development, nuclear science, radioactive waste management, legal affairs and data collection under the leadership of the Steering Committee, which reports directly to the OECD Council.

Verification and Compliance: The statute of the NEA refers to the objective of preventing the proliferation of nuclear explosive devices. However, the Agency does not have direct nonproliferation responsibilities.

Developments:

2009: On 29-30 January, the NEA and the IAEA convened a workshop on the security of supply of medical radioisotopes. Over 80 experts recognized the vulnerability of the global isotope supply chain and identified measures to enhance short-term supply security.

2008: On 7 March, 10 states represented by the directors of their nuclear regulatory agencies met at the NEA to discuss the Multinational Design Evaluation Programme (MDEP). The director of the French Nuclear Safety Authority, Mr. André-Claude Lacoste, chaired the meeting. Agencies present decided to strengthen ties of cooperation and launch a new program of work designed to address specific nuclear energy issues and achieve short-term goals. Issues addressed included: reactor designs, codes for nuclear power plants components, control standards, multinational vender inspections and digital instrumentation. Successful implementation of the MDEP was expected to increase efficiency and enhance safety.

On 3 June, NEA presented together with the IAEA a report entitled "Uranium 2007: Resources, Production and Demand," which concluded that assuming current consumption, enough uranium was known to be present around the world to meet demand for at least a century and on 16 July NEA released a report on the most recent nuclear energy related data, stating that a total of 346 nuclear power plants produced 21.6% of the OECD generated electricity. On 16 October, NEA director Luis Echávarri presented "The Outlook for Nuclear Energy," a publication emphasizing the positive role of nuclear energy.

On 16 October, Mr. Angel Gurría, Secretary-General of the OECD, and Mr. Richard J.K. Stratford (United States), Chairman of the Steering Committee for Nuclear Energy, chaired a meeting marking the 50th anniversary of the creation of the NEA in Paris.

2007: The Russia Federation and the NEA signed a joint declaration of cooperation in Moscow on 21 March. Russia's new membership as an *observer* is predicted to bring over 3,000 nuclear experts to the NEA. Upon the signing, NEA Director-General Luis Echávarri proclaimed that "This joint declaration is highly significant and an important step towards strengthening ties between the Russian Federation and the NEA." It is expected that shared knowledge and international cooperation will strengthen the nonproliferation regime.

During the 6-8 June G8 Summit in Heiligendamm, Germany, the NEA presented a paper written by Director-General Luis E. Echávarri entitled What Role for Nuclear Energy? Accordingly, the paper detailed the growing role and demand for nuclear energy, environmental concerns and potential security threats.

On 23 July, OECD Secretary-General Mr. Angel Gurría announced the appointment of Janice Dunn Lee as the Deputy Director-General of the NEA. Ms. Lee's former duties include an assignment as the Director of the United States Nuclear Regulatory Commission Office of International Programs.

2006: In June 2006, the NEA reviewed and presented a report by the Consejo de Seguridad Nuclear (CSN), the nuclear authority in Spain. Its review examined CSN's report on a plant incident that effected the service water system. The NEA found CSN to be congruent with international law and commended their efforts. The actual reported is linked here.

On 28 June 2006, the NEA adopted an act regarding the sustainability of radioactive materials. This act will further support the "Bataille Act" of 1991 which sought to manage long-surviving radioactive material.

The NEA also released its annual report of 2005 events and developments. The NEA Annual Report 2005 focused on nuclear power in 2005, nuclear energy and civil society, and NEA workshops. However, the report primarily focused on technical programs, such as Nuclear Development and the Fuel Cycle, Nuclear Safety,

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Regulation, Radioactive Waste Management, and Radiation Protection, among others.

2005: The NEA released a report entitled Energy Nuclear Data 2005, which reports the status and trends of OECD countries. The report also offers its predictions of future energy use till 2025.

The NEA also produced a report entitled the Strategic Plan of the Nuclear Energy Agency, which outlines the agency's goals from 2005 to 2009. The Strategy Plan was originally adopted in 1999; however it is currently being revised to meet new energy demands. The new strategy will discuss climate change concerns, government safety regulations for nuclear energy, and finally, it will examine energy trends on the free market.

2004: On 12 February, the NEA participated in the signing of protocols to amend the Paris Convention on Third Party Liability in the Field of Nuclear Energy and the Brussels Convention Supplementary to the Paris Convention. The amendments provide for increased compensation to nuclear accident victims and, in the case of the Paris Convention, a wider application of its terms. The Paris Convention Protocol requires the ratification of two-thirds of the signatory States, and the Brussels Supplementary Convention Protocol must be ratified by all signatory States before entering into force.

The NEA also co-sponsored and co-organized a number of conferences related to various nuclear issues. Among these were a 26-28 April international conference on radioactive waste disposal in Berlin, a 2-6 May International Topical Meeting on Advanced Nuclear Installation Safety with the American Nuclear Society in San Francisco, California, and two May conferences on radiation protection and shielding in Portugal and Spain. Meetings held in June included the American Nuclear Society International Congress on Advances in Nuclear Power Plants in Pennsylvania and the 7th International Conference on Probabilistic Safety Assessment and Management in Berlin. From 23 August to 3 September, the fourth session of the International School on Nuclear Law was held at the University of Montpellier 1, France. It covered all the essential aspects of the law governing the uses of nuclear energy: radiation protection, nuclear safety, radioactive waste management, transport of nuclear materials, physical protection, non-proliferation, regulation of trade and nuclear third party liability and insurance.

2003: The NEA's annual report stated that 2003 was an active year that included divergent trends in nuclear energy, with some OECD States showing renewed interest and others emphasizing its risks. Nuclear electricity generation in the region fell approximately two percent, and nuclear power plants were the source of 23 percent of electricity generated. Regarding individual nuclear units, 359 were in operation, with six additional units undergoing construction.

OECD States' nuclear power plants maintained a good level of safety performance in 2003, but several problems in nuclear safety management continue to require attention. In addition to nuclear safety and regulation, researching and developing new reactor types through the Generation IV International Forum were also identified as primary issues in 2003.

Documents released in 2003 included a report on the decommissioning of nuclear power plants that addressed the relationship between government and industry policies and strategies in the area and noted a wide range of practices among OECD States. A new NEA publication, *Nuclear Energy Today*, was also introduced.

Numerous conferences and workshops convened throughout the year. In April, the NEA held its second annual NEA-International Commission on Radiological Protection Forum in Lanzarote, Spain to address a range of regulatory concepts. From 17-18 June, the heads of the nuclear regulatory agencies of OECD States met in Paris with high-level government officials and nuclear industry executives to address means of assessing the effectiveness of nuclear regulation. They discussed ways to ensure the safety of nuclear installations and reduce risks to public health and concluded that regulatory performance indicators are useful but that more attention is needed in correctly analyzing them. Also in June, a workshop organized in conjunction with the International Atomic Energy Agency further addressed issues of nuclear safety management. The NEA also conducted an international peer review of French radioactive waste management and documents regarding the feasibility of disposing of high-level, long-lived waste in deep geological forms, noting significant progress since 1991.

Finally, regarding nuclear legislation, the NEA held its third session of the International School of Nuclear Law at the University of Montpellier in France from August-September, and established a University Diploma in International Nuclear Law.

2002: The NEA's annual report stated that increased attention was devoted to the nuclear option in Europe and North America in 2002, A total of 362 nuclear power units were in operation in OECD Member States, providing 24 percent of electricity generated. While three new nuclear units began operating, two were retired. Seven additional units were undergoing construction. Major focuses of the NEA throughout the year included efforts to develop new nuclear systems through the Generation IV International Forum Technology Roadmap

and the study of regulatory issues involved in decommissioning nuclear reactors and of indicators of nuclear safety and regulatory effectiveness and maintaining nuclear safety competence. The annual report also described the NEA's consideration of ways to improve radiological protection in cooperation with the International Commission on Radiological Protection during 2002. Regarding performance indicators for the year, it noted that nuclear power plant safety had remained good, though imperfect, and that there was evidence of improved radioactive waste management and progress in implementing procedures for spent nuclear fuel and highly radioactive waste disposal.

On 13 June, the OECD Council approved the membership of the Slovak Republic in the OECD Nuclear Energy Agency and its Data Bank. The Slovak Republic became a Member of the OECD on 14 December 2000.

An international gathering of high-level executives from nuclear regulatory organizations and nuclear utilities met on 18-19 June in Paris, France, to foster a constructive dialogue between regulators and operators of nuclear installations in a number of key areas, including market competition, asset management, and the measurement and communication of safety performance. The International Forum on Nuclear Regulator/Licensee Interface Issues was jointly organized by the NEA and the World Association of Nuclear Operators (WANO). Approximately 100 participants from over 20 countries attended.

2001: In its annual report, the NEA noted that several substantive developments in the nuclear field, taken in the wider context of energy and the environment, helped make 2001 a pivotal year in the development of nuclear energy at the international level. Several Member countries reviewed their energy policies, including Belgium, Finland, the United Kingdom, and the United States. In addition, the European Commission issued a Green Paper on security of the energy supply. The role of nuclear energy was closely examined on this occasion.

At the end of 2001, 360 nuclear power units were connected to the grid in OECD countries, generating approximately 24 percent of total electricity supply. Eleven units were under construction: one in the Czech Republic, four in Japan, four in Korea, and two in the Slovak Republic. Plant lifetime extensions were authorized or being planned in several countries. In the next decade, total electricity generation in the OECD area is projected to increase.

In the field of radiation protection, the report noted that the most significant challenge at hand was to better integrate radiation protection within current approaches to risk governance. International principles of radiation protection were therefore in the process of being reviewed. The NEA contributed to this effort by producing a discussion document addressing several specific areas in which the system of radiological protection could be adjusted to better meet governmental and social needs.

In the field of radioactive waste management, important steps took place in 2001 in a number of OECD countries, among them Finland, Sweden, the United States, Canada, and Germany in respect to geologic disposal programs. The NEA focused its attention on policy issues and public confidence in this field. Another focus for the NEA in this field was the need for establishing and communicating technical confidence in the safety of deep geologic disposal. A study on this topic was finalized for publication. Finally, an international peer review was organized by the NEA, in co-operation with the International Atomic Energy Agency (IAEA), of the US Department of Energy's performance assessment concerning the proposed site of Yucca Mountain (Nevada) for an underground repository for spent nuclear fuel and high-level waste.

2000: The NEA conducted 16 main workshops and seminars throughout the year. These meetings took place in various countries and covered such subjects as the safety of the nuclear fuel cycle, pyrochemical separations, nuclear regulators and the public, etc.

In its annual report, the NEA noted that 359 nuclear power units were in operation in OECD countries, providing approximately 24 percent of the supply of electricity. Three units were shut down in 2000: one in Germany and two in the United Kingdom. Twelve units were under construction: two in the Czech Republic, four in Japan, four in the Republic of Korea, and two in the Slovak Republic. The deregulation of electricity markets, privatization of the power sector, and increasing awareness of environmental issues were some of the key issues affecting nuclear power development during the year.

1999: In its annual report, the NEA noted that the future of nuclear energy will depend on a number of technical, environmental, economic, social, and political factors. A total of 348 nuclear power units were in operation in OECD countries in 1999, providing almost one quarter of total electricity production. However, nuclear energy continued to be a subject of controversy and public debate. In two Member countries, political decisions have been taken to begin phasing out nuclear energy production.

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Commonwealth of Independent States (CIS)

Established: 1991.

Membership: 12 States — Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Background: The Commonwealth of Independent States (CIS) was founded in 1991 after the dissolution of the Soviet Union. Meetings are held periodically on a rotating basis at the CIS countries' capitals. An informal summit was held in Sochi, Russia in July 2001. Forums include the Council of Heads of State, the Council of Prime Ministers, and the Council of Foreign Ministers.

Upon its foundation, members adopted the Alma-Ata Declaration, which confirmed the promise of the former republics to cooperate in various fields of external and internal policies, and announced the guarantees for implementation of the international commitments of the former Soviet Union. Georgia joined the Commonwealth in December 1993.

The CIS performs its activities on the basis of the Charter, adopted by the Council of Heads of States on 22 January 1993, which stipulates the goals and principles of the Commonwealth, and rights and obligations of the countries. The Charter states that the Commonwealth was formed on the basis of sovereign equality of all its members and that the Member States were independent and equal subjects under international law. The Charter also states that the CIS serves the development and strengthening of friendship, inter-ethnic accord, trust, mutual understanding, and cooperation between States.

The Commonwealth does not have supranational powers. Countries' interaction within the CIS is accomplished through its coordinating institutions: the Council of Heads of State, the Council of Heads of Government, the Councils of Foreign Ministers, Defense Ministers, Border Troops Commanders, the Inter-Parliamentary Assembly, the Executive Committee (the legal successor of the Executive Secretariat), and the Interstate Economic Committee of the Economic Union.

CIS Collective Security Council: The Collective Security Council adopted documents such as the Collective Security Concept, the Declaration by the Collective Security Treaty States, and the Basic Guidelines for Deepening Military Cooperation among the Collective Security Treaty States. In accordance with these documents, national contingents are organized into three sectors (Western, Trans-Caucasus, and Central Asia) and engage in joint exercises within their sector.

Verification and Compliance: The Commonwealth does not have supranational powers. However, obligations which arise during the period of participation in the CIS Charter are binding on the relevant States until full compliance therewith. Violations by Member States of this Charter, systematic failure by a State to fulfill its obligations pursuant to agreements concluded under the framework of the Commonwealth, or decisions of the bodies of the Commonwealth, are to be examined by the Council of Heads of States. Measures permitted under international law may be imposed in relation to such a State.

Developments:

2007: The CIS Council of Heads of State met in Yalta, Crimea, on 25 May to discuss energy issues. Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, and Tajikistan signed an agreement on forming a common energy market intended to expand electricity trade and increase access to energy resources in CIS countries. On 29 May, the CIS Electric Power Council met in Yerevan to discuss the possibility of the common energy market.

The CIS Defense Ministers Council met on 20 June to discuss military cooperation. Russian Defense Minister Anatoly Serdyukov said that the Council had created a specific military cooperation plan through 2010. The meeting also discussed financial questions about the CIS Joint Air Defense System. Also approved was a plan for the Comradeship-in-Arms joint exercises to be held in four parts between June and September. The air defense exercises involve Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, and Uzbekistan.

2006: In May, Ukraine and Georgia began talks discussing the possibility of seceding from the CIS. Representatives of both states said that they would analyze whether or not the benefits of CIS membership outweighed the costs. While Ukraine later promised to remain a member, Georgia stated that a slow pullout was being considered.

On 25 May, the Heads of Government of the CIS met in Dushanbe, Tajikistan. The meeting focused on making the organization more efficient. In total, 22 documents were discussed, 15 of which were signed without discussion. Among the approved documents was an

agreement to create an international fund on humanitarian cooperation.

The Heads of Government also met in Minsk on 24 November to discuss issues of integration between CIS members, including cooperative law enforcement, security, and a joint air defense system.

2005: At the meeting of the Heads of Governments in Tbilisi, which took place on 3 June 2005, no resolution relevant to nonproliferation or WMD was adopted. The same is true for the Council of Ministers of Foreign Affairs, which convened in Moscow on 23 August 2005.

The CIS Heads of States meeting on 26 August 2005 adopted several resolutions, including one on military cooperation and another on the fight against terrorism. In the latter resolution the parties agreed to intensify their cooperation in the fight against terrorism and to implement the measures of the ongoing program. In the other resolution the heads of state decided to strengthen the conception of military cooperation and to implement it until 2010.

2004: At a meeting of the Council of Foreign Ministers in Minsk in March, Belarusian President Alaksandr Lukashenka identified fighting terrorism as the CIS's main priority. Council members also discussed the importance of efforts to prevent the proliferation of weapons of mass destruction and of their delivery vehicles.

The CIS Heads of Government met on 16 April in Cholpon-Ata, Kyrgyzstan to address several issues, including anti-terrorism efforts, transport issues, and the possibility of establishing a single bureau to coordinate States' efforts against organized crime, drug trafficking, and terrorism. Leaders also agreed to create a reserve fund for providing financial and material assistance to States dealing with or recovering from natural or industrial emergencies. On 17 April, it was also announced that the CIS Inter-Parliamentary Assembly would dispatch a team of observers to Kosovo to gather information on the situation there and present their findings to the regular session of the Parliamentary Assembly of the Council of Europe.

On 21 May, the Council of Defense Ministers met in Armenia. They addressed a variety of topics, including the status of plans to set up a system for controlling portable anti-aircraft missile complexes. They also emphasized their desire to reach a multilateral consensus regarding their positions on nuclear nonproliferation.

In June, the Council of CIS Interior Ministers met in Chisinau, Moldova with representatives of the Executive Committee, the Antiterrorism Center, and the Organized Crime Bureau in attendance to discuss the implementation of plans to combat terrorism. This followed the Russian intelligence services' launching of anti-terrorist operations in the CIS region.

2003: The Council of Foreign Ministers met in Dushanbe, Tajikistan on 11 April to discuss the war in Iraq and consider a draft program for the fight against international terrorism and extremism. The Iraqi situation, and particularly the need for an international role in post-war Iraq, was further addressed at a May meeting of the CIS leaders in St. Petersburg. Also that month, a conference was held at the CIS headquarters in Moscow to review the effectiveness of radar identification systems and discuss other issues related to military cooperation.

From 18-19 September, the Council of Heads of State, Council of Heads of Government, and Council of Foreign Ministers all held meetings in Yalta to discuss a range of economic, social, humanitarian, and military issues. Under Chairman Mr. N.T. Tanayex, Prime Minister of the Kyrgyz Republic, the Heads of Government signed an agreement calling for CIS member States' interaction in the field on international shipments by cargo tracking, a memorandum on cooperation in the field of international transport corridors, and a declaration on the provision of security on transport in member States. Additionally, they decided to create a Council of Heads of Governmental Organs to regulate the securities market.

The meeting of the Council of Foreign Ministers focused on cooperation in the anti-crime and anti-terrorism arena. The ministers approved a decision on measures to control certain portable air defense system sales in CIS States and an additional resolution setting up a joint coordination structure to monitor migration.

The meeting of the Council of Heads of State on 19 September was chaired by Mr. L.D. Kuchma, President of Ukraine. Leaders endorsed a plan for the establishment of a free trade zone, and Russia, Ukraine, Belarus, and Kazakhstan signed a separate agreement that would coordinate tariff, customs, and transport legislation. Regarding nuclear issues, the Council recalled the Chernobyl accident, and supported a joint proposal by Belarus, Russia, and Ukraine to supplement text in the UN General Assembly resolution, "On strengthening international cooperation and coordination of efforts in examining, mitigating, and minimizing the consequences of the Chernobyl catastrophe," in its treatment of a proclamation making 26 April an International Memorial Day for Victims of Radiation-Related Incidents. The Heads of State Council also issued a decision describing their commitment to measures to stop the conflict in Abkhazia, Georgia.

At a December meeting, the CIS Council of Defense Ministers met to discuss and further plan the development

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of multilateral military cooperation among member States.

2002: On 14 June at its regular session, the CIS Council of Defense Ministers adopted a decision on exchanges of air defense data. They also decided to establish a common database for their air defense systems and approved a list of airfields, the services of which may be engaged by the aircraft of CIS countries in the event of necessity. It is planned that mechanisms for "a common military communications system" will be worked out at the council's next session.

On 7 October, the meeting of the Council of the Heads of States ended with the signing of a number of documents on strengthening the integration processes in the Commonwealth. One of the documents is about a program on military-technical cooperation between CIS countries. The heads of the CIS also decided to create a Central Asian division of the CIS anti-terrorist center and to approve a regulation on the procedure for organizing joint anti-terrorist measures in the CIS and other documents.

2001: The Councils of Heads of State, Heads of Government, and Heads of Foreign Policy met from 31 May to 1 June. Among the various issues addressed were efforts to combat terrorism and other crime and to increase military cooperation. The Heads of State supported a proposal to declare 26 April the International Day in Memory of Victims of Radiation Accidents and Catastrophes, in honor of the anniversary of the Chernobyl accident.

Also in June, Valery Vorotnikov, a member of the Permanent Commission on Legal Matters of the Inter-Parliamentary Committee of the Russian State Duma, announced that the Customs Union of the five CIS countries would become the Eurasian Economic Community (EVRAZES) before the year's end.

At the informal summit in July in Sochi, Kyrgyz President Askar Akayev and Russian President Putin met to discuss Central Asian security, in particular developments in Afghanistan and the impending danger of Muslim paramilitary invasion of the Kyrgyz south. Summit participants also exchanged opinions on the implementation of an all-around bilateral partnership program to continue until the year 2010, which was signed when President Akayev visited Moscow in 2000.

The CIS Jubilee Summit convened in Moscow from 29-30 November. Member States adopted an analytical report on work done over the past decade and future tasks. They also adopted an action plan to raise the level of efficiency of coordinating foreign political activity among member States, and supported an initiative by the Council of Heads of Security Organs to prepare draft procedures for conducting joint anti-terrorist actions within the CIS territory.

2000: On 25 January, at the meeting of the Heads of States and governments, Mr. Vladimir Putin was elected Chairman of the Council of Heads of State. The meeting adopted decisions on counteracting international terrorism in light of the OSCE Istanbul summit and decisions on the draft program of action for the development of the CIS until 2005. Heads of States also analyzed the report on the implementation of the interstate program of joint measures for the struggle against organized crime and other dangerous crimes on the territory of CIS Member States for the period until 2000.

At the May Collective Security Council meeting, the Parties to the Collective Security Treaty adopted a memorandum on enhancing the effectiveness of the Treaty.

At a 20-21 June summit in Moscow, the Presidents of the 12 CIS countries adopted a Declaration on Maintaining Strategic Stability. In this document, the Heads of States expressed their devotion to strengthening the world's strategic security. They welcomed Russia's ratification of the START II Treaty, the Comprehensive Test Ban Treaty (CTBT), and the 1997 package of agreements on missile defense. They expressed their hope that these documents would be ratified soon by the United States. In addition, they issued a joint statement saying that the Anti-Ballistic Missile (ABM) Treaty must remain the "foundation of global strategic stability, international security and peace around the world," and that any abrogation would undermine "steps toward the further reduction of strategic nuclear armaments." They also established a joint anti-terrorism center to be based in Moscow, which will be jointly run by Russia and Ukraine. Only Turkmenistan will not participate.

The CIS Heads of State and Heads of Government met in Minsk from 30 November to 1 December. Delegates focused largely on plans for the CIS Anti-terrorist Center, which will serve to coordinate the efforts of various bodies within CIS States to prevent the spread of international terrorist activity and help in conducting investigations and operations. They also adopted a joint declaration on the closing of the Chernobyl atomic power station, among other decisions.

1999: At a meeting of the Collective Security Council on 2 April, the Collective Security Treaty was extended for another five years by a Protocol to the Treaty, which also created an automatic five-year extension mechanism for the future. Uzbekistan withdrew from the Treaty shortly before its extension.

1998: In April, the Council of Heads of State met in Moscow and adopted the decision on the conduct of the Special Interstate Forum for improvement of the CIS's activity and its reformation. They also adopted the Protocol decision on the program of development of military cooperation between the CIS States.

1997: The Council of Heads of State and the Council of Heads of Government held meetings in March. They discussed documents relating to the issues of peace-keeping in the conflict zone of Abkhazia, Georgia, and they prolonged the presence of the collective peace-making forces in Tajikistan.

1996: The CIS Customs Union was created in March and includes five of the CIS countries (Belarus, Kazakhstan, Kyrgyzstan, Russian Federation, and Tajikistan).

1995: On 31 May, security chiefs from the CIS signed an agreement on combating organized crime, which included protocols on nuclear smuggling, terrorism, drug trafficking, and "illegal armed formations."

1994: Upon completion of the ratification process, the Collective Security Treaty entered into force 20 April for a period of five years. CIS members signed the CIS Free-Trade Zone Treaty.

1993: In September, the Heads of States signed the Treaty on the Establishment of the Economic Union, in which they developed the concept of transformation of economic interaction within the Commonwealth. The Treaty was based on the necessity to form a common economic area based on the principles of free movement of goods, services, workers, and capital; to elaborate concerted money and credit, tax, price, customs, and foreign economic policies; to harmonize the methods of management of economic activities; and to create favorable conditions for development of direct production links.

1992: On 26 June in Minsk, eight CIS countries (Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine, and Uzbekistan) signed the agreement on the coordination of work related to the issues of export control over raw materials, materials, equipment, technologies, and services used or capable of being used for the manufacture of weapons of mass destruction and missiles as their means of delivery. The States Parties agreed to pursue coordinated export control policies, including the application of sanctions against all economic entities that violate the export control requirements.

The Collective Security Treaty was concluded 15 May in Tashkent by Armenia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan. Azerbaijan, Belarus, and Georgia acceded to the Treaty later on.

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Science and Technology Center in Ukraine (STCU)

Established: 1993

Membership: Georgia, Ukraine, Uzbekistan, and Azerbaijan (Recipient Parties) and Canada, European Union, and the United States (Donor Parties).

Background: The substance of the Science and Technology Center in Ukraine's (STCU) founding agreement is identical to that of the International Science and Technology Center (ISTC) and was signed by Canada, Sweden, Ukraine, and the United States on 25 October 1993 and entered into force on 16 July 1994. The Center's projects are funded by Canada, the European Union (which succeeded Sweden), and the United States**.** Uzbekistan and Georgia signed a formal accession to the STCU Agreement on 29 December 1997 and 18 March 1998, respectively. Azerbaijan became the fourth recipient party when the Governing Board approved its request for accession in December 2002.

Mission: The Center's mission is to support research and development (R&D) activities for peaceful application by Ukrainian, Georgian, and Uzbek scientists and engineers, formerly involved in the development of weapons of mass destruction (WMD) and their means of delivery, as part of the general process of conversion from a military to a civilian, market-oriented environment. Since its establishment, the STCU has approved approximately $109 million in funding for more than 500 related R&D projects.

Activities: **The STCU's main activities include:**

- soliciting and receiving proposals from the Ukrainian, Georgian, and Uzbekistani scientific communities for research, development, and production technology for peaceful purposes, based on previous work related to WMD and their means of delivery.
- reviewing proposals (after clearance by the recipient Parties' respective Security and Export Control Divisions) and helping their scientists to present their projects in the best possible manner to receive funding from donor countries.
- after a project is approved, developing and signing a contract with the project authors regarding its execution, financing, and possible outcomes.

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- financing signed projects through direct "grants-in lieu of salaries" to researchers by providing funding for their research expenditures, equipment requested to carry out the scientific project, and overhead funds for supporting institutes.
- carrying out audits at regular intervals throughout the project to monitor compliance with the signed contracts.
- developing and maintaining an organization capable of carrying out the tasks listed above.
- contributing to the general process of converting Ukrainian, Georgian, and Uzbekistani professionals from a centralized to market-driven economic environment. Particular emphasis is placed on this aspect at the level of the STCU's own scientific and professional Ukrainian staff.
- helping to identify possible scientific, business, and other non-NIS (newly independent states) collaborators for working with these scientists on projects of mutual interest and benefit.
- promoting R&D interaction between these scientists and non-NIS scientists interested in collaboration, by assisting with direct funding channels between those parties and Ukrainian, Georgian, and Uzbekistani scientific and technical organizations.
- contributing in an important manner to Ukraine's, Georgia's, and Uzbekistan's economic development and stabilization by the direct, official influx of a significant amount of hard currency directly into the hands of scientific researchers.
- contributing to the development of innovative world-class technology for the benefit of Ukraine, Georgia, and Uzbekistan as well as of the rest of the world.

Developments:

2007: On 29 January, STCU representatives met with members of the International Science and Technology Center in Moscow to discuss cooperation between the two organizations. The groups discussed cooperation on workshops, training, and commercialization support for scientists.

The 24th meeting of the Governing Board was held in Chisinau, Moldova on 31 May. The board approved over $7.1 million and €2.5 million in new funding and continuing research projects. The funding covers seven STCU-Georgian National Science Foundation Targeted Initiative projects and STCU-National Academy of Sciences of Ukraine Targeted Initiative projects, among others. The board also approved three new projects for Moldovan scientists.

2006: On 31 October, the STCU and the Georgian National Science Foundation signed a Statement of Cooperation, which creates a Targeted R&D Initiative program between the two organizations. In general, the Targeted Initiatives Program aims to establish partnerships between the STCU and the governmental science programs of STCU beneficiary countries.

The 23rd meeting of the Governing Board was held in Kiev, Ukraine on 16 November. The board approved 28 new projects, estimated to be over $600,000. Furthermore, the board authorized 11 Partner Projects and 11 Partner Project extensions. Notably, the board approved the first STCU-funded project in the Republic of Moldova.

On 13 October, the Governing Board approved 10 science research projects to be completed under the second round of the Targeted R&D Initiative Program. Throughout the second phase of the program, both the STCU and NASU financed selected projects focusing on priority areas of the Ukrainian government.

The 22nd meeting of the Governing Board was held in Kiev, Ukraine on 18 May where over $9.6 million was approved for new projects. This includes 22 new Partner Projects and 13 Partner Project extensions. The board continued to develop its Targeted Initiatives Program, which facilities partnerships between the STCU and national science programs of STCU partner countries.

Throughout 2006, the STCU participated in many forums, meetings, and roundtable discussions. These include: Joint Ukrainian Technology Transfer Initiative; grant-writing workshops; Positioning Bio-Institutes to Compete in the Global Market; S&T and Innovation Forecasting: The State Program of Ukraine and World Experience; among others. More detailed information can be found here.

2005: During 2005, the STCU hosted and participated in many conferences. Notably, the STCU held its 21st Governing Board meeting in Ukraine on 2 December where 25 new government-funded projects were approved totaling $1,996,975. Additionally, nine new Partner Projects were confirmed, six Partner Project extensions were confirmed, and seven new Targeted Initiatives projects were approved.

On 27 September, the STCU held a workshop entitled "Intellectual Property Rights and Science: Building a Business on Your Ideas" in Baku, Azerbaijan. There were over 70 participants from Azerbaijan and Georgia.

The 20th Governing Board meeting was held, for the first time Tbilisi, Georgia, on 16 June. The board approved 26 new projects for an estimated $3 million. The chairmanship of the board also passed to a new member, Deputy Director General for Research European Commission Zoran Stancic.

On 8 April, the STCU and the National Academy of Sciences in Ukraine launched the first cost sharing

initiative to support former weapons scientists' new work on Ukraine's economic and social development. This initiative is a crucial step to the STCU's partnership with national-level Ukrainian science programs. Shared projects will be chosen within the upcoming weeks.

The 19th Governing Board meeting approved 25 new projects in Azerbaijan, Georgia, Ukraine, and Uzbekistan totaling over $2.5 million. The board also approved 15 new Partner Projects for $3.8 million and authorized the augmentation of six Partner Project contracts, with an estimated worth of over $200,000.

2004: The STCU sponsored and participated in several conferences and seminars during the first half of 2004. From 15-17 March, it co-sponsored the "Caspian Commercialization Workshop in the Oil and Gas Industry" in Baku, Azerbaijan. At the meeting, approximately 50 scientists addressed issues relating to technology commercialization and the technological needs of the industry. Also in March, the STCU held the first in a series of training seminars regarding the practical aspects of procurement under STCU policies. These sessions will be held monthly. In April, it co-organized a workshop on "Best Practices in the Commercialization of Biotechnologies: Looking into the Technological Future and Sustainable Development" with the National Academy of Sciences in Ukraine, and also held its fourth regional Information Field Officers and Field Officers meeting in Kyiv.

Led by Dr. Adalat Hassanov, the new STCU office in Baku began on 16 June 2004 its mission of aiding former WMD scientists of Azerbaijan.

The 18th semi-annual meeting of the Board of Governors was held in Baku, Azerbaijan on 17 June. Board members approved 42 new regular, government-funded projects for $3.5 million and confirmed two additional partnership projects and seven partnership project contract extensions. These actions brought cumulative STCU funding since 1993 to more than $109 million. The Board also addressed Moldova's impending accession to the International Agreement to Establish a Science and Technology Center in Ukraine, which will officially take place following the approval of current parties to the Governing Board. In addition, Andrew Hood, previously the senior coordinator at the U.S. State Department's Science Centers Program, became the new STCU executive director.

On 6 October 2004, STCU opened the National Radioanalytic Center in Uzbekistan. Two STCU projects at the Institute of Nuclear Physics (INP) in Tashkent, Uzbekistan, have created this national analytical center as well as companion mobile field laboratories, which will provide the INP with a source of contract analytical work. The INP is at the center of a joint U.S-Uzbek program to improve the Uzbek capability to monitor, detect, and identify the transit of illicit radioactive materials across its borders. A key element of this border security system is a modern radioanalytic laboratory for analysis and characterization of materials detected and intercepted at Uzbek border crossings. But in addition to this nonproliferation mission, the center will also provide Uzbekistan with an important capability to study, evaluate, and monitor a wide variety of materials that play a role in Uzbekistan's industrial economy as well as its environmental and public health security.

2003: On 1 January, the Ministry of Education and Science of Ukraine officially became responsible for overseeing the activities of the STCU. The Center's sixteenth Governing Board meeting took place on 12 June in Samarkand, Uzbekistan. Board members approved the funding of 40 regular projects for $4.1 million as well as several new partnership projects for $3.2 million. Four additional partner organizations were also introduced.

STCU conferences and seminars in 2003 included an international workshop on biotechnology commercialization and security held from 14-17 October in Baku, Azerbaijan and an August conference in Samarkand that addressed current problems in the field of nuclear physics. In addition, in November, the STCU held a joint workshop with the European Commission in Brussels, Belgium entitled "The Science and Technology Center in Ukraine as an Instrument for Developing an EU-Ukraine Research Partnership," and participated in an exhibition-conference in Pennsylvania, "Partnerships for Prosperity and Security: Assessing Innovative Technologies from Russia, Ukraine and Kazakhstan." The conference was sponsored by the U.S. Department of Energy's National Nuclear Security Administration, and involved 120 experts and representatives of multinational organizations working in the nonproliferation area.

From 20-21 November, the STCU participated in an Inter-Parliamentary Conference on the reduction of the threat posed by weapons of mass destruction. Organized by the European Commission's Non-Proliferation and Disarmament Co-operation Initiative and held in Strasbourg, France, the conference examined bilateral and multilateral cooperative threat reduction programs, and included 200 participants.

The 17th meeting of the Governing Board convened in Kyiv on 4 December. Board members approved more than $3 million in funding for 29 regular projects, $2.7 million for 12 new partnership projects. They also introduced 10 new partners, bringing the annual total to 14. Among new partnership projects was a study of radioactive waste management, waste treatment technologies, and ecologically safe disposal of radioactive waste discussed in the STCU Annual Report. The study, begun on March 1, is being conducted by a group of scientists from Uzbekistan and Ukraine in collaboration

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with the Los Alamos National Laboratory. The 36-month project seeks to develop improved technologies for the cementation of liquid radioactive waste concentrates and for the safe disposal of radioactive waste. Furthermore, its results are expected to be relevant to the decommissioning of power plants.

Finally, the STCU held several meetings with the North Atlantic Treaty Organization over the course of the year. The two bodies plan to collaborate in developing several seminars and workshops regarding the commercialization of technologies and other subjects.

2002: On 21-25 January, the STCU conducted its first Advanced "Intellectual Property Rights Protection and Related Business Opportunities" training program in Kyiv, the third specialized advanced training program, for a group of 20 scientists from STCU funded projects. Expanding its activities to the east, STCU also conducted a basic training course on "How to Commercialize R&D Projects (Innovations)" in Tashkent, Uzbekistan on 12-15 February.

In February, STCU Executive Director Leo Owsiacki officially opened the STCU Information Office located in Tashkent, the Republic of Uzbekistan. The Uzbek Information Office Representative, Regina Sattarova, a biologist by profession, will provide STCU support throughout the Republic of Uzbekistan for Uzbek former weapons scientists. This support will help to prevent the "brain drain" problem in the country as well as raise the awareness of a number of opportunities with the STCU for scientists and engineers. According to the Uzbek Academy of Sciences, 4,000 former weapons scientists are left in the country, which is half the number than there were in 1998. STCU assistance is directed to the remaining scientists to help them to redirect their talents to peaceful purposes. The first Uzbek project was funded by the Center in 1998. To date, the STCU has supported more than 500 scientists from the Republic of Uzbekistan on 24 projects worth close to $3.5 million.

An Advisory Committee meeting was hosted by the European Union in Paris, France on 8 March. A number of important issues were discussed including re-opening project registration, consideration of a new STCU Initiative "Ukraine Mine Destruction Program," separate partner travel budgets, a revised Model Project Agreement with new intellectual property rights (IPR) clauses, STCU building problems, and the status of the 2001 Annual Report. While Azerbaijan officially requested STCU accession, the United States and the European Union are still considering the application.

The Governing Board of STCU convened on 11 June in Kyiv, approving over $4.7 million and EUR 1.1 million for new scientific projects. In addition, new projects valued at over $1.9 million and EUR 0.6 million, were funded by STCU Partner organizations.

On 12 December, during the 15th Governing Board Meeting in Kyiv, members approved Azerbaijan's request to accede to the STCU Agreement, making it a beneficiary party. In addition, they recognized Moldova's and Tadjikistan's applications for accession to the Agreement. They also approved $1.5 million for new scientific projects, bringing the total value to projects funded by the STCU to more than $58.7 million. Five additional partner organizations were acknowledged, and six partner project contracts were executed. Finally, the Board approved a program of research on anti-personnel land mine destruction technologies to be funded in part by the European Union.

2001: During the year, the STCU Secretariat supported financing of 16 international conferences for a total amount of $21,000.

In May, an STCU delegation headed by the Deputy Executive Director Esa Manninen completed a three-day mission to Finland. On 23 May, the STCU opened an Information Office in Tbilisi, Georgia. On 24 April, STCU Executive Director Leo Owsiacki began a four-day mission to Tajikistan to meet with former WMD scientists to assess the current situation.

The Governing Board held its 12th meeting in Kyiv in July. The 41 new projects approved at this meeting by the Donor Parties bring the total value of such Party-supported projects funded through the STCU to over $53.5 million, including 18 new projects valued at over $2.3 million funded by STCU Partner organizations. Member-supported projects funded at this meeting cover a wide range of research: early medical diagnostics for malignant breast tumors; water purification from pathogens and medical compounds; metallurgical organic dye films; a composite manufacturing process; remote sensing of vegetation; ceramic thermal barrier coatings; new grain storage technologies; high efficiency exhaust filters; ecologically clean cooling systems; a wind-powered water pumping prototype; nano-technology for metal surface treatment; a new vitamin D dosimeter; and design of new materials and ceramics for artificial implants and medical tools. These projects will employ 866 scientists, 636 of whom are from former WMD or delivery system programs. This number is in addition to the 7,200 scientists supported by the STCU since 1995. The projects will be carried out at institutes in Dniepropetrovsk, Kharkiv, Kyiv, Lviv, in Ukraine, and in Tbilisi, Georgia.

The Board also recognized three new STCU Partner organizations introduced since its previous meeting: the US Department of Agriculture/Agricultural Research Service, the U.S. Department of Defense/Cooperative Threat Reduction, and the Breitmeier Messtechnik GmbH of Germany. These entities join the growing number of organizations (total of 68 organizations) funding research and development activities in Ukraine as STCU Partners.

The Board also noted that the STCU patent fund has so far supported 14 new Ukrainian patent applications during 2001. The STCU also supported 14 international technical conferences, including those involving the Kharkiv Institute of Physics and Technology in Kharkiv, the Bakul Institute of Superhard Materials in Kyiv, and the Bogolyubov Institute for Theoretical Physics in Yalta.

On 15 September, an STCU delegation headed by Executive Director Leo Owsiacki visited Tashkent, Uzbekistan to negotiate and sign an Agreement between the Government of the Republic of Uzbekistan and the STCU on establishing an Information Office in Uzbekistan.

On 19 September, the STCU and the ISTC organized an Intellectual Property Rights Protection and Related "Business Opportunities" seminar in Tbilisi. As a result of the seminar, ISTC and STCU successfully completed their first mission in informing Georgian scientists on how to protect their IPR and to describe opportunities for long-term sustainability of their projects. The science centers will follow-up on this initiative in the near future by providing a more intensive course on "Commercialization of R&D Activities and Innovations."

On 6 December, the STCU Governing Board held its 13th meeting in Kyiv, Ukraine, where 44 new projects were funded worth $5.05 million and $1.7 million plus another $700,000 that STCU received from Partner organizations for Partner projects. This new approved funding brings the total value of projects funded by the STCU to over $64.2 million since 1995. The Board recognized six new STCU Partner organizations, bringing the total to 73 companies. The Board also noted with satisfaction the continued success of the STCU patent support fund, which supported 16 new Ukrainian and three foreign patent applications in the last half of 2001.

2000: The Governing Board held two meetings during the year. The 10th meeting took place on 1 June in Kyiv and the 11th took place 7 December in Kyiv. The Advisory Committee met from 21-23 March in London, on 30 May in Kyiv, on 25 September in Paris, and from 5-6 December in Kyiv.

1995-1999: From 1995 to 1999, the Board of Directors held nine official meetings. During these meetings, the Board reviewed more than a 1,000 projects and approved 247 of them.

Through this period several countries signed the formal accession to the STCU Agreement: Uzbekistan in 1997, Georgia in 1998, and the European Union in 1998. In 1998, the Embassy of Japan issued a note concerning the participation of the Japanese Government in STCU as a Sponsor and committing $1,000,000 to projects.

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International Science and Technology Center (ISTC)

Established: 1992.

Parties to the ISTC Agreement: Armenia, Belarus, Canada, Georgia, Kazakhstan, Kyrgyzstan, Republic of Tajikistan, European Union (EU), Japan, Russia, United States, Norway, and Republic of Korea.

Background: The International Science and Technology Center (ISTC) is an intergovernmental organization established in 1992 by an agreement between the European Union, Japan, the Russian Federation, and the United States. It was signed in Moscow in 1992 and provisionally entered into force on 2 March 1994, pending ratification by the Duma.

The ISTC serves as a clearinghouse for developing, approving, financing, and monitoring projects aimed at engaging weapons scientists, technicians, and engineers from the Commonwealth of Independent States (CIS) in peaceful, civilian science and technology activities. Non-weapons scientists can be included. Through its projects, the ISTC contributes to ongoing efforts to stem the proliferation of weapons of mass destruction (WMD). Its larger goals include reinforcing the CIS transition to a market-based economy responsive to civilian needs, and supporting basic and applied research and technology development.

The operating bodies of the ISTC are the governing board, Coordination Committee, Science Advisory Committee, and secretariat (the executive body located in Moscow). ISTC branch offices have been set up in Minsk and Almaty, with a coordination office in Tbilisi.

ISTC (Moscow) Activity and Objectives: The agreement establishing the ISTC stipulates that the center's principal activity is to develop, approve, finance, and monitor science and technology projects for peaceful purposes, which are to be carried out primarily at institutions and facilities located in the Russian Federation and, if requested, in other states of the Newly Independent States (NIS). The primary objectives of the center are: 1) to give weapons scientists and engineers, particularly those in the NIS who possess knowledge and skills related to WMD or missile delivery systems, opportunities to redirect their talents toward peaceful activities; and 2) to contribute to the solution of national or international technical problems in relation to the

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transition to market-based economies by supporting basic and applied research and technology development in the fields of environmental protection, energy production, and nuclear safety; and promoting the further integration of NIS scientists into the international scientific community.

Developments:

2007: On 29 January, representatives from the ISTC and the Science and Technology Center in Ukraine (STCU) met in Moscow to discuss future cooperation between the two organizations. The groups discussed cooperation on a variety of issues including workshops, training, and commercialization of scientists.

The 42nd Governing Board Meeting was held in Moscow on 30 March The board approved $1.3 million and €4.6 million for 22 new projects in research and development in Armenia, Belarus, Georgia, Kazakhstan, Kyrgyzstan, and Russia,. The board also received notification of Switzerland's intention to accede to the ISTC, and the formal approval will take place at a future meeting. In addition, the board discussed developing the relationship between the ISTC and the STCU as a means of improving administrative efficiency and collaboration on scientific and technical projects.

2006: On 30 March 2006, the Governing Board and 11 ISTC parties held the 39th meeting in Moscow. The Governing Board approved over $5.6 million for new projects in Russia, Armenia, Belarus, Georgia, Kazakhstan, Tajikistan, and the Kyrgyz Republic. Furthermore, the board approved a list of 10 science and technology issues that need to be enhanced and improved.

On 28 June 2006, the Governing Board and 11 ISTC party members held their 40th meeting in Yerevan, Armenia. Party members approved $4.8 million for 30 new projects in Russia, Armenia, Belarus, Georgia, Kazakhstan, and the Kyrgyz Republic. Notably, the ISTC reconsidered the Project Proposal Package, which works to provide more detailed explanations of existing procedures and ISTC-STCU projects.

The 41st Governing Board meeting was held on 7 December, 2006 in Moscow. Twelve ISTC members joined the Governing Board. To further develop science and technology research, the board approved $3.9 million for 31 new projects in Russia, Belarus, Tajikistan, and the Kyrgyz Republic. Additionally, the FY 2007 Administrative Operating Budget and Supplemental Budget Program was approved by the board. In order to emphasize the ISTC's role in international nonproliferation, the board asked the secretariat to assess the results of the ISTC's operations and to develop a Strategic Plan congruent with ISTC standards.

The board decided the next Plenary Session will convene on 29 March 2007.

2005: The governing board held its 36th meeting in Almaty, Kazakhstan on 11 April. Representatives from 12 ISTC parties attended with Canada, the European Union, Japan, the Russian Federation, the United States of America, and Tajikistan represented on the governing board. Tajikistan participated as rotating CIS board member.

The ISTC approved 24 new projects representing more than $1.8 million and 3.5 million Euro in new funding for activities in Russia, Armenia, Belarus, Georgia, Kazakhstan, the Kyrgyz Republic, and the Republic of Tajikistan. These projects highlight important areas of science and technology research and development: studies of plague antigens, early cancer diagnostics, safe usage and storage of industrial fuels, and sensors for detection of contraband and dangerous materials.

The governing board approved the principles of a new administrative operating budget, allowing for costs to be attributed to specific program activities.

On 12 September, ISTC organized a workshop for key representatives from 10 of Russia's foremost closed nuclear cities and representatives from Canada, the EU, Japan, Russia, the UK and the United States. The purpose of the workshop was to discuss increasing and possibly expanding current bilateral cooperation between these countries and Russia's closed nuclear cities, as well as investigating the potential role that ISTC can play on behalf of the countries that support nonproliferation funding through the promotion of economically sustainable jobs, especially for former weapons specialists.

Topics raised at the workshop ranged from the need for greater data and information sharing, to increased cooperation between parties and a greater ISTC role in closed nuclear cities initiatives. There was also an emphasis on the need for identification and analysis of past measures and results.

The 38th meeting was held by the board on 28 October in Moscow, Russia. Representatives from 12 ISTC parties attended, with Armenia as rotating CIS board member. The ISTC approved 39 new projects representing more than $5.5 million and 4.3 million Euro in new funding for activities in Russia, Armenia, Belarus, Georgia, Kazakhstan, and the Kyrgyz Republic. These projects highlight important areas of science and technology research and development, such as the gravity field, new semiconductors, air pollution control, X-ray optics, and biosensors for medical purposes.

The governing board reconfirmed the importance of nonproliferation projects in Russia's closed nuclear cities under the provisions of the ISTC Agreement, focused on WMD specialists' transition to sustainable, civilian employment. In terms of practical implementation, the governing board entrusted the secretariat to work closely with the Russian side to prepare concrete activity proposals.

The governing board also approved the programmatic approach policy, which would support the ISTC parties' efforts to assist in achieving sustainability (e.g., through "Targeted Initiatives" with innovation potential).

The governing board agreed to convene its next plenary session meeting in Moscow on 30 March 2006.

2004: The 33rd ISTC governing board meeting convened in Moscow on 5 April. Canada, which became the 13th party to the ISTC Agreement on 1 March, participated as a full member for the first time. Members approved $10.6 million in funding for 59 new projects in Russia, Armenia, Belarus, Georgia, and Kazakhstan. These will include the study and development of anti-viral treatments, energetic systems for space exploration, solid waste safety and disposal, and neutrino and nuclear physics. Board members also announced that 22 new partner projects totaling $8 million had been approved since the last governing board meeting, and that cumulative project funding exceeded $595 million.

On 16 April, Norbert Jousten began a two-year term as executive director of the ISTC. The following month, the ISTC announced that with the expansion of the European Union, it would begin accepting project collaborators from all new Member States.

The 34th Project Funding session concluded on 19 July with the approval of 25 new projects totaling $2 million. They will be carried out in Russia, Belarus, Georgia, Kazakhstan, Tajikistan, and the Kyrgyz Republic. The next plenary session of the governing board is scheduled for 27 October in Moscow.

2003: The Republic of Tajikistan formally acceded to the ISTC on 5 March, becoming a full member. On 31 March, the 30th session of the ISTC governing board commenced in Moscow. The Kyrgyz Republic occupied the board's rotating seat. Board members approved 49 new projects totaling $8.1 million for activities in Russia, Armenia, Belarus, Georgia, Kazakhstan, the Kyrgyz Republic, and the Republic of Tajikistan. These will focus on radiation waste immobilization, vaccines, trace detection technologies for narcotics and explosives, and other topics. The governing board also announced that 25 partner projects representing $21 million had been approved since the last meeting. During the summer months, the ISTC completed its electronic project approval and 31st Project Funding session, approving an additional 38 new projects representative of more than $7 million.

The 32nd meeting of the governing board convened in Moscow on 20 October. Board members approved 65 new projects representing $9.9 million for activities in Russia, Armenia, Belarus, Georgia, Kazakhstan, the Kyrgyz Republic, and the Republic of Tajikistan. Additionally, they announced that 47 additional partner projects representing $18 million had been approved since the previous board meeting.

Two new initiatives in programmatic science were also addressed in 2003: the Fuel Cell Initiative to introduce commercial, fuel cell-based power plants to the market, which received the governing board's approval, and the development of international science laboratories. Regarding the latter, the ISTC, in cooperation with the Stepanov Institute of Physics in Belarus and the Fraunhofer Institute for Nondestructive Testing in Germany, established the first International Science Center in Minsk as a means to further integrate former weapons scientists into the scientific community. In addition, the ISTC participated in and presented its work to an EU Inter-parliamentary Conference on the G-8 Global Partnership Against the Spread of Weapons of Mass Destruction in Strasbourg, France from 20-21 November.

2002: The governing board of the ISTC held its 27th meeting in Bishkek, Kyrgyz Republic, from 7-9 April. Representatives from 10 ISTC parties attended with the European Union, Japan, the Russian Federation, the United States, and Georgia represented on the governing board.

The ISTC approved 61 new projects representing over $10.4 million and Euro 7.2 million in new funding for activities in Russia, Armenia, Belarus, Georgia, Kazakhstan, and the Kyrgyz Republic. New funding was provided by the EU, the United States, Japan, and the Republic of Korea. These projects included important areas of science and technology research and development; diagnostic methods and equipment for cancer; portable radiation monitors; desert climate studies; biotreatment for oil spills; aerosol vaccines for wildlife; greenhouse gas impact; and new carbon and aluminum content materials.

The board announced that 54 partner projects totaling $13.5 million had been approved since the previous meeting, and noted the expanding participation of partners in ISTC activities. ISTC partners are private sector, intergovernmental, governmental, and non-governmental organizations that provide funds to engage CIS scientists in peaceful research projects. Total ISTC project funding

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in all categories surpassed $416 million for 1,587 projects.

The governing board approved important steps in the ISTC "Evolution to Partnership," strengthening ISTC contributions to international science cooperation and sustainable partnership. The ISTC will inaugurate International Science Laboratories as a test case for establishing long-term cooperative exchanges based in institutes supported by ISTC. The center will introduce Chief Science Coordinators to promote and coordinate ISTC inputs to initiatives identified by its parties and partners, as part of its updated staffing plan and policy. The ISTC evolution is supported by the governing board's approval of early phases in ISTC progression to ISO 9000 certification.

The governing board expressed its gratitude for Georgia's participation on the governing board, and welcomed the Republic of Belarus' participation through 2002. The governing board extended the appointment of the Executive Director, Michael Kroening, for a one-year period through October 2003, and approved the nomination of Lawrence Wright in the position of Deputy Executive Director (United States).

On 23 October, the governing board held its 29th meeting in Moscow. Representatives from 10 ISTC parties attended, with the EU, Japan, the Russian Federation, the United States, and Belarus represented on the governing board. The board welcomed the Republic of Tajikistan on its accession to the ISTC Agreement and received a request to join from the government of Moldova.

The ISTC approved 60 new projects representing over $9.9 million and Euro 8 million in new funding for activities in Russia, Armenia, Belarus, Georgia, Kazakhstan, and the Kyrgyz Republic. New funding was provided by the EU, the United States, and the Republic of Korea. These projects included important areas of science and technology research and development, development of nanostructured materials, tumor thermoradiotherapy enhancement, and the impact of supersonic aircraft on the environment. The board announced that 50 partner projects totaling $28.8 million had been approved since the previous meeting and noted the expanding participation of partners in ISTC activities. The governing board approved important steps in the ISTC adjustment towards a programmatic approach to its activities, strengthening ISTC contributions to international science cooperation and sustainable partnership. The ISTC inaugurated International Science Laboratories as a test case for establishing long-term cooperative exchanges based in institutes supported by the ISTC. The center will introduce Chief Science Coordinators to promote and coordinate ISTC inputs to initiatives identified by its parties and partners, as part of its updated staffing plan and policy.

The governing board approved the continuation of Dr. Ronald F. Lehman, II as the governing board chair for one year. The governing board will convene at an executive session meeting in Paris from 3-4 February 2003.

The governing board agreed to hold its next plenary session in Moscow with a Coordination Committee meeting beginning from 24 March, and with a governing board meeting beginning from 26 March 2003.

2001: On 22 October, the governing board held its 25th meeting in Moscow. Representatives from the ISTC parties attended with the EU, Japan, the Russian Federation, the United States, and Georgia represented on the governing board. In light of the terrorist events of 11 September, the parties affirmed their commitments to the nonproliferation and security goals of the center. The center approved 76 new projects representing over $16.5 million and Euro 7.3 million in new funding. These projects included anthrax and tuberculosis vaccines, nuclear waste containment, magnetic resonance techniques for drug development, solar cell materials and efficient energy transport, environmental impact of sea-buried reactor fuels, digital processing of biomedical signals, and design structures resistant to earthquakes. The board announced that 65 partner projects totaling $18.2 million had been approved since the 24th meeting, and noted the expanding participation of intergovernmental, governmental, and non-governmental organizations (including the private sector) partners in ISTC activities. Total ISTC project funding in all categories now surpasses $388 million for 1,434 projects. The Fiscal Year 2002 activity plan and budget for the center was approved and, in a special session devoted to the ISTC present structure, the board discussed measures to improve ISTC's efficiency. The ISTC Coordination Executive Committee was instructed to develop, with the executive director, the reorganization of the secretariat.

On 9-10 October, there was a joint Samsung-ISTC Forum to present Russian/CIS technologies for applications in the Samsung product line. Technical sessions were devoted to materials and devices for electronics, micro- and nano-technology, optical technology, and information technology. On 17 May, the ISTC hosted a press conference "New Internet Portal Promoting Russian Science and Technology Innovation." Five major science and innovation organizations announced their joint commitment to a new Internet portal, promoting Russian-source science, technology, and innovation. Participating organizations include: ISTC, Euro-Asian Physical Society, Center of High Technologies under the Ministry of Atomic Energy, State Conversion Foundation, and Scientific Projects and Internet Technologies Company. Additional portal services will be provided by the NeurOK Company.

The 24th meeting of the governing board was held on 15 March. The ISTC approved 62 new projects representing nearly $13 million in new funding for activities. Projects included air quality monitoring by infrared laser, new collagen burn treatments, non-toxic gas generators for automobile airbags, screening of new antibiotics, ultrasonic defecto-scope for quality control in industry, and new testing methods for high-efficiency civil transportation. The board announced that 35 partner projects totaling $12.5 million had been approved since the 23rd meeting. The governing board agreed to a process of rotation of the CIS member seat based on the date of accession to the ISTC, and welcomed Georgia to participate on the governing board through the next year. Belarus and then the Kyrgyz Republic succeeded Georgia on the board.

2000: On 3 November, the governing board held its 23rd meeting at the headquarters in Moscow. Representatives from all 11 ISTC parties attended, with the European Union, Japan, the Russian Federation, the United States, and the Republic of Armenia represented on the governing board. The ISTC approved 89 new projects representing over $21 million in new funding. These projects included monitoring and prediction of seismic activity, pre-clinical testing of immuno-biological compounds, atmospheric re-entry technologies for scientific probes, chemical micro-sensors for atmospheric pollution monitoring, and creation of wind energy infrastructure. The board announced that 23 partner projects totaling $3 million had been approved since the 22nd meeting, and noted the expanding participation of partners in ISTC activities.

The governing board held its 22nd meeting at the presidential residence in Tbilisi from 26-27 June. Representatives from 10 ISTC parties attended with the European Union, Japan, the Russian Federation, the United States, and the Republic of Armenia represented on the governing board. The ISTC approved 81 new projects representing over $19 million in new funding for activities. These projects included protective methods against anthrax, new techniques for nuclear test detection, nuclear reactor decommissioning in Kazakhstan, bio-remediation of testing grounds, vortex flow investigations for flight safety, and water-cutting technologies for submarine decommissioning.

The board announced that 21 partner projects totaling $4 million had been approved since the 21st meeting. The governing board addressed financial and operating issues for the center, toward ensuring the integrity and timely implementation of ISTC activities in all party territories. The center continued to develop appropriate frameworks to protect it from currency fluctuations, and to include year-round financing commitments. It also sought new funding from ISTC parties and partners, to ensure the continuity of the many projects and programs.

1994-1999: The ISTC began operations on 3 March 1994. A total of $75 million was raised for the Moscow Center: $25 million from the United States, 20 million ECU from the European Commission, and $17 million from Japan. Russia is to provide in-kind support to include a facility for the center, as well as its maintenance, utilities, security, and related support. The Governing Board met in Moscow from 8-9 December, during which time representatives of new funding parties, Finland and Sweden, and of new CIS member states, Armenia, Belarus, and Georgia, joined the representatives of the four initial parties (European Union, Japan, Russia, and United States). The projects approved at the meeting brought the total number to 94, representing a total funding commitment of $48.5 million. These projects sponsored more than 5,000 scientists and engineers, the majority of whom were involved in weapons activities for periods of up to three years.

In 1997, the board visited the All-Russian Scientific-Research Institute of Inorganic Materials to see the worksites of seven ISTC projects at the institute, two of which had recently been completed. The ISTC is funding projects there on such problems as radioactive waste management and new fuels for power nuclear reactors, including developing MOX fuel using plutonium from defense and civil sectors. From 30 June to 1 July 1997, the governing board met in Moscow. During the meeting, the board approved the documents and procedures necessary to allow inter-governmental and non-governmental organizations (including the private sector) to fund and support projects. Newly approved projects included a training center for nuclear waste management; transportation and storage containers for dangerous materials; a quartz calorimeter modular detector for CERN (European Organization for Nuclear Research); a gyroscope for civilian aircraft navigation; biological means for electric energy generation by photosynthesis; materials science, including high temperature super-conducting polymer-ceramics and ultra-light weight aerogels for commercial application; and environmental applications, including electrokinetic methods for contaminated soil remediation and atmospheric photochemistry by aerosol monitoring.

On 5-6 November 1997, the governing board held its 14th meeting in Moscow. The board welcomed the Republic of Korea as the newest funding party, which will contribute one full-time scientific expert to the ISTC secretariat. Georgia, Belarus, Armenia, Kazakhstan, and the Kyrgyz Republic also pledged to contribute their facilities and technical expertise.

In 1998, the governing board held three meetings. At its 15th meeting held in Moscow, the governing board approved 45 new projects, including safe, long-term

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storage of radioactive waste; improvement of safety and operations of nuclear reactors; and environmental modeling, monitoring, and protection. During the 16th meeting the board noted with satisfaction the official accession of the Republic of Korea in May 1998 and the opening of the ISTC branch office in Armenia in June 1998.

The governing board held its 17th meeting in the Republic of Armenia on November 1998. The board noted with satisfaction the operation of the ISTC Armenia branch office, located at the Presidium. During the meeting, the board discussed the ISTC Activity Plan and Budget for 1999, which it had approved. The plan provides broad support to nonproliferation programs in 1999; means by which the ISTC can act to support other nonproliferation initiatives; and substantial progress on revising the "Instructions for Proposal Preparation," the document that is central to the ISTC review and funding of science project proposals.

On 2 March 1999, the governing board held its 18th meeting at the ISTC secretariat headquarters in Moscow. The governing board encouraged the parties and secretariat to explore additional ways in which the ISTC can support international efforts consistent with its objectives. The board approved two new ISTC initiatives: 1) to address the Y2K problem, and 2) to better organize ISTC contributions to public health.

From 30 June to 1 July 1999, the governing board held its 19th meeting at the ISTC secretariat headquarters in Moscow. The board approved two milestone documents at its meeting: the Model Project Agreement (the basic contractual document for ISTC financial support to hundreds of scientific project teams throughout CIS Party territories) and the Intellectual Property Rights Guidelines for ISTC partners.

At its 20th meeting on 27 October 1999, the governing board approved funding for 33 new projects including radioactive waste handling and disposal; pollution monitoring; nuclear materials control and accounting; and medical diagnostics for cancer, ulcers, and infectious diseases. Some projects had direct application to verification of a Comprehensive Test Ban Treaty and of the destruction of WMD.

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Asia (and the Middle East)

Association of Southeast Asian Nations (ASEAN)

Membership: 10 States — Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam. 1 Observer – Papua New Guinea.

ARF Membership: 26 States – Australia, Bangladesh, Brunei Darussalam, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Democratic Peoples' Republic of Korea, Republic of Korea, Laos, Malaysia, Myanmar, Mongolia, New Zealand, Papua New Guinea, Philippines, Pakistan, the Russian Federation, Singapore, Thailand, Timor Leste, the United States, and Vietnam.

History: ASEAN was established on 8 August 1967 in Bangkok by the five original member countries: Indonesia, Malaysia, Philippines, Singapore, and Thailand. Brunei Darussalam joined on 8 January 1984, Vietnam on 28 July 1995, Laos and Myanmar on 23 July 1997, and Cambodia on 30 April 1999.

Objectives: The ASEAN Declaration states that the aims and purposes of the Association are: (1) to accelerate the economic growth, social progress and cultural development in the region through joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian nations, and (2) to promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries in the region and adherence to the principles of the United Nations Charter. In 1995, the ASEAN Heads of State and Government re-affirmed that "Cooperative peace and shared prosperity shall be the fundamental goals of ASEAN."

Fundamental Principles: The Treaty of Amity and Cooperation (TAC) in Southeast Asia, signed at the First ASEAN Summit on 24 February 1976, declared that in their relations with one another, the High Contracting Parties should be guided by the following fundamental principles:

- Mutual respect for the independence, sovereignty, equality, territorial integrity, and national identity of all nations;
- The right of every State to lead its national existence free from external interference, subversion, or coercion;
- Non-interference in the internal affairs of one another;
- Settlement of differences or disputes by peaceful manner;
- Renunciation of the threat or use of force; and
- Effective cooperation among themselves.

Political Cooperation: The TAC stated that ASEAN political and security dialogue and cooperation should aim to promote regional peace and stability by enhancing regional resilience. Regional resilience shall be achieved by cooperating in all fields based on the principles of self-confidence, self-reliance, mutual respect, cooperation, and solidarity, which shall constitute the foundation for a strong and viable community of nations in Southeast Asia.

Some of the major political accords of ASEAN are as follows:

- ASEAN Declaration, Bangkok, 8 August 1967;
- Zone of Peace, Freedom and Neutrality Declaration, Kuala Lumpur, 27 November 1971;
- Declaration of ASEAN Concord, Bali, 24 February 1976;
- Treaty of Amity and Cooperation in Southeast Asia, Bali, 24 February 1976;
- ASEAN Declaration on the South China Sea, Manila, 22 July 1992;
- Treaty on the Southeast Asia Nuclear-Weapon-Free Zone, Bangkok, 15 December 1997;
- ASEAN Vision 2020, Kuala Lumpur, 15 December 1997;
- Declaration on Joint Action to Counter Terrorism, 5 November 2001; and
- Declaration of ASEAN Concord II, Bali, 7 October 2003

Although ASEAN States cooperate mainly on economic and social issues, the organization has a security function, with a long-discussed program for confidence-building measures and for establishing a nuclear-weapon-free zone in Southeast Asia, with the objective of implementing ASEAN's 1971 Declaration on a Zone of Peace, Freedom and Neutrality (ZOPFAN), and a Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), which would be a component of ZOPFAN.

Verification and Compliance: The ASEAN Regional Forum (ARF) is an important multilateral forum for political and security consultations and cooperation. The ARF has begun to explore activities where there is overlap between confidence-building measures and preventive diplomacy. ASEAN Member States are urged to settle disputes through friendly negotiations applying the procedures of the Treaty of Amity and Cooperation (TAC) of 1976. However, the Member States are not obliged to use the Treaty stipulations for the peaceful settlement of disputes. In case a State resorts to the use of force, no system of collective security is foreseen.

Developments:

2008: On 7 January, Dr. Surin Pitsuwan from Thailand assumed the post of ASEAN Secretary-General, succeeding Mr. Ong Keng Yong.

The 28th ASEAN Chiefs of Police Conference took place from 25 to 29 May and adopted resolutions addressing cooperation in preventing terrorism and arms smuggling.

On 24 July, the Democratic People's Republic of Korea acceded to the Treaty of Amity and Cooperation (TAC) in Southeast Asia. Contracting Parties agree not to participate in any activity that constitutes a threat to the political and economic stability, sovereignty, or territorial integrity of another Contracting Party.

All 10 Member States ratified the ASEAN Charter ahead of the December goal, and the Charter entered into force on 15 December. The 14th ASEAN Summit was scheduled to take place in Thailand in December, but it was postponed until 27 February - 1 March 2009.

2007: The 12th ASEAN summit, postponed until January of 2007 due to Typhoon Seniang, convened amid controversy regarding corruption and the overpricing of lamps used to light the routes to and among summit venues.

On the first day of the summit, ASEAN signed five agreements: A Declaration Towards a Caring and Sharing Community, Declaration on the Blueprint for the ASEAN Charter, Declaration on the Acceleration of the Establishment of an ASEAN Community by 2015, ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, and ASEAN Convention on Counter Terrorism. The counter terrorism convention contains provisions intended to ease prosecution and extradition of terrorism suspects.

On 10 January 2007, France and East Timor signed the Treaty of Amity and Cooperation. In so doing, the two countries agreed not to attack or threaten the member states of ASEAN. East Timor once again voiced its hopes to eventually join ASEAN.

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At the Second East Asian Summit, members signed the Cebu Declaration on East Asian Energy Security and agreement which sets nonbinding targets for methods to achieve "reliable, adequate and affordable" energy into the future and to develop alternative sources of energy such as biofuels. Discussions centered on deepening integration, focused primarily around two economic initiatives: beginning a study on a Comprehensive Economic Partnership in East Asia (CEPEA) and examining Japan's proposal for an Economic Research Institute for ASEAN and East Asia (ERIA). The EAS also attempted to improve relations with China through the signing of an agreement on the trade of services.

At the 10th ASEAN-Republic of Korea Summit held the same week, the chairman addressed the situation with the DPRK calling for full implementation of UNSC resolutions 1695 and 1718. He also stressed the importance of arriving at a peaceful resolution of the problem through negotiations and expressed optimism about the role that ASEAN could play as an intermediary—helping to address both humanitarian, economic and security concerns in the region.

The 13th ASEAN Summit was held in Singapore in November 2007. The focus of the meeting was on Energy, Environment, Climate Change and Sustainable Development. The potential increase in the use of nuclear energy was discussed in this regard. The member drafted a ASEAN Leaders' Declaration on Environmental Sustainability to be signed at the 13th ASEAN Summit.

The 40th ASEAN Ministerial Meeting and 14th Regional forum were held in Manila from 22 July through 2 August. At the Ministerial Meeting, participants reflected on the implementation of the South East Asian Nuclear Weapons Free Zone. The Ministers called upon the NWS to ratify the protocols to the treaty and for the accession of Israel, India and Pakistan to the treaty.

In the days prior to the meeting, Ministers discussed the creation of an agency to monitor compliance with the SEANWFZ. The ministers also discussed their intentions to strengthen the regions relationship with the IAEA and capacity to implement safeguards.

The ASEAN members developed and adopted a Plan of Action for furthering implementation of the SEANWFZ. The Plan is intended to increase regional coordination in opposition to nuclear weapons and deepen regional participation in the relevant international agreements. Under the Plan of Action, States agree to pursue completion of IAEA safeguard agreements and accession to the Convention on Early Notification of Nuclear Accidents and regional emergency response plans. In addition, the states agreed to consider accession to other relevant instruments such as the CTBT and the counter-terrorism conventions related to nuclear weapons.

2006: At the 39th ASEAN Ministerial Meeting from 24-25 July, the ministers issued a joint communiqué in which they voiced their concern over recent developments in North Korea—including the test firing of its Taepodong-2 missiles on 5 July—that could affect peace and security in the region. They emphasized the need for denuclearization of the Korean Peninsula and called upon concerned parties to utilize the upcoming ASEAN Regional Forum as an opportunity to resume the Six-Party Talks towards a peaceful resolution of the nuclear issue.

2005: Mongolia and New Zealand acceded to the Treaty of Amity and Cooperation (TAC) on 29 July while Australia followed suit on 10 December. Timor Leste also expressed an interest in acceding to the TAC. ASEAN signed Joint Declarations on Cooperation to Combat International Terrorism with the Republic of Korea on 27 July and with Pakistan and New Zealand on 29 July. At the 38th ASEAN Ministerial Meeting, ministers encouraged Canada to consider signing the same.

The 11th ASEAN summit convened at Kuala Lumpur, Malaysia from 12-14 September. A landmark event was the signing of a Declaration on the Establishment of the ASEAN Charter by its leaders. The summit saw the establishment of an Eminent Persons Group on the ASEAN Charter—comprising 10 highly distinguished and well respected citizens from ASEAN Member Countries—to examine and provide recommendations on the direction of ASEAN and the nature of the Charter. Accomplishments such as the implementation of the ASEAN Security Community, the establishment of the Inter-Sessional Support Group on Confidence Building and Preventive Diplomacy, and the setting up of the ASEAN-China Joint Working Group on the Implementation of the Declaration on the Conduct of Parties in the South China Sea, were duly noted. Leaders welcomed the 4th and 5th rounds of the Six-Party Talks held in July and November in Beijing, and called on all concerned parties to exert their utmost effort toward the denuclearization of the Korean Peninsula. They strongly condemned terrorism and reiterated the need to intensify their efforts to eliminate the root causes of terrorism at the bilateral, regional, and multilateral levels. Leaders also recognized the role of inter-faith dialogue in fighting the spread of terrorism and promoting understanding.

On 17 November, ASEAN and the United States issued a Joint Vision Statement on the ASEAN-US Enhanced Partnership whereby they pledged to step up cooperation in key areas spanning political, security, social, economic, and development spheres.

The first East Asia Summit was convened on 14 December, with a view to establishing closer and

substantial relations between the member countries of ASEAN and the participating countries of India, China, Japan, Australia, New Zealand, and the Republic of Korea. Leaders signed the Kuala Lumpur Declaration on the East India Summit wherein they stated that the summit would be a "forum for dialogue on broad strategic, political, and economic issues of common interest and concern, and with the aim of promoting peace, stability and economic prosperity in East Asia." They strongly endorsed the Joint Statement adopted at the 4th Round of the Six-Party Talks on 19 September. It was agreed that the East Asia summit would be held annually.

The 12th ASEAN summit—along with the 2nd East Asia Summit—is scheduled to be held in December 2006 in Cebu, Philippines.

2004: Efforts to combat terrorism and address proliferation issues remained crucial in 2004. These issues were designated as priority areas for cooperation between ASEAN and its Dialogue Partners, both within the dialogue frameworks and under the ARF process. During the year, ASEAN issued joint declarations with the United States, the European Union, India, China, Russia, and Australia on cooperation in counter-terrorism and transnational crimes. In January, ASEAN issued a Memorandum of Understanding with the Chinese government regarding "cooperation in the field of non-traditional security issues," agreeing to cooperative measures, such as information exchange and joint research in dealing with current concerns, including arms smuggling and terrorism. Subsequently, an ASEAN Plus Three Ministerial Meeting on Transnational Crime (AMMTC +3) took place on 10 January in Bangkok, with the Ministers adopting a concept plan to address transnational crimes in the following eight areas: terrorism, illicit drug trafficking, trafficking in persons, sea piracy, arms smuggling, money laundering, international economic crime, and cyber crime. The ministers also issued a joint communiqué in which they reiterated their commitment to combating terrorism and other forms of organized crime, and to cooperation in effectively developing the ASEAN Security Community. At the 4th ASEAN Ministerial Meeting on Transnational Crime in Bangkok on 8 January, the Ministers expressed a commitment to accelerate the implementation of the 1999 ASEAN Plan of Action to Combat Transnational Crimes. In addition, they discussed methods to promote effective legal cooperation and to strengthen exchange of intelligence and information in combating transnational crimes. Another significant January meeting was the 17th ASEAN-US Dialogue, held on 30 January in Bangkok. It featured discussion of such topics as the ASEAN-US Work Plan on Counter-Terrorism, the development of an ASEAN Security Community, and the importance of a nuclear weapons-free Korea.

The Bali Regional Ministerial Meeting on Counter-Terrorism, co-hosted by Australia and Indonesia, met on 4-5 February. Within a broad discussion of terrorism, the Ministers specifically noted the connection between international terrorism and the movement of nuclear, chemical and biological weapons materials and the need for cooperation in preventing this, and agreed on several recommendations regarding how to strengthen transnational crime prevention.

On 3 May, at the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the ASEAN Member States submitted a working paper regarding the status of the Southeast Asia Nuclear Weapon Free Zone. The paper addresses the establishment of the SEANWFZ as a means to "contribute towards general and complete nuclear disarmament", and the creation of the SEANWFZ Commission and its Executive Committee to oversee compliance with the Treaty. It stresses that to be effective and operational, the nuclear weapons states must accede to the Protocol to the Treaty as soon as possible, and urges them to do so. Furthermore, it notes that ASEAN has been holding consultations with the five nuclear weapons states toward this end, but that only China has, thus far, reached an agreement with ASEAN regarding the protocol.

The 37th ASEAN Ministerial Meeting, the Post-Ministerial Conferences and the 11th ASEAN Regional Forum were all held between 29 June to 2 July in Jakarta, Indonesia. At the Ministerial Meeting, themed "Striving for Full Integration of ASEAN: A Prosperous, Caring and Peaceful Community" and chaired by H.E. Dr. N. Hassan Wirajuda, Minister FOR Foreign Affairs of the Republic of Indonesia, the Ministers issued a joint communiqué in which they reaffirmed their commitment to establishing an ASEAN Community comprising a Security Community, an Economic Community, and a Socio-Cultural Community by 2020, recommending that the Plans of Action for these be endorsed at the 10th ASEAN Summit in Vientiane. Ministers also reiterated the significance of the Treaty of Amity and Cooperation in Southeast Asia and noted the October 2003 accession of China and the Republic of India to the TAC, encouraging other non-Southeast Asian States to consider acceding to the Treaty as well. In addition, they addressed the state of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone, again urging the accession of the Nuclear Weapons States to its terms, and noting that China is ready to sign the Treaty's protocol.

The Ministers also addressed the issue of transnational crime and commended the Memorandum of Understanding between ASEAN and China regarding non-traditional security issues, emphasizing the need for cooperation in fighting terrorism, particularly within the

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context of the ASEAN-US Counterterrorism Work Plan and other related agreements.

Specific regional concerns addressed by the Ministers included the situations in Iraq, the Middle East and on the Korean Peninsula. Regarding Iraq, the Ministers welcomed Iraqi sovereignty and UN Security Council Resolution 1546, and in reference to Korea, they noted the impact of the nuclear issue, recognizing the importance of the Six Party Talks held in Beijing on 23-25 June and urging the continuation of efforts towards "a lasting solution to achieve peace and stability on the Korean Peninsula."

In his concluding statement at the Ministerial Meeting on 30 July, the Secretary-General noted "substantial progress in the implementation of decisions and directives of the 9th ASEAN Summit", stating that the Ministers had reviewed efforts made in accordance with, a six-year plan towards the attainment of ASEAN Vision 2020, and in preparation of the Vientiane Action Programme, its proposed successor, among other topics.

At the 5th ASEAN Plus Three Foreign Ministers Meeting (AMM +3), which convened on 1 July, Chairman H.E Dr. N. Hassan Wirajuda issued a statement noting that the meeting focused on various regional issues, with special emphasis placed on developments in Korea. Once gain, in addition to addressing administrative and economic issues, the Ministers also welcomed the accession of Japan to the TAC and China's readiness to sign to Protocol of the Treaty of the Southeast Asia Nuclear Weapon Free Zone. The ASEAN Post Ministerial Conference Ten Plus One (PMC 10 +1) sessions on 1 July focused on "the overview and future direction of ASEAN cooperation with its Dialogue Partners".

Another development during the series of meetings was the signing of an ASEAN-Russia Joint Declaration for Cooperation to Combat International Terrorism at the ASEAN Regional Forum on 2 July as well as an ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism at the 10 + 1 meeting on 1 July.

Finally, both Japan and the Islamic Republic of Pakistan formally signed the Treaty of Amity and Cooperation in Southeast Asia in Jakarta on 2 July. Japan had announced its intent to do so in December of 2003. Pakistan's accession made it the 24th member of the ASEAN Regional Forum.

The 10th ASEAN Summit was held in Vientiane, Laos from 29-30 November. Leaders reaffirmed the high priority of political and security cooperation on the ASEAN agenda. They endorsed the Plan of Action of the ASEAN Security Community, a community established to enhance ASEAN's capacity through regional instruments and mechanisms in establishing regional norms and enhancing conflict prevention, resolution, and peace-building in the region. The establishment of a forum for ASEAN defense ministers was also endorsed. Leaders agreed on the urgent need to sustain cooperative activities in counter-terrorism. The establishment of a network of law enforcement agencies among ASEAN member countries was proposed.

Leaders endorsed the Vientiane Action Programme to implement the ASEAN Vision 2020 for the next six years and agreed to mobilize resources for this purpose. They also reaffirmed the role of the Treaty of Amity and Cooperation (TAC) in maintaining peace and security in the region. Russia acceded to the TAC on 29 November, thereby becoming the second nuclear weapon state and UN Security Council member to sign the TAC after China. The Republic of Korea also acceded to the TAC on 27 November.

The ASEAN-Japan Joint Declaration for Co-operation in Counter-Terrorism was adopted at the 8th ASEAN-Japan summit on 30 November. At the ASEAN-Japan Senior Officials Meeting, Japan stated that it would like to advance cooperation with ASEAN in the specific areas of counter-terrorism and nonproliferation of weapons of mass destruction, and the reduction of tension in the Korean Peninsula.

2003: On 6 January, Ong Keng Yong, former Press Secretary to Singapore's Prime Minister, assumed the position of Secretary-General of the Association of Southeast Asian Nations at a ceremony in Jakarta. Filipino Diplomat Rodolfo C. Severino, Jr., previously occupied the post. The transition took place at the ASEAN Secretariat in Jakarta, Indonesia.

On 19 March, the ASEAN Foreign Ministers issued a statement on the situation in the Korean Peninsula at their informal meeting in Karambunei, Malaysia. The Foreign Ministers expressed their continued concern over the evolving situation in the Peninsula that could lead to a serious threat to peace, security, and stability in the whole Asia-Pacific region. They reiterated that the ARF remains an important forum for facilitating dialogue with the concerned parties about a lasting and durable solution, and urged its Chairman to continue his concerted efforts in this regard.

The Post-Ministerial Conference of the 36th ASEAN Ministerial meeting was held from 16-19 June in Phnom Penh, Cambodia under the chairmanship of H.E. Mr. Hor Namhong, the Cambodian Senior Minister and Minister of Foreign Affairs and International Cooperation. The Ministers of Foreign Affairs of all 10 ASEAN nations, the ASEAN Secretary-General, as well as Dialogue Partners from Australia, Canada, China, the European Union, India, Japan, South Korea, New Zealand, Russia, the United States, and the United Nations Development Program attended the meeting. The representatives at the meeting exchanged views on the issues of conflict in the Middle East, terrorism, trafficking in persons, drugs,

economic development, HIV/AIDS, and SARS. The ASEAN ministers also agreed upon cooperative arrangements with China, the United States, the European Union, and Russia in counter-terrorism and other non-traditional security issues. In addition, the Ministers also agreed to cooperate in the global effort to fight terrorism through international conventions as well as through law enforcement, defense, intelligence, immigration and customs, and financial systems. The Ministers condemned the violence in the Middle East and said, "both Israel and the Palestinian Authority shared the responsibility in maintaining peace, stability and law and order in the region." The meeting recognized further cooperation to prevent HIV/AIDS and welcomed the successes in the fight against SARS, while also recognizing that the battle against SARS is not "yet over."

In the Chairman's statement at the ASEAN Regional Forum, views were expressed urging North Korea to "resume cooperation with the IAEA" and to reverse its decision to "withdraw from the NPT." The Ministers also emphasized that outstanding security and humanitarian issues should be addressed through increased dialogue. The United States Secretary of State Colin L. Powell addressed the Ministers during the meeting, welcoming the Chairman's statement on North Korea and stressing the need for ASEAN's assistance in achieving a diplomatic solution in North Korea through continued pressure from ASEAN.

On 7-8 October 2003, the Ninth ASEAN Summit was held in Bali, Indonesia. Subsequently, the ASEAN leaders had the Seventh "ASEAN+3" Summit with leaders from China, Japan, and Republic of Korea. During the Summit, ASEAN leaders discussed in particular the latest situation on the Korean Peninsula, the recent developments on terrorism and the issue of Iraq and the Middle East.

Also during the Summit, on 7 October, the Ministers issued the Declaration of ASEAN Concord II (Bali Concord II), in which they pledged to achieve, by 2020, an "ASEAN Community" comprised of an "ASEAN Security Community", along with an "ASEAN Economic Community" and an "ASEAN Socio-cultural Community." It was envisaged that the ASEAN Security Community would increase ASEAN's political and security cooperation, and would rely exclusively on peaceful means for the settlement of intraregional differences. The Community should also strengthen national and regional capacities to counter terrorism and other trans-national crimes, and ensure that the Southeast Asian Regional remain free of all weapons of mass destruction. To establish modalities for the Community, the ASEAN leaders agreed that Indonesia would develop a Plan of Action for the ASEAN Security Community.

On the second day of the Summit, the ASEAN leaders held a meeting with each of the leaders of China, Japan, Republic of Korea and India. In the meeting with Premier Wen Jiabao of China, they signed a Joint Declaration on Strategic Partnership for Peace and Prosperity. In the Declaration, the ASEAN countries and China agreed to continue consultations on China's intention to accede to the Protocol to the Treaty on the Southeast Asia Nuclear Weapons-Free Zone. The ASEAN leaders commended China for taking the initiative that led to the convening of the Six-Party talks to mitigate the crisis on the Korean Peninsula. They encouraged China to maintain its constructive role in the search for a political solution to the problem. The ASEAN countries and China also agreed to (1) expedite the implementation of the Joint Statement on Cooperation in the Field of Non-Traditional Security Issues, (2) hold an ASEAN-China security-related dialogue to enhance mutual understanding and promote peace and stability in the region, and (3) follow-up the Declaration on the Conduct of Parties in the South China Sea. In addition, India and member countries of ASEAN signed a Joint Declaration for Cooperation to Combat International Terrorism on 8 October

Also on 8 October, both the People's Republic of China and India formally acceded to the Treaty of Amity and Cooperation in Southeast Asia, with the ASEAN member countries issuing a declaration of consent to this accession.

In a meeting with President Roh Moo Hyun of the Republic of Korea, the ASEAN leaders reaffirmed their commitment to a peaceful solution of the North Korean nuclear issue through dialogue, and welcomed the convening of the Six-Party Talks as a positive step towards this end. They expressed their hope that the next talk would be held soon to maintain the momentum for dialogue, and that the ARF could be utilized as a forum to discuss this particular issue.

The ASEAN leaders and Prime Minister Shri Atal Bihari Vajpayee of India held talks on the issue of terrorism and agreed to enhance cooperation in fighting terrorism. Both sides adopted the Joint Declaration for Cooperation to Combat International Terrorism.

On 12 December, during the ASEAN-Japan Commemorative Summit in Tokyo, Japan signed a declaration of its intent to accede to the Treaty of Amity and Cooperation in Southeast Asia, and ASEAN issued a declaration of consent to the accession., of Amity and Cooperation in Southeast Asia by Japan. ASEAN States and Japan also issued an ASEAN-Japan Plan of Action emphasizing economic, cultural, and security-related cooperation.

2002: The 35th ASEAN Ministerial Meeting took place in Bandar Seri Begawan, Brunei Darussalam, on 29-30 July. The Ministers acknowledged that following the 2001 ASEAN Declaration on Joint Action to Counter Terrorism, ASEAN at all levels had undertaken practical measures and expressed its determination to further

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enhance ASEAN's role and contribution in the fight against terrorism.

The Ministers welcomed on-going consultations between ASEAN and the nuclear weapon states (NWS) on the Protocol to the SEANWFZ Treaty and urged the NWS to sign the Protocol to the Treaty as soon as possible.

In view of the US withdrawal from the 1972 Anti-Ballistic Missile (ABM) Treaty, the Ministers welcomed the signing of the Treaty on Strategic Offensive Reductions between the Russian Federation and the United States on 24 May 2002. They noted the importance of this Treaty as a contribution to strategic balance, world peace, and long-term international security. They further called for the NWS to continue dialogue to look for new ideas and approaches to address the issue of nuclear disarmament.

2001: The 34th ASEAN Ministerial Meeting took place in Hanoi, Vietnam, on 23-24 July. The Ministers welcomed the progress in the implementation of the SEANWFZ Treaty, stressed the importance of direct consultation between ASEAN, and the NWS and considered this significant progress towards encouraging the accession of the NWS to the Protocol to the SEANWFZ Treaty. In this connection, they welcomed the first direct consultation between ASEAN and the NWS in Hanoi on 19 May 2001, reaffirmed their support for this process, and called for continued consultations with the NWS. The Ministers also noted with satisfaction the progress in the implementation of the overlapping confidence building measures (CBMs) and preventive diplomacy (PD).

The Ministers stressed the importance of achieving universal adherence to the Comprehensive Nuclear Test Ban Treaty (CTBT) and the Non-Proliferation Treaty (NPT), called on the NWS to make further efforts towards the elimination of all nuclear weapons, noted the progress on negotiating a verification Protocol to the Biological and Toxic Weapons Convention (BTWC), noted the outcome of the UN Conference on Small Arms and Light Weapons in All Its Aspects held in New York on 9-20 July 2001, and expressed their hope that the Program of Action adopted by this conference would be implemented effectively. They also noted the recent dialogues among the major powers and concerned States on national missile defenses (NMD).

On 5-6 November, at the Seventh ASEAN Summit at Bandar Seri Begawan, Brunei, ASEAN Heads of State adopted a Declaration on Joint Action to Counter Terrorism, in which they unequivocally condemned "in the strongest terms" the 11 September 2001 terrorist attacks in New York and considered such acts as an attack against humanity and an assault on "all of us." ASEAN Heads of State stated that they viewed acts of terrorism in all its forms and manifestations, committed wherever, whenever and by whomsoever, as a profound threat to international peace and security. They rejected any attempt to link terrorism with any religion or race and committed to counter, prevent, and suppress all forms of terrorist acts in accordance with the UN Charter and other international law, especially taking into account the importance of all relevant UN resolutions. They shall consider joint practical counter-terrorism measures in line with specific circumstances in the region and in each member country. The Heads of State agreed on the practical steps to counter international terrorism, including review and strengthening of national mechanisms to combat international terrorism; early signing and/or ratification of or accession to all relevant anti-terrorism conventions including the International Convention for the Suppression of the Financing of Terrorism; deeper cooperation among front-line law enforcement agencies in combating terrorism and sharing "best practices"; enhanced information intelligence exchange to facilitate the flow of information, in particular, on terrorists and terrorist organizations, their movement and funding, and any other information needed to protect lives, property, and the security of all modes of travel; strengthened cooperation at bilateral, regional, and international levels in combating terrorism in a comprehensive manner affirming that at the international level the UN should play a major role in this regard, etc.

2000: The Foreign Ministers of the Association of Southeast Asian Nations convened at the 33rd ASEAN Ministerial Meeting in Bangkok on 24-25 July under the chairmanship of Dr. Surin Pitsuwan, Foreign Minister of Thailand. The Ministers welcomed the progress made in implementing the SEANWFZ Treaty and noted with satisfaction the establishment of all the various organs under the Treaty and the work undertaken by these organs, including consultations with the International Atomic Energy Agency (IAEA). They welcomed China's announcement made in July 1999 of its readiness to accede to the Protocol to the Treaty, and called on the other NWS to exercise greater flexibility in consultations on the Protocol. The Ministers reiterated importance of CBMs and PD in the intra-regional relations and stressed the importance of continued participation of defense and military officials in the ARF process.

The Ministers reiterated the importance of achieving universal adherence to the CTBT and the NPT and welcomed the convening of the NPT Review Conference 2000 in New York on 24 April-19 May and hoped that it would create a momentum towards the implementation of concrete measures on nuclear disarmament by the NWS. In this regard, the Ministers affirmed the unanimous conclusion of the Advisory Opinion of the International Court of Justice of 8 July 1996 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." The Ministers stressed the importance for all

States that had not ratified the Chemical Weapons Convention (CWC) to consider doing so at the earliest opportunity and noted the progress in negotiating the BTWC verification Protocol by the Ad Hoc-Group of the State Parties to the BTWC.

1999: At their Sixth Meeting in Singapore from 23 to 24 July, the ASEAN Foreign Ministers convened the Commission of the SEANWFZ Treaty for the first time. The Commission ordered the preparation of the draft rules of procedure and initiation of all necessary actions in compliance with the Treaty, including consultations with the NWS, the IAEA, and other related bodies. The Ministers noted the consultations which had taken place between the ASEAN Working Group on ZOPFAN and the SEANWFZ and the NWS and urged the NWS to accede to the Protocol to the SEANWFZ Treaty as another means of enhancing the regional security environment.

The Ministers noted the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction and agreed to support initiatives to enhance international cooperation on de-mining, including training, and in the removal of unexploded ordinance as well as the rehabilitation of mine victims.

1998: The Sixth ASEAN Summit was held in Hanoi, Vietnam from 15 to 16 December. Participants issued the Hanoi Declaration in which States pledged to intensify their efforts to address arms smuggling, and to intensify consultations with NWS with a view to their accession to the Protocol to the SEANWFZ Treaty. The Hanoi Plan of Action, also adopted at the Summit, also called for the convening of the Commission for the SEANWFZ to oversee implementation and ensure compliance with the Treaty. The ASEAN countries reaffirmed their support for and active participation in all efforts to achieve the objective of general and complete disarmament, especially the nonproliferation of nuclear weapons and of other weapons of mass destruction (WMD).

At the Fifth Ministerial Meeting in Manila from 24 to 25 July, the Foreign Ministers of ASEAN issued a Joint Communiqué in which they reiterated that signature of the SEANWFZ Protocol by the NWS would equal a pledge of support for nuclear disarmament and nuclear-weapon-free zones. The Communiqué also addressed the nuclear tests by India and Pakistan, by stating view that the recent tests in South Asia were not conducive to the full realization of the Treaty.

1997: The "ASEAN Vision 2020" adopted in Kuala Lumpur on 15 December, by the Heads of State/Government of ASEAN, envisioned a "Concert of Southeast Asian Nations" to be in 2020 a Zone of Peace, Freedom and Neutrality, as envisaged in the Kuala Lumpur Declaration of 1971. It envisioned a Southeast Asia free from nuclear weapons, with all the NWS committed to the purposes of the SANWFZ Treaty through their adherence to its Protocol. It also envisioned the region to be free from all other WMD, and the ASEAN Regional Forum as an established means for confidence-building and preventive diplomacy and for promoting conflict-resolution.

1996: The 29th Annual ASEAN Ministerial Meeting, involving Foreign Ministers, issued a communiqué in Jakarta on 21 July. It called for the expeditious ratification of the SEANWFZ Treaty, and for an end to nuclear testing and the conclusion of a CTBT.

1995: At the Fifth ASEAN Summit in Bangkok, on 15 December, ASEAN leaders signed the SEANWFZ Treaty. The parties to the SEANWFZ comprise the current 10 ASEAN members. The notion of a SEANWFZ dates back to 27 November 1971, when the original five members of the ASEAN meeting in Kuala Lumpur signed a Declaration on a [ASEAN] Zone of Peace, Freedom, and Neutrality (ZOPFAN). None of the NWS had yet signed the Protocols, largely due to US and French objections regarding the unequivocal nature of security assurances and over the definitions of territory (including exclusive economic zones).

ASEAN Regional Forum (ARF)

In 1992, the ASEAN Heads of State and Government declared that ASEAN should intensify its external dialogues in political and security matters as a means of building cooperative ties with States in the Asia-Pacific region. Two years later, the ASEAN Regional Forum or ARF was established.

The ARF was designed to foster constructive dialogue and consultation on political and security issues of common interest and concern and make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region. The ARF was created with the hope that it would become an effective consultative Asia-Pacific Forum for promoting open dialogue on political and security cooperation in the region and that ASEAN should work with its ARF partners to bring about a more predictable and constructive pattern of relations in the Asia Pacific.

The present participants in the ARF include Australia, Bangladesh, Brunei Darussalam, Cambodia, Canada, China, European Union, India, Indonesia, Japan, the Democratic People's Republic of Korea, the Republic of Korea, Laos, Malaysia, Myanmar, Mongolia, New Zealand, Pakistan, Papua New Guinea, Philippines, the Russian Federation, Singapore, Thailand, Timor Leste, the United States, and Vietnam. Through political dialogue and confidence-building, no tension has escalated into armed confrontation among ASEAN

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members since its establishment more than three decades ago.

Developments

2008: The Fifteenth Meeting of the ASEAN Regional Forum (ARF) was convened on 24 July in Singapore. The Meeting was chaired by Mr. George Yeo, Minister of Foreign Affairs of the Republic of Singapore.

The Chairman's statement emphasized disaster management more than in previous years. The only sections regarding WMD were statements of support for the Six Party Talks toward the denuclearization of the Korean Peninsula and for the meetings of the EU3+3 in pursuit of a comprehensive solution to the Iranian nuclear issue.

2007: The Fourteenth Meeting of the ASEAN Regional Forum (ARF) was convened on 2 August in Manila, the Philippines. The Meeting was chaired by Dr. Alberto Romulo, Secretary of Foreign Affairs of the Philippines. Sri Lanka was welcomed as the 27th Participating State in the ARF.

The Chairman's statement contained the usual expressions of support from the foreign ministers for multilateral security regimes including the ARF; the IAEA; the Six-Party Talks; the 2002 Declaration on the Conduct of Parties in the South China Sea; the UN Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons; the International Convention for the Suppression of Acts of Nuclear Terrorism, the 2005 amendment to the Convention on the Physical Protection of Nuclear Material, UNSC resolution 1540; the NPT; the CTBT; the Conference on Disarmament and its efforts to negotiate an FMCT; and nuclear-weapons-free zones, particularly the zone in Southeast Asia.

2006: The Thirteenth ASEAN Regional Forum (ARF) convened at Kuala Lumpur, Malaysia on 28 July. Bangladesh formally joined the ARF, bringing its membership to 26 states. Ministers welcomed the signing of the ASEAN-Canada Joint Declaration for Cooperation to Combat International Terrorism, as well as the decision of France to accede to the Treaty of Amity and Cooperation of Southeast Asia. They reiterated their continued support for the important roles of the NPT and the IAEA in preventing nuclear proliferation, and promoting both nuclear disarmament and the peaceful uses of nuclear energy. Ministers called for the maintenance of existing moratoria on nuclear testing as well as on the production of fissile material for use in weapons. They reaffirmed the importance of internationally recognized nuclear-weapon-free zones and emphasized the need for continued consultations on the Protocol of the Southeast Asia Nuclear-Weapon-Free Zone Treaty, among nuclear weapons states and parties to the treaty.

Ministers strongly condemned the terrorist bombings in Mumbai on 11 July and stressed the need to bring about a greater understanding between civilizations to prevent terrorism from being associated with a specific religion or ethnic group. They further urged all states to sign and ratify the two most recent universal instruments concerning nuclear terrorism—the International Convention for the Suppression of Acts of Nuclear Terrorism, and the Amendment to the Convention on Physical Protection of Nuclear Material. Ministers expressed their support for the work of the 1540 Committee and called on states to bring about full and effective implementation of the resolution. They welcomed the adoption of UN Security Council Resolution 1673 in this regard, which strengthened the resolve of the international community to prevent the proliferation of weapons of mass destruction, particularly to non-state actors.

Most ministers expressed concern over the test-firing of missiles by the DPRK on 5 July, stating that such tests would have adverse effects on regional peace and stability. They noted the unanimous adoption of UN Security Council Resolution 1695 on 15 July, as well as DPRK's rejection of this resolution. They urged the DPRK to re-establish the moratorium on missile testing, and called on all parties to resume the Six-Party talks without preconditions. Other prominent agenda items included the situation in the Middle East—particularly the "indiscriminate and excessive use of force" in the Occupied Palestinian Territories and in Lebanon; the recent developments in Myanmar; and political processes and security conditions in Iraq.

2005: The Twelfth ASEAN Regional Forum (ARF) was held in Vientane, Laos on 29 July. Timor Leste was inducted as the 25th member of the ARF and parties reached a consensus decision to admit Bangladesh to the ARF at its 13th Ministerial Meeting in Malaysia in 2006. Ministers reaffirmed the importance of ARF as the main multilateral political and security forum in the region. They further expressed their commitment to counter terrorism and transnational crime by endorsing the statement on Information Sharing and Intelligence Exchange and Document Integrity and Security in Enhancing Cooperation to Combat Terrorism and Other Transnational Crimes. Ministers expressed strong condemnation of the terrorist attacks in London and Sharm-el-Sheikh, concern at the pace of democratization in Myanmar, and approval of the reassertion of a sovereign Iraq. They welcomed the resumption of both the Six-Party talks and the inter-Korea dialogue. They declared that the proliferation of weapons of mass destruction and their vehicles of delivery continued to pose a serious security challenge. To this end, they urged

all states to sign and conclude the International Convention for the Suppression of Acts of Nuclear Terrorism and to adopt the Comprehensive Convention on International Terrorism to provide for their early entry into force. They reiterated their continued support for the NPT in promoting nuclear disarmament and nonproliferation as well as the peaceful use of nuclear energy. To this end, they agreed to undertake further efforts to strengthen compliance with all provisions of the treaty. They also urged maintenance of the existing moratorium on nuclear testing and reaffirmed their support for internationally recognized nuclear-weapons-free zones.

2004: The Eleventh ASEAN Regional Forum convened in Jakarta, Indonesia on 2 July, and was chaired by H.E. Dr. N. Hassan Wirajuda, Minister for Foreign Affairs of the Republic of Indonesia and attended by the Foreign Ministers of all ARF countries as well as the ASEAN Secretary-General. The ministers welcomed Pakistan's accession to the TAC and its formal joining of the ARF, which brought its total membership to 24, and discussed the Bali Concord II issued at the Ninth ASEAN Summit. They discussed the various security challenges facing the Asia-Pacific region, specifically addressing issues such as the situation on the Korean Peninsula and the need to take steps towards its denuclearization there, and commenting positively on the 23-26 June Six Party Talks in Beijing. Other regional concerns addressed included the transfer of sovereignty and continued violence in Iraq.

The Ministers also addressed nonproliferation and disarmament issues, adopting a Statement on Non-proliferation that was originally proposed by the U.S. In it, they urged member States to work to prevent the proliferation of weapons of mass destruction and their means of delivery and related materials, largely through increased technical cooperation. The statement also encouraged participating countries to strengthen their export control capabilities, and to engage in collaboration and increased efforts to prevent the illicit transport of nuclear, chemical, or biological weapons.

Ministers representing NPT member states also expressed commitment to a successful 2005 NPT Review Conference, encouraged the maintenance of the current moratorium on the testing of nuclear weapons, and reiterated support for international NWFZs, particularly noting the necessity of accession of the NWS to the Protocol of the SEANWFZ Treaty. Regarding small arms and light weapons, the Ministers encouraged all states in the region to work to prevent their illicit trafficking to non-state actors.

The Ministers also adopted a Statement on Strengthening Transport Security Against International Terrorism, an action recommended at the Intersessional Meeting on Counter-Terrorism and Transnational Crime, which was held on 30-31 March in Manila.

2003: The first Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime was held from 21-22 March in Karambunai, Sabah, Malaysia. The meeting was attended by representatives from Australia, Brunei, Cambodia, Canada, China, the European Union, India, Indonesia, Japan, Korea, Laos, Malaysia, New Zealand, Philippines, Russia, Singapore, Thailand, the United States, and Vietnam. The agenda focused on recent terrorist activities and counterterrorism efforts, as well as border security to manage the movement of people, goods and documents. Representatives provided updates on measures taken to curb terrorism in their countries, stressing the importance of cooperation and intelligence sharing, and the need to assist developing countries in capacity building and acquiring the necessary technology to prevent the movement of terrorists and their resources. The creation of the Southeast Asia Regional Center for Counter-Terrorism (SEARCCT) was noted.

The Tenth ASEAN Regional Forum was held in Phnom Penh, Cambodia on 18 June. Regarding the nuclear crisis on the Korean Peninsula, the Ministers urged the Democratic Republic of Korea (DPRK) to resume its cooperation with the IAEA and to reverse its decision to withdraw from the NPT. They supported the denuclearization of the Korean Peninsula in a peaceful manner for the sake of durable peace and security in the region. They were of the view that the ARF has played a useful and constructive role and agreed to support further efforts by the ARF Chair to help ease tensions on the Peninsula.

The Ministers reiterated their condemnation of terrorism and expressed their determination to take all necessary steps in order to raise public awareness and take effective action against terrorism. At the same time, they rejected any attempt to associate terrorism with any religion, race, nationality, or ethnic group. They stressed the importance of capacity building to counter terrorism effectively. In this regard, they reaffirmed the importance of cooperation and coordination within the framework established by the UN Counter-Terrorism Committee to implement UN Security Council Resolution 1373.

The Ministers recognized the growing danger posed by the proliferation of weapons of mass destruction (WMD) and their means of delivery. They reaffirmed that the NPT remained the cornerstone of the nuclear nonproliferation regime and the essential foundation for the pursuit of nuclear disarmament. They also stressed the need to promote the universalization of nonproliferation and disarmament agreements, including the IAEA Safeguards Agreement and its Additional Protocol, the Biological and Toxin Weapons Convention, and the Chemical Weapons Convention. In this regard, they expressed concerns about actions which damage global nonproliferation efforts and undermine mutual trust and confidence. They welcomed the Hague Code of Conduct Against Ballistic Missile

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Proliferation and encouraged increased adherence by ARF countries.

2002: The Ninth Meeting of the ARF was held in Bandar Seri Begawan, Brunei Darussalam on 31 July, and was chaired by His Royal Highness Prince Mohamed Bolkiah, the Minister of Foreign Affairs of Brunei Darussalam. At the meeting, the Ministers expressed satisfaction with the ARF's progress and addressed administrative concerns before turning to security-related issues. They discussed the impact of 11 September on the security environment and encouraged accession to or ratification of relevant Conventions and Protocols relating to terrorism, committing to "strengthen bilateral, regional and international cooperation in combating terrorism." The Ministers also noted consultations between ASEAN and the Nuclear Weapons States regarding the Protocol of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), and reaffirmed their support for the P5 Joint Statement regarding Mongolia's security and nuclear-free status.

Regarding the proliferation of weapons of mass destruction, the Ministers recognized their threat to regional security interests and stressed the importance of multilateral cooperation in achieving arms control, disarmament and nonproliferation. The Ministers also addressed the preparations for the 2005 Review Conference of the States Parties to the Non-Proliferation Treaty (NPT), agreeing that the NPT is the "cornerstone of the nuclear non-proliferation regime". In addition, they reiterated the importance of the existing moratorium on nuclear testing and addressed the status of the Comprehensive Test Ban Treaty, and noted their hope that both the November 2002 Biological and Toxin Weapons Convention Review Conference and the April/May 2003 Review Conference of the Chemical Weapons Convention would see progress. Concerning conventional weapons, the Ministers affirmed the importance of efforts to implement the UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects.

The Ministers also addressed regional issues, such as the tension between India and Pakistan, the situation in Korea, and the current reconstruction efforts in Afghanistan.

2001: At the Eight Meeting of the ASEAN Regional Forum, held on 25 July at Ha Noi, Vietnam and hosted by H.E. Mr. Nguyen Dy Nien, Minister for Foreign Affairs of the Socialist Republic of Vietnam, the Ministers noted that the situation in Southeast Asia on the whole had been peaceful and stable. They exchanged views on the recent developments in the South China Sea and welcomed the progress in the consultations between ASEAN and China to develop a Code of Conduct in the South China Sea. The Ministers encouraged self-restraint by all countries concerned and the promotion of CBMs in this area, and welcomed the commitment of the countries concerned to resolve disputes by peaceful means in accordance with the recognized principles of international law, including the United Nations Convention on the Law of the Sea (UNCLOS), as well as to ensure the freedom of navigation in the area.

The Ministers welcomed the progress toward the implementation of the SEANWFZ as a contribution to global efforts to curb the proliferation of nuclear weapons and noted with satisfaction the continued progress made in the consultation between the State Parties to the SEANWFZ Treaty and the NWS regarding the latter's accession to the Protocol to the Treaty. In this regard, the Ministers welcomed the progress made at the recent direct dialogue between the State Parties and the NWS held in Ha Noi in May and welcomed the P5 Joint Statement concerning security assurances for Mongolia and support for the nuclear-weapon free status of Mongolia.

The Ministers discussed issues relating to proliferation of WMD and their means of delivery as well as the implications of the missile defense systems. They noted expressions of support for the NPT as the cornerstone of the global nonproliferation regime and called on all States to sign and ratify the CTBT and to accede to the NPT, as well as urged all States to maintain existing moratoria on nuclear testing. They also took note of the call made in the NPT Review Conference Final Document for the Conference on Disarmament to agree on a program of work, to include the immediate commencement of negotiations on the Fissile Material Cut-Off Treaty (FMCT). The Ministers further emphasized the importance of systematic and progressive efforts by NWS on nuclear disarmament and called on all States to work towards the objective of total elimination of nuclear weapons. They also expressed their hope that the Protocol strengthening the BTWC would be finalized before the Fifth BTWC Review Conference and urged all countries to speedily conclude their negotiations on the Protocol.

The Ministers welcomed the Convention against Transnational Organized Crime and its Protocols and encouraged ARF participating countries to sign and ratify them soon. The Ministers expressed their supports for results of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which was held in New York from 9 to 20 July and believed ARF participants, would promote the regional cooperation pursuant to the UN Program of Action on that illicit trade. In this context, the Ministers noted the Australian proposal for an ARF Declaration on small arms.

2000: The Seventh Meeting of the ARF was held in Bangkok on 27 July. The meeting was chaired by Dr. Surin Pitsuwan, Minister of Foreign Affairs of the Kingdom of Thailand. The Ministers welcomed the participation for the first time of the Democratic People's Republic of Korea (DPRK) at the Seventh ARF

Ministerial Meeting in Bangkok. With regard to the issue of membership, the Ministers reaffirmed the decision taken at the Fifth ARF Meeting and agreed that with the current 23 participants, the focus should now be on consolidating the process of dialogue and cooperation among the present participants of the ARF.

The Ministers noted with satisfaction the significant progress that the ARF had made in terms of enhancing political and security dialogue and cooperation within the Asia Pacific region. In the context of the circumstances prevailing in the region, they noted that the ARF participants were able not only to engage in a free-flowing and productive exchange of views with a greater comfort level, but also to address, in a constructive manner, key political and security issues with bearing on regional peace and stability, including new issues that have emerged as a result of globalization.

The Ministers emphasized the importance of CBMs to the overall ARF process and agreed that such efforts be intensified. They also welcomed the progress in the implementation of the proposals in the overlap between CBMs and PD as well as the continued efforts to develop concepts and principles of PD applicable to the ARF context. In this regard, the Ministers agreed that these developments had enhanced the continuity and relevance of the ARF process.

The Ministers discussed matters related to the proliferation of WMD and their means of delivery, as well as the implications of ballistic missile defense systems. They supported the NPT and in this regard, they noted the outcome of the NPT Review Conference, convened in New York on 24 April - 19 May. The Ministers also noted the call for all States to sign and ratify the CTBT and to accede to the NPT. They also mentioned the NPT Review Conference Final Document's call on the Conference on Disarmament to agree on a program of work including the immediate commencement of negotiations on the FMCT. The Ministers further emphasized the importance of systematic and progressive efforts by NWS on nuclear disarmament and called on them to work towards total elimination of nuclear weapons. The Meeting noted further the recent adoption by the Mongolian Parliament of a Law on its Nuclear-Weapon-Free Status as an important unilateral measure undertaken by Mongolia in pursuance of the UN General Assembly resolution A/53/77D on "Mongolia's international security and nuclear weapon-free status." The Ministers reiterated their support for the work of the Ad Hoc Group of States Parties to the BTWC on the negotiations on a verification protocol for the BTWC and their call for a speedy conclusion of the negotiations.

The Ministers discussed issues pertaining to transnational crime, especially issues of piracy, illegal migration, including trafficking in human persons, particularly women and children, and illicit trafficking in small arms. They recognized that these transnational issues not only could pose challenges to regional peace and stability, but also impair individual countries' efforts in promoting national economic development and improving people's livelihood. Hence, cooperative approaches were necessary to deal with these problems. They also noted the seriousness of the implications of drug production and trafficking as well as the need to address other issues such as money laundering, corrupt-ion, and computer crimes. The Ministers underlined the importance of greater bilateral, regional, and international cooperative efforts in this regard and expressed support for the on-going negotiations on the Convention Against Transnational Organized Crime and its Protocols, as well as the convening of the International Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001. They nonetheless noted that the extent of the impact of transnational crime problems differs across regions and, in this context, the Ministers agreed that the ARF should continue to address transnational crime issues, which affected security of the Asia-Pacific region, and explore how the ARF could increase regional awareness and complement the work undertaken in other existing fora.

1999: The Sixth Meeting of the ARF was held in Singapore on 26 July. The meeting was chaired by H.E. Professor S. Jayakumar, Minister for Foreign Affairs of Singapore.

The Ministers expressed support for the continuing consultations between the State Parties of the SEANWFZ Treaty and the NWS regarding the latters' accession to the Protocol of the Treaty. The Ministers noted that nuclear-weapon-free zones would contribute to the goal of comprehensive nuclear disarmament and, in this regard, the Ministers also welcomed the UNGA Resolution 53/77D of 4 December 1998 on Mongolia's international security and nuclear-weapon-free status.

The Ministers called on all States to accede to the NPT and CTBT, urged the Conference on Disarmament (CD) to immediately begin and swiftly conclude FMCT negotiations, to require States to exercise restraint in the development, testing, and export of ballistic missiles and other WMD delivery means, and called for a speedy and successful conclusion to the negotiations on a verification protocol for the BTWC. The Ministers noted with appreciation the entry into force of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction, and the convening of the First Meeting of the State Parties to the Convention held in Maputo on 3-7 May 1999. They also noted the early entry into force of the amended mines protocol (Protocol II) of the Convention on Conventional Weapons (CCW), and efforts being made in other bodies, including the CD, to complement the Ottawa Convention by engaging key

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non-signatories. The Ministers agreed to support initiatives to enhance international cooperation on de-mining, the removal of unexploded ordnance and rehabilitation of victims, and commended efforts by some ARF countries to provide training and assistance on mine clearance.

1998: The Fifth Meeting of the ARF was convened in Manila on 27 July. The meeting was chaired by H.E. Domingo L. Siazon, Jr., Secretary of Foreign Affairs of the Philippines.

The Ministers noted with appreciation the conclusion of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction and welcomed the decision of the CD to re-appoint a Special Coordinator on landmines and efforts to bring into force the CCW amended mines protocol (Protocol II). The Ministers called on all States to accede to the NPT, CTBT, and CWC and urged the Ad Hoc Group of States Parties to the BTWC to intensify and complete its work as soon as possible before the commencement of the Fifth Review Conference. They asked the countries concerned to refrain from undertaking weaponization or deploying missiles to deliver nuclear weapons, and to prevent any transfer of nuclear weapon-related materials, technology, and equipment to third countries. In the interest of peace and security in the region, the Ministers called on the countries concerned to resolve their dispute and security concerns through peaceful dialogue.

The Ministers noted the signing of the Second Protocol to the Treaty of Amity and Cooperation (TAC) in Southeast Asia by the High Contracting Parties at the 31st ASEAN Ministerial Meeting in Manila on 25 July 1998 and agreed to consider the call of the TAC High Contracting Parties for non-Southeast Asian States, particularly the major powers, to accede to the Treaty after the Second Protocol enters into force.

1997: The Fourth Meeting of the ARF was held in Subang Jaya, Malaysia on 27 July. The meeting was chaired by the Honourable Dato' Seri Abdullah Haji Ahmad Badawi, Minister of Foreign Affairs of Malaysia.

The Ministers welcomed the entry into force, on 27 March, of the SEANWFZ Treaty, which represented an important effort of Southeast Asian States towards strengthening the security in the region and towards the establishment of nuclear-weapon-free zones globally. In this connection, the Ministers welcomed the ongoing consultations between State Parties to the Treaty and the NWS to facilitate accession by the latter to the Protocol of the SEANWFZ Treaty. The Ministers emphasized that an approach to nonproliferation, which is universal, comprehensive, and non-discriminatory, was urgently needed if the international community was to achieve the objective of comprehensive nuclear nonproliferation. The Ministers reiterated their determination to continue to contribute to the prevention of the proliferation of nuclear weapons, and urged the NWS to pursue vigorously negotiations on effective measures relating to nuclear disarmament with the ultimate objective of eliminating nuclear weapons.

1996: In July, the ASEAN Regional Forum adopted the following criteria for participation:

1. Commitment — All new participants, which must be sovereign States, must subscribe to, and work cooperatively to help achieve the ARF key goals. Prior to their admission, all new participants should agree to abide by and respect fully the decisions and statements already made by the ARF. All ASEAN members are automatically participants of ARF.
2. Relevance — A State should be admitted only if it can be demonstrated that it has an impact on the peace and security of the "geographical footprint" of key ARF activities (i.e., Northeast and Southeast Asia as well as Oceania).
3. Gradual expansion — Efforts must be made to keep the number of participants at a manageable level to ensure the effectiveness of the ARF.
4. Consultations — All applications for participation should be submitted to the Chairman of the ARF, who will consult all the other ARF participants at the Senior Official Meeting and ascertain whether a consensus exists for the admission of the new participant. Actual decisions on participation will be approved by the Ministers.

1995: The second ARF was held in Bandar Seri Begawan (Brunei) on 1 August, and it identified the following areas for further study: confidence-and security-building, nuclear nonproliferation, cooperation in peacekeeping, exchanges of unclassified military information, maritime security issues, and preventive diplomacy. It discussed regional security issues such as the South China Sea, the situation on the Korean Peninsula, and resumed French and Chinese nuclear weapons testing. On 8-10 May, the ARF sponsored the third "Preventive Diplomacy Seminar," which was held in Seoul.

1994: During the 27th ASEAN Ministerial Meeting in Bangkok, the first meeting of ARF was held on 25 July. This was ASEAN's initiative that brought together the six foreign ministers of ASEAN Member Countries and their counterparts from ASEAN's seven "Dialogue Partners" (Australia, Canada, the EU, Japan, South Korea, New Zealand, and the United States), two "Consultative Partners" (China and Russia), two observers (Laos and Vietnam), and one special observer (Papua New Guinea) to discuss regional security issues in an informal setting. The participants agreed to convene ARF on an annual basis.

ASEAN Secretary-General Rodolfo Severino (Philippines) was elected by the ASEAN Foreign Ministers to a five-year term, beginning on 1 January 1998.

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South Asian Association for Regional Cooperation (SAARC)

Established: 1985.

Membership: Eight states—Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. Six observers—China, Japan, European Union, Republic of Korea, United States, Iran

The idea of regional cooperation in South Asia was first raised in November 1980. After consultations, the foreign secretaries of the seven founding countries—Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka—met for the first time in Colombo in April 1981. This was followed a few months later by a meeting of the Committee of the Whole, which identified five broad areas for regional cooperation. The foreign ministers, at their first meeting in New Delhi in August 1983, adopted the Declaration on South Asian Association for Regional Cooperation (SAARC) and formally launched the Integrated Program of Action (IPA) in the five agreed areas of cooperation: agriculture; rural development; telecommunications; meteorology; and health and population activities. Later, transport; postal services; scientific and technological cooperation; and sports, arts, and culture were added to the IPA. Afghanistan became the newest member of SAARC at the 13th annual summit in 2005. China and Japan were granted observer status at the same.

Purposes: The SAARC seeks to promote the welfare of the peoples of South Asia, strengthen collective self-reliance, promote active collaboration and mutual assistance in various fields, and cooperate with international and regional organizations.

Principal Organs:

Meetings of Heads of State or Government: Meetings are held at the Summit level, usually on an annual basis. To date, 14 Summits have convened: Dhaka (1985), Bangalore (1986), Kathmandu (1987), Islamabad (1988), Malé (1990), Colombo (1991), Dhaka (1993), New Delhi (1995), Malé (1997), Colombo (1998), Kathmandu (2002), Islamabad (2004), Dhaka (2005), and New Delhi (2007)

The Heads of State or Government during the Ninth SAARC Summit agreed that a process of informal political consultations would prove useful in promoting peace, stability, amity, and accelerated socio-economic cooperation in the region.

Council of Ministers*:* The Council, comprising the Foreign Ministers of Member States, generally meets twice a year. The Council may also meet in extraordinary circumstances by agreement of Member States.

Standing Committee of Foreign Secretaries*:* The Committee provides overall monitoring and coordination, determines priorities, mobilizes resources, and approves projects and financing. It may meet as often as deemed necessary but in practice normally meets twice a year and submits its reports to the Council of Ministers. The Standing Committee may also set up Action Committees comprising Member States concerned with implementation of projects per Article VII of the Charter. The Standing Committee is assisted by a Programming Committee, an ad hoc body, comprising senior officials, to scrutinize the Secretariat Budget, finalize the Calendar of Activities, and take up any other matter assigned to it by the Standing Committee. The Programming Committee also has been entrusted to consider the reports of the Technical Committees and the SAARC Regional Centers and submit its comments to the Standing Committee.

Secretariat*:* The SAARC Secretariat was established in Kathmandu on 16 January 1987. Its role is to coordinate and monitor the implementation of SAARC activities, service the meetings of the association and serve as the channel of communication between SAARC and other international organizations.

The Secretariat comprises the secretary-general, seven directors, and the general services staff. The secretary-general is appointed by the Council of Ministers on the principle of rotation, for a non-renewable tenure of three years.

Developments:

2007: The Fourteenth Summit, held on 3 – 4 April, welcomed the Islamic Republic of Afghanistan as a full fledged member of SAARC. China, Japan, European

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Union, Republic of Korea United States of America, and Iran were welcomed as observers.

At the summit, the members also discussed implementation strategies of the SAARC development fund, a SAARC food bank and the South Asia University.

The Heads of State or Government again underscored the importance of controlling terrorism in the region, calling on deepened cooperation and improvements on implementing the SAARC Regional Convention on Suppression of Terrorism and the Additional Protocol to the SAARC Regional Convention. Member states continued to stress the importance of achieving a Comprehensive Convention on International Terrorism.

The 15th Summit will be held in the Maldives in 2008.

2006: In April, both the United States and the Democratic Republic of Korea made formal requests to SAARC to be granted observer status. The European Union also expressed interest in receiving observer status and is expected to make a formal request to the SAARC Council of Ministers at its forthcoming meeting in July.

The first SAARC Conference of Home Ministers convened in Dhaka on 11 May. The agenda was dominated by issues of terrorism and the trafficking of humans and drugs. Ministers adopted a nine point resolution to fight terrorism and drug trafficking in the region by expediting the existing SAARC mechanism and sharing information and experiences among member states. They committed to strengthen cooperation with the Association of Southeast Asian Nations and the United Nations Office on Drugs and Crime. Ministers discussed steps taken by member countries to implement two SAARC conventions related to terrorism and drug abuse, as well as methods to execute the Additional Protocol on the Financing of Terrorism. A proposal to establish a regional law enforcement agency—SAARCPOL—was referred to ministers for further study. The proposal will be discussed at the 2nd Home Ministers' meeting scheduled to convene in India in 2007, after a meeting of SAARC police chiefs in Pakistan in December 2006.

2005: On 22 February, Iran's foreign minister Kamal Kharrazi indicated Iran's interest in joining SAARC, stating that the country's borders with South Asia could provide the region with "East-West connectivity."

SAARC foreign ministers attended the 26th meeting of the Council of Ministers in Dhaka from 10-11 November. Ministers adopted the 22 SAARC Development Goals (SDGs) and reiterated their earlier decision to put the South Asia Free Trade Agreement (SAFTA) into effect on 1 January 2006. They discussed the question of according Afghanistan SAARC membership and considered at length China's request to establish ties with SAARC. They also approved three major trade-related agreements along with a draft of the Dhaka declaration, to be signed by leaders at the upcoming summit.

The 13th Annual SAARC Summit was held in Dhaka from 12-13 November. The summit dealt specifically with areas such as poverty alleviation, economic cooperation, counter-terrorism, disaster management, and the implementation of SAFTA. The Islamic Republic of Afghanistan was welcomed as the eighth member of SAARC. China and Japan were accorded observer status. Member countries adopted the 53-point Dhaka declaration aimed at focusing regional cooperation in South Asia to accelerate growth and progress. They expressed their determination to unite in their efforts to prevent and combat terrorism, noting United Nations Security Council Resolution 1373 in this regard. They also emphasized the need for an early conclusion of a Comprehensive Convention on International Terrorism. Member states agreed to strengthen their cooperation in important areas such as exchange of information, coordination, and cooperation among their relevant agencies. Leaders expressed satisfaction at the ratification of the Additional Protocol to the SAARC Convention on Suppression of Terrorism by all member states and called for establishing effective mechanisms for its implementation. Recognizing the specific vulnerability of the sovereignty and independence of small states, they resolutely committed to protect the interest and security of these states through the pursuit of appropriate policies and actions. Other key events included endorsement of the SDGs and establishment of the SAARC Poverty Alleviation Fund. Member states also participated in bilateral talks on the sidelines of the summit.

The 14th SAARC Summit was scheduled to convene in New Delhi in January 2007.

2004: The 24th meeting of the SAARC Council of Ministers convened in Islamabad, Pakistan from 2-3 January. The Ministers reached a consensus regarding the text of an Additional Protocol to the 1987 SAARC Regional Convention on the Suppression of Terrorism which addresses issues involving the funding of terrorism. The Protocol was designed to strengthen the Convention "by criminalizing the provision, collection or acquisition of funds for the purpose of committing terrorist acts" and by increasing efforts to prevent the financing of terrorism. Specifically, it encourages States to hold individuals or groups that have committed terrorist-related offenses liable domestically, and to implement practical measures and adapt domestic legislation to prevent and suppress terrorist financing. The Ministers also adopted several other documents, including the final draft of a document

establishing a South Asian Free Trade Area and a Social Charter.

The Council of Ministers meeting was directly followed by the Twelfth SAARC Summit of the Heads of State and Government, which convened, also in Islamabad, from 4-6 January. At the Summit, leaders addressed means of increasing regional cooperation in the areas of economics; poverty alleviation; science and technology development; social, cultural and environmental issues; and terrorism prevention. They signed the Additional Protocol to the SAARC Regional Convention on the Suppression of Terrorism approved days earlier by the Council of Ministers. It will enter into force 30 days after the final instrument of ratification is deposited. Furthermore, counter- terrorism was a major topic addressed in the Summit Declaration. Heads of State and Government condemned terrorist violence in all forms and stated that terrorism continues to be a major threat in South Asia, as well as a challenge to all States worldwide. They also stressed that terrorism violates the United Nations and SAARC charters and reaffirmed their commitment to the SAARC Regional Convention on Suppression on Terrorism in addition to other relevant international conventions to which they are party.

Foreign ministers of the SAARC States met in Islamabad for the 25th session of the Council of Ministers meeting from 20-21 July. With Pakistani Foreign Minister Khurshid Kasuri serving as chairman, the Ministers reviewed progress made in implementing decisions reached at the January Summit, including counter-terrorism efforts, and continued preliminary preparations for the 13th annual summit in 2005. They also engaged in discussion regarding poverty alleviation; financial cooperation; and energy, environmental; and social issues. They approved plans of action in some of these areas. Ministers also approved the nomination of Lyonpo Chenkyab Dorj of Bhutan as the next SAARC Secretary-General.

2002: The 22nd session of the Council of Ministers was held from 2-3 January in Kathmandu, Nepal. Among other topics, the ministers discussed implementation of the SAARC Regional Convention on Terrorism, stressing its significance in light of recent developments. They additionally issued recommendations on a range of other topics to the 11th Summit.

The 11th SAARC Summit was convened in Kathmandu on 4-6 January. In the Summit declaration, the Heads of State or Government were of the view that stability, peace, and security in South Asia should be promoted together with efforts to improve the global security environment. They underscored their commitment to general and complete disarmament including nuclear disarmament on a universal basis, under effective international control. They agreed that global nonproliferation goals could not be achieved in the absence of progress towards nuclear disarmament and in this context called upon all nuclear weapon States (NWS), whether party or non-party to the Non-Proliferation Treaty (NPT), to engage constructively through a transparent and credible process of negotiations at the Conference on Disarmament (CD). The leaders also recognized the linkage between disarmament and development.

The Heads of State or Government recognized that due to their particular vulnerability, small States require special measures for support from the international community for the safeguarding of their sovereign independence and territorial integrity. They reiterated that the real protection of small States should be firmly rooted in the scrupulous adherence to the UN Charter, and the rule of law and the strict adherence to universally accepted principles and norms related to sovereign rights and territorial integrity of all States, irrespective of size.

The Heads of State or Government were convinced that terrorism, in all its forms and manifestations, is a challenge to all States and to all of humanity, and cannot be justified on ideological, political, religious, or on any other ground. The leaders agreed that terrorism violates the fundamental values of the United Nations and the SAARC Charter and constitutes one of the most serious threats to international peace and security in the 21st century. In this regard, they emphasized the need for the urgent conclusion of a Comprehensive Convention on Combating International Terrorism. They also emphasized that international cooperation to combat terrorism should be conducted in conformity with the UN Charter, international law, and relevant international conventions.

They also reiterated their support of UNSC Resolution 1373 of 28 September 2001 and affirmed their determination to redouble efforts, collectively as well as individually, to prevent and suppress terrorism in all its forms and manifestations. Such efforts would include increased cooperation and full implementation of the relevant international conventions relating to terrorism to which they are parties. In this context, they called on all States to prevent and suppress the financing of terrorist acts by criminalizing the collection of funds for such acts and refraining from organizing, instigating, assisting, or participating in terrorist acts in States or acquiescing in organized activities within its territory directed towards the commission of such acts. The leaders reaffirmed that the fight against terrorism in all its forms and manifestations had to be comprehensive and sustained.

The Heads of State or Government were unanimous in recognizing the distinct ominous link between terrorism, drug-trafficking, money laundering, and other trans-national crimes and emphasized the need to coordinate efforts at the national and regional levels to strengthen the global response to this serious challenge and threat to

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international security. They called upon the international community to assist Member States of SAARC to deal effectively with the adverse economic effects of terrorism in general and to meet the rising insurance and security-related costs in particular.

The Heads of State or Government reaffirmed their commitment to the SAARC Regional Convention on Suppression of Terrorism, which, among other things, recognizes the seriousness of the problem of terrorism as it affects the security, stability, and development of the region. They also reiterated their firm resolve to accelerate the enactment of enabling legislation within a definite time-frame for the full implementation of the Convention, together with strengthening the SAARC Terrorist Offences Monitoring Desk and the SAARC Drug Offences Monitoring Desk.

Also in January, Qama Rahim of Bangladesh became SAARC Secretary-General. He succeeded Sri Lanka's Nihal Rodrigo, who completed a three-year term.

On 21-22 August, the twenty-third session of the SAARC Council of Ministers was held in Kathmandu, Nepal. In recognition of the need to update the SAARC Convention on Suppression of Terrorism on account of the obligations devolving on Member States under UNSC Resolution 1373 and the International Convention for the Suppression of Financing of Terrorism, the Council decided to hold a meeting of senior officials assisted by legal experts. The meeting of the senior officials, which is to be held in Sri Lanka, will also prepare the ground for a Ministerial-level meeting.

1998: In the declaration of the 10th SAARC Summit in July, in Colombo, Sri Lanka, the Member States were of the view that stability, peace, and security in South Asia could not be considered in isolation from global security environment. They noted that the great power rivalry, which the Non-Aligned Movement (NAM) had consistently opposed, no longer posed a serious threat and the danger of a global nuclear conflagration had abated. However, some States still sought to maintain huge arsenals of nuclear weapons and the NPT and the Comprehensive Nuclear Test Ban Treaty (CTBT), to which some SAARC Members were signatories, had not led to any progress towards nuclear disarmament nor prevented proliferation. The Member States underscored their commitment to the complete elimination of nuclear weapons and the need for promoting nuclear disarmament on a universal basis, under effective international control. They recognized that global nonproliferation goals could not be achieved in the absence of progress towards nuclear disarmament and in this context called upon all NWS, whether party or non-party to the NPT, to engage constructively through a transparent and credible process of negotiations at the CD. The Member States urged the CD to commence negotiations on a comprehensive, universal, and non-discriminatory international instrument prohibiting the use or the threat of nuclear weapons as well as eliminating such weapons in existing arsenals.

1997: In the declaration of the Ninth SAARC Summit in May, in Malé, Maldives, the Member States recognized the need for the international community to pursue nuclear disarmament as a matter of highest priority. In this regard, they recognized the need to start negotiations through the CD and to establish a phased program for the complete elimination of nuclear weapons within a specified framework of time, including a Nuclear Weapons Convention.

1995: In the declaration of the Eighth SAARC Summit in May 1995, in New Delhi, India, the Member States noted that while the international community had successfully created a norm against chemical and biological weapons, it had, unfortunately, been unable to do the same with regard to nuclear weapons. They expressed the conviction that more needed to be done and at a far greater pace. They reiterated that the utmost priority was to be given to nuclear disarmament, given the danger posed by nuclear weapons. The Member States urged the CD to negotiate an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances and to undertake negotiations for the complete elimination of all nuclear weapons within a specified period of time.

1993: In the declaration of the Seventh SAARC Summit in April, in Dhaka, Bangladesh, the Member States noted a number of recent positive developments in the area of nuclear, chemical, and conventional disarmament, including the agreements on bilateral arms reductions between the United States and Russia. They expressed their hope that the implementation of the far-reaching arms reduction agreed to in the Washington Agreement of June 1992 and START II signed in Moscow in January 1993 would be successfully carried out. The Member States urged all NWS to collectively endeavor to attain the ultimate goal of complete elimination of nuclear arsenals in the shortest possible time.

1991: In the declaration of the Sixth SAARC Summit in December, in Colombo, Sri Lanka, the Member States assessed current international developments in the political sphere particularly those that affected the lives of the people of South Asia. They noted the changing power structures in international relations and the reduction of confrontations and tensions, particularly among the United States and USSR. These have contributed to the receding of the threat of nuclear confrontation and to agreements on disarmament measures. The Member States hoped that these developments would restrain the pursuit of military power in all areas of the world and expressed hope that the peace dividend would be used for promoting the further development of developing countries. They welcomed the trend towards popularly based democratic governments in different parts of the world, including in South Asia.

1990: In the declaration of the Fifth SAARC Summit in November, in Malé, Maldives, the Member States expressed the hope that the talks between the United States and USSR on arms control would culminate in the conclusion of an agreement for substantial reduction in their nuclear arsenals leading to the total elimination of nuclear weapons. While welcoming the measures being considered for arms reduction at the global level, they were convinced that the objective could be best achieved through the promotion of mutual trust and confidence among the Member States. They underlined the inherent relationship between disarmament and development and called upon all countries, especially those possessing the largest nuclear and conventional arsenals, to re-channel additional financial resources, human energy, and creativity into development. Member States expressed their support for the banning of chemical weapons and early conclusion of a CTBT. In this context, they welcomed the convening of the UN Conference in January 1991 to consider amendments to the Partial Test Ban Treaty to convert it into a CTBT.

1988: In the declaration of the Fourth SAARC Summit in December, in Islamabad, Pakistan, the Member States called for the early conclusion by the CD of a CTBT and a Convention to Ban Chemical Weapons. They declared their intention to continue their efforts to contribute to the realization of the objective of halting the nuclear arms race and eliminating nuclear weapons, as well as declared their resolve to support every effort to conclude a treaty prohibiting vertical and horizontal proliferation of nuclear weapons.

1987: At the Third SAARC Summit in Kathmandu, Nepal, there was disagreement over a proposal by Pakistan for a South Asian treaty banning nuclear weapons; the final declaration simply noted SAARC's resolve to "contribute" to nuclear disarmament. The States also called for the early conclusion in the Geneva CD of a CTBT and a Convention to Ban Chemical Weapons, declared their intention to continue their efforts to contribute to the implementation of the objective of halting the nuclear arms race and eliminating nuclear weapons, and declared their resolve to support every effort to conclude a treaty prohibiting vertical and horizontal proliferation of nuclear weapons.

1986: In the declaration of the Second SAARC Summit in November, in Bangalore, India, the Member States noted with deep disappointment that the promise held out by the US-Soviet Summit in Reykjavik could not be realized. They, however, noted with satisfaction that the proposals made at the Summit were still on the table and expressed the earnest hope that the negotiations would be resumed without delay so that a decisive step could be taken towards realizing the ultimate goal of eliminating nuclear weapons altogether. The Member States called for the early conclusion of a CTBT.

1985: The Heads of State or Government at their First SAARC Summit held in Dhaka on 7-8 December adopted the Charter formally establishing the South Asian Association for Regional Cooperation (SAARC).

In the declaration of the First SAARC Summit the Member States expressed concern at the deteriorating international political situation and the unprecedented escalation of the arms race, particularly in its nuclear aspect. They recognized that mankind was confronted with the threat of self-extinction arising from a massive accumulation of the most destructive weapons ever produced and that the arms race intensified international tension and violated the principles of the UN Charter. The Member States called upon the NWS to undertake negotiations on a CTBT leading to the complete cessation of testing, production, and deployment of nuclear weapons. In this connection, they welcomed the recent meeting between President Reagan and General Secretary Gorbachev in Geneva and expressed the hope that the meeting would have a positive effect on international peace and security.

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Permanent-5 Efforts for Mid-East Arms Transfer Restraint

On 29 May 1991, US President Bush proposed an initiative among the five leading arms exporting countries to the Middle East region (China, France, United Kingdom, United States, and USSR/Russia) to seek effective guidelines for restraint in supplying the countries of the region with conventional weapons.

In response to this initiative, and also to proposals from other countries, representatives of the Permanent-5 (P-5) held three rounds of senior-level meetings in 1991 and 1992. At the 17-18 October 1991 meetings in London, the five agreed to common guidelines, with global applications, for the export of conventional weapons. At a later meeting in May 1992, further progress was made with a set of guidelines relating to weapons of mass destruction. However, no agreement was reached on a more ambitious proposal to exchange information on

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exports of conventional weapons to countries in the Middle East prior to their delivery. The proposal was stalled, not only on the principle of prior notification, but also on the issue of which countries are to be covered by the information exchange. The decision of the United States to sell F-16 aircrafts to Taiwan in October 1992 led China to announce that it would not participate in the subsequent round of the Permanent-5 arms transfer talks. China had reservations about the proposal for prior notifications of arms transfers. China's decision raised questions about the continued viability of this forum.

The P-5 talks have been succeeded by the 1995 Wassenaar Arrangement, which brought together the United States, major European suppliers, and Russia to discuss transfer of weapons and military technology to States like Iran and Iraq, and to seek common principles on what constitutes a "destabilizing" transfer to a given country or region. Wassenaar also deals with dual-use transfers, so in a sense it fills in for both Coordinating Committee for Multilateral Export Controls (COCOM) and the P-5 talks.

Arms Control and Regional Security in the Middle East (ACRS)

Background: One outcome of the multilateral discussions on the peaceful settlement in the Middle East that took place in Madrid in 1991 was the formation of a working group on arms control and regional security (ACRS). The ACRS working group, along with four other multilateral working groups, was created to complement the bilateral negotiations between Israel and its immediate neighbors. Thirteen Arab States, Israel, a Palestinian delegation, and a number of extra-regional entities have participated in plenary and intercessional meetings focusing on both conceptual and operational confidence-building and arms control measures applicable to the Middle East.

Prior to the beginning of the ACRS process, the focus on the Middle East had increased because of the discovery of the scope of the Iraqi nuclear weapons program, the establishment of the UN Special Commission on Iraq (UNSCOM) to search for, monitor, and destroy Iraq's weapons of mass destruction (WMD) and missile programs, and President George Bush's 1991 Middle East Arms Control Initiative.

Since May 1992, the United States and the Russian Federation chaired six plenary sessions. From 1992 to 1995, the working group focused primarily on familiarizing the regional parties with arms control and also with one another. Expert-level meetings held between the plenaries focused principally on confidence-building measures (CBM). Quite a few military CBM, which include agreements relating to maritime issues (e.g., conducting search and rescue and incidents at sea exercises), pre-notification of military exercises and military information exchange, a regional communications network, and the setting up of three Regional Security Centers (RSC) were agreed upon.

By 1994, due to progress in the bilateral peace process, ACRS meetings moved from venues outside the region to locations within it; several regional parties like Qatar and Tunisia hosted meetings. However, at the close of 1995, due to complications in the peace process and the ongoing disagreement between Israel and Egypt over the question of when to place a discussion of a WMD-free-zone on the agenda of ACRS, the multilateral talks were put on hold indefinitely and some of the agreed measures have not been implemented. ACRS has not held a formal meeting since September 1995.

Middle East Nuclear Weapon-Free Zone (MENWFZ)

The activities of the multilateral working group on arms control and regional security include also the establishment of a NWFZ. The long-standing proposal for a MENWFZ includes a United Nations General Assembly resolution, which was first introduced in 1974, and has been adopted every year since then. The resolution holds that, pending and during the establishment of such a zone, States in the region declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring, or in any other way possessing nuclear weapons and nuclear explosive devices. They will also refrain from permitting the stationing of nuclear weapons on their territory by any third party. They also agree to place all their nuclear facilities under International Atomic Energy Agency (IAEA) safeguards, to declare their support for the establishment of the zone, and to deposit such declarations with the UN Security Council for consideration.

Developments:

2003: The Chairman's Factual Summary of the second session of the NPT Preparatory Committee held from 28 April-9 May reaffirmed the importance of the 1995 Middle East Resolution and expressed states parties' support for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. It also called on Israel to accede to the NPT as soon as possible and to place its nuclear facilities under comprehensive IAEA safeguards.

The Factual Summary referred to the road map, the initiative by the United States, the United Nations,

European Union and the Russian Federation to promote peaceful resolutions to the Palestine crisis. A view was expressed that the road map could be an important step in the direction of the establishment of a Middle East zone free of weapons of mass destruction. In response to the reference to the road map, Egypt stated that "the importance of a nuclear weapon free zone and a zone free of weapons of mass destruction in the Middle East should not be underestimated or tied to specific kinds of regional or political developments." Syria also objected to the reference to the road-map saying that "fulfillment of the NPT must not be conditional on anything else."

At the First Committee of the 58th General Assembly held from 6 October -7 November, Egypt again submitted a resolution "Establishment of a nuclear-weapons-free zone in the region of the Middle East." The draft resolution was adopted without a vote.

A draft resolution on the risk of nuclear proliferation in the Middle East was submitted by Egypt on behalf the League of Arab States. Calling the draft blatantly one-sided, contentious, and divisive, Israel argued that draft's bias stemmed from the failure to acknowledge that the real risk of nuclear proliferation came from countries that, despite the treaties they had signed and ratified, were not complying with their obligations as parties. The draft resolution was approved by a recorded vote of 146 to 3 against (Israel, Federated States of Micronesia, and the US), with 10 abstentions. It reaffirmed the importance of Israel's accession to the Non-Proliferation Treaty (NPT) and placement of all its nuclear facilities under comprehensive the International Atomic Energy Agency (IAEA) safeguards.

2002: At the NPT Preparatory Committee (PrepCom) held on 8-19 April in New York, Israel in particular was spotlighted as a stumbling block to the Middle East establishment of a NWFZ.

At the UN General Assembly First Committee held 30 September-1 November, Egypt again submitted a resolution "Establishment of a nuclear-weapon-free zone in the region of the Middle East" and another that calls upon Israel to accede to the NPT. While expressing reservations regarding the language of the resolution, Israel attached great importance to the annual endorsement of the idea of a NWFZ in the Middle East. Israel also noted that a MENWFZ can only be accomplished in the context of the establishment of a "comprehensive peace" between Israel and its neighbors.

2000: During the 2000 NPT Review Conference, Israel was singled out as the only Middle Eastern State that had not signed the pact. Egypt has focused attention on Israel, arguing that the NPT "cannot have any credibility with the States of the region as long as one State is exempt from its provisions." As a non-signatory, Israel does not have the obligation to open its nuclear facilities for international inspections under IAEA regulations. This prohibits international experts from clarifying the extent and impact of Israel's nuclear research and defense capabilities.

During a February meeting in Moscow, the Madrid Process was reopened, with the renewal of four out of the five working groups. The working group on arms control and regional security was not re-established.

1999: The third two-week session of the PrepCom for the NPT Review Conference in 2000 took place. The conclusion of this meeting was an agreed report written to create the framework for the 2000 NPT Review Conference. This report included the possible creation of "subsidiary bodies," including one dedicated to the examination of the implementation of the 1995 Middle East Resolution. In addition, the UN Secretariat was instructed to prepare documents relating to the implementation of the 1995 resolution on the Middle East, "reflecting developments since 1995 with a view to realizing fully the objectives of the resolution."

1998: The UN Secretary General initiated a study on effective and verifiable measures that would facilitate the establishment of a NWFZ in the Middle East. The report suggested that the zone geographically could include all member states of the League of Arab States, the Islamic Republic of Iran, and Israel. The UN report did not propose explicit language for a zone treaty, but did suggest a catalogue of measures to serve as CBMs and as steps to prepare for a regime that would finally become a NWFZ.

1995: The NPT Review and Extension Conference adopted a resolution on the Middle East, which specifically made reference to UN General Assembly Resolutions from 1981 to 1995 supporting the establishment of a NWFZ in the Middle East, and to IAEA General Conference resolutions regarding the application of safeguards to the Middle East. The resolution included a specific endorsement of the peace process, and linked the establishment of a MENWFZ to this process.

1990: President Mubarak of Egypt proposed establishing a zone free of WMD in the Middle East. The proposal, known as the Mubarak Initiative, was intended to be pursued in parallel with the earlier Egyptian proposal and stated that all WMD without exception should be prohibited in the Middle East.

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Korean Peninsula Energy Development Organization (KEDO)

Established: 9 March 1995.

Membership: The Korean Peninsula Energy Development Organization (KEDO) currently has 13 members: Argentina, Australia, Canada, Czech Republic, Chile, the European Atomic Energy Community (EURATOM), Indonesia, Japan, New Zealand, Poland, Republic of Korea, the United States, and Uzbekistan.

Background: KEDO was created in 1995 to implement the 1994 US-DPRK Agreed Framework. KEDO's primary responsibilities have been to provide for the financing and supply of the light-water reactor (LWR) project, to provide heavy fuel oil to the Democratic People's Republic of Korea (DPRK) to meet its interim heating and electricity production needs (the HFO project), and to provide for the implementation of other measures required to meet the objectives of the Agreed Framework.

Japan, the Republic of Korea (ROK), and the United States covered most of KEDO's costs, including all administrative costs. Japan and the ROK financed a major portion of the LWR project, while the United States contributed to the cost of heavy fuel oil shipments and the safe storage of the DPRK's spent fuel. Financial contributions were also made by a number of other countries, including Argentina, Australia, Brunei, Canada, the European Union (EU), Finland, France, Germany, Greece, Hungary, Indonesia, Italy, Japan, Malaysia, Mexico, the Netherlands, New Zealand, Norway, Oman, Peru, Philippines, Singapore, the ROK, Switzerland, Thailand, the United Kingdom, and the United States.

Principal Organs:

Executive Board: The Executive Board consists of KEDO's original members, the United States, Japan, and the ROK, as well as EURATOM.

Non-Executive Board: The Non-Executive Board consists of Argentina, Australia, Canada, Chile, Czech Republic, Indonesia, New Zealand, Poland, and Uzbekistan.

Advisory Committees: The Advisory Committees were chaired by member countries other than the three founding members. There were Advisory Committees for the LWR project, the safe storage and disposition of the DPRK's spent fuel, and the supply of heavy fuel oil to the DPRK.

Secretariat: The KEDO Secretariat was located in New York and had a staff of over 30 professionals, support staff, and expert consultants from primarily the United States, Japan, and the ROK.

General Conferences: Conferences are held at the discretion of the Executive Board. All KEDO members play an active role in the General Conferences.

Verification and Compliance:

Verification: KEDO was responsible for implementing a safety assessment and verification process for the LWR project in the DPRK to ensure compliance with nuclear safety and regulatory codes and standards. KEDO implemented the above by formulating policies that incorporate fundamental principles and objectives to achieve an internationally recognized standard of nuclear safety.

Compliance: The DPRK must be in "full compliance" with International Atomic Energy Agency (IAEA) safeguards when a "significant portion of the [light-water reactor] project is completed, but before delivery of key nuclear components." Full compliance includes taking all steps deemed necessary by the IAEA to determine the extent to which North Korea diverted material for weapons use in the past, including giving inspectors access to all nuclear facilities in the country. The Agreed Framework requires that North Korea remains a party to the NPT.

Developments:

KEDO has been inactive since the LWR project was terminated in 2006. The decision to shut down the project was taken based on the continued and extended failure of the DPRK to perform the steps required by the KEDO-DPRK Supply Agreement. KEDO has not been formally dissolved as financial and legal obligations with the DPRK remain unsettled.

2006: On 8 January 2006, KEDO completed the withdrawal of its remaining 57 personnel left at the LWR project site. The DPRK refused to allow the return of approximately $44.5 million in construction facilities and equipment. KEDO's executive board decided to officially terminate the LWR project on 31 May 2006. South Korea was expected to shoulder the most severe financial losses. Of the $4.6 billion project, $1.56 billion had already been spent, with South Korean contributions adding up to $1.13 billion. KEDO also announced that it placed responsibility on the DPRK to compensate the international consortium for financial losses in the project.

In a meeting on 8 December 2006 in New York, KEDO officials reached an agreement with the Korea Electric Power Corporation (KEPCO). The terms of the agreement require KEPCO to pay the costs of liquidating the LWR project in return for all of KEDO's tangible assets outside of North Korea.

2005: On 10 February 2005, the North Korean Foreign Ministry released a statement declaring that North Korea had successfully manufactured nuclear weapons. The statement also said that although the DPRK was willing to continue the Six-Party Talks, their participation would be indefinitely suspended until the atmosphere proved more conducive to achieving positive results. Shortly after the announcement, KEDO officials held a high-level meeting with the DPRK and discussed preservation and maintenance of the LWR project as well as issues resulting from the DPRK's ban on exporting equipment from the site. Similar discussions were held in April 2005 resulting in a mutual acknowledgement of the need to observe all existing agreements and protocols between KEDO and the DPRK. However, no agreements could be reached during a follow up meeting in June 2005. An agreement was reached at a meeting in August 2005 confirming that KEDO was responsible for restoration of a railroad passage. There was also agreement on the implementation of the work and each side's responsibilities.

The second year of the LWR project suspension concluded on 30 November 2005. As such, KEDO officials met twice with the DPRK in December. On 8 December 2005, the DPRK announced that it considered the LWR project terminated and declared that KEDO longer existed. The DPRK further stated that all KEDO personnel were to vacate the site by 8 January 2006, whereupon the DPRK would take complete control of the site. KEDO responded by stating that it was prepared to continue work on the railroad restoration provided that all agreements and protocols with the DPRK would continue to be recognized. KEDO officials also maintained that all assets at the site remained lawful property of KEDO. By 28 December 2005, 57 of the 114 KEDO personnel remained at the site. At that time, the DPRK reiterated its intention to take ownership of the site and all assets following KEDO's departure. KEDO again stated that it wished to repatriate all equipment at the site and seek compensation for its investments. There was no agreement reached on the matter.

2004: The suspension of KEDO's construction of light-water reactors in the DPRK, which entered into effect on 1 December, 2003, has remained in place since that time. In accordance with previously stated plans, KEDO has taken measures for preservation of the Kumho District construction site, and maintained a reduced staff presence there.

KEDO and DPRK officials held talks regarding the suspension in March. KEDO Executive Director Charles Kartman and DPRK Director-General of the DPRK General Bureau for the LWR Project Choi Chol-su signed a memorandum of understanding regarding the suspension process which ensures the safety of workers at the project site and confirms that relevant agreements and protocols surrounding the project will remain in place.

The KEDO executive board also met several times between January and July to discuss and assess the suspension. In each case, board members decided to maintain the suspension of the LWR project, but no official plans were announced regarding its possible resumption following 1 December.

2003: In the aftermath of the DPRK's revelation of its nuclear development program in September 2002, the US has called for the suspension of the light-water nuclear power project, claiming that the 1994 Agreed Framework had been violated. The US, Japan and the ROK decided to put off procuring major parts for the reactors as one way of dealing with the DPRK's nuclear weapons program. However, the ROK remained reluctant to agree on the immediate suspension of the project, which it believes would harden the DPRK's stance and escalate the situation.

On 10 January, the DPRK government declared "an automatic and immediate effectuation of its withdrawal from the NPT." It insisted that the national sovereignty and supreme interests of the state were being seriously threatened by hostile US policy. The DPRK subsequently resumed operation of a small, graphite-moderated reactor at Yongbyon and announced that it would resume operation of its reprocessing plant, which the Agreed Framework had frozen.

KEDO executive board members held a two-day working-level meeting regarding its light-water nuclear reactor project in July. They discussed technical problems that may arise from a possible suspension of the project, but no decision was made on the issue.

On 24 September, U.S. President Bush decided to provide up to $ 3.72 million to assist the KEDO for Fiscal Year 2003. However, the U.S. stipulated that no part of the contribution be used for construction of light-water nuclear reactors in the DPRK. It also could not be used to finance heavy fuel oil shipments to the DPRK, which the KEDO suspended in November 2002.

On 30 September, Japan, the US, and the ROK ended a two-day meeting to coordinate policy to resolve the DPRK nuclear issue. However, they did not reach an agreement on the suspension of the construction of two light-water reactors. The executive board of the KEDO held an informal meeting to discuss the same issue in New York from 3-4 November. Members decided, given that the conditions necessary to continue the LWR project had not been met by the DPRK, to suspend the LWR project for a year-long period beginning 1 December. KEDO Executive Director Charles Kartman delivered this

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information to the DPRK Director-General of the DPRK General Bureau for the LWR Project during a 15-17 November visit. In a statement issued 21 November, the board indicated that the project's future would be assessed and determined before the end of the suspension period, and that during the suspension, both on- and off-site preservation and maintenance activities would take place. In addition, it stated that the various agreements and protocols between KEDO and the DPRK would remain in effect. KEDO sent several experts to Kumho to meet with DPRK officials from 10-11 December to discuss the technical aspects of preservation to be carried out during the suspension process.

2002: On 2 July, 25 North Korean officials attended a training session in Seoul on safety management of the two LWRs under construction in Kumho, North Korea. The training session was held at a time when the ROK and the DPRK were on high alert following the inter-Korean naval clash on 20 June.

On 20 July, the first direct flight between Sondok Airport in the DPRK and Yangyang Airport in the ROK was possible as a result of KEDO and DPRK cooperation. The air service will be used on a contingency basis, including for emergency medical evacuation, and will complement the current sea route between Sokcho (ROK) and Yangwha (DPRK) ports. The sea route is used to transport KEDO personnel and materials to and from the LWR project site in Kumho.

On 7 August, KEDO held a ceremony to commemorate the pouring of the "first concrete" for the foundations of the main power plant buildings in Kumho. During the ceremony, the US delegate said that the ceremony offered clear evidence the United States and KEDO were fulfilling their obligations regarding the reactor project, and called on the DPRK to accept inspections from the International Atomic Energy Agency (IAEA).

On 16 September, the United States revealed the DPRK's admission that it has a secret nuclear weapons program in violation of the 1994 Agreed Framework. The DPRK also informed the United States in October it is no longer bound by the Framework, which requires the DPRK to scrap its nuclear weapons development program in exchange for the two light-water nuclear reactors and supply of fuel oil.

In late October, the EU Parliament decided it will withhold its 2003 funding to KEDO at least for now, if not permanently. On 7 November, the EU Parliament adopted a nonbinding resolution to review the KEDO project. It called on the DPRK to "take immediate steps" to comply with the nonproliferation regime and abandon its nuclear weapons program "in a verifiable manner," condemning it as a "serious breach" of its commitments under treaties such as the 1994 Agreed Framework.

In the beginning of November, the United States told Japan and the ROK that it was considering freezing its provision of fuel oil to the DPRK in retaliation for the DPRK's failure to abide by the Agreed Framework. On 11 November, Japan and the ROK agreed that KEDO had played an important role in preventing the DPRK's nuclear development and confirmed their intentions to continue with the project.

On 14 November, KEDO's Executive Board members met in New York to discuss the implications of the DPRK's acknowledgement that it is pursuing a program to produce highly enriched uranium (HEU) for nuclear weapons. The agreements the Board members reached include: the condemnation of the DPRK's pursuit of a nuclear weapons program, which is a clear and serious violation of its obligations under the Agreed Framework, the Non-Proliferation Treaty (NPT), its IAEA Safeguards Agreement, and the Joint South-North Declaration on the Denuclearization of the Korean Peninsula; the requirement that the DPRK must promptly eliminate its nuclear weapons program in a visible and verifiable manner; the continuation of relations and interaction between the DPRK and KEDO and the members of its Executive Board hinging on the complete and permanent elimination of its nuclear weapons program; and the suspension of heavy fuel oil deliveries with the December shipment. Future shipments will depend on the DPRK's concrete and credible actions to dismantle completely its HEU program. In this light, other KEDO activities with the DPRK will be reviewed.

At the beginning of December, KEDO decided to postpone its planned Executive Board meeting scheduled for 11-12 December to review the KEDO missions in North Korea until early 2003. This postponement reflected KEDO's hope to have more time to watch the DPRK's moves over its nuclear program.

2001: On 9 January, South Korean Unification Ministry officials said KEDO had selected a Japanese business consortium as the supplier of turbine generators for the LWRs in the DPRK, thereby replacing General Electric. The joint team, composed of Hitachi and Toshiba, will supply equipment and place orders for turbine generators worth $1 million.

On 2 February, the DPRK announced that it would abandon its participation in the Agreed Framework if the Bush administration followed a "different" North Korea policy from that of the Clinton administration. The DPRK also accused the United States of "not sincerely" implementing the Agreed Framework and emphasized that, should the United States continue to delay implementation, there would be "no need" to be "bound to it any longer." The United States said that the new administration would honor US commitments under the Agreed Framework as long as the DPRK did the same.

On 9 March, Republican leaders in the US Congress urged the Bush administration to reconsider the terms of the LWR project. They called on the administration to abandon the reactor project in favor of "several clean-burning, coal-fired power plants to meet North Korea's civilian energy needs." Since March 2001, US-DPRK relations have soured due to the newly adopted comprehensive approach by the United States.

As of November, KEDO provided over 2.91 million metric tons of heavy fuel oil to the DPRK.

On 3 December, a Protocol was signed between KEDO and the government of the DPRK on quality assurance and warranties for the implementation of the LWR project. This protocol outlines, among other things, principles for establishing and implementing quality assurance activities, as well as KEDO's warranties for generating capacity, major components, nuclear fuel quality, and specified civil construction works for the project.

On 19 December, KEDO and the European Community concluded an agreement on renewal of EU membership to KEDO. Under the agreement, the EU will continue to be represented on the Executive board of KEDO and will contribute 20 million Euro annually from 2001 to 2005.

2000: KEDO concluded a loan agreement with the Japan Bank for International Cooperation (JBIC, formerly the Export-Import Bank of Japan) on 31 January at JBIC's headquarters in Tokyo. The agreement was signed between KEDO Executive Director Desaix Anderson and Mr. Kyosuke Shinozawa, JBIC Deputy Governor and Managing Director.

Under the agreement, JBIC will provide a loan in the amount of up to 116.5 billion yen. The loan agreement was concluded in accordance with the "Agreement between KEDO and the Government of Japan on the Provision of Financing for the Implementation of the Light-Water Rector Project" approved by the Japanese Diet in 1999. The loan from JBIC will be used for KEDO's LWR project to be supplied to the DPRK, along with a loan from the Export-Import Bank of Korea, with which KEDO concluded an agreement for the ROK's provision of 70 percent of the actual cost of the LWR project on 15 December 1999. The LWR project, with an estimated budget of $4.6 billion, proceeded under a turn key contract with KEDO's prime contractor, the Korea Electric Power Corporation (KEPCO), signed on 15 December 1999. On 3 February, full-fledged work began on the LWR project.

On 20 October, KEDO and the DPRK signed a Protocol on Training for the Implementation of a LWR Project. The Training Protocol is designed to enable staff and management from the DPRK operating organization to participate in a training program to ensure that they are optimally prepared to operate and maintain these LWRs in a safe and reliable manner.

On 4-5 December, the Nuclear Safety Advisory Group (NSAG), which advises KEDO regarding its nuclear safety activities, held its fifth meeting at KEDO headquarters in New York. For the first time, experts from the nuclear regulatory body of the DPRK accepted the group's invitation to participate in the meeting. On 28 December, Uzbekistan joined the Organization increasing its membership to 13 members.

1999: Major construction at the Kumho site was still delayed due to regional tensions, including the DPRK's missile test on 31 August 1998 and disagreements over financial restrictions. Other challenges to the implementation of the Agreed Framework included delays in heavy fuel oil shipments and procurement of power grids to convey energy from the LWRs. Power grids were not part of the LWR deal, and KEDO did not intend to provide any assistance for them.

On 15 December, five years after the Agreed Framework was concluded, the "Turnkey Contract" was signed between KEDO and the KEPCO. KEPCO is the prime contractor for construction of the two modern, proliferation-resistant 1,000 megawatt LWRs to be built in Kumho, on the northeast coast of the DPRK at a cost of about US$ 4.6 billion. The reactors are targeted for completion by the year 2003. KEDO officials attributed the delay in signing the contract to complex legal and financial challenges and the tense political climate generated by the North Korean Taepodong-1 test in August 1998.

The Organization was joined by the Czech Republic.

1998: On 19 June, Russia proposed constructing nuclear reactors in the Russian Far East region in order to transfer energy to the DPRK as a means of replacing the KEDO LWR reactor project.

In September, the US Congress urged the stopping of aid to the DPRK and eventually cut the $35 million budget for heavy oil provision to the country in response to North Korea's 31 August missile test and allegations of construction of an underground nuclear facility at Kumchang-ri. Japan also suspended food aid and political normalization talks in response to the DPRK's missile test. Japan suspended $1 billion in financial assistance to KEDO for the LWR construction.

On 17 October, the budget was revived but the United States imposed the following conditions: first step (1 March – 1 June 1999): progress in the inter-Korean talks, North Korea's implementation of the Geneva Agreement, sealing and safe storage of spent fuel rods, prevention of North Korea's diversion of US-provided aid, preventing the North from developing and exporting ballistic missiles; second step (after 1 June, 1999): substantial

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talks on the nuclear-free Korean Peninsula agreement concluded in 1992 must ease concerns over suspected underground nuclear facilities, and considerable progress must be made in removing and reducing the DPRK's ballistic missile threats. On the same day, Japan also decided to lift the freeze on its funding for the two LWRs.

On 9 November, KEDO members adopted a resolution on cost sharing for the LWR project. The Executive Board agreed on a new budget estimate of $4.8 billion. The ROK agreed to cover up to 70 percent of the project cost. Japan agreed to contribute an amount equivalent to $1 billion, the European Union, $75 million (evenly distributed over a five–year term), and the United States reconfirmed its commitment to seek funding for the supply of heavy fuel oil and for other KEDO needs, when appropriate, from the US Congress and other possible sources.

Construction of the LWR site was postponed several times due to delays in production cost sharing talks between the members. The DPRK, in response, and also because of the position of the US Congress and the postponement of the heavy oil shipment by the United States, threatened to scrap the 1994 Agreed Framework.

1997: On 13 April, Russia announced that it would participate in KEDO only if the amount of assistance that Russia had given the DPRK in the past was counted towards current membership dues. Russia stated that it would like to participate in KEDO on an equal footing with Japan and the ROK.

On 19 August, KEDO officially broke ground at the project site in Kumho (Sinpo), South Hamgyong Province, on the East coast of the DPRK. Three weeks earlier, KEDO had opened its liaison office in Kumho. The United States stated that key components to the LWRs would not be delivered until the United States believed that the DPRK had come into full compliance with safeguard agreements with the IAEA.

On 9 September, EURATOM joined KEDO with representation on the KEDO Executive Board for a term to coincide with their substantial and sustained support. Later that year, the Republic of Poland joined the organization increasing the total membership to 11.

In November, the KEDO Executive Board agreed on a budget estimate of the LWR project of $5.1785 billion.

1996: On 19 March, KEDO designated KEPCO as the prime contractor on the LWR project.

On 22 May, KEDO representatives and North Korean officials signed the first of the 10 supplementary diplomatic protocols necessary to bring the KEDO-North Korean Supply Agreement into force. The protocols covered the privileges and immunities that North Korea would grant to KEDO staff and representatives, and addressed such matters as arrests, visas, and protection of property, assets, and income.

On 1 July, the DPRK threatened to restart its nuclear program if the heavy oil was not supplied on time, as scheduled.

During the 11-12 September KEDO First General Conference, KEDO approved plans to begin physical work at the LWR site in the DPRK. However, KEDO's Executive Director said that the scheduled 2003 completion date for the reactors would be difficult to achieve due to financial difficulties.

On 7 November, the DPRK again threatened to unfreeze its nuclear program if KEDO did not resume work on the construction of the LWRs, which had been suspended after a North Korean submarine entered South Korean waters on 18 September. The ROK, according to a key KEDO member, was awaiting an apology from the DPRK before resuming construction.

KEDO was joined by Indonesia, Chile, and Argentina, thereby increasing the Organization's membership to nine members.

1995: In January, Russia voiced opposition to the KEDO plan to make the ROK a prime contractor for LWR construction in the DPRK, saying that North Korea was interested in receiving Russian LWRs because it was familiar with Russian equipment. North Korea also stated that it wanted the ROK to play a secondary role in furnishing LWRs to the DPRK.

On 9 March, the United States, the ROK, and Japan signed an agreement formally establishing KEDO. The agreement named the South Korean "standard nuclear plant model" as the type of LWR to be provided to the DPRK. The United States, the ROK, and Japan jointly announced that the DPRK would be provided with the necessary reactor components only after it has complied with its full-scope safeguards obligations. The ROK announced that Russia might participate in KEDO by supplying uranium fuel for the LWR.

On 25 March, the DPRK announced that it would restart its nuclear program if the LWR contract was not concluded by 21 April 1995.

On 13 June, the United States and the DPRK issued a joint statement saying that the DPRK would be provided with the "two pressurized light water reactors with two coolant loops and a generating capacity of approximately 1,000MW each." The design model was defined as the advanced version of US-origin design and technology currently under production. US Ambassador Robert Gallucci said that the joint statement gave an "accurate description" of the South Korean Ulchin reactors No. 3 and 4, and that KEDO had taken the necessary steps to guarantee that the ROK would be the primary supplier of the LWRs.

On 19 July, KEDO began formal office operations in New York.

On 15 December, KEDO and the DPRK signed the Supply Agreement for the provision of LWRs to the DPRK. North Korea urged the United States and other KEDO members to end their references to the North Korean "nuclear threat" and to halt Team Spirit military exercises, saying that "these commotions" jeopardized the smooth implementation of the LWR project. The DPRK warned that it would automatically restart its nuclear program if KEDO failed to meet all terms of the contract.

New Zealand, Australia, and Canada joined KEDO, bringing the number of the Organization's members to six.

Point of Contact:

Website: http://www.kedo.org/

Africa

African Union (AU)

OAU Established: 25 May 1963
On 26 May 2001, the Organization of African Unity (OAU) was legally transformed into African Union (AU).

Membership: 53 States – Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, the Central African Republic, Chad, Comoros, Congo, the Democratic Republic of Congo, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea Bissau, Guinea Conakry, Kenya, the Kingdom of Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Saharawi Arab Democratic Republic, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Kingdom of Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe

Background: The Organization of African Unity (OAU) was established on 25 May 1963, at Addis Ababa, Ethiopia, and the Charter of the OAU was signed on that occasion by the heads of state and government of 32 African states. The Organization was established to promote the unity and solidarity of African countries, to defend the sovereignty of members, to eradicate all forms of colonialism, to promote international cooperation with due regard for the UN Charter and the Universal Declaration of Human Rights, and to coordinate and harmonize Member States' economic, diplomatic, educational, health, welfare, scientific, and defense policies.

On 9 September 1999, the Heads of State and Government of the Organization of African Unity issued the Sirte Declaration, calling for the establishment of an African Union, with a view, inter alia, toward accelerating the process of unity among countries of the continent, enabling it to better participate in the global economy and to better address social, economic and political problems.

Since 1999, three summits have been held to facilitate the implementation of the African Union (AU). The Lome Summit (2000) adopted the Constitutive Act of the African Union, which specifies the objectives, principles, and organs of the AU. The Lusaka Summit (2001) drew the road map for the implementation of the AU. The Durban Summit (2002) launched the AU and convened the First Assembly of Heads of States of the African Union.

Structure: In structure, the OAU began as one entity, whereas the AU, integrating itself with the African Economic Community and building other structures,

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consists of: the Assembly (determines common policies); the Executive Council (coordinates and makes decisions on common policies); the Pan-African Parliament (implements policies); the Court of Justice (ensures compliance with the law); the Commission (the secretariat); the Permanent Representatives Committee (assists the Executive Council); the Specialized Technical Committees (assist the Executive Council in substantive matters); the Economic, Social and Cultural Council; the Peace and Security Council (makes decisions on prevention, management and resolution of conflicts); and the Financial Institutions (consisting of the African Central Bank, the African Monetary Fund, and the African Investment Bank).

Verification and Compliance:

Verification: The AU mandated the Council of Ministers to take the necessary measures to ensure the implementation of decisions and, in particular, to prepare the constitutive legal text of the Union, taking into account the Charter of the OAU and the Treaty Establishing the African Economic Community. Under the Constitutive Act of the OAU, Article 9 mandates that the Assembly composed of OAU Heads of States and Governments, as the supreme organ of the union, with the power to monitor the implementation of policies and decisions of the union as well to ensure compliance by all Member States.
Compliance: The non-implementation of regulations and directives from the assembly shall attract appropriate sanctions.

Developments:

2008: The Tenth Ordinary Session of the Assembly convened from 31 January to 2 February. The Assembly decided to intensify efforts to push for reform of the UN Security Council.

The Eleventh African Union Summit, including the Eleventh Ordinary Session of the Assembly, the Sixteenth Ordinary Session of the Permanent Representatives Committee and the Thirteenth Ordinary Session of the Executive Council was held in Sharm El Sheikh, Egypt, from 24 June to 1 July. The theme was "Meeting the Millennium Development Goals on Water and Sanitation." No issues related to nonproliferation or arms control were discussed.

2007: The Eighth Ordinary Session of the Assembly of the African Union was held in Addis Ababa, Ethiopia on 22-30 January. The themes were "Science, Technology and Scientific Research for Development" and "Climate Change in Africa."

No issues related to nonproliferation or arms control were discussed. The Assembly appointed the Republic of Ghana to the Chairmanship of the African Union for 2007.

It welcomed the developments in Somalia after Ethiopia's intervention upon the invitation of the legitimate Transitional Federal Government (TFG) of Somalia, and Ethiopia's decision to withdraw its troops from Somalia. It called for an immediate deployment of the African Union Mission in Somalia, and urged the international community to provide financial, logistical, and technical support for the deployment.

The Assembly welcomed the progress in peace and stability in Africa, especially the transition process in the Democratic Republic of Congo (DRC), progress between the Government of Uganda and the Lord's Resistance Army; the Peace Agreement between the Government of Sudan and the Eastern Front;

the Comprehensive Ceasefire Agreement between the Government of Burundi and Palipehutu/FNL; and the pursuit of the transition process in Mauritania.

2006: The Sixth Ordinary Session of the Assembly of the African Union was held in Khartoum, Sudan on 23-24 January.

The assembly congratulated the 10 countries elected to the Peace and Security Council for a two-year term. Furthermore, the assembly requested that the Peace and Security Council should place a stronger emphasis on conflict prevention and post-conflict resolution, however, commending it on its efforts in Darfur, Sudan despite logistical and financial difficulties.

Decisions were also made about UN reforms. Those decisions included a renewal of the mandate of the Committee of Ten established to promote and support the Common African Position to push UN reform and a request for a progress report to the next Ordinary Session of the Assembly in July.

The Seventh Ordinary Session of the Assembly of the African Union was held in Banjul, The Gambia on 1-2 July. The chairperson of the African Union Commission, H.E. Mr. Alpha Oumar Konare in his opening speech, called for the ratification of the Pelindaba Treaty by the 28 member states that have yet to do so. Resolutions were made affecting the Peace and Security Council; calling for greater emphasis on conflict prevention and ensuring implementation of the Continental Peace and Security Framework

2005: The Fourth Ordinary Session of the Assembly of the African Union, held in Abuja, Nigeria on 30-31 January, adopted decisions relating to nontraditional security issues, to conflicts in Cote d'Ivoire, the Democratic Republic of Congo, Sudan, Somalia, and to the Non-Aggression and Common Defense Pact of the African Union.

The Assembly authorized the Executive Council to adopt a Common African Position on the subject of United Nations reform.

The Seventh Extraordinary Session of the Executive Council was held on 7-8 March in Addis Ababa, Ethiopia. The session formulated a Common African Position on the Proposed Reform of the United Nations or the 'Ezulwini Consensus.' This consensus contained elements on the challenge of combating inter-state conflict, the proliferation of conventional weapons, terrorism, and peacekeeping, recommending the implementation of the Pelindaba Treaty among other security reforms. Furthermore, the consensus advocated institutional reform of the United Nations, pointing out the lack of representation of the continent and requesting an expansion of the Security Council to include the allocation to Africa of two permanent seats with veto power and five non-permanent seats.

The Fifth Ordinary Session of the Assembly of the African Union was held in Sirte, Libya on 4-5 July. Opening remarks were made by Mu'ammer al-Qaddafi, the president of Libya.

During the session, the Assembly established the Sirte Declaration on the Reform of the United Nations, which emphasized the need for institutional reforms to allocate greater representation for the continent on the Security Council and the General Assembly of the United Nations

2004: The Second Extraordinary Session of the Assembly of the African Union was held in Sirte, Libya on 27 - 28 February. The session adopted the Solemn Declaration on a Common African Defense and Security Policy. The detailed declaration defines the concepts of defense and security, lays out common security threats, and states the objectives and goals of a common defense and security policy.

The first session of the Pan-African Parliament of the African Union was held on 18 March under the leadership of President Gertrude Mongella from the United Republic of Tanzania. The Pan-African Parliament's objectives include the facilitation of the effective implementation of the policies and objectives of the African Union and the promotion of peace, security and stability.

On 25 May, the African Union established the Peace and Security Council in order to work toward conflict prevention, management and resolution. At the Peace and Security Council's first meeting, the decision was made to deploy ceasefire missions to the Sudan and Somalia.

The Fifth Ordinary Session of the Executive Council of the African Union met in Addis Ababa, Ethiopia on 30 June-3 July. Decisions were issued on the Draft Protocol to the OAU Convention on the Prevention and Combating of Terrorism, on the African Centre for Studies and Research on Terrorism, on an African Common Position on Anti-Personnel Landmines, and on the crises in Sudan, Burundi, Equatorial Guinea, the Ethiopia-Eritrea Peace Process, and the Democratic Republic of Congo.

The Third Ordinary Session of the Assembly of the African Union was held in Addis Ababa, Ethiopia on 6-8 July. The assembly made decisions relating to the 'operationalization' of the protocol relating to the establishment of a Peace and Security Council. Member states that had not signed or ratified the protocol were urged to do so. Decisions were also made about the situation in Darfur to deploy observers; however, stressing that despite the humanitarian crisis there, it could not be called genocide.

2003: The Second Ordinary Session of the Assembly of the African Union was held in Maputo, Mozambique on 10-12 July. The session adopted several decisions related to peace and security:

AU/6 (II), "Decision on the African Defense and Security Policy" requests the commission to conduct further consultations with all stakeholders, including ministers responsible for defense and security and legal experts, with the goal of finalizing the Common African Defense and Security Policy in time for consideration by the next Session of the Assembly, or at an Extraordinary Session of the Assembly.

AU/8(II) Add. 11, "Decision on the Elaboration of a Code of Conduct on Terrorism" emphasizes the need to establish a code of conduct on counterterrorism and recognizes that the importance of such a code should facilitate and promote negotiations on the drafting of a Global Convention on Terrorism.

AU/15(II), "Decision on Terrorism in Africa" expresses concerns over the increasing threat posed by international terrorism,

With the deposit of the instrument of ratification by the Republic of Nigeria, the protocol relating to the establishment of the Peace and Security Council entered into force on 26 December. The Peace and Security Council is a collective decision-making organ and warning arrangement for the prevention, management and resolution of conflicts.

2002: The Special Session of the OAU Council of Ministers devoted to the African Union, which was held in Durban, South Africa in July, addressed various issues, including the Secretary General's progress report on the implementation of the key tasks related to the transition from the OAU to the African Union; the finalization of the Draft Rules of Procedure of the Assembly, the Executive Council, and the Permanent Representatives Committee; the Statute of the Commission of the African Union; and consideration of the protocol relating to the establishment of the Peace and Security Council of the African Union.

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The first meeting on 1 July deliberated extensively on the Draft Protocol Relating to the Establishment of the African Union, the establishment of a Peace and Security Council (PRC), which would replace the former OAU Mechanism for Conflict Prevention, Management and Resolution. At the end of its deliberations, among other things, a consensus appeared to have emerged on a number of key aspects of the protocol, namely on the need to establish a Peace and Security Council with the ability to take quick action with regard to the conflicts in parts of the continent. The afternoon session was devoted exclusively to discussing the Draft Rules of the Assembly, the Executive Council, the Permanent Representatives Committee, and the Statute of the Commission.

2001: The Constitutive Act of the AU entered into force on 26 May after Nigeria deposited the 36th instrument of ratification on 26 April 2000. At the July Summit in Lusaka, Zambia, the OAU members endorsed a plan to transform the OAU into the AU the following year.

2000: At the OAU Summit in Lome, 27 African countries signed the Constitutive Act of the AU. The Constitutive Act provided for the establishment of the AU to achieve greater unity and solidarity between the African countries and the peoples of Africa; defend the sovereignty, territorial integrity, and independence of its Member States; accelerate the political and socio-economic integration of the continent; and promote peace, security, and stability on the continent. The act also provided for the establishment of various institutions, including the Pan-African Parliament; Court of Justice; financial institutions, including the African Central Bank; African Monetary Fund; and African Investment Bank.

According to the act, the establishment of the AU will be completed upon the deposit of the 36th instrument of ratification of the Constitutive Act of the African Union and will enter into force 30 days after the deposit of the instruments of ratification by two-thirds of the Member States of the OAU.

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Latin America and the Caribbean

Rio Group

Established: December 1986.

Membership: 23 states — Argentina, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, Uruguay, and Venezuela.

Background: The Rio Group is an association of Latin American countries seeking a common foreign policy on a variety of issues. The Group has no permanent secretariat and works by holding annual summits.

On 23 July 1991, the Peruvian government launched a comprehensive initiative for Latin America concerning weapons of mass destruction (WMD), arms transfers, dual-use technology control, and confidence-building measures. The initiative seeks the gradual adoption of three sets of measures: the establishment of a WMD-free zone in Latin America and the Caribbean; the prohibition of future purchase, transfer, and manufacture of new generations of special conventional weapons systems (to include a ban on all transfers of medium- and short-range ballistic missiles, including components and technologies); and the implementation of a set of security and confidence-building measures to promote trust in the region (including the establishment of a regional center for the registration of arms transfers, national production of armaments, and control of dual-use technology transfers).

The initiative has achieved its first aim, the establishment of WMD-free zone, with the adoption of the Cartagena Declaration by the five Andean states. It was signed on 4 December 1991, by the heads of state of Bolivia, Colombia, Ecuador, Peru, and Venezuela.

Main Objectives: The group seeks prevention of the introduction of WMD in Latin America and the Caribbean and enhancement of security and cooperation among the states of the region.

The Group's Position on Certain Disarmament-, Arms Control- and Nonproliferation-Related Issues:

Non-Proliferation Treaty (NPT): The Rio Group attaches high priority to global efforts to promote nuclear nonproliferation and disarmament, including the total elimination of this type of weapon in order to guarantee international peace and security. It notes with satisfaction the efforts made in other forums to highlight the importance of the NPT and its key role for achieving nonproliferation and disarmament goals. The group welcomes in particular the outcome of the 2000 NPT

Review Conference. The group is concerned with the lack of progress toward the full implementation of the 13 measures to achieve nuclear disarmament contained in the Final Document of the 2000 NPT Review Conference and calls upon all states, in particular the Nuclear Weapon States (NWS), to honor the commitments undertaken in Article VI of the Treaty and in the Final Document of the Conference. The group affirms that the three pillars of the NPT—nonproliferation, disarmament, and peaceful use—have equal importance, and unconditional progress must be made on all three.

Comprehensive Nuclear-Test-Ban Treaty (CTBT): The group deeply regrets the difficult situation surrounding the issue of the entry into force of the CTBT, considers it essential for this commitment not to remain only on paper, and urges those states that have not yet done so to sign, ratify, and promote its entry into force in the near future. The group underscores the importance for states to maintain a strict moratorium on the conduct of nuclear testing or any other type of nuclear test while the entry into force of the CTBT remains pending. It is pleased that in other important political forums, participating states have reaffirmed their commitment to maintaining that moratorium but wishes to recall nevertheless that these unilateral restrictive measures are no substitute for the ratification of the CTBT. The group is convinced that the conducting of nuclear tests seriously undermines the efforts of the international community to promote nonproliferation and nuclear disarmament.

Nuclear-Weapon-Free Zones (NWFZ): The group considers the creation of nuclear-weapon-free zones (NWFZ) as one of the most significant advances in the field of disarmament in the last few decades. The consolidation and expansion of such zones contributes, in the group's view, to the building of a more stable and secure world. As representatives of the first region of the world to have prohibited nuclear weapons (see Treaty of Tlatelolco), the group supports the initiative to promote the gradual development of a NWFZ spanning the Southern Hemisphere and adjacent areas to the north of the equator, where applicable in conformity with specific treaties, and appeals to the international community to reaffirm its support for efforts aimed at the creation of such a zone. The Group urges nuclear-weapon States to withdraw the interpretive statements made at the time of their accession to the protocols of the Treaty of Tlatelolco.

Chemical Weapons Convention (CWC): The group considers the CWC as a model instrument for the international community to control and eliminate the danger of WMD, on account of its non-discriminatory nature, the balance that it establishes between disarmament and nonproliferation, and the system that it introduces for international cooperation in this field for peaceful purposes. The group notes that sustained progress has been made in its implementation and it is confident that the recent agreement signed between the Organization for the Prohibition of Chemical Weapons (OPCW) and the UN will contribute not only to strengthening efforts to ensure the universality of the Convention but also to the ultimate objective, which is the total elimination of these WMD from the face of the earth.

Biological and Toxin Weapons Conventions (BTWC): The group regrets the lack of progress toward the conclusion of a protocol for the verification of the BTWC. It hopes that at the next review conference of the convention, the mandate of the Ad Hoc Working Group will be renewed so that negotiations can continue with a view to finalizing the elaboration of that international juridical instrument.

Conventional Weapons: The Rio Group supports the holding of a debate on achieving universality for treaties related to the prohibition of the sale of small arms and light weapons to non-state actors and progress toward the eradication of anti-personnel mines. The group shares the view that it is urgently necessary to achieve the universalization of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction. The group expresses its firm intention to prevent, combat, and eliminate the illicit trade in small arms and light weapons at the national, sub-regional, regional, and global levels, including measures to promote international cooperation and assistance. It supports the Program of Action adopted by the UN, which complements the progress achieved in the group's region in this area.

4th Special Session on Disarmament (SSOD-IV): The Rio Group supports the work of the UN Disarmament Commission to consider the objectives and agenda, including the possible establishment of a preparatory committee for the fourth special session of the UN General Assembly devoted to disarmament.

Developments:

2008: The XX Summit of Heads of State and Government of the Rio Group took place from 6-7 March in Santo Domingo, Dominican Republic. Guyana was accepted as a full member and Haiti as a member by acclamation. The declaration affirmed Members' determination to combat terrorism in all its forms, with strict adherence to international law. Members also reaffirmed the need for greater efficiency, transparency, and democracy in the UN Security Council.

On 6 October, Mexico addressed the UN First Committee on behalf of the Rio Group, highlighting some of the contributions its Member States had made in the areas of

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nonproliferation and disarmament and calling on States to support many of the First Committee resolutions.

On 13 November, Cuba was accepted as a member of the Rio Group.

2007: The XIX Summit of Heads of State and Government took place on 3 March in Turkeyen, Guyana. The declaration strongly rejected terrorism in all its forms and reaffirmed Members' commitment to prevent and eliminate terrorism and its financing by cooperating fully with the mandates of national and international law. The Heads of State and Government expressed their commitment to fostering progress towards the objective of nuclear disarmament, particularly at the upcoming NPT Preparatory Committee. Satisfaction was expressed with the political message conveyed by the 40th anniversary of the Treaty of Tlatelolco on 14 February.

On 8 October, the Dominican Republic addressed the UN First Committee on behalf of the Rio Group. The statement emphasized nuclear weapons issues, particularly the importance of all three pillars of the NPT, the danger of permitting nuclear cooperation with an NPT non-party, and the necessity of the entry into force of the CTBT.

2005: The XII Institutionalized Ministerial Meeting between the Rio Group and the European Union was held in Luxembourg on 26-27 May. The meeting was chaired by Argentine Foreign Minister Rafael Bielsa and Luxembourg Deputy Prime Minister and Minister of Foreign Affairs and Immigration Jean Asselborn, President of the EU Council. The ministers recalled that terrorism poses a threat to peace and security and noted the importance of reaching a common definition of terrorism and of completing the negotiation of a global international convention on terrorism, as proposed by the United Nations Secretary General.

The ministers also considered that progress in nonproliferation of WMD, arms control, and disarmament is a main objective of the international community.

The ministers reiterated their commitment to comply with and promote the universal adherence to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and to the fight against illicit traffic of small arms and light weapons. They also expressed their intention to implement the 2005-2009 Nairobi Action Plan.

The XIX Summit Meeting of Heads of State and Government was held in Argentina on 20 September. Belize was approved as a member.

2004: The XVIII Summit Meeting of Heads of State and Government was held in Brazil on 2-5 November. The meeting adopted the Rio de Janeiro Declaration which focused on the two main topics of the meeting's agenda: the political situation in Haiti and furthering dialogue with Cuba, the only regional power that remains outside the Rio Group. The declaration briefly mentions the importance of multilateral approaches to international security and calls for United Nations reforms. No specific references were made to terrorism, nonproliferation or related topics.

2003: The XI Institutionalized Ministerial Meeting between the Rio Group and the European Union was held in Athens on 28 March. The ministers renewed their commitment to strengthening cooperation in fighting the world-wide drug problem and related crimes, illegal trafficking in small arms and light weapons, corruption, organized crime, drug trafficking, diversion of chemical precursors, money laundering, and the prevention of the use of monetary resources to finance terrorism and crimes globally.

The XVII Summit Meeting of Heads of State and Government was held in Peru on 23-24 May. The meeting adopted the Cusco Consensus, which presents the strategic agenda for the activities of the Rio Group. The consensus states that a wide range of threats, including all forms and manifestations of terrorism, organized transnational crime, illicit arms trafficking, and the shipment of radioactive material must be addressed through joint international cooperation within the framework of respect for the sovereignty of Member States.

2002: In March, the Rio Group Foreign Ministers issued a Communiqué on "Radioactive Waste and Transport" (A/56/360). They called upon the international community to strengthen the international legal regime applicable to the security of the maritime transport of radioactive waste.

On 1 October, at the First Committee of the 57th session of the UN General Assembly, Costa Rica, on behalf of the Rio Group, welcomed and commended Cuba's decision to accede to the NPT and ratify the Tlatelolco Treaty. Furthermore, it "urged the five Central Asian States to finalize their negotiations" on a NWFZ treaty in the region. In the same vein, the group supported the creation of "a nuclear-free zone" in the Southern Hemisphere and its neighboring areas.

The group especially condemned the development of new nuclear weapons. It endorsed the outcome of the Conference of Measures to Facilitate the Entrance into Effect of the CTBT and invited all states to sign this "crucial" instrument.

2000: At the June 2000 Cartagena summit of the group, Costa Rica, the Dominican Republic, El Salvador, Honduras, and Nicaragua participated in the group as full and individual members, and no longer as rotational

representatives, which had been the practice up to that time. The group adopted the Cartagena declaration titled "Rio Group 2000: Commitment to the Millennium," in which the Member States maintained that nuclear disarmament was the responsibility of all states, primarily of those that possess nuclear weapons, and that it was incumbent on the international community, represented in the UN, to take specific steps to promote the nonproliferation and the elimination of nuclear weapons.

1999: In March, the Rio Group issued the Veracruz Act, which consolidated the positions and principles that were shared and agreed upon throughout this period, specifically democracy, the consolidation of peace in Central America, the Panama Canal, the promotion and protection of human rights, peace, security and disarmament, actions against terrorism, corruption, and the drug problem.

Organization of American States (OAS)

Signed: 30 April 1948.

Membership: 35 (34 participating)

Twenty-one original OAS members (1948): Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, United States, Uruguay, and Venezuela.

Fourteen subsequent members: Barbados, Trinidad, and Tobago (1967); Jamaica (1969); Grenada (1975); Suriname (1977); Dominica, Saint Lucia (1979); Antigua and Barbuda, Saint Vincent, and the Grenadines (1981); The Bahamas (1982); St. Kitts and Nevis (1984); Canada (1990); Belize, Guyana (1991).

All 35 independent countries of the Americas have ratified the OAS Charter and belong to the organization. Cuba remains a member, but its government has been excluded from participation in the OAS since 1962.

Background: The principles that embody the Organization of American States (OAS) grew out of a history of regional cooperation dating back to the 19th century. In 1826, the liberator Simón Bolívar convened the Congress of Panama with the idea of creating an association of states in the hemisphere. On 30 April 1948, 21 countries signed in Bogotá, Colombia, the Charter of the Organization of American States (OAS), which affirmed their commitment to common goals and respect for each nation's sovereignty. Since then, the OAS has expanded to include the nations of the Caribbean, as well as Canada.

Verification and Compliance: The Permanent Council is one of the organs through which the OAS accomplishes its purposes. It is composed of one representative of each Member State. The Permanent Council has the authority granted to it in the Charter of the Organization and other inter-American instruments and takes cognizance of any matter referred to it by the General Assembly or the Meeting of Consultation of Ministers of Foreign Affairs, as well as any matter brought to its attention by the secretary general on issues related to peace and security in the hemisphere or the development of Member States. Within the general framework of its competence, the Permanent Council has specific powers and functions, the most notable being those related to the peaceful settlement of disputes and its functions as the Organ of Consultation, as provided in the Inter-American Treaty of Reciprocal Assistance (TIAR).

Developments relating to security issues and non-proliferation during the assemblies are noted below with more general developments reported at the bottom of the document.

Cooperation for Hemispheric Security:

In Article 2 of the Charter of the Organization of American States, the Member States proclaim that one of the essential purposes of the organization is "to strengthen the peace and security of the continent." Since 1991, the OAS General Assembly has adopted a series of resolutions on cooperation for hemispheric security, covering its various aspects. In resolution AG/RES. 1123 of that year, the General Assembly established the framework for cooperation in the hemisphere, in stating that "the … international situation would seem to dictate the adoption of measures to ensure hemispheric security, strengthen democratic processes in all of the Member States and devote maximum resources in those countries to economic and social development" and that "such measures call for mechanisms for mutual consultation and an exchange of regional information to promote a climate of institutional international stability, progress, and confidence…."

The organization has recognized that "peace is not merely the absence of war but also includes interdependence and cooperation in promoting economic and social development. Moreover, disarmament, arms control and limitation, human rights, the strengthening of democratic institutions, environmental protection, and improvement of the quality of life for all are indispensable elements for the establishment of democratic, peaceful, and more secure societies."

In this framework, the organization has emphasized regional contributions to global security and the need for enhanced dialogue on cooperation in peace, confidence, and security issues among the nations of the hemisphere, and has recommended that a consultation process be initiated at the earliest possible date as a step towards the limitation and control of conventional weapons.

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The OAS General Assembly has considered the Treaty of Tlatelolco to be a cooperation security measure, as it represents one of the most momentous contributions to international law and to the ceaseless efforts to prevent the proliferation of nuclear weapons and guarantee international peace and security. This treaty has become the model for the establishment of other nuclear-weapon-free zones (NWFZ) in various regions of the world, such as the South Pacific (Treaty of Rarotonga), Southeast Asia (Treaty of Bangkok), and Africa (Treaty of Pelindaba), which, when they enter into force, will cover more than half the countries of the world and all of the Southern Hemisphere.

2008: The 38th Regular Session of the OAS General Assembly met 1-3 June in Medellin, Colombia, and adopted several resolutions relating to regional security:

AF/RES. 2358 "Support for Implementation at the Hemispheric Level of United Nations Security Council Resolution 1540" urges all member states to comply with Resolution 1540, provide any necessary additional information, and noted the OAS workshop on implementation held 13-14 May in Buenos Aires.

AG/RES. 2359 "Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty" calls for all states to sign and/or ratify the CTBT and for a stronger campaign to promote that ratification in the Hemisphere.

AG/RES. 2360 "Disarmament and Nonproliferation Education" calls for the promotion of disarmament and nonproliferation education throughout the Hemisphere.

AG/RES. 2377, "Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)" calls for all states to ratify amendments to the treaty and reaffirms the importance of OPANAL.

AG/RES. 2381 "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firemans, Ammunition, Explosives, and Other Related Materials" calls for states to ratify or accede to, as the case may be, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) and incorporate into their national law, as appropriate, legally binding subregional, regional, and international instruments for strengthening border control in the region against illicit trafficking in firearms, ammunition, explosives, and related materials.

2007: The 37th Regular Session of the OAS General Assembly met 3-5 June in Panama and adopted several resolutions relating to regional security:

AG/RES. 2260, "Disarmament and Nonproliferation Education" reiterates the organization's mandate of nonproliferation education per AG/RES. 2109. Accordingly, the organization asks that the Permanent Council continue to identify means of effectively promoting disarmament and nonproliferation education throughout the hemisphere.

AG/RES. 2268, "Inter-American Convention on Transparency in Conventional Weapons Acquisitions" encourages transparency by extending invitations to external observers and by producing timely reports and notifications as required under Articles III and IV of the convention. The resolution also made provisions for 2008 meeting to prepare for the 2009 conference to review the effectiveness of the convention.

AG/RES. 2273 "Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty," promotes greater involvement on the part of those states already a party to the treaty and to strongly encourage those states that still have yet to sign and ratify the treaty to do so as soon as possible.

AG/RES. 2274 "Follow-up to the Special Conference on Security," urges states to continue implementing the Declaration on Security in the Americas as well as stressing the importance of the Permanent Council's work through the Committee on Hemispheric Security.

AG/RES. 2297 "Addressing Illicit Trafficking in Small Arms and Light Weapons: Stockpile Management and Security," urges member states to continue implementing measures specified in other agreements (such as the UN Programme of Action) and Resolutions (such as OAS regulation of MANPADS in AG/RES. 2145) in this regard.

AG/RES. 2298 "Consolidation of the Regime Established in the Treaty of the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)," requests that those states of the region that have yet to sign or ratify the amendments to this treaty do so, while also expressing a general reaffirmation of the tenets of the treaty.

2006: The 36th Regular Session of the OAS General Assembly, which met on 4-6 June in Santo Domingo in the Dominican Republic, adopted several resolutions relating to regional security.

AG/RES. 2245, "Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)" calls upon the nations that have not ratified the treaty to do so and reaffirms the importance of strengthening OPANAL as a monitoring body.

AG/RES. 2186, "Inter-American Support for the Comprehensive Nuclear Test-Ban Treaty" recognizes that the establishment of nuclear-weapon-free zones is an effective and concrete mechanism that contributes to the maintenance of international peace and security.

2005: The 35th Regular Session of the OAS General Assembly met on 5-7 June in Ft. Lauderdale. The assembly adopted several resolutions regarding regional security.

Resolution AG/RES. 2094 (XXXV-O/05), "Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunitions, Explosives, and other Related Materials (CIFTA)," encouraged the ratification of CIFTA and the broad participation of members in its subsequent meetings and actions.

The assembly also passed AG/RES. 2104 (XXXV-O/05), "Consolidation of the Regimes Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean," supporting the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in furthering the Treaty of Tlatelolco.

AG/RES. 2107 (XXXV-O/05), "The Americas as a Biological- and Chemical-Weapons-Free Region," resolves the shared commitment of members to establish a region free of chemical and biological weapons through a series of special meetings of the OAS.

AG/RES. 2108 (XXXV-O/05), "The Proliferation of and the Illicit Trade in Small Arms and Light Weapons in All its Aspects," resolved to increase the participation of OAS members in the UN Program of Action against illicit trade, encouraging members to engage in existing confidence-building measures to identify and secure excess stocks.

AG/RES. 2109 (XXXV-O/05), "Disarmament and Nonproliferation Education," resolves to produce a document detailing relevant actions by the OAS to promote education on issues of disarmament and nonproliferation.

AG/RES. 2110 (XXXV-O/05), "Inter-American Convention on Transparency in Conventional Weapons Acquisitions," requests the submission and circulation of states' reports on transparency. The resolution also proposes that the Permanent Council establish a meeting aimed at developing incentives for more states to become party to the convention.

AG/RES. 2111 (XXXV-O/05), "Inter-American Support for the Comprehensive Nuclear-Test-Ban Treaty (CTBT)," encourages all states that have not done so to sign and ratify the treaty. The resolution also calls for the Permanent Council to hold a meeting in 2006 in conjunction with OPANAL, the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) and the UN on a worldwide comprehensive nuclear test ban. The resolution also includes a note stating that the United States, while a party of the OAS, does not support and will not ratify the CTBT.

2004: On 6-8 June, the OAS General Assembly met for its 34th Regular Session in Quito, Ecuador, and adopted several resolutions regarding the security situation in the region. In resolution AG/RES. 1998 (XXXIV-O/04), "Follow-up to the Special Conference on Security," the assembly endorsed the conference's Declaration on Security in the Americas, urging all states to implement it, and also requested that the Permanent Council, through the Committee on Hemispheric Security, coordinate OAS bodies to implement the declaration and report on its progress. In addition, it instructed the secretary general to strengthen the secretariat's capacity to better serve hemispheric security issues.

The assembly also adopted resolution AG/RES. 1997 (XXXIV-O/04) on the "Proliferation of and Illicit Trafficking in Small Arms and Light Weapons (SALW)." Delegates made several recommendations and requests, including encouraging Member States to implement the UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, requesting that the Permanent Council hold an annual Committee on Hemispheric Security meeting on small arms and light weapons (SALW), and urging states to sign or ratify the UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition and take part in other UN initiatives on the subject. In addition, the assembly requested that the Inter-American Defense Board prepare a handbook for Member States regarding best practices for identification, collection, management, security, and destruction of stockpiles of SALW by early 2005.

In resolution AG/RES. 1999 (XXXIV-O/04) on the "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials," the General Assembly urged states to sign and ratify the Convention and stated their support for the Declaration of Bogotá regarding the Convention's application.

Additional resolutions issued by the General Assembly were resolution AG/RES. 2000 (XXXIV-O/04) on "The Americas as a Biological and Chemical-Weapons-Free Region," and resolution AG/RES. 2008 (XXXIV-O/04) regarding the CTBT. In the former, assembly members resolved to free the area of chemical and biological

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weapons and reaffirmed members' commitment to arms control, disarmament, the nonproliferation of weapons of mass destruction, the Chemical Weapons Convention, the Biological Weapons Convention, and the Geneva Protocol. It urged states to adhere to, create measures to implement, and universalize these conventions and to subscribe to the International Code of Conduct against Ballistic Missile Proliferation. It also requested that the Permanent Council review such efforts in the framework of the Committee on Hemispheric Security. In the second resolution, the OAS urged Member States to implement the "Measures to Promote the Entry into Force of the Comprehensive Nuclear Test Ban Treaty," adopted at the September 2003 CTBT conference in Vienna and asked relevant states to sign and/or ratify the treaty. It also asked states to maintain, until the treaty enters into force, a moratorium on nuclear testing, and to support the CTBT verification regime. Additionally, it instructed the Committee on Hemispheric Security to hold a special meeting on the issue in 2005 in cooperation with the OPANAL, the UN, and the CTBTO Preparatory Commission.

In resolution AG/RES. 2001 (XXXIV-O/04), entitled "Limitation of Military Spending," assembly members resolved to continue promoting an environment conducive to arms control, nonproliferation, and limitations on conventional weapons. The resolution also urged states to implement confidence- and security-building measures and participate in the UN Standardized International Reporting of Military Expenditures. Finally, the General Assembly also passed a resolution AG/RES. 2009 (XXXIV-O/04) on the "Consolidation of the Regime Established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean," encouraging relevant states to sign and ratify the Treaty of Tlatelolco and to implement comprehensive safeguards agreements and the Additional Protocol with the International Atomic Energy Agency. It also encouraged the Permanent Council to consider holding a meeting regarding this with OPANAL and the UN.

2003: The 33rd Regular Session of the General Assembly convened in Santiago, Chile from 8-10 June under Chilean Foreign Affairs Minister Maria Soledad, and issued several resolutions regarding hemispheric security issues. In resolution AG/RES. 1937 (XXXIII-O/03), assembly members urged relevant states to sign or ratify amendments to the Treaty of Tlatelolco and to negotiate and implement agreements with the IAEA, and reaffirmed its commitment to a universal, nondiscriminatory nonproliferation regime. In another resolution [AG/RES. 1938 (XXXIII-O/03)], the assembly urged states to participate in the Conference on Facilitating the Entry into Force of the CTBT. In resolution AS/RES 1963, the assembly addressed military expenditures and agreed to promote an environment that would encourage arms control, limitations on conventional weapons, and WMD nonproliferation. Resolutions were also passed reaffirming the assembly's commitment to making the Americas a biological- and chemical-weapon-free region. The General Assembly requested, in resolution AG/RES. 1968 (XXXIII-O/03), that the Permanent Council convene an annual meeting on small arms and light weapons to review the implementation of the UN Program of Action. The General Assembly also welcomed the July 2002 establishment of the South American Zone of Peace and Cooperation, and resolved to strengthen the OAS agenda by further addressing hemispheric security issues, and encouraged the adoption of an implementation plan regarding security management for small island states. Finally, the assembly encouraged Member States to sign and ratify the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

A Special Conference on Security was convened in Mexico City from 27-28 October. Delegates adopted a Declaration on Security in the Americas in which they addressed a broad range of topics, including new threats from terrorism, weapons of mass destruction, and other problems, and recognized the importance of the Tlatelolco Treaty. The declaration also emphasized Member States' commitment to the BTWC, CWC and NPT and stated their objective of making the Americas a region free of biological and chemical weapons and of preventing the proliferation of WMD, and made several recommendations to individual OAS bodies towards these ends.

Additionally, the Conference adopted a Declaration on a Central American Democratic Security Model, in which it encouraged Member States to continue to implement the Framework Treaty on Democratic Security, and recommended that the Secretariat support initiatives regarding democratic security that might require OAS assistance.

2002: On 4 June, the General Assembly decided to convene the Special Conference on Security for the first half of May 2003 in Mexico. The decision was based on the outcome of the Second Summit of the Americas held in Santiago, Chile in 1998, which instructed the Committee on Hemispheric Security to "analyze the meaning, scope, and implications of international security concepts in the hemisphere, with a view to developing the most appropriate common approaches by which to manage their various aspects, including disarmament and arms control" with a view to holding a Special Conference on Security in the framework of the OAS.

On 25 November, the General Secretariat presented "Report on Signatures and Ratifications of the Inter-American Convention on Transparency in Conventional

Weapons Acquisitions" to the Committee on Hemispheric Security. As of 26 November, 20 states have signed the Convention and seven states have deposited their instruments of ratification or accession. The Convention entered into force on 21 November, the 30th day following the date of the sixth instrument of ratification by a Member State.

2001: In the Declaration of Quebec, the Member States reaffirmed their commitment to maintain peace and security through the effective use of hemispheric means for the peaceful resolution of disputes and the adoption of confidence- and security-building measures and reiterated their full adherence to the principle that committed states refrain from the threat or use of force, in accordance with international law. In conformity with the principles of international humanitarian law, the Member States strongly condemned attacks on civilian populations and expressed willingness to take all feasible measures to ensure that the children of their countries did not participate in armed conflict and condemned the use of children by irregular forces. They reaffirmed that the constitutional subordination of armed forces and security forces to the legally constituted civilian authorities and the respect for the rule of law on the part of all national institutions and sectors of society were fundamental to democracy. They also voiced readiness to strive to limit military expenditures while maintaining capabilities commensurate with their legitimate security needs and to promote greater transparency in the acquisition of arms.

The Plan of Action adopted at the 2001 Third Summit of the Americas in Quebec City, Canada, called on the Member States to hold a Special Conference on Security in 2004, for which the OAS Committee on Hemispheric Security will conclude the review of all issues related to approaches to international security in the hemisphere, continue with priority activities on conflict prevention and the peaceful resolution of disputes, improve the transparency and accountability of defense and security institutions and promote greater understanding and cooperation among government agencies involved in security and defense issues. They will accomplish these goals through such means as increased sharing of defense policy and doctrine papers, and information and personnel exchanges, including, where feasible, cooperation and training for participation in UN peacekeeping activities. They plan to respond better to legitimate security and defense needs, by improving transparency of arms acquisitions to improve confidence and security in the hemisphere.

1999: The General Assembly adopted the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

1997: Through resolution AG/RES. 1500 (XXVII-O/97), "Mutual Confidence in the Americas," the General Assembly instructed the Permanent Council to consider the desirability of approving a legal framework on the issue of advance notification of major arms acquisitions covered by the United Nations Register of Conventional Arms.

1995: The General Assembly, through resolution AG/RES. 1353 (XX-O/95), created the Committee on Hemispheric Security. Its main function is to study and make recommendations to the Permanent Council on any matters relating to hemispheric security that may be entrusted to it by the Permanent Council and, through it, by the General Assembly, in particular with a view to promoting cooperation in this field. Since its creation, the Committee has constituted a forum for representatives of the countries of the Americas to exchange views on a broad range of issues, including confidence- and security-building; the Western Hemisphere as an antipersonnel-land-mine-free zone; the special security concerns of small island states; support for the Mine-Clearing Program in Central America; design of an Education for Peace Program in the hemisphere; transparency in conventional weapons acquisitions; and consolidation of the regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean. Confidence-and Security-Building Measures

Confidence-and-Security-Building Measures:

2008: The 38th Regular Session of the OAS General Assmbly met 1-3 June in Medellin, Colombia and adopted AG/RES. 2357 "Follow-Up to the Special Conference on Security". The resolution urges all member states to continue implementing the Declaration on Security in the Americas, with a view to consolidating peace, stability, and security in the Hemisphere.

2007: The 37th Regular Session of the OAS General Assembly met 3-5 June in Panama and adopted AG/RES. 2270 "Confidence- and Security-Building in the Americas". The resolution endeavors to generally improve the transparency of military expenditures through better reporting and a greater participation in the United Nations Register of Conventional Arms and the United Nations Standardized International Reporting of Military Expenditures.

2006: The 36th Regular Session of the General Assembly which took place in Santo Domingo, Dominican Republic, adopted resolutions relating to security interests. AG/RES. 2185, "Follow Up to the Special Conference on Security" was adopted at this conference, resolving to urge all member states to continue implementing the Declaration on Security in the Americas ("the Declaration"), with a view to consolidating peace, stability, and security in the hemisphere.

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2005: At the 35th Regular Session of the General Assembly, which took place in Ft. Lauderdale on 5-7 June, states discussed the importance of confidence- and security-building measures (CSBMs) in the areas of disarmament and nonproliferation. The General Assembly passed AG/RES. 2113, "Transparency and Confidence- and Security-Building in the Americas," urging Member States to implement CSBMs and submit reports on their application.

2004: At its 34th Regular Session on 8 June, the General Assembly adopted resolution AG/RES. 1996 (XXXIV-O/04) on "Transparency and Confidence- and Security-Building in the Americas," in which it resolved to urge Member States to implement recommendations contained in the declarations of Santiago and San Salvador and to consider signing, ratifying, or acceding to the Inter-American Convention on Transparency in Conventional Weapons Acquisitions. In addition, among other recommendations, it encouraged states to submit reports on their confidence- and security-building measures and requested that they develop specific confidence-enhancing measures to address new threats and promote transparency.

2003: During its 33rd Regular Session in June, the General Assembly passed a resolution requesting that the Permanent Council periodically constitute the Committee on Hemispheric Security as the Forum for CSBMs to evaluate existing and propose new CSBMs.

2002: On 4 June, the General Assembly adopted a resolution "Confidence- and Security-Building in the Americas" (AG/RES. 1879 (XXXII-O/02)). The resolution urged Member States to implement the recommendations of the Declaration of San Salvador and the Declaration of Santiago on Confidence-and Security-Building Measures. It also urged Member States to continue promoting transparency in defense policy with regard to, among other things, modernizing the armed forces, including changes in their structure and composition, the acquisition of equipment and material, and military expenditures.

The General Assembly adopted a resolution "Summit-Mandated Meeting of Experts on Confidence- and Security- Building Measures in the Region" (AG/RES. 1880 (XXXII-O/02)). The General Assembly convened the summit-Mandated meeting in the region, in Miami, Florida in 5-6 December to evaluate implementation and consider the next steps to further consolidate mutual confidence.

2001: The Quebec City Plan of Action urged the Member States to continue promoting greater degrees of confidence and security in the hemisphere, inter alia, through sustained support for measures, such as those set forth in the Santiago and San Salvador Declarations on CSBMs. It also called for an experts' meeting, before the Special Conference on Security, as a follow-up to the regional conferences of Santiago and San Salvador on CSBMs, in order to evaluate implementation and consider next steps to further consolidate mutual confidence.

1999: The resolution "Confidence and Security-Building in the Americas" (AG/RES. 1623 (XXIX-O/99)), requested the secretary general to maintain and facilitate access to the comprehensive inventory of CSBMs, which the Member States have submitted pursuant to the previous paragraph and requested the Permanent Council to consider, through the Committee on Hemispheric Security, actions to promote the development and exchange of information concerning defense policies and doctrines. The resolution reiterated the importance of all Member States fully participating in the UN Register of Conventional Arms and of providing the required information for the preparation of the United Nations Standardized International Reporting of Military Expenditures. It urged Member States to continue consultations and the exchange of ideas within the hemisphere so as to make progress in the limitation and control of conventional arms in the region; and to instruct the Permanent Council to endeavor, through the Committee on Hemispheric Security, to advance the development of the most appropriate approach making it possible, at the regional level, to increase transparency and address questions related to conventional arms.

1998: The Second Regional Conference on Confidence- and Security- Building Measures in follow-up to the Santiago Conference was held in San Salvador, El Salvador, in February. At this Conference, the Member States agreed to nine additional measures, which are contained in the Declaration of San Salvador on Confidence- and Security-Building Measures.

1995: The Member States of the OAS held the Regional Conference on Confidence- and Security-Building Measures in Santiago, Chile, in November. The Declaration of Santiago on Confidence- and Security-Building Measures emanating from this Conference contains 11 measures agreed by the states to build confidence, dialogue, and the exchange of views on hemispheric security-related matters.

1994: The Heads of State and Government of the Hemisphere, meeting at the First Summit of the Americas, held in December, declared in the Plan of Action their intention to support "actions to encourage a regional dialogue to promote the strengthening of mutual confidence, preparing the way for a regional conference on confidence-building measures in 1995 …"

1993: As a result of the work of the working group set up in 1991, the General Assembly, through resolution AG/RES. 1237 (XXIII-O/93), resolved to convene the

first meeting of government experts on confidence- and security-building measures in the hemisphere, in Buenos Aires, Argentina, in March 1994.

1991: The Member States, meeting at the 21st regular session of the OAS General Assembly in Santiago, Chile, expressed their resolve to begin a process of consultation on hemispheric security in view of new regional and world realities. Through its resolution AG/RES. 1123 (XXI-O/91), "Cooperation for Security in the Hemisphere," the General Assembly entrusted the Permanent Council with setting up a working group, with the specific mandate of studying and making recommendations on cooperation on the various dimensions of hemispheric security.

Mine-Clearing:

The Member States of the Organization of American States have adopted the goal of global elimination of antipersonnel land mines to convert the Western Hemisphere into an antipersonnel-land-mine-free zone.

2008: The 38th Regular Session of the OAS General Assembly met 1-3 June in Medellin, Colombia and adopted two resolutions regarding mine-clearing:

AG/RES.2355 "Support for Action Against Antipersonnel Mines in Ecuador and Peru" encourages the Governments of Ecuador and Peru to continue cooperating in efforts to rid their territories completely of antipersonnel mine and recognizes the important work and achievements of the Governments of Ecuador and Peru in destroying their stockpiles and in mine-clearing in common border areas and, in the case of Peru, in other areas of its respective territory.

AG/RES. 2399 "The Americas as an Antipersonnel-Land-Mine-Free Zone" calls for member states to strive jointly to rid their territories of antipersonnel land mines and destroy their stockpiles,to convert the Americas into the world's first antipersonnel-land-mine-free zone, urges the international donor community to continue its support, and urges member states which have not yet done so to become party as soon as possible to the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and to the five protocols thereto.

2007: The 37th Regular Session of the OAS General Assembly met 3-5 June in Panama and adopted several resolutions regarding mine-clearing:

AG/RES. 2261, "Support for Action against Antipersonnel Mines in Ecuador and Peru," encourages Ecuador and Peru to continue to remove landmines from their respective territories. The resolution also encourages international organizations to continue to provide technical and financial support, as well. Furthermore, the resolution requested that the General Secretariat continue to support and work through the Program for Comprehensive Action against Antipersonnel Mines (AICMA) to raise voluntary support from member states, other states and international organizations.

AG/RES. 2269, "The Americas as an Antipersonnel-Land-Mine-Free Zone," endeavors to clear Central America of land mines by 2008 by establishing the first land mine free zone in the world. To this end, the resolution also advised that those states that still have not become a party to the 1980 United Nations Convention on "Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" do so as soon as possible.

2006: Resolutions relating to mine-clearing were adopted at the 36th Regular Session of the OAS General Assembly, which met in Santo Domingo on 4-6 June. AG/RES. 2180, "The Americas as an Anti-Personnel Land Mine Free Zone" was adopted, reiterating concerns about the dangers of anti-personnel mines still present on the continent. AG/RES. 2181, "Support for Action against Anti-Personnel Mines in Ecuador and Peru" called for the complete elimination of anti-personnel mines in those countries.

2005: The 35th Regular Session of the OAS General Assembly, which met on 5-7 June in Ft. Lauderdale, adopted AG/RES. 2142, "The Americas As an Antipersonnel-Land-Mine-Free Zone." The resolution urges Member States to take a range of actions to strengthen the norm against the use of antipersonnel mines.

2004: Several resolutions related to mine-clearing were adopted at the 34th Regular Session of the General Assembly in June. In resolution 1995, "Support for the Program of Integral Action against Antipersonnel Mines in Central America," delegates encouraged Central American states' efforts to make de-mining a priority and appealed to Member States and observers to continue their support for the Program of Integral Action against Antipersonnel Mines. Assembly members also asked the Secretariat to provide the necessary resources for mine-clearing programs and the Inter-American Defense Board to continue providing technical support.

Additional resolutions adopted regarding mine-clearing were resolution AG/RES. 2002 (XXXIV-O/04), "Support for Action against Antipersonnel Mines in Ecuador and Peru," which recognized these states' efforts and

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encouraged the provision of technical and financial assistance to their mine-clearing programs, and resolution AG/RES. 2003 (XXXIV-O/04), "The Americas as an Antipersonnel-Land-Mine-Free Zone." In the latter, assembly members reaffirmed the goals of global elimination of antipersonnel land mines in the Americas and encouraged states to take various actions, such as ratification of or accession to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction, toward this end.

2003: The General Assembly adopted several resolutions addressing antipersonnel mine removal during its 33rd Regular Session in June. It encouraged the provision of support for the Mine-Clearing Assistance Program in Central America, acknowledged the accomplishments of Ecuador and Peru in destroying their stockpiles and in mine-clearing efforts, and also reaffirmed its commitment to the universal elimination of antipersonnel land mines and the creation of an antipersonnel-landmine-free zone. Finally, it urged states to ratify the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and On Their Destruction, and to become parties to the UN Convention on Certain Conventional Weapons, and asked the secretary general to consider developing new mine action programs.

During the course of the year, the Comprehensive Action against Antipersonnel Mines program (AICMA) supported activities in Argentina, Chile, Colombia, Ecuador, Guatemala, Honduras, Nicaragua, and Peru, removing more than 48,000 mines. In addition, Costa Rica declared itself free of antipersonnel mines.

2002: On March 15, the OAS Comprehensive Mine Action Program appealed for continued assistance from the international community for its mine-clearing programs in various countries of the Americas. According to the Coordinator of the Mine Action Program, the program is facing serious financial difficulties that could interrupt mine-clearing programs in Central America, at a time when some of those nations are close to being declared landmine-free.

2001: The 2001 Quebec City Plan of Action urged the Member States to strongly support the Third Meeting of State Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, to be held in September 2001 in Managua, Nicaragua, and the Review Conference of the 1980 UN Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, to be held in December 2001 in Geneva; as well as the efforts of the OAS to pursue the goal of the conversion of the Western Hemisphere into an anti-personnel- landmine-free zone.

1999: The Ottawa Convention entered into force on 1 March, with the required 40 states having ratified it by September 1998. To date, with the exception of the United States and Cuba, all the nations of the Americas have signed and 31 have ratified the Convention.

The 1999 resolution "The Western Hemisphere as an Antipersonnel-Land-Mine-Free Zone" (AG/RES. 1644 (XXIX-O/99)) reaffirmed the goals of the global elimination of antipersonnel landmines and the conversion of the Western Hemisphere into an antipersonnel-land-mine-free zone. The resolution called upon Member States that had not yet done so to declare and implement moratoria on the production, use, and transfer of all antipersonnel landmines in the Western Hemisphere at the earliest possible date and to continue to implement measures aimed at halting the proliferation of antipersonnel landmines and at the destruction of stockpiles.

1998: The Organization of American States, through AG/RES. 1569 (XXVIII-O/98), urged the Member States that have not yet signed or ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (also known as the Ottawa Convention) to consider doing so at the earliest possible date. Those that have already signed the Convention are called upon to report to the General Secretariat on the status of their ratification process.

1994-1998: The OAS has reaffirmed its goal of global elimination of antipersonnel landmines, and consequently, of converting the Western Hemisphere into an antipersonnel-land-mine-free zone, through its resolutions AG/RES. 1299 (XXIV-O/94) and AG/RES. 1343 (XXV-O/95), on anti-personnel landmines and resolutions AG/RES. 1411 (XXVI-O/96), AG/RES. 1496 (XXVII-O/97), and AG/RES. 1569 (XXVIII-O/98), "The Western Hemisphere as an Antipersonnel-Land-Mine-Free Zone." The aforementioned resolutions call upon the Member States that have not yet done so to declare and implement moratoria on the production, use, and transfer of all antipersonnel landmines in the Western Hemisphere at the earliest possible date and to inform the secretary general when they have done so. These resolutions also request the Permanent Council, through its Committee on Hemispheric Security with support from the General Secretariat, and as a confidence- and security-building measure, to implement a complete and integrated register of antipersonnel landmines based on the information provided each year by Member States on the approximate number of antipersonnel land mines in their stockpiles, the number of antipersonnel landmines that have been removed during the past year, plans for clearance of the remaining landmines, and any other pertinent information. The Member States have also been urged to implement measures aimed at suspending the spread of antipersonnel

landmines, such as stockpile destruction; and to adopt domestic legislation to prohibit the private possession and transfer of antipersonnel landmines and to inform the secretary general when they have done so.

1992: The organization created the Mine-Clearing Program in Central America in response to a request by the Central American States (Costa Rica, Honduras, Guatemala, and Nicaragua) affected by the presence of antipersonnel landmines. This humanitarian program seeks to reestablish citizen confidence and security and to reduce the hazard created by landmines and other unexploded war materiel.

Inter-American Committee Against Terrorism (CICTE):

The basic objectives of CICTE, as set forth in the 1998 Commitment of Mar del Plata, are to: enhance the exchange of information via the competent national authorities, including the establishment of an Inter-American database on terrorism issues; formulate proposals to assist Member States in drafting appropriate counterterrorism legislation in all states; Compile the bilateral, subregional, regional, and multilateral treaties and agreements signed by Member States and promote universal adherence to international counterterrorism conventions; enhance border cooperation and travel documentation security measures; and develop activities for training and crisis management.

2008: The Eighth Regular Session of CICTE was held from 5-7 March in Washington, DC, and the agenda focused on three substantive topics: cyber security, document security and fraud prevention, and port security—trade and safe transportation.

The 38th Regular Session of the OAS General Meeting held from 1-3 June in Medellin, Colombia adopted AG/RES. 2415 "Protecting Human Rights and Fundamental Freedoms while Countering Terrorism" reaffirms that the fight against terrorism must be waged with full respect for the law, including the absolute prohibition of torture, and reaffirms that all member states have a duty to ensure that all measures adopted to combat terrorism are in compliance with their obligations under international law.

2007: The Seventh Regular Session of CICTE was held from 28 February – 2 March in Panama City, Panama. The main agenda item was a dialogue on critical infrastructures: policies, regulations, and hemispheric cooperation.

The 37th Regular Session of the OAS General Assembly held from 3-5 June in Panama City, Panama adopted two resolutions related to terrorism: AG/RES. 2271 "Protecting Human Rights and Fundamental Freedoms while Countering Terrorism" and AG/RES. 2272 "Support for the Work of the Inter-American Committee Against Terrorism."

2006: The 36th Regular Session of the OAS General Meeting held from 4-6 June in Santo Domingo, Dominican Republic, adopted various resolutions relating to fighting terrorism. AG/RES. 2249, "Extradition of and Denial of Safe Haven to Terrorists: Mechanisms for Cooperation in the Fight Against Terrorism", expounds on previous resolutions. AG/RES. 2238, "Protecting Human Rights and Fundamental Freedoms while Countering Terrorism" affirms that the fight against terrorism should be waged with the full respect of the law and to civil rights and due process.

2005: The 35th Regular Session of the OAS General Assembly, which met on 5-7 June in Ft. Lauderdale, adopted several resolutions related to fighting terrorism: AG/RES. 2137, "Support for the Work of the Inter-American Committee against Terrorism;" AG/RES. 2145, "Denying MANPADS to Terrorists: Control and Security of Man-Portable Air Defense Systems (MANPADS);" and AG/RES. 2146, "Extradition of and Denial of Safe Haven to Terrorists: Mechanisms for Cooperation in the Fight Against Terrorism."

2004: The 4th Regular Session of the CICTE was held from 28-30 January in Montevideo, Uruguay. Participants discussed their commitment to anti-terrorism efforts, and were invited to accede to the UN conventions on terrorism and ratify the Inter-American Convention against Terrorism. They approved the 2004-2005 Work Program, which includes new programs to meet security requirements in civil aviation and maritime transportation, and the Declaration of Montevideo. In the Declaration, delegates declared their renewed commitment to eliminating terrorism and urged member governments to promote legislative measures to criminalize the acts identified in the Inter-American Convention against Terrorism. They also addressed the threat posed by terrorists' possible access to, possession, and use of weapons of mass destruction and stressed the importance of measures promoting maritime security and improved communication.

From 12-13 February, the OAS held a Meeting of Government Experts to Exchange, from a Human Rights Perspective, Best Practices and National Experiences in Adopting Antiterrorism Measures.

On 8 June, the General Assembly passed a resolution (AG/RES. 2010 (XXXIV-O/04) adopting amendments to the Statute of the Inter-American Committee against Terrorism (CICTE). These specify that the functions of the CICTE are civilian, and acknowledge that all CICTE

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actions should respect state sovereignty and international law. In addition, the amendments extend the CICTE's functions and the Secretariat's duties and aligns them with UN Security Council Resolution 1373.

In an additional resolution (AG/RES. 2051 (XXXIV-O/04)), the assembly reaffirmed its commitment to strengthening cooperation in implementing anti-terrorism measures; called upon relevant Member States to sign, ratify, or accede to and to implement the Inter-American Convention against Terrorism; and endorsed the Declaration of Montevideo. The CICTE also held several simulation exercises and seminars in counterterrorism efforts during the year.

2003: The 3rd Regular Session of the CICTE convened in San Salvador, El Salvador from 22-24 January. Member States reaffirmed their intentions to combat terrorism and approved the Declaration of San Salvador on Strengthening Cooperation in the Fight against Terrorism, the CICTE 2003 Work Plan, and recommendations for a Special Conference on Hemispheric Security. In the declaration, they recognized the threat posed by terrorism, the link between it and illicit trafficking in drugs and arms, and work done by Member States. They urged Member States to sign, ratify, or accede to the Inter-American Convention against Terrorism and UN terrorism-related conventions and protocols, as well as other agreements, and implement UN Security Council Resolution 1373 and CICTE recommendations and to adopt domestic anti-terrorism legislation. Member States also affirmed their resolve to carry out the Work Plan and strengthen cooperation against terrorism.

During its 33rd Regular Session in June, the General Assembly adopted two resolutions regarding terrorism: AG/RES. 1931 (XXXIII-O/03) and AG/RES. 1964 (XXXIII-O/03). In the former, it reaffirmed states' duties to combat terrorism and urged them to sign, ratify, or accede to the Inter-American Convention against Terrorism, and instructed the Permanent Council to convene a meeting regarding terrorism and human rights. In the latter, it reaffirmed its commitment to cooperation against terrorism, and endorsed the Declaration of San Salvador on Strengthening Cooperation in the Fight Against Terrorism. It also asked the CICTE to continue to facilitate dialogue on this issue, and to cooperate with various inter-American committees to combat the links between terrorism and illicit trafficking in drugs, arms, and with transnational crime.

The Inter-American Convention against Terrorism entered into force on 10 July 2003. It had been drafted in 2002 and signed by 30 Member States on 3 June of that year.

The CICTE's first meeting of National Points of Contact convened from 14-15 July in Washington, DC. Participants discussed means of communication between various counterterrorism experts, training initiatives, and the CICTE work plan. The CICTE also held a Cyber Security Conference in Buenos Aires, Argentina in July to work on developing a global cyber-security strategy for the OAS.

On 7 October, the OAS, in conjunction with the UN Committee against Terrorism, held a meeting to address the role of regional and international organizations in counterterrorism policy.

2002: At the Second Regular Session of CICTE on 28-29 January in Washington, DC, the ministers of interior and public security and the other heads of delegations reported on the action taken by their respective nations to implement resolution RC. 23 of September 21. On January 30, policy experts from the Member States participated in a policy development role playing exercise hosted by the United States to examine possible courses of action in response to a terrorist scenario.

As a key milestone in 2002, the OAS Convention Against Terrorism was drafted and signed by the organization's Member States at the OAS General Assembly in Bridgeton, Barbados on June 3.

CICTE established an Executive Secretariat within the OAS General Secretariat. The CICTE Secretariat was formed with individuals seconded by the governments of El Salvador, Uruguay, and the United States. The OAS secretary general appointed an Executive Secretary in October to direct the operations of the secretariat. During 2002, the Secretariat designed and deployed the CICTE On-Line Anti-terrorism Database in support of the 2002-2003 work plan. Additionally, CICTE has participated in the drafting of model regulations for the prevention of terrorist financing with OAS-CICAD's Group of Experts. CICTE has also participated in meetings of the Caribbean Financial Action Task Force (CFATF) and the United Nations Security Council Counter-Terrorism Committee (CTC).

2001: The events of 11 September brought renewed focus to inter-American efforts to confront terrorism. The attacks were immediately condemned by the General Assembly, which coincidentally was meeting in Special Session in Lima, Peru to approve the Inter-American Democratic Charter. This was followed by the resolution "Strengthening Cooperation to Prevent, Combat, and Eliminate Terrorism" (RC.23/RES.1/01) adopted by the 23rd Meeting of Consultation of Ministers of Foreign Affairs September 21, 2001 in Washington, DC.

This resolution included among other items the following issues pertinent to CICTE: a call upon all Member States to strengthen cooperation, at the regional and international levels, to pursue, capture, prosecute, and punish and, as appropriate, to expedite the extradition of the perpetrators, organizers, and sponsors of these terrorist acts, strengthen mutual legal assistance, and exchange information in a

timely manner. It also instructed the Permanent Council to convoke, as soon as possible, a meeting of the Inter-American Committee Against Terrorism so that it may identify urgent actions aimed at strengthening inter-American cooperation to prevent, combat, and eliminate terrorism in the hemisphere; and entrusted the Permanent Council with preparing a draft Inter-American Convention against Terrorism with a view to presenting it to the next session of the OAS General Assembly. In addition, the resolution urged the states to study the international legal repercussions of the conduct of government authorities who provide financial support to, protect, or harbor terrorist individuals or groups.

In light of these and subsequent resolutions of the organs of the Inter-American system, CICTE held two special sessions on 15 October and 29 November. Between these sessions, three subcommittees (Financial Controls, Border Controls, and Work Plan) worked diligently to identify counter-terrorism actions for OAS Member States to implement at the multi-lateral, regional, sub-regional, and national levels and to draft an agenda for CICTE to pursue in 2002-2003.

2000: A second regular session planned for Bolivia in 2000 had to be canceled at the last moment. No session was scheduled in 2001.

1999: The General Assembly endorsed the recommendations and decisions contained in the Commitment of Mar Del Plata, which was adopted in 1998, and established CICTE by resolution AG/RES. 1650(XXIX-O/99).

The first regular session of CICTE was held in Miami, Florida in October, where a plan of work was developed.

1998: The Second Specialized Conference on Terrorism held in Mar del Plata, Argentina on 23-24 November was concluded with the adoption of the Commitment of Mar del Plata. That commitment called for establishing within the Organization of American States an "Inter-American Committee against Terrorism" composed of "competent national authorities" of the Member States. This effort was further endorsed by the Heads of State of the hemisphere in the Plan of Action of the Second Summit of the Americas in Santiago, Chile.

Developments:

2008: The 38th Regular Session of the General Assembly met on 1-3 June in Medellin, Colombia.

2007: The 37th Regular Session of the General Assembly met on 3-5 June in Panama.

2006: The 36th Regular Session of the General Assembly met on 4-6 June in Santo Domingo in the Dominican Republic. The first Hemispheric Reports on progress against corruption in the member states were made to the General Assembly. Reports related to the efforts of the member states to combat illegal drugs were also presented to the assembly

2005: The General Assembly elected José Miguel Insulza as the new secretary-general on 2 May.

The 35th Regular Session of the General Assembly met on 5-7 June in Ft. Lauderdale, Florida.

The Fourth Summit of the Americas was held in Mar del Plata, Argentina on 4-5 November. The focus was "creating jobs to fight poverty and strengthen democratic governance."

2004: The Special Summit of the Americas convened in Monterrey, Mexico from 12-13 January. Delegates adopted the Declaration of Nuevo Leon, in which they addressed measures to combat poverty, promote social and economic development, and strengthen democracies. In addition, they recognized the threats posed by terrorism and the proliferation of weapons of mass destruction and resolved to help prevent the financing of terrorism by fighting transnational crime and the illicit trafficking of drugs, arms, and persons. In addition, the declaration called upon states that had not yet done so to ratify the Inter-American Convention against Terrorism and the 12 United Nations terrorism-related conventions and protocols.

Permanent observer status to the OAS was granted to the Grand Duchy of Luxembourg and to the People's Republic of China, bringing the total number of permanent observers to 60.

On 6-8 June, the General Assembly met for its 34th Regular Session in Quito, Ecuador.

On 23 September, former Costa Rican President Miguel Angel Rodriguez became secretary general of the OAS, succeeding former Colombian President Cesar Gaviria. Immediately after taking office, Rodriguez resigned. Pursuant to Article 108 of the OAS Charter, the assistant secretary general, Ambassador Luigi R. Einaudi, assumed duties until the General Assembly elected José Miguel Insulza as the new secretary general on 2 May 2005.

2003: The OAS Inter-American Convention against Terrorism entered into force on 10 July.

Permanent Observer status was granted to two new states, Slovenia and Nigeria.

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2002: On 3 June, 30 member states signed the Inter-American Convention against Terrorism at the 32nd regular session of the General Assembly.

2001: The Third Summit of the Americas was held in Quebec City, Canada. The member states adopted the Declaration of Quebec City and Plan of Action.

1999: Within the Inter-American Drug Abuse Control Commission (known by its Spanish acronym, CICAD), the basic framework for a Multilateral Evaluation Mechanism was developed. The Mechanism will measure progress in regional and national efforts against drugs.

1998: The Second Summit of the Americas was held in Santiago, Chile. The presidents and prime ministers of the hemisphere assigned to the OAS new mandates in areas including human rights, trade, education, anti-drug cooperation, and summit follow-up.

1997: The OAS Charter was reformed through the ratification of the Protocol of Washington. The agreement strengthens representative democracy by giving the OAS the right to suspend a member state whose democratically elected government is overthrown by force.

An inter-American treaty to combat illegal arms trafficking and production was signed. Presidents Bill Clinton of the United States and Ernesto Zedillo of Mexico attended the signing ceremony.

1996: A landmark anti-corruption treaty was adopted. The treaty was the first international agreement of its kind.

The Inter-American Council for Integral Development was established. The council was designed to promote cooperation among countries in fostering development and combating poverty.

1994: The Summit of the Americas in Miami was held. The hemisphere's heads of state and government reaffirmed the role of the OAS in strengthening democratic values and institutions, and established a range of new roles and priorities for the organization.

1991: Resolution 1080, which set up procedures to react to threats to democracy in the hemisphere, was adopted. A key factor in helping to manage crises, resolution 1080 has been invoked four times: in Haiti (1991), Peru (1992), Guatemala (1993), and Paraguay (1996).

1986: The CICAD was created to confront the growing problem of the consumption, production and trafficking of illegal drugs.

1977: The Panama Canal Treaties were signed at the OAS by US President Jimmy Carter and Panamanian leader Omar Torrijos.

1970: The General Assembly was established as the highest decision-making body of the OAS.

1969: The American Convention on Human Rights was signed. This took effect in 1978, establishing the Inter-American Court of Human Rights, headquartered in Costa Rica.

1962: The Cuban government was excluded from participation in the inter-American system. Cuba remains a member of the OAS, but its government still may not vote or participate in organization activities.

1961: The Charter of Punta del Este was signed. The charter launched the Alliance for Progress, an ambitious cooperative program designed to strengthen democracy and achieve economic progress and greater social justice in the hemisphere. OAS technical cooperation programs were expanded to meet new responsibilities.

1959: The Inter-American Commission on Human Rights was created. It became a key player in the struggle against the hemisphere's repressive regimes, and today continues to provide recourse to citizens who have suffered human rights violations.

1948: At the Ninth International American Conference, participants signed the OAS Charter and the American Declaration of the Rights and Duties of Man, the first international expression of human rights principles. Director General of the Pan American Union Alberto Lleras Camargo became the first secretary general of the OAS.

1910: The International Union of American Republics became the Pan American Union.

1890: The First International Conference of American States was held in Washington, DC. The Conference established the International Union of American Republics and its Secretariat, the Commercial Bureau of the American Republics – the forerunner of the OAS.

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Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)

The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) is an inter-governmental agency created by the Treaty of Tlatelolco to ensure that the obligations of the Treaty are met. OPANAL is responsible for convoking regular and special general conferences and consultation meetings related to the established purposes, means, and procedures of the Treaty. OPANAL also supervises the adherence to the Control System and the obligations stemming from the Treaty of Tlatelolco.

Principal Organs:

General Conference: The General Conference is one of the three main bodies of OPANAL, which convenes for regular sessions biennially and for special sessions when deemed necessary. The General Conference has a number of duties: studying and ruling on any issue or matter addressed in the Treaty of Tlatelolco, including those that refer to the powers and functions of OPANAL's administrative bodies; establishing procedures to ensure the adherence to the Control System established by the treaty; electing the members of the council; electing and dismissing the secretary-general; receiving and reviewing biennial and special reports presented by the council and the secretary-general; establishing agreements with governments and international agencies; approving the agency's budget and establishing the financial contributions scale for Member States; electing the authorities for each session of the General Conference; establishing any subsidiary organization deemed necessary; and approving the Rules of Procedure.

Council: The council consists of five members, who meet every two months in regular meetings and in special meetings as is necessary. The members are elected for a term of four years. The governments of Argentina, Chile, Cuba, Ecuador, Guatemala, and Peru are the current members of the Council.

Secretariat: The Secretariat consists of the secretary-general, who is the chief administrative officer of the agency, and the staff. The secretary-general is appointed for four years and may be re-elected to serve a single additional term. The secretary-general may not be a national of the host country (Mexico).

Currently, there is no secretary-general as Edmundo Vargas Carreno resigned on 30 June 2007 (two years before the scheduled end of his term). There is a deputy secretary-general: H.E. Madame Perla Carvallio, whose term of office is Jan 1, 2008-June 30, 2009.

Verification and Compliance:

Verification: On 26 August 1992, during its eighth extraordinary session, OPANAL's General Conference approved amendments to Articles 14, 15, 16, 19, and 20 relating to the verification and control system established by the Tlatelolco Treaty. The purpose of these amendments was to strengthen the verification system while recognizing the International Atomic Energy Agency (IAEA) as the only organization capable of carrying out special inspections requested by parties to the Treaty. The 1992 General Conference at the same time upheld the principle that the organs of OPANAL would continue to be responsible for monitoring the application of the treaty's control system. It should be emphasized that, although the approved amendments modify the verification system, none of the modifications alters the fundamental principles or the essence of the Tlatelolco Treaty.

Compliance: If a party were found to be in non-compliance, the IAEA would refer the case to the United Nations Security Council.

Developments:

2008: On 14 August, an Extraordinary Session of the General Conference was held in Mexico City, Mexico. United Nations Secretary-General Ban Ki-moon addressed the Conference, noting the successes of regional approaches to disarmament and nonproliferation. He called on States to prioritize bringing the Comprehensive Nuclear-Test-Ban Treaty into force and negotiating a fissile material treaty in the Conference on Disarmament.

The XIX Special Session of the General Conference convened on 19 November in Mexico City to consider budgetary and financial issues.

2007: On 28 June, the Council passed Resolution C/Res. 43 acknowledging Secretary-General Edmundo Vargas Carreno's resignation (two years before schedule) due to financial difficulties of OPANAL.

On 22 November, the 20th Regular Session of the General Conference was held in Mexico City, Mexico. The resolutions and documents were all administrative in nature. The Council passed Resolution CG/Res.496 appointing a deputy secretary-general, H.E. Madame Perla Carvalho, to serve from 1 January 2008 to 30 June 2009.

2006: On 11 September, the Council passed Resolution C/Res. 41 applauding the Central Asia Nuclear-Weapon-Free Zone.

On 23 November , the 18th Special Session of the General Conference was held in Tlatelolco, Mexico. The resolutions and documents were all administrative in nature.

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2005: On 26-28 April, the Conference of States Parties and Signatories of Treaties that establish Nuclear-Weapon-Free Zones was held in Tlatelolco, Mexico. The conference adopted a declaration reaffirming that nuclear weapons constitute a threat to all humanity, urging nuclear-weapons states to adopt negative security assurances, and stressing the importance of the right to peaceful uses of nuclear energy.

On 7-8 November, the 19th Regular Session of the General Conference was held in Santiago, Chile,. The conference re-elected Secretary-General Vargas Carreño of Chile to serve a second term from 1 January 2006-30 June 2009. States Parties adopted the Santiago de Chile Declaration, which expressed support of measures that contribute to disarmament and frustration with the lack of further progess. Specifically, the resolution called for a strengthened OPANAL and more cooperation amongst the NWFZ states, reaffirmed the right of all States to nuclear energy, and called upon nuclear weapon states to provide negative security assurances, move forward on disarmament issues, and withdraw any reservations about the Tlatelolco Treaty.

On 8 November, the General Conference elected Argentina and Mexico to replace Chile and Ecuador as council members. Argentina and Mexico will serve on the council from 1 January 2006 to 30 December 2009.

2004: On 26 April to 7 May OPANAL representatives attended the open sessions of the Preparatory Committee for the 2005 Review Conference of the Parties to the NPT held in New York.

On 23 November, the 17th Special Session of the General Conference was held in Tlatelolco, Mexico,. The conference adopted a resolution in support of the Conference of States Parties and Signatories of Treaties that establish Nuclear-Weapon-Free Zones, to be held in Tlatelolco, Mexico, in 2005. The conference also adopted a resolution reiterating its conviction that the use of nuclear weapons in self-defense against a conventional attack is incompatible with international law.

2003: On 28 April to 9 May, an OPANAL representative attended the second session of the Preparatory Committee for the 2005 Review Conference of the Parties to the (NPT).

On 21 January, 11 March, 8 May, and 28 August, the Council, currently composed of representatives of Brazil, Costa Rica, Mexico, Panama, and Peru, met at OPANAL Headquarters in Mexico City for four ordinary sessions to review the functioning of the control system of the Treaty of Tlatelolco.

On 5-6 November, the 18th Regular Session of the General Conference was held in Havana, Cuba. OPANAL members adopted the Havana Declaration, in which they recognized the threat posed by nuclear weapons, reaffirmed their commitment to nuclear disarmament, emphasized the value of multilateralism, and expressed concern that new security approaches that emphasize nuclear weapons could lead to the development and support of new types of nuclear capabilities. Within this context, delegates noted their satisfaction that, with Cuba's ratification of the Treaty of Tlatelolco, it had entered into full force. Furthermore, they reiterated their support for nuclear-weapon-free zones, pledging to promote the convening of a Conference of States Parties and signatories to treaties establishing nuclear-weapon-free zones. They also planned to request a review of declarations formulated by nuclear States Parties to Protocols I and II of the Treaty of Tlatelolco, to strengthen relevant national controls and verification systems, and to continue working with various international agencies regarding the safe transport of radioactive wastes that affect the treaty's zone of application.

Delegates also passed several resolutions relating to nonproliferation and disarmament during the 18th Regular Session. In a resolution on the "Status of the Treaty and its Additional Protocols," they again expressed satisfaction regarding Cuba's ratification of the Treaty of Tlatelolco, and urged all States Parties which had not yet done so to sign or ratify the amendments to the treaty. In another resolution, delegates encouraged all States parties to ratify the Additional Protocol to their respective International Atomic Energy Agency safeguards agreements. In Resolution 443 on the "Use of Nuclear Energy for Peaceful Purposes," General Conference members appealed to States Parties to accurately report their official positions regarding the issue to the secretary-general. Resolution 445 asked OPANAL members to encourage education regarding disarmament and nuclear nonproliferation issues and to implement United Nations' recommendations on the subject. Finally, in Resolution 449, members reiterated the importance of the Comprehensive Test Ban Treaty's entry into force and called on states to refrain from taking actions contrary to its objectives.

2002: On 18 September, a Cooperation Agreement was signed between OPANAL and the Comprehensive Nuclear Test Ban Treaty Organization (CTBTO) in Vienna.

In November, Cuba ratified the Treaty of Tlatelolco, reaffirming its political will to contribute to the peace and security of the region. The ratification made Cuba a member of OPANAL.

On 25 November, the 16th Special session of the General Conference of OPANAL was held in Mexico City. The Member States agreed to invite nuclear weapon states, which have reservations about Protocol I and II of the Treaty of Tlatelolco, to review their declarations. The Member States hope that these reservations may be

removed or modified with the purpose of strengthening the integrity of the denuclearization objective of the treaty. The Member States also approved the budget presented by the secretary-general for Fiscal Year 2002, which sets a maximum of US $300,000.

2001: On 15 March, the 15th Special Session of the General Conference of OPANAL was held in Mexico City. Vargas Carreño of Chile was unanimously elected as secretary-general for the period from 1 June to 31 December 2001 to complete the term of Ambassador Enrique Román-Morey, who was appointed as the deputy secretary-general of the Conference on Disarmament. Mr. Carrreño's term was extended to 31 December 2005.

On 29-30 November, at its 17th regular session in Panama City, Panama, the General Conference adopted Resolution CG/Res.418, entitled "The strengthening of OPANAL," in which it called on the secretary general to prepare a proposal for holding an international conference of the parties to nuclear-weapon-free-zones (NWFZ), and to increase the exchange of information and experience with other NWFZ. Other resolutions included calls for further collaboration with the IAEA, and for cooperation among Member States against the illicit trafficking in nuclear materials.

1999: On 30 November and 1 December, the 16th regular session of the General Conference of OPANAL met in Lima, Peru. The General Conference adopted the "Lima Appeal" for the complete and immediate prohibition of the use and manufacture of nuclear weapons and the prevention of their proliferation. OPANAL's secretary-general was requested to arrange for the distribution of the Lima Appeal as an official document of the Millennium Assembly of the UN.

Point of Contact:

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Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC)

Membership: Argentina and Brazil.

Established: 18 July 1991 (Guadalajara Agreement).

Background: The Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC) was established under the agreement between Argentina and Brazil for the exclusively peaceful use of nuclear energy, and signed at Guadalajara, Mexico on 18 July 1991. ABACC is responsible for the administration and application of the Common System of Accounting and Control (SCCC), which is a full-scope safeguards system applied to all nuclear activities covering all nuclear materials in both countries.

Highlights of Brazilian-Argentine Cooperation:

- 1980: Agreement between Brazil and Argentina on the peaceful uses of nuclear energy.
- 1985: Declaration of Foz de Iguassu on peaceful purposes of Argentine and Brazilian nuclear programs.
- 1986: Declaration of Brasilia.
- 1987: Declaration of Viedma: Brazilian delegation visits Pilcaniyeu gas diffusion enrichment plant in Argentina.
- 1988: Declaration of Ipero: Argentine delegation visits Aramar ultra-centrifuge enrichment plant in Brazil.
- 1990: Declaration of Buenos Aires.
- 1990: Second Declaration of Foz de Iguassu: basis for bilateral control.
- 1991: Signature of Bilateral Agreement (July).
- 1991: Entry into effect of Bilateral Agreement and the signature of Quadripartite Agreement (December).
- 1994: Signature by Argentina (January) and Brazil (May) of the Treaty of Tlatelolco.
- 1994: Entry into effect of the Quadripartite Agreement (March).

Under the Guadalajara Agreement, Argentina and Brazil undertook to use nuclear material and facilities under their jurisdiction or control exclusively for peaceful purposes; to prohibit and prevent in their territories, and to abstain from carrying out, promoting or authorizing, directly or indirectly, or from participating in any way in the testing, manufacture, production, or acquisition by any means of any nuclear weapon; and to prohibit the receipt, storage, installation, deployment, or any other form of possession of any nuclear weapon.

ABACC has its headquarters in Rio de Janeiro, Brazil.

The Quadripartite Agreement (INFCIRC/435): The Quadripartite Agreement between Argentina, Brazil,

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ABACC, and the International Atomic Energy Agency (IAEA) is a full-scope agreement on the application of safeguards. It was signed on 13 December 1991 and entered into force on 4 March 1994.

The Quadripartite Agreement establishes the following basic undertakings:

- The States Parties undertake, pursuant to the terms of the agreement, to accept application of safeguards on all nuclear activities carried out within their territories or anywhere under their jurisdiction or control, for the sole purpose of verifying that such materials are not diverted to nuclear weapons or other nuclear explosive devices.
- The IAEA shall be entitled to ensure that safeguards are applied in accordance with the terms of the agreement, to all nuclear activities in any place under the States Parties' jurisdiction or control, for the sole purpose of ensuring that these materials are not diverted into unauthorized purposes.
- ABACC undertakes to apply its safeguards to nuclear materials in all nuclear activities carried out in the territories of the States Parties and to cooperate with the IAEA, pursuant to the terms of the agreement.
- The IAEA applies safeguards in a manner to allow verification of the results of the SCCC and thus ensure that no diversion of nuclear materials has occurred.
- Verification by the IAEA includes independent measurements and observations in accordance with the procedures specified in the agreement. In its verification, the IAEA considers the technical effectiveness of the SCCC used by ABACC.
- The States Parties, the IAEA, and ABACC cooperate to facilitate application of the safeguards provided for under the agreement. The IAEA and ABACC work to avoid unnecessary duplication of safeguards activities.

The principles regulating the implementation of the Quadripartite Agreement are:

- ABACC and IAEA should draw independent conclusions.
- ABACC and IAEA should coordinate their activities in order to avoid unnecessary duplication of safeguards efforts.
- ABACC and IAEA should, as much as possible, work together, according to compatible safeguards criteria issued by both agencies, bearing in mind the requirement of preserving technological secrecy.

Procedures for the implementation of safeguards include:

1. Nuclear material accounting, vitally important measures, which are based on the principle of data conservation; applied in Materials Balance Areas; and include measurements made in key points.
2. Containment and Surveillance supplementary measures which provide information on the movements of nuclear material, integrity of items verified, equipment, etc.

The verification process has three distinct stages:

1. Examination of material supplied by the country, including:

- Information on the design of facilities under safeguards;
- Accounting reports detailing movements and inventories of nuclear material;
- Documents covering facility operations providing data for preparation of the reports; and

advanced notifications of international transfers.

2. Collection of information by the ABACC as to the outcome of:

- Inspections to verify design information;
- Inspections to verify records and reports, and to verify nuclear material; and
- Special inspections in case of any serious discrepancy.

3. Assessment of information supplied by the country and collected by the inspectors, in order to determine if the information supplied by the country is complete, correct, and valid.

Brazil and Argentina forward the following reports to ABACC:

- Inventory Change Report (ICR), listing all inventory changes taking place over a specified period (for instance, monthly);
- Material Balance Report (MBR), consolidating the material balance over a period (for instance, one year) based on the physical inventory of nuclear material found in a material balance area; and
- Physical Inventory Listing (PIL), carried out regularly (for instance, annually), listing the physical inventory of nuclear material on a specific date.

The objective of ABACC inspections is to verify the validity of the information it receives. The safeguards system used by ABACC relies on the following types of inspections:

1. Visits, which verify information on the facility design.
2. Routine inspections, which verify conformity between reports and records; location, identification, quantity, and composition of nuclear materials; and information on possible causes of material un-accounted for (MUF), differences between shipper-receiver, and discrepancies against book inventory.
3. Ad Hoc Inspections, which verify the information contained in the initial report; identify and verify variations in the situation between the date of the initial report and the date of entry into effect of the Application Manuals; and identify and, if possible,

verify the quantity and composition of nuclear materials before transfer to, from, or between the Member States.

4. Special Inspections, which verify the information contained in the special reports; or are used when ABACC feels that the information supplied by a Member State and the information obtained during the routine inspections are not adequate to fulfill its responsibilities. An inspection is considered as special when it is additional to routine inspection activities or implies access to additional information or places.

During the inspections, ABACC inspectors:

- audit documents;
- count and identify items;
- carry out non-destructive measurements of nuclear material;
- apply and verify surveillance equipment and seals; and
- obtain samples of nuclear materials for comprehensive analysis.

At the end of each inspection mission, the inspectors return to ABACC Headquarters to prepare the inspection report. On the basis of this report, ABACC prepares its inspection assessment, which is forwarded to the national authority of the country, corresponding to the notification of the results thereof.

Since its establishment, ABACC has performed more than 1,200 inspections in 75 nuclear facilities of Argentina and Brazil, representing a total inspection effort of over 4,400 inspectors' days. Accounting and control activities have been performed by a group of 10 professional technicians, with the support of 70 inspectors made available by the two countries, and with around $20 million in financial resources.

ABACC maintains technical cooperation with several international entities such as the IAEA and EURATOM, and with several other countries, including the United States, France, the Republic of Korea, Japan, and the United Kingdom.

Developments:

2004: On September 17, the 9th Meeting of the Quadripartite Agreement's Technical Subcommittee took place in Vienna, Austria. The subcommittee is a forum of the Quadripartite Agreement to discuss technical issues related to the implementation of safeguards. The forum seeks to improve the effectiveness and efficiency in the application of international and regional safeguards.

The meeting identified potential fields for the application of remote monitoring and of the "unified uranium" category and established work teams for the discussion of the safeguards approach proposed for each one of the conversion plants submitted to the Quadripartite Agreement.

Principal Organs:

***ABACC Commission**:* The commission consists of four members (two members from each country). Among the commission's duties are monitoring the functioning of the SCCC, procuring necessary resources to establish the secretariat, supervising the functioning of the secretariat, preparing a list of qualified inspectors to carry out inspection tasks, and reporting to the parties every year on the implementation of the SCCC.

Developments:

2007: During its first meeting on 30 March, the Commission approved the 2007 Economic and Financial Balance Sheet and the audit report. During the second meeting held in August, the Commission confirmed Dr. Odilon Antonio Marcuzzo do Canto as ABACC's Secretary.

In its December meeting, the Commission approved contributions of $1,681,250 from both governments for 2008. On 7 December, IAEA Director-General Mohamed ElBaradei made an official visit to ABACC, meeting with the Secretary as well as Brazilian and Argentine officials.

2006: The Commission met three times in 2006. During the first meeting, the Commission discussed its annual report, audit, and balance sheet. In addition, the Secretariat provided an explanation concerning the safeguards approach for Indústrias Nucleares do Brasil (INB)'s commercial uranium enrichment plant and the procedures related to inspections during the initial production stage of the plant.

In the second meeting, the work plan and budget for 2007 were introduced. During the third meeting, the Commission approved the 2007 Work Plan and Budget at a sum of up to $3,313,000.

2005: The first two meetings of the year by the commission took place on March 7 and July 4. The meetings considered activity reports, economic and financial balance sheets, the external audit report and the 2006 work plan, and the budget of ABACC. A report was presented on the status of the negotiations related to the safeguards approach at the uranium enrichment plant of Indústrias Nucleares do Brasil (INB), as well as on the tasks carried out after the negotiation. The commission approved the text of the 2004 Annual Report. During the second meeting, the new website of the ABACC was launched at www.abacc.org.

At its meeting on July 4, the commission decided to summon an ad-hoc advisory group to analyze the safeguards approach for the commercial uranium enrichment plant of INB under negotiations between IAEA and Brazil.

The meeting of the ad-hoc group, consisting of Argentine and Brazilian experts, was held in Rio de Janeiro, Brazil

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on August 1 and 2. The ad-hoc group considered that the general guidelines, the criteria and the set of actions of the safeguards approach were appropriate and recommended analyzing the possibility of transmitting the "normal operation" signal of the surveillance systems in order to speed up the response in case of a failure. Additionally, the group advised performing periodical reviews of the proposed actions.

***Secretariat**:* The secretariat consists of a Secretary and a Deputy Secretary, whose nationalities are alternated each year; a staff of 10 technical officers (including the Secretary and Deputy Secretary), two administrative officers, eight support staff, and 85 inspectors.

Among the duties of the secretariat are implementing directives and instructions issued by the Commission, performing necessary activities for the implementation and administration of the SCCC, and informing the commission immediately of any discrepancy in the records of either of the parties that emerges from the evaluation of the inspection results.

Verification and Compliance:

***Verification*:** Brazil and Argentina have established the Common System of Accounting and Control of Nuclear Materials (SCCC) in order to verify that nuclear materials used in all nuclear activities in both countries are not diverted to purposes prohibited by the agreement. The objective of ABACC is to administer and implement the SCCC: to carry out inspections, to designate inspectors, to evaluate inspections, to engage the necessary services to ensure fulfillment of the SCCC objectives, to represent the parties before third parties in connection with the implementation of the SCCC, and to take legal action. The Quadripartite Agreement between the two Governments, the ABACC, and the International Atomic Energy Agency (IAEA) gives the IAEA the responsibility of applying full safeguards in both countries.

***Compliance*:** If a country was found to be in non-compliance, the IAEA would refer the case to the United Nations Security Council.

Developments:

2007: In coordination with the IAEA and with national authorities, 59 inspections were carried out in Argentine facilities and 53 were carried out in Brazilian facilities.

In Argentina, physical inventories were verified at Combustibles Nucleares Argentinos (CONUAR) and Complejo Fabril Córdoba. A number of transfers were verified, including the transfer of spent fuel elements for dry storage at the Embalse Nuclear Power Plant and the export of spent fuel elements to the United States. In December, the first field trial of a Short Notice Random Inspection (SNRI) took place at CONUAR.

In Brazil, inventories were verified at the Aramar Experimental Centre (CEA), the Angra I Nuclear Power Plant, and the enrichment plant of Indústrias Nucleares do Brasil (INB). Verification activities at enrichment facilities included unannounced inspections.

In cooperation with the IAEA, the ABACC tested the surveillance cameras for the Hawk Digital Imaging System (HDIS), part of a new line of safeguards equipment that will be used in the near future, especially in facilities where portable cameras are needed.

2006: The work being undertaken by the ABACC, the IAEA, and the Brazilian Nuclear Energy Commission (CNEN) to implement safeguards at the first Brazilian commercial uranium enrichment plant was approved on 23 March. This established the basis to begin an inspections regime. In November, the ABACC and the IAEA carried out the first unannounced inspection at the Indústrias Nucleares do Brasil (INB)'s enrichment facility.

Representatives of the ABACC Secretariat participated in the meeting of the European Safeguards Research and Development Association (ESARDA) from 29 May-2 June, the 47th annual meeting of the Institute of Nuclear Material Management (INMM) from 16-20 July, and the 50th General Conference of the IAEA from 18-22 September.

In 2006, 59 inspections were carried out in Argentine facilities and 58 in Brazilian facilities. Accounting records were authorized corresponding to 559 reports received from both countries.

2005: On March 29 and 30, a coordination meeting between ABACC and the IAEA was held in Vienna. Both agencies performed a review of the situation concerning the application of safeguards under the Quadripartite Agreement. Information was exchanged with regard to the inspection activities scheduled for the next six months.

2004: In February, a coordination meeting between ABACC and the Brazilian National Authority (CNEN) was held to discuss the revision of the terms of the 1993 Agreement of Mutual Cooperation. The meeting considered the introduction of a mechanism to allow for the automatic renewal of the agreement. The meeting also discussed the current status of the Projects of Technical Cooperation and devised general guidelines for inspectors.

On March 15, a coordination meeting between ABACC and the National Argentine Authority (ARN) was held. The meeting reviewed the current status of the Technical Cooperation between CNEN and the ARN. The meeting also discussed issues related to the application of safeguards in the nuclear power plants of Atucha I and Embalse.

On September 13-17, ABACC held negotiations on the facility attachments in Brazilian and Argentine facilities in Vienna, Austria. Regarding the Brazilian facilities, the update of the document corresponding to Indústrias Nucleares do Brasil's fuel manufacturing plant was completed, including the stage for the conversion of UF6 into UO2 pellets. An agreement was reached regarding the Argentine Embalse station's document and only a decision by the IAEA is pending for the distribution of the final texts. With regard to the Atucha I Nuclear Power Plant, the facility attachment is at an advanced negotiation stage and a decision from the IAEA is being awaited with regard to the ARN's proposal to use the unified uranium category in order to simplify the registration of the nuclear loss. Currently, only a few facilities in operation are missing the approval of their documents.

The 1993 Agreement of Mutual Cooperation between ABACC and the Brazilian National Nuclear Energy Commission was renewed on November 5.

2003: On August 15, Ambassador Celso Amorim of Brazil and Ambassador Rafael Bielsa of Argentina developed a Memorandum of Agreement which reaffirmed their countries' "engagement with the disarmament and the non-proliferation of mass destruction weapons."

2002: On 16 September at the 46th General Conference of the IAEA, the Secretary of the ABACC, Elias Palacios, stated that the IAEA and ABACC are expected to reach an agreement soon on the first guidelines for joint inspection activities at specific facilities. He stated that the conclusion of these guidelines will allow the optimization of the inspection effort applied by the two organizations. The conclusion of these two documents is also a requirement to reach a proceeding known as the "New Partnership Approach" between the IAEA and ABACC in the near future.

2001: On 14 August, at the occasion of the tenth anniversary of the ABACC, Brazil and Argentina signed a joint declaration creating the Brazil-Argentine Agency on Nuclear Energy Applications (ABAEN). Through ABAEN, the two countries pledged to cooperate in such areas as the nuclear fuel cycle, nuclear waste, and nuclear energy reactors. This cooperation aimed at promoting the right conditions for the design and execution of joint projects and supplements the Argentine-Brazilian Standing Committee on Nuclear Policy.

2000: A technical cooperation agreement discussed between ABACC, the Technology Center for Nuclear Control (TCNC), and the Korea Atomic Energy Research Institute, came into effect on 31 January. The purpose of this arrangement is to foster cooperation between ABACC and the TCNC with regard to accounting and control of nuclear materials.

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Other

Global Partnership against the Spread of Weapons and Materials of Mass Destruction (10 Plus 10 Over 10 Program)

Signed: 27 June 2002

Member States: The seven major industrial countries: France, the United States, Britain, Germany, Japan, Italy, and Canada, also known as the G-7, plus Russia. (The Global Partnership now also includes as donor participants non-G8 States, including the Netherlands, Norway, Finland, Poland, Sweden, Switzerland, the Czech Republic, Denmark, Ireland, New Zealand, South Korea, Australia, and Belgium.)

Background: On 27 June 2002, during the 2002 Summit, the G8 (the seven major industrial countries plus Russia) issued a statement outlining a new initiative, entitled the "Global Partnership Against the Spread of Weapons and Materials of Mass Destruction." It committed the G-7 to raising up to $20 billion over the next 10 years to fund nonproliferation projects, principally in Russia but also in other nations. The so-called "10 plus 10 over 10" initiative, agreed to at the G8 summit in Kananaskis, Canada, calls for the United States to contribute $10 billion, and the other original G-7 nations a combined $10 billion to help Russia and other nations destroy their stockpiles of weapons of mass destruction (WMD).

At the June 2002 Summit, G8 leaders adopted a set of "six principles" that outline broad goals for the initiative and "nine guidelines" for new projects. Under these guidelines, the Global Partnership will initiate new bilateral and multilateral projects and enhance existing ones, such as those under the long-standing U.S. Nunn-Lugar or Cooperative Threat Reduction Program. The G8 will establish a senior-level mechanism to coordinate Global Partnership activities, including monitoring progress and considering priorities. Russian President Putin agreed to provide contributing States the same

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privileges it accords the United States, namely access to sites, tax exemptions, and liability protection.

Months after the Summit, however, there was slow progress in collecting funding commitments from countries and still no coordinating mechanism or clear plan for moving forward.

Developments:

2008: The 2008 G8 summit, chaired by the Government of Japan, took place from 7-9 July in Hokkaido. One of the four major themes was "political issues including nuclear nonproliferation."

Paragraphs 57-66 of the summit declaration outline G8 commitments to preventing WMD proliferation which include support for the Six-Party process towards the verifiable denuclearization of the Korean Peninsula; the efforts to resolve through negotiation the risks posed by Iran's nuclear program; full commitment to all three pillars of the NPT; negotiation of a fissile material cut-off treaty in the Conference on Disarmament; and implementation of the BTWC, the CWC, the Hague Code of Conduct, UN Security Council Resolution 1540, and the IAEA additional protocol. The declaration called for a continuing moratorium on nuclear weapon test explosions but did not mention the CTBT.

The report (and annex) on the G8 Global Partnership noted progress that had been made in chemical weapons destruction, the dismantlement of nuclear submarines, the disposition of fissile material, the employment of former weapons scientists, and the physical protection of nuclear materials. Partners reaffirmed their commitment to cooperating in other spheres in accordance with the 2002 Kananaskis Statement. The report noted U.S.-Russian cooperation on the construction of power plants that will enable the permanent closure of the three remaining plutonium production reactors in Russia. Six other nations have also committed funds for this project.

2007: The 2007 G8 summit, hosted by German Chancellor Angela Merkel in the Baltic seaside resort town of Heiligendamm, convened from 6-8 June. Members discussed a range of issues under three overarching themes: Growth and Responsibility in the World Economy, Growth and Responsibility in Africa, and Foreign Policy and Security Issues.

Forming part of a series of documents adopted at the conclusion of the summit, members issued statements on Nonproliferation, the Global Partnership (GP), and Nuclear Safety and Security.

The Statement on Nonproliferation reaffirmed the commitment of members to the multilateral treaty system governing nonproliferation, emphasizing as well the key role of the United Nations Security Council in addressing the challenges of proliferation. Members also underlined the importance of compliance with the multilateral treaty system, while recognizing the necessity of strengthening verification and enforcement. In this regard, members committed to continue efforts to make the IAEA Comprehensive Safeguards Agreement together with the Additional Protocol the universally accepted verification standard to ensure the peaceful use of nuclear energy.

In order to reduce the risks associated with the spread of enrichment and reprocessing technology, G8 members stressed the importance of developing and implementing mechanisms of multilateral approaches to the nuclear fuel cycle but reiterated that participation in such a mechanism should be on a voluntary basis without precluding any state from purchasing nuclear fuel cycle services commercially.

In reference to regional proliferation challenges, Members expressed their commitment to seek solutions through diplomatic means. In the case of Iran, G8 countries urged Iran to suspend its enrichment-related and reprocessing activities while deploring its refusal to meet its obligations under relevant UNSC resolutions. Members also expressed willingness to pursue further measures should Iran continue a course of noncompliance. Regarding the Korean Peninsula, Members expressed support for the Six Party Talks and swift implementation of actions agreed on 13 February 2007 towards implementation of the Joint Statement of 19 September 2005. North Korea's nuclear explosion of 9 October 2006 was deemed a clear threat to international peace and security while at the same time members called upon North Korea to refrain from conducting any further nuclear tests.

G8 members reaffirmed their commitment to the Global Partnership (GP) against the proliferation of weapons of mass destruction as originally formulated at the 2002 Kananaskis G8 summit. Both a midterm review and a report on recent activities were produced at the 2007 summit. Priorities of the GP remain to be: destruction of chemical weapons, dismantlement of decommissioned nuclear submarines, the disposition of fissile materials and the employment of former weapons scientists, Members noted significant progress in all activities, while welcoming the increased financial contribution of Russia to the Partnership since 2002. In addition to the work currently conducted in Russia, a number of areas in which GP partners could engage in the future were discussed. Although not exhaustive, they include the implementation and universalization of the CPPNM, Full Scope Safeguards, the Additional Protocol, UNSCR 1540, the Convention on the Suppression of Nuclear Terrorism and the Global Initiative to Combat Nuclear Terrorism.

The Nuclear Safety and Security Group (NSSG), created at the 2002 Kananaskis Summit with a view to providing technical and strategic policy advice to leaders of G8 countries on nuclear safety and radiation protection

issues, met and discussed nuclear safety improvement programs for operating nuclear power plants in Armenia and the Ukraine. The group reaffirmed commitments regarding the improvement of safety conditions of Chernobyl's damaged reactor unit site and making available safe and reliable facilities for the decommissioning of the shut down reactors units.

The G8 concluded its 2007 summit by welcoming the offer of the prime minister of Japan to host the next summit in Hokkaido, Japan in July 2008.

2006: Russian President Vladimir Putin hosted the 2006 G8 Summit from the 15 – 17 July 2006 at the Constantine Palace in Strelnya, near St. Petersburg. It was the first time Russia has assumed the presidency of the G8. The primary themes of the 2006 summit were energy security, education and fighting infectious diseases.

The G8 members adopted a 'Package of Documents' at the summit, including a 'Statement on Non-Proliferation' that noted the proliferation of WMD was the 'pre-eminent threat to international peace and security.' The Statement also noted that the G8 countries are determined to fulfill all of their disarmament and non-proliferation commitments held under relevant international treaties and resolutions, including the NPT, CWC, BTWC, UNSCR 1540 and IAEA safeguards and that they urge all states to accede and implement these treaties.

The Members re-affirmed the inalienable right to peaceful nuclear energy but stressed that alternatives must be sought to ensure access to nuclear fuel related services to states as an alternative to pursuing enrichment and reprocessing activities. The G8 noted with appreciation the Russian initiative towards multinational fuel centres and the US initiative towards a Global Nuclear Energy Partnership.

The G8 expressed 'serious' concern over Iran's nuclear program and urged Iran to accept the multilateral proposals set forth in June 2006 for a cooperative peaceful nuclear program. The G8 expressed support for referring Iran to the Security Council if it fails to cooperate further. 'Deep concern' was also expressed over the DPRK's nuclear program, with particular reference and condemnation made of the multiple missile test launches carried out on 5 July 2006. The G8 reaffirmed its full support for the September 19, 2005 Joint Statement and the Six-Party talks and urged the DPRK to return to the talks and the NPT, and abandon its nuclear weapons program.

The G8 noted it was 'looking forward' to reinforcing its relationship with India and encouraged India to take further steps towards integration into the mainstream of strengthening the nonproliferation regime, so as to facilitate a more forthcoming approach towards nuclear cooperation to address its energy requirements, in a manner that enhances and reinforces the global non-proliferation regime. The G8 also commended Libya's abandonment of WMDs and highlighted the strategic benefits of cooperating with the will of the international community.

The G8 issued a Report on the G8 Global Partnership that re-affirmed its commitment to the full implementation of all G8 Global Partnership objectives and left open the possibility of expansion of the Partnership to other recipient countries and donor states. The G8 remains committed to raising $20 billion by 2012 for the GP, mainly for projects in Russia. The report noted the practical progress made by GP initiatives in Russia, including the destruction of chemical weapons, the dismantlement of 61 nuclear submarines, the funding of 1,400 research projects employing some 17,000 Russian nuclear scientists and the disposition of 34 tonnes of plutonium.

President's Bush and Putin announced at the conference the launch of the Global Initiative to Combat Nuclear Terrorism. Intended to enhance cooperation between states in combating the threat of nuclear terrorism, the Initiative intends to improve accounting, control, and physical protection of nuclear material and radioactive substances, as well as security of nuclear facilities and further tackle illicit trafficking of fissile material, among other measures. The United States and Russia have invited initial partner nations to attend a preliminary meeting to elaborate and endorse a Statement of Principles for this Initiative. The United States and Russia have also invited the IAEA to serve as an observer. The International Convention on the Suppression of Acts of Nuclear Terrorism is intended to serve as the primary, although not the exclusive, legal basis for the work of the Initiative.

On the eve of the 2006 G8 summit, the Strengthening the Global Partnership (SGP) announced the publication of its newest consortium report, *"Assessing the G8 Global Partnership: From Kananaskis to St. Petersburg"* and an updated *Global Partnership Scorecard*.

These reports examined the progress made to date by the G8 Global Partnership. The reports note that in the four years of its existence, the G8 Partnership countries have pledged approximately $17.5 billion to this work, but that it has not received the sustained attention and effort needed to reduce these dangers. According to the assessment report, the partnership "has not yet reached its financial goal of $20 billion in pledges, and so far, only a small portion of pledges have been turned into projects."

The report also notes that while the G8 leaders have given important rhetorical priority to the work of securing WMD stocks, progress to date does not yet reflect the 'necessary urgency' of the threat of WMD terrorism. The report gives recommendations for how the Global Partnership countries can move more quickly to ensure

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that funds are reducing the most urgent threats of securing nuclear and biological materials.

2005: British Prime Minister Tony Blair hosted the 2005 G8 Summit 6-8 July in Gleneagles, Scotland. The United Kingdom assumed the presidency of the G8 from the United States at the beginning of this year. Major topics addressed at this year's summit included the progress of the Global Partnership and other established nonproliferation objectives.

G8 members addressed with particular concern the threat of proliferation posed by Iran and North Korea. The leaders expressed their support for negotiation efforts with Iran and stressed the need for North Korea to abandon its nuclear weapons program and return to the NPT.

The G8 Global Partnership Annual Report discussed ongoing and upcoming projects taking place in Russia, noting the developing efforts at increasing co-ordination between participating donors to maximize the use of resources. The partnership also continues to work toward building an international framework to handle efficiently the disposition of fissile materials and the employment of former weapons scientists.

Also addressed were the recent addition of Ukraine to the partnership and the importance of expanding membership to additional former Soviet Union states.

Members emphasized the importance of reinforcing and universalizing nonproliferation by increasing membership to treaties and organizations such as the NPT, the International Convention on the Suppression of Acts of Nuclear Terrorism, as well as the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA). Members also stressed the importance of the IAEA Additional Protocol and its role as the new standard in the field of nuclear supply arrangements.

Leaders also discussed the progress on the Secure and Facilitated International Travel Initiative (SAFTI) and the Counter-Terrorism Action Group (CTAG). Members reiterated their dedication to improving security through multilateral cooperation through SAFTI. Regarding CTAG, members discussed shifting the focus from Africa and the Middle East to South East Asia.

2004: U.S. President George W. Bush hosted the 2004 Summit of the G8 on 8-10 June in Sea Island, Georgia, after the United States assumed the presidency of the G8 from France at the beginning of the year. Among the major topics addressed by the Summit were the status and progress of the Global Partnership and of nonproliferation objectives set out at the previous summits at Kananaskis and Evian, held in 2002 and 2003, respectively.

G8 members announced an Action Plan on Nonproliferation that addressed eight major subjects: nuclear nonproliferation, the Proliferation Security Initiative, the status of the Global Partnership Against Weapons and Materials of Mass Destruction, nonproliferation challenges, defense against bioterrorism, chemical weapons proliferation, implementation of the Evian initiative on radioactive source security, and nuclear safety and security.

Regarding nuclear nonproliferation, G8 members affirmed their desire for ratification of and universal compliance with the International Atomic Energy Agency's (IAEA's) Additional Protocol on safeguards and committed to amend Nuclear Suppliers Group guidelines by the end of 2005. They committed to strengthening the IAEA by creating a Special Committee of the IAEA Board of Governors to focus on safeguards and verification. They also agreed to refrain, for a year, from initiating new uranium enrichment reprocessing technology transfers to additional States and to attempt to create permanent controls in this area prior to the 2005 Summit. In addition, the G8 called on States to put into practice United Nations Security Council Resolution 1540, which urges that they refrain from supporting attempts by non-State actors to acquire, use or transfer nuclear, chemical or biological weapons and develop domestic controls to prevent proliferation, and to act cooperatively and multilaterally in doing so.

Also in the Action Plan, G8 members reaffirmed their support, and acknowledged widening international support, for the Proliferation Security Initiative (PSI) and the Statement of Interdiction Principles for the trafficking of weapons of mass destruction and their delivery systems. They discussed work done by the Global Partnership in Russia in 2004, reiterated its $20 billion funding goal, and welcomed Australia, Belgium, the Czech Republic, Denmark, Ireland, the Republic of Korea, and New Zealand (which were invited to join the Global Partnership at a meeting of the Global Partnership Working Group in London in March) as new donors. G8 members also discussed the possibility of Ukraine's participation, as well as the inclusion of new recipient countries in the future.

Regional nonproliferation challenges addressed in the Action Plan and at the Summit included the DPRK's withdrawal from the NPT, Iran's pursuit of nuclear weapons, and Libya's abandonment of its weapons of mass destruction program and adherence to the NPT. The G8 urged all States not party to the Biological Weapons Convention and the Chemical Weapons Convention to join as soon as possible. Members also noted progress toward the goal, articulated at the 2003 Evian Summit, of strengthening controls surrounding radioactive sources to prevent their illicit acquisition, and asked for IAEA approval of guidance for these controls. Finally, in addressing nuclear safety issues, the Action Plan encouraged international contributions towards funding

for a confinement structure at Chernobyl, and for Ukraine's cooperation in the project.

In recognition of the continuing threat posed by terrorist attacks, G8 leaders adopted the Secure and Facilitated International Travel Initiative (SAFTI), which includes actions designed to increase security for travelers. It includes widening a plan for the control of Man-Portable Air Defense Systems devised at the Evian Summit, as well as changing the standards, procedures, and information-exchange processes involved in the transport of cargo and in human travel.

The Global Partnership Annual Report, issued in June, stated that the Global Partnership Working Group will continue its commitment to the relevant aspects of the Action Plan on Nonproliferation, focusing on moving forward with new and current projects, reviewing existing implementation guidelines, and adding both new donor and recipient states.

2003: On 1-3 June, the 2003 Summit of the G8 commenced in Evian, France. Chaired by Prime Minister of Canada Jean Chretien, the Summit addressed several issues, including the importance of a strong, multilateral approach to issues of global concern and the spread of weapons of mass destruction. Under the category of "Improving Security," the Summit discussed five primary topics: nonproliferation, terrorism, transport security and control of Man-Portable Air Defense Systems (Manpads), the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, and small arms. Prime Minister Chretien expressed satisfaction with the progress the Summit had made in terms of steps taken to promote peace and security.

The Summit adopted a statement on the proliferation of weapons of mass destruction. It endorsed an Action Plan on the prevention of radiological terrorism and the securing of radioactive sources. It also adopted an Action Plan on capacity building against terrorism and created a Counter-Terrorism Action Group (CTAG), in support of the UN Counter-Terrorism Committee (CT), in order to combat terrorist groups world-wide. One suggested method of achieving this goal was to "choke off the flow of financing that supports terrorism" by calling on Finance Ministers to evaluate progress and identify next steps. Ministers were also encouraged to initiate dialogue with counterparts in other countries, including those whose financial institutions may serve as conduits for such financing.

The implementation of measures to reduce further risks of terrorist action against mass transportation was also addressed at the Summit. New initiatives concerning sea and air transport security were agreed upon as were actions to prevent the use of Manpads against civil aviation.

Members of the Summit reaffirmed their 2002 Kananaskis commitments to prevent terrorists, or those that harbor them, from acquiring weapons of mass destruction. They reviewed the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction launched last year. A determined commitment was made to sustain and broaden the G8's efforts toward the following issues: reaching the Kananaskis commitment of raising up to US$20 billion over 10 years, otherwise known as the "10 plus 10 over 10" initiative; developing and initiating concrete and worthwhile projects; fully implementing the guidelines; and opening the initiative to new countries. To that end, the Summit members endorsed an Action Plan on the Global Partnership. With respect to small arms, Summit members welcomed the upcoming meeting of States on the illicit traffic of small arms to be held at the United Nations in New York in July of 2003.

Non-G8 States Finland, the Netherlands, Norway, Poland, Sweden, and Switzerland were welcomed as new participants in the Global Partnership, making a collective contribution of about $200 million in 2003.

Non-Aligned Movement (NAM)

NAM Established: 1961

NAM Membership: 118 Members (July 2008) – Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea (DPRK), Democratic Republic of Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao Peoples' Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahirya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palestine, Panama, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tanzania, Thailand, Timor Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Zambia and Zimbabwe.

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Observer States: Armenia, Azerbaijan, Bosnia-Herzegovina, Brazil, China, Costa Rica, Croatia, El Salvador, Kazakhstan, Kyrgyzstan, Mexico, Montenegro, Paraguay, Serbia, Ukraine, Uruguay.

Observer Organizations: African Union, Afro-Asian People's Solidarity Organization, Kanak Socialist National Liberation Front, League of Arab States, New Movement for the Independence of Puerto Rico, Organization of the Islamic Conference, United Nations, South Center, Secretariat of the Commonwealth Nations.

Background: The Non-Aligned Movement was formed during the Cold War, largely on the initiative of then-Yugoslav President Josip Tito, as an organization of States that did not seek to formally align themselves with either the United States or the Soviet Union, but sought to remain independent or neutral. The basis concept for the group originated in 1955 during discussions that took place at the Asia-Africa Bandung Conference held in Indonesia. Subsequently, a preparatory meeting for the First NAM Summit Conference was held in Cairo, Egypt from 5-12 June 1961. At this meeting, participants discussed the goals of a policy of nonalignment, which were adopted as criteria for membership. These were as follows:

- The country should have adopted an independent policy based on the coexistence of States with different political and social systems and on non-alignment or should be showing a trend in favor of such a policy
- The country concerned should be consistently supporting the Movements for national independence.
- The country should not be a member of a multilateral military alliance concluded in the context of Great Power conflicts
- If a country has a bilateral military agreement with a Great Power, or is a member of a regional defense pact, the agreement or pact should not be one deliberately concluded in the context of Great Power conflicts
- If it has conceded military bases to a Foreign Power the concession should not have been made in the context of Great Power conflicts

Objectives: NAM has sought to "create an independent path in world politics that would not result in member States becoming pawns in the struggles between the major powers." It identifies the right of independent judgment, the struggle against imperialism and neo-colonialism, and the use of moderation in relations with all big powers as the three basic elements that have influenced its approach. At present, an addition goal is facilitating a restructuring of the international economic order.

Principal Organs: NAM does not have a formal constitution or permanent secretariat, and its administration is non-hierarchical and rotational. Decisions are made by consensus, which requires substantial agreement, but not unanimity.

***Chair*:** At each Summit, a new Head of State formally becomes the chair, and assumes that position until the next Summit. The chair is responsible for promoting the principles and activities of NAM, and the Foreign Ministry and Permanent Mission in New York of the Chair's State assumes administrative responsibility.

Working groups, contact groups, task forces, and committees: These groups meet as often as is necessary. At present, they include: NAM High-Level Working Group for the Restructuring of the United Nations; NAM Working Group on Human Rights; NAM Working Group on Peace-Keeping Operations; Ministerial Committee on Methodology; NAM Working Group of the Coordinating Bureau on Methodology; NAM Working Group on Disarmament; Committee of Palestine; Contact Group on Cyprus; Task Force on Somalia; Task Force on Bosnia and Herzegovina; Non-Aligned Security Council Caucas; Coordinator Countries of the Action Program for Economic Cooperation; and the Standing Ministerial Committee for Economic Cooperation.

***Coordinating Bureau*:** This ambassadorial-level body, located at the United Nations in New York, reviews and facilitates activities between the working groups, contact groups, task forces, and committees. It is also charged with strengthening coordination and cooperation among NAM States. The Chair's Permanent Representative to the UN in New York functions as the CoB chair.

***Troika*:** Created in 1997, this body consists of past, serving and future Chairs, and operates at the discretion of the incumbent chair.

Non-Aligned Security Council Caucus: The Caucus consists of NAM countries who are elected to the UN Security Council as rotating members. These States seek to adopt unified positions and to reflect the decisions and positions adopted at NAM Summits and Ministerial Conferences.

***Joint Coordinating Committee*:** This committee of NAM and the Group of 77 members meets regularly in New York to coordinate and promote the interests of developing countries in the international community. It was established in 1994.

Meetings convened regularly by various NAM bodies include: Summit Conferences; Ministerial Conferences; Ministerial Meetings held in New York during the regular session of the UN General Assembly; Extraordinary Ministerial Meetings, Ministerial Meetings of the

Coordinating Bureau, meetings of the Ministerial Committee on Methodology, meetings of the Standing Ministerial Committee on Economic Cooperation; and Ministerial Meetings in various fields of International Cooperation. The Summit Conference of Heads of States or Government, which is composed of a political issues committee and an economic and social issues committee, is the highest decision-making body of NAM, and generally convenes every third years. The Summit is preceded by senior official and ministerial meetings, which serve preparatory functions.

Developments:

2009: On 17 February, Ambassador Oscar de los Reyes (Cuba) addressed the OPCW Executive Council on behalf of the NAM. The statement emphasized the importance of decision-making by consensus, called on possessor states to comply with destruction deadlines, and welcomed NAM member Iraq as the newest party to the CWC.

2008: On 13 February, a meeting was held between the Iranian delegation and the NAM Caucus in the Security Council. The purpose of this meeting, requested by the Iranian delegation, was to exchange views on the latest developments regarding the Iranian nuclear issue in advance of an imminent third sanctions resolution.

On 14 February, a letter from the Permanent Representative of Cameroon was circulated, informing members of the nomination by the African Group of H.E. Mr. Boniface Guwa Chidyausiki, Permanent Representative of Zimbabwe to the UN, as the NAM candidate for the Chair of the Third session of the Preparatory Committee for the 2010 NPT Review Conference. A Note Verbale was circulated on 19 February setting a deadline for delegations to send comments on this nomination.

On 26 February, NAM States Parties to the NPT agreed to nominate Mr. Chidyausiki as the NAM candidate for the Chair of the Third NPT PrepCom. On 27 February, the Chair conveyed the Coordinating Bureau's decision through letters to Mr. Volodymyr Yelchenko, Chairman of the Second NPT PrepCom, the Secretariat of the PrepCom, and all NAM States parties to the NPT. The Chair also informed all UN member States parties to the NPT of this decision.

On 3 March, the NAM Caucus in the Security Council met to exchange views on the format of the Security Council meeting on Nonproliferation to take place the same day. The Security Council voted to adopt Resolution 1803 which continued sanctions on Iran. Member States Burkina Faso, Libya, Panama, South Africa, Vietnam, and Observers China, and Costa Rica voted in favor while Indonesia abstained.

On 12 March, the Chair and the Permanent Representative of Indonesia, in his capacity as Coordinator of the NAM Working Group on Disarmament, met with H.E. Mr. Volodymyr Yelchenko, Chairman of the Second session of the Preparatory Committee for the 2010 NPT Review Conference.

On 25 March, Mr. Jean Francis Zinsou of Benin submitted the new NAM Working Paper to Working Group I of the 2008 substantive session of the United Nations Disarmament Commission (UNDC) as a contribution for its outcome document. On 7 April, Indonesia delivered a statement in its capacity as Coordinator of the NAM Working Group on Disarmament, at the United Nations Disarmament Commission (UNDC) Substantive Session.

On 15 April, NAM and China presented a position paper during the general debate of the Second Review Conference of CWC held in The Hague, from 7 to 18 April 2008. The paper called on possessor States to complete the destruction of all chemical weapons including abandoned weapons before the extended deadline. NAM and China pledged to support activities related to the universalization of the Convention.

On 28 April, H.E. Mr. I Gusti Agung Wesaka Puja of Indonesia delivered a statement on behalf of the NAM in the Second Session of the Preparatory Committee for the 2010 Review Conference of the Parties to the NPT, in Geneva, Switzerland.

On 5 June, the Chair circulated for information the statements delivered by NAM at the IAEA Board of Governors Meeting on 2 June during the consideration of agenda items 7a) The Safeguards Implementation Report for 2007 and 7c) Implementation of the NPT safeguards agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran.

On 3 July, the Minister of Foreign Affairs of the Islamic Republic of Iran invited the NAM troika and the members of the NAM caucus in the Security Council to a working luncheon. In this context, the Foreign Minister of Iran briefed the participants on the latest developments on Iran's nuclear issue.

On 11 July, as agreed by the NAM Working Group on Disarmament, Indonesia submitted a Working Paper entitled "Enhancing International Assistance in the Implementation of the Programme of Action in Small Arms and Light Weapons" to the Third Biennial Meeting of States to consider the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects (BMS-3).

The 14th Ministerial Conference was held in Tehran from 27-30 July. Paragraphs 98-151 of the final document address disarmament and international security. Ministers released a statement on the Iranian nuclear issue, which

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emphasized States' inalienable right to use atomic energy for peaceful purposes without discrimination. The Ministers recognized the IAEA as the sole authority for verifying safeguards and welcomed the continuing cooperation being extended by Iran to the IAEA.

On 6 October, Indonesia delivered a statement during the general debate of the UN First Committee on behalf of the NAM.

On 14 October, the preliminary position of the Non-Aligned Movement on the agenda for the 2009 United Nations' Disarmament Commission (UNDC) was circulated by the Chair to NAM delegations as well as to all Permanent Missions to the UN through Note NAM/321/2008.

On 17 October, the Chair circulated the 6 draft resolutions (L.20, 21, 23, 24, 25, 26) and the draft decision (L.22) to be presented by NAM at the First Committee during the 63rd session of the General Assembly. On 28 October, Note Verbale NAM/346/2008 was circulated reminding NAM delegations that on 31 October action would be taken on the draft resolutions and the draft decision presented by NAM in the First Committee.

On 27 November, the Chair reminded NAM members that action would be taken in the General Assembly Plenary on the resolutions and decisions adopted by the First Committee, including those presented by NAM. In this regard, the Chair highlighted the need for NAM members to participate in this session and support the NAM resolutions and decision.

On 2 December, Cuba addressed the CWC Conference of States Parties on behalf of the NAM.

2007: On 5 February the Coordinating Bureau adopted a "Statement on the recent statements of the Israeli Prime Minister regarding Israel's possession of nuclear weapons." As requested by the Iranian delegation this document was sent to the Secretary-General for its circulation as an official document (A/61/735-S/2007/73). The statement was also circulated to the Conference on Disarmament on 7 February.

On 9 March, as agreed in the last CoB meeting, a letter was sent to H.E. Mr. Yuyika Amano, President-designate of the first session of the Preparatory Committee of the 2010 Review Conference of the Parties to the NPT extending him an invitation of the NAM States Parties to the NPT to exchange views regarding the next PrepCom meeting. In response to the aforementioned request, Mr. Amano met with the NAM Working Group on Disarmament on 26 March.

On 12 April, the Chair circulated a Note Verbale of the Permanent Mission of Indonesia, in its capacity as coordinator of the NAM Working Group on Disarmament, appending the Working Paper by the Non-Aligned Movement for Working Group I of the 2007 substantive session of the United Nations Disarmament Commission (UNDC). This Working Paper was submitted to the Secretariat of the UNDC for its circulation as an official document.

On 27 April, the Chair circulated – for NAM members' information – eight Working Documents, agreed by the Group of NAM States Parties to the Non-Proliferation Treaty (NPT) on 26 April. These documents (WP.5-WP.12) were formally presented on behalf of the Movement to the First Session of the Preparatory Committee for the 2010 Review Conference of the Parties to the NPT. A ninth document on peaceful uses of nuclear energy was also agreed, as a result of consultations conducted in New York and Vienna (WP.16).

On 22 June, the Chair circulated the statement to be delivered by Indonesia on behalf of NAM, at the General Debate of the Open-ended Working Group for the Fourth Special Session of the General Assembly devoted to Disarmament (SSOD-IV). The Working Paper (A/AC.268/2007/WP.2) submitted on behalf of NAM at the Open-ended Working Group for the SSOD-IV was circulated.

On 22 August, the Chair circulated for NAM members information, a copy of the statement read by Cuba, on behalf of NAM and other State Parties to the Biological Weapons Convention, at the Meeting of Experts, on 20 August.

On 4 September, the Chair circulated the statement by Indonesia, on behalf of NAM in its capacity as Coordinator of the NAM Working Group on Disarmament on 31 August at the open-ended Working Group for the Fourth Special Session of the General Assembly devoted to Disarmament (SSOD-IV) and the Working Paper presented by NAM at the last session of that meeting.

On 8 October, as agreed by the NAM Working on Disarmament, the Chair circulated for delegations information, the statement read the same day by the Permanent Representative of Indonesia, in his capacity as Coordinator of the NAM Working Group on Disarmament, at the General Debate of the First Committee during the 62nd session of the General Assembly.

On 3 December, the Chair circulated the statement delivered by Cuba, in its capacity as Chair of the NAM Vienna Chapter during the consideration of agenda item 4c) Implementation of the NPT safeguards agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran, at the IAEA Board of Governors' Meeting held in Vienna, 22-23 November 2007.

On 12 December, the Chair circulated the statement delivered on 10 December by the Permanent

Representative of Cuba to the United Nations Office in Geneva, on behalf of the Non-Aligned Movement and other States Parties to the Biological Weapons Convention (BWC) at the 2007 meeting of States Parties to the BWC.

On 18 December, the Chair circulated, for NAM delegations' information, the Working Paper entitled "Proposals for improving national implementation of the Convention and regional and sub-regional cooperation", presented by NAM and other States Parties to the Biological Weapons Convention (BWC) during the Annual Meeting of States Parties to the BWC held in Geneva, 10-14 December 2007.

2006: The 14th Summit Conference of Heads of State or Government of the Non-Aligned Movement was held in Havana, Cuba 11-16 September 2006. The Member States adopted a Final Document, which discussed a range of global, regional, and sub-regional socio-political and security issues including disarmament, threat of use of force, and international security.

The Final Document condemns the categorization of States as good or evil and adoption of doctrine of pre-emptive strikes, which includes attack by nuclear weapons. On disarmament, the document stresses that efforts for nuclear nonproliferation should be parallel to nuclear disarmament. In this regard, the Summit calls for an international conference to agree on a phased program for nuclear disarmament.

The Summit expressed concern over the strategic defense doctrines of NWS, including the NATO Alliance Strategic Concept, which depend on nuclear weapons for their security. The NWS were reminded that development of new types of nuclear weapons would violate their commitments undertaken during the conclusion of the CTBT. It is also noted that implementation of national missile defense systems could lead to an arms race.

The Final Document recommends that a universal legally binding instrument on security assurances should be concluded as an interim measure awaiting complete nuclear disarmament. As a precursor to a legal instrument, it called upon the NWS to give commitments to NNWS for non-use or not to threaten the use of nuclear weapons.

There was support for the establishment of a WMD-free zone in the Middle East. It was noted that on the path towards such a zone, the first step should be placing all Israeli nuclear facilities under IAEA full-scope safeguards and Israel joining the NPT as a NNWS and then declaring Middle East as a NWFZ.

The Ministerial Meeting of the Non-Aligned Movement was held in Putrajaya, Malaysia from 27 – 30 May. At this meeting, a statement on the nuclear issue in Iran was released. The statement reaffirmed the movement's belief in the basic right of states to use atomic energy for peaceful purposes. The ministers expressed their belief that all issues of safeguards and verification, especially as pertaining to Iran, should be resolved only through the framework of the IAEA, and they encouraged Iran to cooperate fully with the IAEA.

The Final Document of the Ministerial Conference addressed various concerns relating to disarmament and nonproliferation and as such reaffirmed longstanding NAM positions. The ministers reaffirmed their commitment to nuclear disarmament, expressing dismay at the slow rate of disarmament and voicing concerns about the US Nuclear Posture Review and the NATO Alliance Strategic Concept, which they felt contravened the security assurances given by the NWS. They called for an international conference to focus on nuclear dangers, ultimately resulting in resolutions for a phased disarmament program.

The Ministers also expressed disappointment at the inability of the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to agree on substantive recommendations. They called on the nuclear-weapon states (NWS) to implement commitments not to use nuclear weapons against non-NWS party to the NPT and nuclear-weapon-free zones (NWFZ). Nevertheless, they reaffirmed the right of developing countries to engage in the use of nuclear energy for peaceful purposes, stressing the responsibility of developed countries to aid developing countries in their quest to utilize nuclear energy. On that note, they demanded the accession of Israel to the NPT as a step to establishing a NWFZ in the Middle East.

Furthermore, the ministers expressed concern over the development and deployment of anti-ballistic missiles defense systems that they warned could lead to an arms race and an increase in the number of nuclear weapons worldwide.

The ministers emphasized their belief that multilateralism was the only method of addressing disarmament and international security issues, reaffirming their support for the UN Disarmament Commission and the Conference on Disarmament as multilateral tools for disarmament negotiations.

The importance of the Biological and Toxin Weapons Convention was reestablished and it was recognized that the convention should be strengthened through multilateral negotiations. The ministers thus committed to work for a successful outcome of the Sixth Review Conference to be held in Geneva, 20 November – 8 December. Furthermore, the ministers invited states who had not yet signed or ratified the Chemical Weapons Convention to do so speedily.

Finally, the ministers also addressed the probability of terrorists acquiring weapons of mass destruction, stressing that the most effective prevention tool was progress in

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disarmament and nonproliferation. Noting the adoption of resolutions 1540 and 1673 by the UN Security Council, the ministers recommended that the issue of non-state actors acquiring weapons of mass destruction should be dealt with multilaterally at the General Assembly.

2005: At the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) held in New York from 2-27 May, the Non-Aligned Movement represented its interests by submitting five working papers for discussion during the conference. Three working papers represented substantive issues to be discussed at Main Committees I, II, and III, respectively.

Working Paper 18 specifically addressed concern over the failure of some Nuclear Weapon States (NWS) to ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Working Paper 19 called for Israel's prompt accession to the NPT and the establishment of a Nuclear Weapon Free Zone in the Middle East. Working Paper 20 requested a "comprehensive multilaterally negotiated instrument" to prohibit the attack on peaceful nuclear facilities,

2004: The Fourteenth Ministerial Conference convened from 17-19 August in Durban, South Africa. In the Final Document of the conference, the Ministers addressed a wide variety of topics, and reaffirmed NAM's positions regarding disarmament and international security and the relevant decisions taken at previous summits.

They expressed concerns regarding States' resorts to unilateralism and stressed that multilateralism "provided the only sustainable method of addressing disarmament and international security issues," welcoming UN General Assembly Resolution 58/44 on the "Promotion of Multilateralism in the Area of Disarmament and Nonproliferation."

The Ministers also expressed concerning about strategic defense policies that "set out rationales for the use of nuclear weapons," and specifically referred to the North Atlantic Treaty Organization's "Alliance Strategic Concept." Regarding the Nuclear Posture Review of the U.S., they noted concerns that the provision for the use or threat of use of nuclear weapons against NNWS is inconsistent with stated negative security assurances, and that the development of new nuclear weapons is contrary to the commitments of the NWS in the Comprehensive Nuclear Test Ban Treaty.

Furthermore, the document reiterated NAM positions on nuclear disarmament and nonproliferation, pointing out the slow progress of the former, and specifically a lack of progress by the NWS in taking steps towards eliminating their nuclear arsenals. They also reaffirmed the need for confidence-building measures as well as both global and regional approaches to disarmament.

The Ministers also addressed the central role of the Conference on Disarmament, and called for an international conference that would produce a phased program for eliminating all nuclear weapons.

Regarding anti-ballistic missiles, the Ministers noted concern about the abrogation of the Treaty on the Limitation of Anti-ballistic Missiles and the possibility that the development of national missile defense systems could produce an arms race. The Final Document also addressed the importance of the CTBT and of nuclear-weapon-free-zones (NWFZ), and supported the creation an additional NWFZ in the Middle East.

The Ministers expressed disappointment regarding the failure of the 2003 NPT PrepCom for the 2005 Review Conference to agree on an agenda and recommendations, noting the need for the NWS to fulfill their commitments with regard to the Treaty, while reaffirming States' inalienable right to use energy peacefully. They also reaffirmed the importance of adherence to the Biological and Toxin Weapons Convention and welcomed recent ratifications of the Chemical Weapons Convention (CWC), encouraging additional States to ratify it as well.

In addition, the Final Document addressed NAM's role in the International Atomic Energy Agency, stressing the importance of members supporting and strengthening its statute. The Ministers also reaffirmed the need to strengthen the safety and protection of radioactive materials, suggested the establishment of an international regime for the physical protection of radioactive materials, and welcomed UNGA Resolution 58/40 on the Prohibition of the Dumping of Radioactive Wastes.

In addressing issues related to small arms and light weapons, the Ministers expressed concern regarding their illicit transfer and manufacture, and encouraged additional States to become party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. Those States parties to the Convention on Certain Chemical Weapons urged additional States to become party to it, and encouraged the reduction of States' military expenditures.

Finally, the Ministers addressed the possibility of terrorists acquiring weapons of mass destruction, welcoming UNGA Resolution 58/48 and noted UN Security Council 1540 on the subject, and encouraged individual States to take national measures to prevent this.

The Fourteenth Summit Conference of Heads of State or Government will be held in Havana, Cuba in September 2006.

2003: The Thirteenth NAM Summit Conference of Heads of State or Government convened in Kuala Lumpur, Malaysia from 20-25 February. At the conference, Heads of State or Government adopted a Final Document that addressed a number of key issues of disarmament and international security.

The Heads of State or Government first addressed their great concern at the growing number of unilateral actions and unilaterally imposed prescriptions. The conference reiterated its strong commitment to multilateralism in accordance with the United Nations Charter.

Consistent with statements in previous Summit final documents, the Heads of State or Government expressed their deep concern over the North Atlantic Treaty Organization's "Alliance Strategic Concept," which allows for the maintenance and deployment of U.S. nuclear weapons from locations within NATO member countries. NAM states that this concept promotes nuclear deterrence and opens the scope for possible use or threat of use of force by NATO.

Additionally, the Final Document covered a variety of topics including NAM's dedication to disarmament and organizations such as the Conference on Disarmament. The Heads of State or Government issued a call for an international conference with the objective to reach an agreement on the elimination of nuclear weapons.

The Heads of State of Government also expressed their support of the CTBT and encouraged its universal adoption. The Summit also discussed the continued establishment of NWFZs, showing specific interest in a NWFZ in the Middle East.

The safe control and reduction of chemical and biological weapons was an important topic of the Summit. The Heads of State or Government welcomed the increasing number of ratifications of the CWC as well as underlined the urgency of resolving the unresolved issues in the framework of the Organisation for the Prohibition of Chemical Weapons (OPCW).

The Heads of State or Government remain deeply concerned over the illicit transfer, manufacture, and circulation of small arms and light weapons. The presence of landmines as a residue of WWII also poses a serious concern to NAM, especially considering their specific obstruction of the development plans of some NAM members.

2002: In 2002, the working group on disarmament met under the coordination of Indonesia to prepare and consolidate NAM's positions for the 57th session of the UN General Assembly. In addition, it began preparing several resolutions, including one regarding the promotion of multilateralism in disarmament and nonproliferation efforts.

In a report on the activities of NAM to the Meeting of Ministers of Foreign Affairs and Heads of Delegation in April 2002, the chair noted that the preceding period had presented major challenges to the NAM Working Group on Disarmament, namely to do a "lack of political will to implement Treaty obligations by States Parties and to engage in negotiations in good faith" and a "tendency to adopt a unilateralist approach on disarmament, non-proliferation and arms control issues."

The report added that NAM has expressed concern regarding these factors, and that it had introduced several disarmament-related resolutions in the UN General Assembly with the goal of continuing debate on these issues, consolidating gains made at individual arms control conferences, and providing practical solutions.

A NAM Ministerial Meeting convened in Cape Town, South Africa from 12-14 December.

2001: A report of the chair on NAM activities released in November noted the high level of participation of NAM countries in the UN Conference in the Illicit Trade in Small Arms and Light Weapons in All its Aspects in 2001, which adopted a Program of Action on the issue.

2000: A report of the chair regarding NAM activities at the Ministerial Meeting in New York in September addressed the working group on disarmament, noting that several NAM positions had been included in the outcome of the 2000 NPT Review Conference.

At the Thirteenth NAM Ministerial Conference held from 7-9 April in Cartagena, Colombia, a report on the activities of NAM described the Movement's activities since the 1998 Summit.

Regarding the working group on disarmament, the report noted that members had promoted NAM positions regarding several disarmament issues at the UN in New York and drafted several First Committee resolutions which were to be adopted during the 53rd and 54th sessions of the General Assembly. In addition, they submitted a working paper to the second PrepCom of the 2000 NPT Review Conference addressing preparation for the conference, and contributed to the decision of the PrepCom to allocate time for discussions on proposals regarding nuclear disarmament and on the Middle East.

NAM States parties to the NPT also proposed the establishment of subsidiary bodies to Main Committees I and II of the Review Conference so that they may address these issues. Finally, the Working Group prepared a NAM statement for the first PrepCom for the 2001 UN Conference on Illicit Traffic in Small Arms and Light Weapons in All its Aspects regarding organizational issues, particularly the possibility of holding future conferences in locations that would afford greater participation to parties with limited representation.

The Final Document of the Ministerial Conference also extensively addressed disarmament and nonproliferation issues. The Ministers noted concern regarding NATO's 1999 "Alliance Strategic Concept" and use of a nuclear deterrent policy, as well as about the development of anti-ballistic missile defense systems and of military technologies capable of being deployed in outer space. They also addressed the importance of achieving

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universal adherence to the Comprehensive Nuclear Test Ban Treaty, and called for efforts towards concluding a universal, binding legal instrument regarding negative security assurances to NNWS.

They supported the existence of nuclear-weapon-free zones, expressed concern regarding the use of export controls to restrict the material for peaceful purposes available to developing countries, and urged relevant States to ratify the Chemical Weapons Convention. Regarding the BWC, leaders noted their conviction that any use of biological agents or toxins violates the Convention and expressed hope that progress continues in negotiating a protocol to strengthen it.

Finally, the document also addressed issues relating to the dangers posed by the illicit trafficking of small arms and light weapons and by anti-personnel landmines (APLs), and encouraged more States to become party to the Convention on Certain Conventional Weapons.

1999: The chair's report on NAM activities since the Twelfth Summit noted that during the 53rd regular session of the UN General Assembly, the NAM working group on disarmament prepared several draft resolutions submitted by South Africa, including "Measures to uphold the authority of the 1925 Geneva Protocol," "UN Regional Centers for Peace and Disarmament," "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control," and "Relationship between disarmament and development."

NAM members also participated in the third PrepCom session of the 2000 NPT Review Conference and submitted a working paper regarding NAM's positions on NPT-related issues and making recommendations about the upcoming NPT Review Conference.

1998: At the Twelfth Summit, which convened in Durban, South Africa from 2-3 September, Heads of State or Government adopted a Final Document that addressed a number of issues, including disarmament and international security.

As in past documents, they stressed their belief in the lack of justification for maintaining nuclear arsenals or policies of nuclear deterrence, and called for a conference to develop a phased program for the complete elimination of nuclear weapons. Specifically, they identified "the failure of the NWS to demonstrate a genuine commitment with regard to complete nuclear disarmament" and to provide negative security assurances. They also noted the importance of universal adherence to the Comprehensive Nuclear Test Ban Treaty and of the beginning of negotiations in the Conference on Disarmament on an agreement regarding fissile materials.

The Heads of State also extensively addressed the Nuclear Nonproliferation Treaty, the Biological and Toxin Weapons Convention, and the Chemical Weapons Convention, stressing the importance of States' adherence to their terms. They reiterated past statements on the threats posed by the illicit transfer and circulation of small arms and light weapons,, particularly noting the "significant imbalance" in the production and trade of conventional weapons between industrialized and non-aligned countries, and urging States to take relevant action.

They also emphasized the positive role of nuclear-weapon-free zones and advocated the creation of a Middle Eastern NWFZ, calling on Israel to accede to the NPT. In addition, they welcomed Egyptian President Mubarak's advocacy of achieving a world free of WMD and of convening an international conference to address this issue, and again reiterated their belief that global and regional disarmament efforts must be taken in concert with one another.

1997: The Twelfth Ministerial Conference convened from 4-8 April in New Delhi, India.

Regarding disarmament and international security issues, the Ministers noted that there is no justification for nuclear arsenals or policies based on nuclear deterrence now that the Cold War has ended, and called for a series of measures to form part of a program for nuclear disarmament. They also welcomed the International Court of Justice advisory opinion regarding States' obligation to pursue negotiations leading to nuclear disarmament, and noted NAM countries' work towards developing an Action Plan for nuclear disarmament.

During the conference, the Ministers made several recommendations, including calling on the Conference on Disarmament to establish an ad hoc committee to negotiate a phased program to eliminate nuclear weapons and a Nuclear Weapons Convention and urging the NWS to commit to legally binding negative security assurances. They also noted satisfaction regarding the NAM working group on disarmament.

Regarding the Chemical Weapons Convention, the Ministers noted that the fact that the two declared chemical weapons possessors have not yet ratified it "jeopardizes both the necessary universal and disarmament character of the Convention." They encouraged the strengthening of the Biological and Toxin Weapons Convention.

In addition, the Ministers emphasized the importance of pursuing regional and global disarmament efforts simultaneously, and encouraged the creation of more nuclear-weapon-free zones, particularly in the Middle East. Addressing the Nuclear Nonproliferation Treaty, the Ministers of States parties urged countries to fulfill their commitments, especially with regard to Article VI of the Treaty.

They also encouraged a commitment to the terms of the Comprehensive Nuclear Test Ban Treaty, which opened for signature in 1996. Regarding small arms and light weapons, the Ministers urged States to take steps to prevent their illicit transfer and proliferation. In addition, they welcomed bans and restrictions on APLs.

1995: The Eleventh Summit Conference convened in Cartagena de Indias, Colombia from 18-20 October.

The Final Document of the conference addressed nuclear issues, noting that "even when the specter of a nuclear holocaust seems more remote than in the recent past…great powers continue to endanger the future of human kind through the unjustified stockpiling and development of nuclear weapons and other weapons of mass destruction…" They also expressed concern regarding the illicit trade and traffic of weapons, and urged the international community to undertake a "vigorous and concerted action" to help curb small arms traffic.

The Final Document also contained a separate section on Disarmament and International Security, in which the Heads of State or Government extensively addressed nonproliferation issues. Among other things, it called for a phased program for the elimination of nuclear weapons, encouraged the creation of new nuclear-weapon-free zones, and expressed concern regarding the "growing restraint being placed on access to material, equipment and technology for peaceful uses of nuclear energy by the developed countries through the imposition of ad-hoc export control regimes."

Furthermore, the leaders commended South Africa's decision to dismantle its nuclear weapons program and condemned all types of nuclear testing, emphasizing the importance of the Comprehensive Test Ban Treaty. They also addressed the Nuclear Nonproliferation Treaty, strongly and repeatedly urging the NWS to comply with their obligations. They also called for the negotiation of an international convention to prohibit the use or threat of nuclear weapons in any situation.

Regarding the IAEA, the Heads of State or Government noted their belief that Article VI of the IAEA Statute should be amended in order to expand the size and composition of the governing council in order to make it more representative and more efficient. They also addressed the Organization for the Prohibition of Chemical Weapons, expressing concern over the apparent lack of progress of the Preparatory Commission.

Regarding the Biological Weapons Convention, they noted the importance of not restricting the use and transfer of materials for peaceful purposes. They also briefly addressed conventional weapons issues and the need for confidence-building and transparency measures, and called for the expansion of the Conference on Disarmament's membership.

1994: The Eleventh Ministerial Conference of the Non-Aligned Countries was held in Cairo, Egypt, from 31 May to 3 June 1994. At the conference, the Heads of State or Government adopted the guiding principles regarding peacekeeping operations.

1992: The Tenth Summit Conference was held in Jakarta, Indonesia from 1-7 September. Due to the conclusion of the Cold War, the focus of the conference shifted from that of previous meetings.

1991: The Tenth Ministerial Conference of the Non-Aligned Countries opened in Ghana on 4 September. The collapse of the Soviet Union and approaching end of the Cold War necessitated a reconsideration of NAM priorities and purpose. Members discussed "new priority questions" such as human rights, drug trafficking, the environment, and political pluralism.

Also on the agenda was the discussion of a current initiative to preserve the "unity, integrity and political sovereignty" of Yugoslavia. The threat of civil war and dissolution of the country was seen as symbolic of the general plight of members of the Non-Aligned Movement.

1989: The Ninth Summit Conference took place in Belgrade from 4-7 September.

1988: The Ministerial Conference of Non-Aligned Countries took place in Cyprus from 7- 11 September. Among the topics discussed was the adoption of the Nicosia Declaration. The document stated that the movement would update its strategy so that it may be ready to play a more active and constructive role in solving regional and global problems in the improved climate of international relations characterized by the recent detente between the United States and the Soviet Union

1986: The Eighth Summit Conference was held in Harare from 1-6 September.

1983: The Seventh Summit Conference convened in New Delhi, India from 7-12 March.

1979: The Sixth Summit Conference was held in Havana from 3-9 September.

1976: The Fifth Summit Conference took place in Colombo from 16-19 August.

1975: The Ministerial Conference of Non-Aligned Countries occurred in Lima on August 25 – 30, 1975.

1973: NAM leaders met for the Fourth Summit Conference in Algiers from 5-9 September.

1970: From 8-10 September, NAM leaders attended the Third Summit Conference in Lusaka.

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1964: The Second Summit Conference took place in Cairo from 5-10 October. Forty-seven countries were represented, and expressed condemnation of Western colonialism and foreign military installations. Following the Second Conference, NAM's focus shifted from political issues to global economic issues.

1961: The First Summit Conference of Non-Aligned Heads of State convened at Belgrade from 1-6 September. Twenty-five countries were represented. Yugoslav President Tito played a major role in the conference.

Point of Contact:

Current Chair: Hon. Dr. Mahathir Mohamad, Prime Minister of Malaysia

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Proliferation Security Initiative (PSI)

Announced: US President George W. Bush announced the Proliferation Security Initiative (PSI) on 31 May 2003 in reaction to the pursuit of new agreements on the search of planes and ships carrying suspect cargo and to seize illegal weapons or missile technologies.

Participants: 93 (Afghanistan, Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Belarus, Belgium, Belize, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Cambodia, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Holy See, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Marshall Islands, Moldova, Mongolia, Montenegro, Morocco, the Netherlands, New Zealand, Norway, Oman, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Russia, Samoa, San Marino, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United States, Uzbekistan, Yemen).

Purpose: The primary role of PSI participants is to abide by a Statement of Interdiction Principles aimed at interdicting certain WMD-related weapons and materials. The initiative seeks to develop partnerships of states working together, employing their national capabilities to develop a broad range of legal, diplomatic, economic, military, and other tools to interdict threatening shipments of WMD and missile-related equipment and technologies via air, land, and sea. Additionally, participating states undertake to enact measures to ensure that their national facilities are not utilized to transfer illicit weapon cargoes.

Background: The PSI is not a free-standing initiative, but builds on wider efforts by the international community, including through existing treaties and regimes. The event that triggered the launch of the PSI occurred in December 2002 when a Spanish destroyer observed a suspicious vessel in the Arabian Sea. The Yemen-bound vessel—a Cambodian registered freighter with a North Korean crew—was not flying a country flag indicating its country of registration. The Spanish crew requested the assistance of a US naval vessel and boarded the ship, whereupon they found "15 North Korean-made Scud missiles with conventional warheads and the chemical propellant needed to launch them." Since this discovery was not found in breach of any national or international law or agreement (North Korea, Cambodia, and Yemen are not members of the Missile Control Technology Regime), the Cambodian vessel was allowed to continue on its route with its cargo.

The goal of PSI is pre-emptive interdiction, which includes detaining and searching ships and aircraft as soon as they enter PSI members' territorial waters or national airspace; denying suspicious aircraft over- flight rights; grounding planes when they stop to refuel in member countries or in states willing to cooperate on a case-by-case basis; and boarding and searching ships registered in a PSI member nation or operating under a "flag of convenience" of another state prepared to authorize an interdiction in a particular instance.

US officials emphasize that PSI is intended to enhance existing export control enforcement mechanisms, rather than to re-write international law.

Developments:

2008: On 4-6 February, an Operational Experts Group meeting was held in London.

On 10-12 March, Exercise Guistir 08, a maritime and port interdiction exercise, was hosted by Djibouti and France. The exercise involved Red Sea and Maghreb countries.

On 8-22 April, Exercise Phoenix Express 08, a maritime interoperability exercise, was hosted by the U.S. in the Mediterranean Sea.

On 12-14 May, Exercise Adriatic Shield 08, a maritime and port interdiction exercise was hosted by Croatia. Key participants included the Adriatic Sea countries, Poland, and the United States.

On 28 May, the fifth anniversary of PSI, a Senior Political Level Meeting was held in D.C. 88 States attended and

adopted the "Washington Declaration for PSI 5th Anniversary Senior-Level Meeting."

At the Asia Security Summit on 30 May, South Korean Defense Minister Lee Sang-hee stated that the Republic of Korea was considering joining the PSI.

On 11-22 August, Exercise PANAMAX 08 was hosted by the U.S. On 15-19 Sept, Exercise MARU 08 was hosted by New Zealand.

On 25-26 September, an Operational Experts Group Meeting was held in Paris, France.

2007: On 15 March 2007, the Republic of Malta and the United States signed a bilateral PSI shipboarding agreement. This is the seventh PSI shipboarding agreement signed by the United States. The United States had already signed bilateral PSI shipboarding agreements with Belize, Croatia, Cyprus, Liberia, Marshall Islands, Mongolia, and Panama. These PSI shipboarding agreements provide authority on a bilateral basis to board sea vessels suspected of carrying illicit shipments of weapons of mass destruction, their delivery systems, or related materials. Under the agreements, a vessel registered in the United States or the partner country suspected of carrying WMD-related cargo can upon request be confirmed, searched, and if needed detained by either party.

From 27 to 29 May 2007, the Government of the Republic of Slovenia hosted a PSI exercise "Adriatic Gate '07" at the Port of Koper. The exercise simulated intercepting suspicious cargo en route to Slovenia. Three Adriatic countries—Bosnia and Herzegovina, Macedonia, and Croatia—also participated in the exercise, which also included representatives from the United States. An additional 40 countries were invited to observe the exercises. Lithuania hosted the PSI exercise "Smart Raven" from 26-27 April 2007. The exercise addressed the challenge of interdicting shipments of WMD by air. Twenty-two countries participated in the drill, which focused on enhancing the interoperability of PSI member states in order to combat the proliferation of WMD-related materials.

Exercise MARU 07 was hosted by New Zealand from 15-19 September. South Korea participated as an observer.

There was no plenary meeting held in 2007. In October 2007, the Operational Experts Group (OEG) convened a meeting in Greece. There was also an Experts Meeting in Auckland, New Zealand, from 26 to 28 March 2007 as well as a Proliferation Finance Workshop held in Washington, D.C. from 31 January to 1 February 2007.

In October 2007, seven states participated in "Pacific Shield '07" hosted by Japan. The nations participating in the exercise were Australia, France, Britain, New Zealand, Japan, Singapore, and the United States. The exercise involved 10 vessels and four aircraft. Senior officials from more than 40 countries, including India and Oman, were also on hand to observe the exercises. South Korea and China refrained from participating in the exercise, reportedly due to concerns of antagonizing North Korea. The aim of the exercise was to facilitate a real life ship interdiction of a vessel suspected of carrying WMD-related material. This was the second time Japan hosted a PSI exercise.

2006: In March 2006, Indonesia rejected an express request made by US Secretary of State Condoleezza Rice to join the PSI, stating that the PSI contravenes provisions of the United Nations Law of the Sea (UNCLOS). In June 2006, the Indonesian Defence Minister announced that his government was considering the possibility of Indonesia's partial and ad hoc adherence to the PSI on a case by case basis.

The sixth plenary meeting took place on 23 June 2006 in Warsaw. The participants noted the achievements of the PSI, and the continuing priority placed by each on preventing the proliferation of WMD.

During the meeting, PSI participating states focused on deepening their on-going efforts in the three primary areas of activity: firstly, providing an effective platform, consistent with national and international law and frameworks, for impeding and stopping the trafficking in WMD and their means of delivery; secondly, improving national capacities to interdict shipments of proliferation concern; thirdly, expanding the network of participating states (75 states expressed support for active participation by June 2006).

At the meeting, participating states stressed the importance of maintaining the operational focus and nature of the PSI Operational Experts process and further developing its regional dimension. They also discussed the efforts of several PSI participating states to disrupt the financial mechanisms that support proliferators. They concluded that each participant should consider how its own national laws and authorities might be utilized or strengthened to identify, track, or freeze the assets and transactions of WMD proliferators and their supporters. In addition, the PSI participating states undertook to explore how PSI states can work cooperatively to prevent and disrupt proliferation finance, in furtherance of their obligations under UNSCR 1540 and 1673.

2005: There was no plenary meeting held in 2005. There was a series of expert meetings throughout the year, and an air cargo workshop held in Los Angeles.

In September 2005, the People's Republic of China announced that it would not be participating in the PSI because of concerns over the initiative's legality.

2004: From 4-5 March, the fifth plenary meeting took place at Palácio Foz, Lisbon. This meeting built on

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previous meetings and was attended by representitives from Australia, Canada, France, Germany, Italy, Japan, the Netherlands, Norway, Poland, Portugal, Singapore, Spain, the United Kingdom, and the United States. Participants reaffirmed their determination to respond effectively to the threat represented by the proliferation and trafficking of WMD, their delivery systems, and related materials worldwide. The participants also welcomed the commitments of Canada, Norway, and Singapore to the PSI.

The participants welcomed the call by President Bush to expand the role of the PSI to not only interdict shipments of WMD, their delivery systems, and related materials, but to cooperate in preventing the proliferation of WMD facilitators, such as companies, individuals, or rogue nations, from participating in proliferation activities. They also recognized the contributions of other participants, namely the United Kingdom, which agreed to pursue greater cooperation through military, intelligence services, and law enforcement to shut down proliferation facilitators and bring them to justice.

Participants explored key steps necessary for the new, expanding role of the PSI, including identifying national points of contact and internal processes developed for this goal; developing and sharing national analyses of key proliferation actors and networks, their financing sources, and other support structures; undertaking national action to identify law enforcement authorities and additional tools or assets that could be used to stop proliferation facilitators.

Participants also agreed that while outreach was a necessary role, attention should be paid to flag states, transhipment states, overflight states, transit states, and coastal states, as these states have the potential to make significant contributions to counter-proliferation efforts by PSI members.

The proposed amendments to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) were also discussed. They would criminalize the transportation of WMD, their delivery systems, and related materials on commercial vessels at sea.

The participants noted that the PSI is operationally active, as six exercises took place around the world since the launch of the PSI. Several exercises were planned for 2004, including a US-led maritime interdiction in the Arabian Sea, a ground interdiction led by Poland, a maritime interdiction in the Mediterranean Sea, headed by Italy, a French-led simulated air interdiction, and a German-led exercise, dubbed "Hawkeye", at the Frankfurt International Airport.

The First Anniversary Meeting of the PSI convened from 31 May to 1 June in Krakow, Poland. Attended by representatives of more than 60 States and hosted by Polish President Aleksander Kwaoeniewski, the meeting sought to increase international support for the PSI and promote wide-ranging cooperation in PSI efforts. It included several presentations regarding the status of the initiative and its future, as well as discussion of the various exercises that PSI states have taken part in. Those in attendance also addressed their broad goals for the PSI, emphasizing that its activities should not contradict national and international legal frameworks. Also at the conference, on 31 May, Russia announced that it would become a PSI member state.

2003: The first meeting of the 11 nations involved with PSI was held on 12 June 2003 in Madrid, Spain. The Madrid meeting was unanimous on the "need to take active measures to stop the flow of WMD, missiles and related items to and from proliferators." This reflected the international concern over the increased "trade in WMD, missiles and related items," including the risk that these weapons "might fall into the hands of terrorists."

The 11 PSI participants held a second meeting in Brisbane on 9-10 July in order to "move quickly on direct practical measures to impede the trafficking in weapons of mass destruction (WMD), missiles and related items." The meeting was chaired by the deputy secretary of the Australian Department of Foreign Affairs and Trade, Paul O'Sullivan, and built on the results from the Madrid meeting. It moved forward in translating the collective political commitment of PSI members into practical measures. The meeting defined actions necessary "to collectively or individually interdict shipments of WMD or missiles and related items at sea, in the air or on land." The participants emphasized their willingness to take "robust and creative steps to prevent trafficking in such items," while also emphasizing the need to "be consistent with international law."

According to the chairman's summary, PSI members agreed to effectively share information that they considered to be "vital to interdiction." They also agreed to "strengthen and improve capabilities for the exchange of information and analysis between participants as a basis for cooperative action to impede WMD and missile trade." The summary also stated that PSI members "supported the strengthening of the existing framework on national laws and export controls, multilateral treaties, and other tools that remain the international community's main mean for preventing the spread of WMD and missiles."

PSI participants considered the question of state and non-state actors of proliferation concern. They referred to the relevant statements of the G-8 Evian Summit on 1-3 June and the EU-US Joint Statement on the Proliferation of Weapons of Mass Destruction on 25 June, which addressed countries of proliferation concern and non-state actors with particular reference to North Korea and Iran. PSI members have acknowledged that the PSI is a fast-

track initiative that will require continued interaction among experts and policymakers.

The Paris Meeting of Core Participants, held 3-4 September, focused on "the further development of a statement of interdiction principles that will enable countries to better work together within the framework of domestic and international law to enhance and expand efforts to prevent the flow of WMD, missiles, and related technologies to and from countries of concern." A key outcome of the meeting was the adoption of a Statement of Interdiction Principles, which clearly identifies concrete actions for interdicting shipments of WMD and their delivery systems and also binds participants to act within international and their own domestic law. Participants reaffirmed the importance of involving as many countries as possible to work towards stemming the flow of WMD and their delivery systems.

Participants at the Paris meeting also agreed to a series of maritime, air, and land interdiction training exercises. The first exercise, "Operation Pacific Protector," was led by Australia from 12 to14 September in the Coral Sea. The exercise involved a US ship posing as a commercial Japanese flag vessel suspected of trafficking WMD-related material. Officials said the ship was tracked, boarded, and searched on the high seas by law enforcement and military participants. France provided military assets, Japan provided Coast Guard and law enforcement capabilities, Australia and the United States supplied military equipment, and other PSI nations participated solely as observers. The United Kingdom will host the next PSI meeting in October.

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Part II: Treaties

Nuclear Weapons and Energy

Multilateral

Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

Opened for signature: 1 July 1968.

Entered into force: 5 March 1970.

Duration: Indefinite. Twenty five years after the entry into force of the NPT, at the 1995 NPT Review and Extension Conference held in New York at the United Nations from 17 April to 12 May 1995, States Parties agreed without a vote "that the Treaty shall continue in force indefinitely."

Number of Parties: 189 States (this number excludes the DPRK)

Depositories: Russia, United Kingdom, and United States.

Obligations:

Nuclear weapon states (NWS) are not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices and not to assist, encourage, or induce any non-nuclear weapon states (NNWS) to manufacture or otherwise acquire them.

NNWS are not to receive nuclear weapons or other nuclear explosive devices from any transferor, and not to manufacture or acquire them.

NNWS must place all nuclear materials in all peaceful nuclear activities under IAEA safeguards.

All Parties are obligated to facilitate and participate in the exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy.

All Parties must pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

Verification and Compliance: NNWS are to conclude agreements with the IAEA for safeguards to be applied on all source or special fissionable materials in all peaceful nuclear activities within the territory of such States. Such agreements are to be concluded with the IAEA, individually or together with other States, and enter into force within 18 months after their accession to the Treaty.

Compliance: Unlike the CWC and the CTBT, the NPT does not have a built-in mechanism for non-compliance. In case of non-compliance with IAEA safeguards, the IAEA Board is to call upon the violator to remedy such non-compliance and should report the non-compliance to the UN Security Council and General Assembly; The UN bodies may impose specific penalties, such as curtailment or suspension of assistance, return of materials, or suspension of privileges and rights. An incentive to comply is peaceful nuclear assistance.

Iraq and Compliance: In December 1998, UN-mandated UNSCOM inspections in Iraq were suspended. By then, the IAEA Iraq Action Team had formed a technically coherent picture of Iraq's secret nuclear weapons program, and inspectors had effectively uncovered, mapped, and neutralized it.

A UN panel of experts tasked in 1999 with reporting on the results of the UNSCOM and IAEA efforts concluded that "the bulk of Iraq's proscribed weapons programme has been eliminated," but the experts emphasized that important issues remained unresolved. They further warned that, if weapons inspectors were kept outside Iraq, the risk that Iraq might reconstitute its programs would grow, and the initial assessments from which inspectors had been working would be jeopardized. The experts said the status quo was unacceptable, and they called for re-establishing an inspection regime in Iraq that was "effective, rigorous and credible."

On 12 September 2002, US President Bush delivered a speech to the United Nations General Assembly calling on the organization to enforce its resolutions for disarming Iraq. Four days later, the Iraqi government announced that it would allow arms inspectors to return "without conditions." Iraqi and UN officials met on September 17 to discuss the logistical arrangements for the return of inspectors and announce that final arrangements would be made at the end of the month. Inspections were renewed 27 November. On 19 December, 9 January 2003, 27 January, 14 February, and 7 March, IAEA Director General ElBaradei and UNMOVIC Chief Hans Blix briefed the Security Council on Iraq inspections and plans. On 18 March 2003, UN inspectors were withdrawn from Iraq due the US invasion of Iraq.

DPRK and Compliance: The DPRK is the only State to announce its intention to withdraw from the NPT. On 12 March 1993, the DPRK announced its intention to withdraw based on its supreme national interests, citing the Treaty's withdrawal clause (Article X (2). North Korea gave two reasons for its intention to withdraw: (1) the Team Spirit "nuclear war rehearsal" military exercises, and (2) the IAEA demand for special inspection of two suspect sites. On 11 June, one day before its withdrawal from the NPT was due to take effect, bilateral negotiations with the United States resulted in North Korea suspending the "effectuation" of its withdrawal and accepting normal IAEA inspection of the seven sites it

had declared in its initial report to the Agency. The United States and DPRK signed an Agreed Framework in Geneva 21 October 1994.

The DPRK, which joined the IAEA in 1974, withdrew its membership from the IAEA 13 June 1994. The DPRK Safeguards Agreement with the IAEA remains in force, although there have been difficulties in verifying the DPRK's compliance. In September 2000, the Secretariat determined that it would need three to four years to carry out all the activities required to verify the correctness and completeness of the initial report. The focus has shifted from the actual substantive work to obtaining full DPRK cooperation to carry out these activities. So far the DPRK has not agreed to even discuss a program of work. The last technical meeting was held in November 2001.

A new phase started on 16 October 2002 with the announcement by the United States that the DPRK side had acknowledged, in talks with Assistant Secretary Kelly in early October that it had a "program to enrich uranium for nuclear weapons." On 29 November, the Board of Governors adopted a resolution without a vote in which the Board insisted that the DPRK should reply and cooperate with the Agency. On 22 December, the DPRK started to cut IAEA seals and disable IAEA surveillance cameras at its nuclear facilities. On 27 December, it ordered the IAEA inspectors to leave the country.

In light of these developments, the IAEA Board of Governors adopted a new resolution 6 January 2003 in which the DPRK was called upon to cooperate urgently with the Agency. The Board affirmed that unless the DPRK would take all required safeguards measures, it would be in further non-compliance with its safeguards agreement.

DPRK Withdrawal: On 10 January 2003, the Security Council again received notification from North Korea of the country's withdrawal from the NPT. The DPRK government announced that its withdrawal "will come into force automatically and immediately" on the next day, claiming that it had suspended its 1994 withdrawal from the Treaty on the last day of the required three-month notice period and thus did not need to give additional notice to other NPT Parties and the Security Council as required under Article X of the Treaty.

Following North Korea's announcement on 10 January 2003, the Board of Governors adopted a third resolution (GOV/2003/3) on 12 February 2003, declaring that North Korea was "in further non-compliance with its obligations under its Safeguards Agreement pursuant to the NPT" and decided to report "to the United Nations General Assembly and the Security Council, North Korea's continued non-compliance and the Agency's inability to verify non-diversion of nuclear material that is subject to safeguards."

Although no statement on North Korea's withdrawal has to date been issued by the NPT States Parties, the generally held view is that North Korea's withdrawal came into effect on 10 April 2003 when its three-month notice of withdrawal expired. Moreover, the 2003 session of the Preparatory Committee (PrepCom) for the 2005 Review Conference did not take any specific decision with regard to North Korea's withdrawal. Instead, the PrepCom Chairman in his factual summary of the meeting stated *inter alia* that the "States parties felt that the DPRK's decision to withdraw from the Treaty represented a serious challenge to the global non-proliferation regime" and that the "States parties called upon the DPRK to dismantle its nuclear weapons programme in a prompt, verifiable and irreversible way" (see paragraph 28 of the Chairman's factual summary).

Other Major Provisions: Other major provisions include the right of any group of States to conclude regional treaties to assure the absence of nuclear weapons in their respective territories; and the convening of review conferences every five years (six review conferences have been held: in 1975, 1980, 1985, 1990, 1995, and 2000).

The NPT was accompanied by United Nations Security Council Resolution (UNSCR) 255 (19 June 1968) on security assurances to NPT NNWS. On 11 April 1995, the five NWS through UN Security Council Resolution 984 issued harmonized negative security assurances for NNWS parties to the NPT.

2008 Preparatory Committee for the 2010 Review Conference

The 2008 Preparatory Committee (PrepCom) convened in Geneva from 28 April until 9 May under the Chairmanship of Ambassador Yelchenko of Ukraine. Representatives from 106 States Parties participated in the work of the second session. The following specialized agencies and international and regional organizations were present as observers: the Brazilian-Argentine Agency for Accounting of and Control of Nuclear Materials (ABACC) the European Commission, the League of Arab States, the Organization for the Prohibition of Chemical Weapons (OPCW), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO PrepCom) and the International Atomic Energy Agency (IAEA). Representatives of 64 non-governmental organizations also attended the meetings of the Committee.

Unlike the 2007 PrepCom session , the 2008session did not involve much debate on procedural issues and agenda setting. With the 2007 agenda as a basis, the debate involved discussions on more substantive matters. During

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the general debate, statements focused on the following issues:

- *Nuclear Disarmament*: Most delegations expressed their support for the entry-into-force of the CTBT. The EU (represented by the Slovenian Presidency) for instance talked about "new momentum" for the treaty; however, the United States did not refer to the CTBT throughout the proceedings. Many states expressed support for a fissile material cut-off or ban, though it was noted that this process was held up within the CD. Many delegates reaffirmed their belief in the continuing relevance of the "13 Steps" adopted by the 2000 RevCon. Norway and Indonesia made reference to the February 2008 Oslo Conference. Some delegates also made special reference to the need to address the issue of tactical nuclear weapons.

- *Nuclear Force Modernization*: Many states, mostly members of the "New Agenda Coalition" (NAC) and the NAM, criticized the modernization of their nuclear submarine capabilities by France and the United Kingdom. Delegates also voiced concern about a trend of vertical proliferation related to replacement and modernization projects by the NWS and by the non-NPT states.

- *Iran*: Western delegations expressed concern over Iran's nuclear program, referring to the relevant UN Resolutions. Iran replied that its program is entirely for peaceful purposes and stated that Israel is the real danger in the Middle East.

- *North Korea*: Many states recognized the dangers and challenges to the non-proliferation regime posed by the DPRK, but also underlined the positive steps taken towards denuclearization.

- *Syria*: Canada and the United States raised the issue of the DPRK assisting Syria with the construction of a clandestine nuclear reactor (destroyed by an Israeli air strike in September 2007). Syria denied the veracity of these allegations and claimed that the United States falsified the accounts in order to exert pressure on the DPRK.

- *U.S.-India Deal*: The NAM expressed, without naming countries, their concern about a certain nuclear cooperation deal between a NWS and a non-NPT state, obviously referring to the U.S.-Indian nuclear deal.

- *Safeguards*: Many states expressed their support for the IAEA and the safeguards system. The EU, Russia and South Korea stressed the need to promote the universal implementation of the provisions of both comprehensive safeguards and the additional protocol.

- *The Nuclear Fuel Cycle*: Some states recalled the NPT provision for promoting peaceful uses of nuclear technology and referred to state sovereignty issues and the possession of complete fuel-cycle capabilities. However, other states, such as Russia and Austria, brought forward the idea of an enrichment center under international control matched with fuel supply guarantees.

- *Education*: Japan called attention to its efforts undertaken in collaboration with UNIDIR aiming at promoting education in disarmament issues.

- *Nuclear-Weapons-Free-Zones*: The Arab States reaffirmed their interest in establishing a Nuclear-Weapons-Free-Zone in the Middle East (MENWFZ) and recalled the relevant Resolution adopted by the 1995 RevCon. They also revisited the issue of NPT universality.

- *Disarmament*: In their respective statements, each NWS emphasized their own achievements in advancing nuclear disarmament. For example, Russia and the United States mentioned, among other things, their deep reductions in their arsenals while China noted the small size of its own arsenal as well as its unconditional negative assurances and no-first-use policy. Criticism also emerged between the NWS as Russia criticized the ongoing development of U.S. missile defenses, while China sought deeper reductions in the U.S. and Russian stockpiles.

Many points made during the general debate resurfaced during the debate on Cluster 1 issues related to Disarmament. However, several other issues were broached during the discussions. One issue that received considerable attention was Russia's proposal to extend and "globalize" the INF Treaty. Finland, on-behalf of a group of European non-NATO countries, called for a legally binding undertaking towards the elimination of tactical nuclear weapons by the United States and Russia. The United Kingdom elaborated on the nature of their cooperation with Norway and VERTIC, a non-governmental organization, on mechanisms to verify disarmament. The NAM called for a subsidiary body on

nuclear disarmament to focus on fulfilling obligations under Article VI. The European Union, the NAC countries, Brazil and Japan in particular, revisited the principles of transparency and irreversibility. Iran criticized the failure of NWS to deliver on their Article VI obligations. The United States and the United Kingdom replied that non-proliferation concerns are the most damaging to progress on disarmament.

On the specific Cluster 1 issue of Negative Security Assurances (NSA), NAM countries lead by South Africa, Indonesia and Mexico, and further supported by Canada and Ukraine, asked once again for legally binding NSA within the framework of the NPT. The NWS once again alluded to their belief that unilateral, mostly conditional NSA provided through UNSC Resolutions were sufficient.

Many delegations expressed concern over non-compliance during the debate on Cluster 2 issues related to Non-Proliferation. Western states referred to Iran's nuclear program and its intentions, while South Korea, Japan and Australia also referred to the North Korean case. Australia and the Untied States also mentioned Syria's clandestine rector and the alleged co-operation with the DPRK. In response, Iran repeated that its program is intended only for peaceful purposes and accused Australia of supplying Israel with nuclear material, an allegation that Australia dismissed. Indonesia questioned why the United States did not inform the international community prior to the bombing of the Syrian installation. The United Kingdom stated that the UNSC P-5 plus Germany were in agreement on the gravity of the Iranian case and the dire need to address it, however, Russia and China distanced themselves from this statement. Iran submitted a working paper advocating compensation rights to any state whose rights have been violated under Article IV. All states recognized the importance of the IAEA safeguards system. Western states, the EU and Russia all emphasized the need to universalize the Additional Protocol, while Arab states pointed to the need for universal application of the CSA standards, alluding to the case of Israel. NAM states criticized the NSG as a "producers' cartel", while member states viewed the NSG as a useful tool of the non-proliferation regime. Finally, many states praised the value of UNSC 1540 and Russia endorsed the promotion non-proliferation resistant technologies, such as INPRO.

The prospects for a NWFZ in the Middle East monopolized the discussions on Regional Issues. Almost all of the delegations endorsed this long-standing proposal. However, there were two different approaches. Arab and Islamic countries, similar to the NAM statement, pointed at Israeli policy as the sole problem. Western states, however, linked progress on this issue to a lasting solution to the Israeli-Palestinian conflict based on a two-state model. Western states also called for wider compliance with NPT provisions by all states in the region, while some directly named Iran. In principle, almost all speakers expressed their support for the idea and practice of NWFZs, but there was no mention of the absence of NWS signatures to the Protocols to the Central Asian and the South-Eastern Asia NWFZs. There was sporadic reference made to other regional issues such as DPRK and South Asia.

There were differences between developed and developing countries during the debate on Cluster 3 issues related to the peaceful use of nuclear technology. Statements from developed countries frequently mentioned their contributions to technical cooperation projects and noted that the prospective expansion of the nuclear energy sector is welcome, providing safeguards, safety and security norms are met. They called for universal adherence to the relevant treaties on physical protection, nuclear safety and fuel management. Moreover, they declared their support for projects advancing proliferation resistant technologies. Some also brought forward proposals for international/multilateral enrichment or fuel-production facilities. Meanwhile, developing countries emphasized the importance of the right to peaceful use under Article IV and called for the support of the Technical Cooperation programs of the IAEA, fuel supply assurances, and less stringent restrictions in exports. These states also expressed their concerns about technical cooperation becoming a tool of political pressure as developed states provide funds for the programs on a voluntary and selective basis. Furthermore, Egypt (which did not explicitly name the United States), Iran and Syria accused the United States of violating their NPT obligations for their agreements and cooperation with Israel, a non-member to the NPT. Iran also declared that it is not opposed to international fuel-cycle ventures, provided the arrangements do not interfere with the right of a single country to do the same. The Central Asian states, represented by Kyrgyzstan, pointed out the necessity to address issues concerning the clean up and proper management of radioactive waste from former nuclear plants and nuclear testing sites.

On the specific Cluster 3 issue of "other provisions of the Treaty", delegations focused on the right of withdrawal under Article X of the NPT. There were two main positions taken. The first one, supported by Indonesia, Iran, Cuba and others, insisted that this sovereign right should not be further conditioned or limited but it should remain as originally intended. All western states that spoke held the position that should a state exercise its right to withdrawal from the Treaty, its liability under international law to resolve any violations committed prior to its withdrawal would remain intact.

The Chairman of the 2008 PrepCom, Ambassador Yelchenko, drafted an extensive twelve page factual

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summary in an effort to objectively address all of the issues covered by the statements and take note of the main arguments delivered by the delegates. However, similar to the 2007 PrepCom, objections by some states (such as Iran and the United States) to annexing the chair's summary to the final report necessitated the submission and official release of the summary in the form of a "Chair's Working Paper." Ambassador Yelchenko was, however, congratulated by all delegates in their closing remarks for the conduct of the proceedings and thanked by most for the compilation of the factual summary. Iran and the United States both criticized the summary, seemingly for contradictory reasons.

In further preparation for the 2010 Review Conference, the Committee agreed that the third PrepCom session will be held in New York from 4 to 15 May 2009. The Committee endorsed the candidacy of Ambassador Boniface Guwa Chidyausiki of Zimbabwe as the chairman of the next session. A decision was also taken to hold the 2010 Review Conference in New York from 26 April to 21 May 2010. The UN Secretary General was invited to nominate an official to act as a provisional Secretary General to the 2010 Review Conference, a nomination to be confirmed by the Conference itself. Finally, the Secretariat issued a note estimating that the overall cost of the 2010 Review Conference, including the costs of the three sessions of the PrepCom, will probably exceed $13 .4 million. The Committee called upon all states to pay their dues in full and requested that the UNSG circulate a financial report as a formal document at future `Review Conferences and PrepCom sessions.

2007 Preparatory Committee for the 2010 Review Conference

The 2007 Preparatory Committee (PrepCom) was held in Vienna from 30 April until 11 May under the Chairmanship of Ambassador Amano of Japan. Representatives from 106 States Parties participated in the work of the first session. The following specialized agencies and international and regional organizations were present as observers: the European Commission, the League of Arab States, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the International Atomic Energy Agency. Representatives of 66 non-governmental organizations also attended the meetings of the Committee.

In its task of preparing for and making recommendations towards the 2010 NPT Review Conference, the 2007 PrepCom faced significant challenges early on in its session. Despite conducting consultations with various delegations prior to the start of the meeting, Chairman Amano's recommended draft agenda generated disputes that prolonged the adoption of the agenda and prevented substantive discussions from commencing until the second week. Contested in the agenda was the absence of any reference to the 2000 Review Conference agreement in the paragraph that frames the work of the Preparatory Committee. A reference was agreed upon by delegations, but at the insistence by some parties (France and the United States) that references to the 1975, 1985, and 2005 Review Conferences were also included, thereby diluting the significance of the 2000 outcome. The major point of contention, however, surrounded agenda item VI calling for states parties to "reaffirm the need for full compliance of the treaty." Iran insisted that the text be changed to clarify that "full compliance" entailed compliance with all provisions of the treaty, a position that was geared towards preventing a formalized and official censure of its enrichment activities. Chairman Amano discouraged parties from proposing amendments to the agenda, noting that the draft agenda had represented a fine balance of various positions based on prior consultations and that one amendment would invite other parties to propose changes thereby further delaying work on substantive issues.

During the course of the first week, seven possible solutions were debated. South Africa's proposal, presented on the final day of the first week, exhibited the most optimism for compromise. The proposal would put forth Iran's requested understanding of "full compliance" on record as a "decision" of the meeting that would be adopted along with the proposed agenda. Iran eventually agreed to the South African proposal with the qualification that a footnote be included defining "full compliance." After several days spent debating the agenda, it was finally adopted. The agenda will also be used for the following two Preparatory Commission sessions in 2008 and 2009 respectively.

Although substantive discussions were delayed until the last three days of the conference, a number of main issues emerged.

- *Nuclear Disarmament*: A majority of states expressed support for early entry-into-force of the Comprehensive Test Ban Treaty. It was noted that new opportunities are approaching, such as the CTBT Article XIV conference, to re-focus efforts in bringing those states that have not yet done so to ratify the treaty.

  Although there remains diverging views as to verification of a Fissile Material Cut-Off Treaty, all states were in support of the Conference on Disarmament commencing negotiations on an FMCT. The Non-Aligned Movement (NAM) as well as a number of other states emphasized the importance of

preventing an arms race in outer space (PAROS) and progress towards legally binding security assurances. Many delegations voiced their support for the CD's P-6 initiative, a program of work calling for simultaneous consideration of an FMCT, PAROS, and legally binding negative security assurances. The NAM insisted that legally binding negative security assurances should remain a priority for both the CD and the NPT review process. Working papers submitted by Italy and China also emphasized the need for progress on the matter.

Costa Rica, supported by Malaysia, submitted an updated version of a model nuclear weapons convention with the purpose of assisting states parties in their deliberations concerning article VI of the NPT at the 2010 Review Conference.

- *Regional Issues*: In one session allocated specifically to this topic, states parties focused their discussions on the Middle East and North Korea. The NAM expressed regret that no progress had been made on Israel's accession to the NPT, and the establishment of a Middle East Nuclear Weapon-Free Zone. Oman proposed eight practical steps to achieving a NWFZ some of which included: the establishment of a subsidiary body within Main Committee II strictly dedicated to addressing the issue and the convening of an international conference on establishing a nuclear weapon-free zone in the Middle East.

  The United States suggested there was little hope in achieving a Middle East free of WMD unless nations of the region uphold existing agreements to which they are parties. This was an indirect reference to Iran and its failure to fully comply with its IAEA safeguards agreement. The European Union (EU) called upon all states in the region to accede to the various WMD treaties while emphasizing the need for political solutions to facilitate this process.

- *Other Issues:* A number of opinions were expressed on how to confront the issue of withdrawal from the NPT. While most states agreed that suspending the right of withdrawal was not feasible, a large number of states, most forcefully Japan, argued that costs of withdrawal be raised as to make those states that decide to withdraw responsible for any violations of the NPT committed while a party to the treaty. The United States and the EU also outlined a list of measures that should be considered when and if a state decides to withdraw.

  A majority of states re-affirmed the importance of Article IV of the NPT, but many states however focused their remarks on the necessity of ensuring that nuclear programs remain dedicated to peaceful purposes. Accordingly there was significant discussion on multilateral approaches to ensure the supply of nuclear fuel. The EU expressed its view that the "multilateralization" of the nuclear fuel cycle would be a viable method of implementing article IV.

The Preparatory Committee concluded its work with the adoption of its report. There was significant resistance to the proposal of annexing the chairman's summary of the proceedings to the final PrepCom report. Some delegations, most notably Iran and other NAM states had indicated that the chairman's summary did not evenly include issues discussed during the committee's session. A procedural solution was agreed upon, whereby the chair's summary, instead of forming part of the final report, would be submitted and turned into an official document of the conference in the form of a working paper.

In further preparation for the 2010 Review Conference, the committee agreed that the second session of the Preparatory Committee would be held in Geneva from 28 April to 9 May 2008. The Committee unanimously endorsed the candidacy of Ambassador Volodymyr Yelchenko of Ukraine as the chairman of the next session of the Committee.

2005 Review Conference

The seventh Review Conference of the NPT was held in New York from 2-27 May, and was attended by 153 States Parties. Also in attendance were a number of international and regional inter-governmental organizations, including representatives from the International Atomic Energy Agency (IAEA), the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL), the International Committee of the Red Cross, the Organization for the Prohibition of Chemical Weapons (OPCW), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty, the African Union, the League of Arab States, and the Parliamentary Assembly of the North Atlantic Treaty Organization (NATO). Nearly 120 non-governmental organizations (NGOs) and research institutions were also present for the Conference.

The Conference opened with the election of the president of the Conference by acclamation, Ambassador Sergio de Queiroz Duarte of Brazil, and the confirmation of the Conference Secretary-General, Jerzy Zaleski (Senior Political Officer, United Nations Department for Disarmament Affairs, Geneva). The Committee officers consisted of Ambassador Sudjadnan Parnohadiningrat (Indonesia) chairing Main Committee I, Ambasador László Molnár (Hungary) chairing Main Committee II, Ambassador Elisabet Borsiin Bonnier (Sweden) chairing

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Main Committee III, Ambassador Doru Romulus Costea (Romania) chairing the Drafting Committee, and Ambassador Philip Richard O. Owade (Kenya) chairing the Credentials Committee.

Following the election of the Conference President and Secretary-General, the first plenary was addressed by United Nations Secretary-General Kofi Annan, who made an impassioned plea for the delegations to strengthen the nuclear nonproliferation regime and "come to terms with all the nuclear dangers that threaten humanity." The Secretary General was followed by IAEA Director-General Mohammad ElBaradei who described the need to strengthen the Agency's verification regime, address the proliferation-sensitive aspects of the nuclear fuel cycle, secure nuclear material, commit to nuclear disarmament, and enforce compliance.

From the afternoon of 2 May to 11 May, the Conference heard opening statements from 93 States Parties, including the regional and political groupings of the European Union, the New Agenda Coalition (NAC), the Non-Aligned Movement, the Arab Group, the Caribbean Community (CARICOM), and the Pacific Islands Forum Group. These opening statements presented some of the key issues that the Conference was expected to discuss but offered few proposals as to how the Conference may address them. The challenges detailed in these statements include:

- *Treaty compliance*-A number of states noted the need to enhance compliance with Articles I and II of the Treaty

- *Safeguards*-Several states called for the Additional Protocol to become the new safeguard standard while others stressed the voluntary nature of the Protocol and suggested that a compromise was needed for such a measure to be adopted.

- *The Nuclear Fuel Cycle*-A number of states, as well as IAEA Director-General ElBaradei, have argued that the sensitive aspects of he nuclear fuel cycle constitutes a "loophole" through which States Parties may develop the necessary technology for nuclear weapons. Many states therefore welcomed the IAEA report on "Multilateral Approaches to the Nuclear Fuel Cycle" suggesting that the report should guide efforts to address the nuclear fuel cycle. A couple of states went further to suggest additional controls or restrictions on the development of the nuclear fuel cycle. Such suggestions received considerable opposition from many other states which argued that limitations on the nuclear fuel cycle would constitute a considerable re-interpretation of Article IV of the Treaty.

- *Iran*-Many delegations expressed various levels of concern over Iran's nuclear activities and supported the ongoing negotiations between the EU and Iran. A few states stated that Iran must permanently cease its enrichment and reprocessing activities.

- *North Korea*-The majority of states recognized the challenge posed by the DPRK's withdrawal from the NPT and subsequent announcement that it has developed nuclear weapons. Most states also called for the DPRK to return to the Six-Party Talks in order to ensure a diplomatic solution. In addition to these calls, a number of delegations also stressed that the DPRK must verifiably dismantle its nuclear weapons program.

- *Non-state actors*-Many states noted the need to address the issue of nuclear proliferation to non-state actors, whether illicit trafficking networks such as that of A.Q. Khan, terrorists, or both. Most states discussing this issue recalled new measures to address these threats such as the Convention for the Suppression of Acts of Nuclear Terrorism, Security Council resolution 1540, and IAEA efforts to secure nuclear material.

- *Treaty Withdrawal*-A number of states suggested the need to prevent states from withdrawing fore the purpose of developing nuclear weapons. Some of these states simply sought to address the withdrawal provisions of the Treaty while others called for measures to discourage withdrawals, including the establishment of consequences for withdrawal, such as the freeze or dismantlement of nuclear assistance received while party to the Treaty. One state called for the Security Council to automatically consider any notice of NPT withdrawal.

- *Comprehensive Nuclear-Test-Ban Treaty (CTBT)*-The vast majority of states called for the early entry into force of the CTBT. One state suggested that such support by the majority of states for the CTBT's entry into force should be recognized in the final document.

- *Fissile Material Cut-Off Treaty (FMCT)*-Three different views appeared to be expressed regarding the FMCT. Most states called for negotiations on the FMCT to commence in the Conference on Disarmament (CD). Another

group of states called for negotiations to begin in the CD without preconditions. On the other hand, other states stressed the need for verification to be apart of such negotiations in accordance with the Shannon mandate.

- *Non-Strategic Nuclear Weapons*-Several states called for further reductions in non-strategic nuclear weapons, with some stating the need for the full implementation of the 1991/1992 Presidential Nuclear Initiatives (PNIs).

- *Security Assurances*-A key concern of many non-nuclear-weapon states (NNWS) was the lack of legally-binding negative security assurances issued by the nuclear-weapon states (NWS). A large number of NNWS called for the creation of a subsidiary body within the Conference to address the issue of security assurances, a proposal which has faced considerable opposition from most NWS. A subsidiary body to address both disarmament and security assurances, was ultimately created within Main Committee I.

- *Nuclear-Weapon-Free Zones (NWFZ)*-As the Conference followed on the heels of a conference of NWFZ States Parties held in Mexico the week before, considerable attention was paid to the role of NWFZ in strengthening the nuclear nonproliferation regime. In particular, many delegations welcomed the recent agreement on a Treaty to establish a Central Asian Nuclear-Weapon-Free Zone (CANWFZ) and calls continued for the creation of a weapons of mass destruction-free zone in the Middle East.

- *Strengthening the Review Process*-One state continued its call for changes in the NPT review process to "overcome the institutional deficit" of the Treaty. The proposals for such changes included the creation of an NPT standing bureau and the convening of annual meetings of States Parties. These propositions received very limited support from other States Parties.

Following the opening plenary statements, including the statements made by 17 NGOs, the delegations spent considerable time discussing the procedural issues for the Conference to adopt an agenda. On Friday of the first week, the President's draft agenda and statement of understanding was blocked by one NNWS on the grounds that the statement did not include the intention of the Conference to "take into account" the "outcomes" of previous conferences. This objection has its roots in the refusal of one NWS to accept reference to the outcome of the 2000 Review Conference, which included the "13 Practical Steps towards nuclear disarmament," a refusal which appeared to have the tacit support of some other NWS.

On 11 May, the 10th day of the Conference, the delegations were able to adopt an agenda through the use of an unconventional tactic to satisfy previous objections by key NAM members. In paragraph 16 of the agenda, which specifies the Conference's review of the operation of the Treaty, an asterisk was added linking both a presidential statement and a NAM statement to this review. According to the presidential statement, "It is understood that the review will be conducted in light of the decisions and the resolution of previous Conferences, and allow for discussion of any issue raised by States Parties." Furthermore, the NAM statement expresses the understanding that, "The agenda establishes a framework for conducting the review of the operation of the Treaty…the decisions and resolutions of previous Conferences, in particular the 1995 Review and Extension Conference and the decision of the 2000 Review Conference…." (Note: At the end of the Conference, additional debate ensued over the agenda and the linkage made by this asterisk. The linkage to the presidential statement remained; however, the linkage to the NAM statement was removed from the draft final document.)

In spite of the adoption of the agenda on 11 May, discussion of procedural issues continued to prevent the substantive issues of the Treaty from being addressed. The States Parties were in disagreement as to what issues would be discussed in the main committees and which were to be addressed in subsidiary bodies. There was particular disagreement over a subsidiary body on negative security assurances as the NAM insisted on a separate subsidiary to discuss this topic while one NWS objected giving the issue such a focus. Therefore, while the debate over the deliberative bodies continued, the President arranged time for the delegations to present their accumulating working papers during plenary sessions. These sessions were then used to present proposals until an agreement was made on 18 May regarding the time which would be allocated to the main committees and subsidiary bodies. The three subsidiary bodies were determined to address nuclear disarmament and security assurances, regional issues and the Middle East, and Treaty withdrawals. It was also decided that Main Committee I would address disarmament and nonproliferation education and Main Committee II would address proposals to strengthen the review process.

While the Conference did not agree on any language drafted in the Main Committees, substantive discussion did commence in the little time that remained. Each of the main committees and their subsidiary bodies considered text prepared by their chairs:

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- Main Committee I (MCI): A number of topics pertaining to nonproliferation were discussed in MCI. In particular, the delegations discussed text regarding the role of the NPT and its three pillars, nuclear sharing for military purposes, the universality of the Treaty, the reaffirmation of the commitments of the States Parties to Articles I and II, the possibility of nuclear weapon proliferation to non-state actors and the role of Security Council Resolution 1540, compliance enforcement, the preference to address proliferation concerns in multilateral negotiations, and nonproliferation and disarmament education. The subsidiary body established under MCI addressed issues such as the principles of irreversibility, transparency, and verification as they apply to nuclear disarmament, the unequivocal undertaking by the NWS to pursue nuclear disarmament, the Moscow Treaty, further reductions in non-strategic nuclear weapons, reducing the role of nuclear weapons in security policies, securing excess fissile material, reporting on the implementation of Article VI, the CTBT, the need to maintain the moratoria on nuclear-testing, and disarmament efforts in the CD (such as the FMCT). Elements were also considered on security assurances, including the possibility of including discussion on a legally-binding instrument on security assurances in the next NPT review period. In spite of significant disputed text in both the MCI and its subsidiary body, the report from MCI was adopted and sent to he president on 25 May. Two Chairman's working papers were integrated into the MCI report with the understanding that they did not reflect the views of all states parties.

- Main Committee II (MCII): MCII was tasked with discussing the broad topics of safeguards, nuclear-weapon-free zones (NWFZs), strengthening the review process, and included a subsidiary body on regional issues and the implementation of the 1995 Resolution on the Middle East. The Committee therefore addressed the issues of safeguards compliance, the role and authority of the IAEA, the need for states to conclude Comprehensive Safeguards agreements, the proposal to make the Additional Protocol a condition of supply for nuclear materials, the conceptual framework for integrated safeguards, the wider-application of voluntary offer safeguards, the continued use of Small Quantities Protocols, the role of the Global Threat Reduction Initiative in limiting the use of HEU in research reactors, the role of Security Council Resolution 1540 and export controls, concerns regarding illicit nuclear supply networks, combating nuclear terrorism, maintaining standards for the physical protection of nuclear material, supporting existing and future NWFZs, proposals to strengthen the review process, and the participation of civil society. The subsidiary body for MCII also discussed the importance of the 1995 Resolution on the Middle East, the role which a weapons of mass destruction-free zone would play in the Middle East peace process, calls for Israel to accede to the NPT as a NNWS, the adoption of the Additional Protocol in the Middle East, Libya's decision to abandon its weapons of mass destruction and long-range missile programs, the IAEA's investigation into Iran's nuclear program, concerns regarding the DPRK's nuclear-weapon capabilities and the Six-Party Talks, and measures to deal with the nuclear-weapon arsenals of India and Pakistan. The chair of this subsidiary body, Ambassador Nuñez (Spain), reported to MCII that, "there is no consensus on various proposals" and that he would submit his working paper under his won responsibility to the Committee with the understanding that there was no agreement on any part of the text. When MCII sought to reach agreement on its report, Committee Chairman Molnar provided two options: to adopt the Chair's paper as a draft for further consultation while acknowledging that some elements did not enjoy consensus, or not including the paper in the MCII report to the Conference. Support for these options was characterized by a deep division falling largely along the lines of the political groupings, with one many members group favoring the inclusion of the chair's paper and key members of another group rejecting such inclusion. A third option to carry out consultations without using the chair's text as a basis was proposed by one state, but received very limited support. While the States Parties attempted to find a way around this impasse, one NWS took the floor to criticize the five Central Asian (C-5) States for failing to take into account the comments expressed by three NWS regarding the negative security assurances Protocol to the draft CANWFZ treaty text, noting a joint demarche issued to the UN Secretary-General regarding this concern. One of the C-5 responded by citing the negotiations that have previously occurred to address such concerns, and suggested that further consultations may take place. The Committee remained in deadlock by the time its time had expired in the evening of 24 May. Committee Chairman Molnar, stated that, "The committee did not reach consensus to attach the Chair's draft to the final report of the Committee and to

forward it to the conference for further consideration."

- Main Committee III (MCIII): MCIII engaged in negotiations over the peaceful use of nuclear energy. In this context, the delegations considered text on reaffirming the inalienable right of states parties to develop and use nuclear energy for peaceful purposes and participate in the fullest possible exchange of nuclear technology, the need for such peaceful activities to conform with Articles I, II, and III of the Treaty, the role of IAEA technical cooperation activities, concerns over the proliferation risks of sensitive fuel cycle activities, the IAEA expert group report on multilateral approaches to the nuclear fuel cycle, the requirement that states suspend nuclear cooperation with states found in violation of their nuclear nonproliferation and safeguards commitments, nuclear safety standards, minimizing the need for HEU for peaceful purposes, and promoting transparency in peaceful nuclear activities. The subsidiary body under MCIII discussed both Articles IX, and X of the Treaty. In regard to Article IX, which is related to the universality of the NPT, the delegations discussed the need for the universality of the Treaty, for universal compliance, and specifically for India, Pakistan and Israel to join as NNWS. The discussion of Article X, which addresses withdrawal from the Treaty, produced preliminary text on the sovereign right of withdrawal from the Treaty, the need for consultations with a state exercising its right of withdrawal, the recognition that a withdrawal from the Treaty may pose a threat to international peace and security-and thereby the role of the Security Council in regard to Treaty withdrawal, the liability of a withdrawing State Party for any violations committed while still party to the Treaty, and the status of nuclear technology, material, and equipment received while party to the Treaty including the resumption of IAEA safeguards. The text from MCIII was blocked from adoption by the disagreement of two states that had played obstructive roles throughout the Conference. At first, one NAM state objected to the text regarding Article X, arguing that the revised text proposed by the chair had not been discussed. In spite of suggestions that the text be annexed to the MCIII report, as agreed in MCI, this state refused to support such a proposal, resulting in the removal of the language on withdrawal. In response, a NWS then objected to the report in its entirety just before the remaining text was to be adopted by the chair.

The Review Conference concluded with a presentation of the procedural reports by the main and drafting committee chairs, and closing remarks by several delegations. Each delegation expressed some degree of disappointment in the Conference's failure to adopt an agreed final document, and most suggested that the issue of nuclear nonproliferation and disarmament continue either within the NPT or in other fora. One Western Group state in particular issued stern rebuke of the failure of the States Parties to pursue solutions to the core challenges facing the Treaty, stating that, "We have let the pursuit of short-term, parochial interests override the collective long-term interest in sustaining this Treaty's authority and integrity." The last statement of the Conference was issued by a NAM state which used the opportunity to harshly critique the policies United States over the last five years. Following this speech, Conference President Duarte brought the Conference to a close by thanking the delegations, the Conference officers, and the Secretariat.

2004 Preparatory Committee for the 2005 Review Conference

The third session of the Preparatory Committee (PrepCom) for the 2005 NPT Review Conference (RevCon) was held in New York from 27 April to 7 May 2004, under the chairmanship of Ambassador Sudjadnan Parnohadinigrat of Indonesia. Ms. Silvana da Silva (Chief, Weapons of Mass Destruction Branch, Department for Disarmament Affairs, United Nations) served as Secretary of the PrepCom.

A total of 123 States Parties registered to attend the meeting. As in the past, representatives from the International Atomic Energy Agency (IAEA) also attended the meeting while representatives from specialized agencies and international and regional intergovernmental organizations such as the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the European Commission, the League of Arab States, and the Organization of the Islamic Conference, attended as observers. A total of 69 non-governmental organizations (NGOs) also attended the PrepCom as observers

The PrepCom was tasked by the 2000 Review Conference to make recommendations to the 2005 Review Conference, taking into account the deliberations and results of the two previous sessions. It was also to finalize the organizational arrangements for the Review Conference, including the endorsement of a candidate for the presidency of the Review Conference, agreement on

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the Rules of Procedure, and agreement on the agenda and the program of work for the Review Conference. These tasks included the possible establishment of subsidiary bodies to the Conference's Main Committees. It was furthermore tasked by the 2000 Review Conference to make recommendations on legally binding security assurances to the Review Conference.

Thirty meetings were devoted to the substantive discussions of the Committee. Each discussion was structured according to indicative timetables that took into consideration three clusters of issues and three specific blocs of issues. The clusters included: (a) nonproliferation of nuclear weapons, disarmament, and international peace and security; (b) nonproliferation of nuclear weapons, safeguards, and nuclear-weapon-free zones; and (c) the inalienable right of all States Parties to the Treaty to develop, research, produce and use nuclear energy for peaceful purposes, without discrimination and in conformity with articles I and II. Prior to the cluster debate discussions, the Chairman announced that time would be allocated for discussions on security assurances and the issue of the 1995 Middle East resolution.

Discussion on the status of the Democratic People's Republic of Korea (DPRK) was again circumvented when the Chairman announced that, based on his consultations with various States Parties, there would be no open debate on the issue and that the Secretariat would hold the nameplate of the DPRK temporarily as it did during the second PrepCom session.

More than 40 general statements from States or groups of States such as the Non-Aligned Movement (NAM), the European Union, the New Agenda Coalition, and the League of Arab States were delivered. Significant differences emerged from the very beginning between those who saw the Treaty's obligations primarily in terms of articles I and II and wanted to focus on the noncompliance of a handful of States such as Iran, North Korea, and Libya, and those for whom the nuclear weapons States' failure to make sufficient progress towards complying with article VI was more important. This pattern continued through the cluster debates where the United States mostly focused on its concerns about Iran's failure to comply with its nonproliferation obligations. Other States Parties devoted considerable attention to the 13 "practical steps," especially the CTBT, tactical nuclear weapons, nuclear doctrines and policies, and verification. Other significant issues that were raised included: proposals for addressing the NPT's lack of institutional decision-making powers; reporting and accountability; negative security assurances; the need to make the IAEA Additional Protocol (INFCIRC/540) into a mandatory safeguards requirement under article III; nuclear safety and security; disarmament education; civil society participation and access for NGOs; and the relationship between the NPT-based nonproliferation regime and initiatives such as the Proliferation Security Initiative and those contained in UNSC Resolution 1540, which the Security Council adopted while the PrepCom was in session.

Prior to the start of the PrepCom, the Chairman's consultations showed that, given the time limitations (only two weeks), negotiating substantive recommendations to the Review Conference would in all likelihood fail. The Chairman received the mandate from the meeting to prepare a summary (on his own responsibility) of the proposals made at the meeting, taking into account the PrepCom's prior sessions. The paper, introduced late during the second week was, however, criticized by several delegations, in particular those from the United States, the Russian Federation, and Iran, who wanted to defend themselves or who felt their positions had not been adequately represented. As a result, the paper could not be attached to the final report of the PrepCom as was the case with the summaries prepared by the Chairmen of the prior PrepCom sessions. The paper was instead recognized as a working paper (NPT/CONF.2005/PC.III/WP.27) by the Chairman (as were all other papers submitted by national delegations).

The meeting ended on 7 May with the delegations unable to agree on most issues, including on the agenda or background documentation for the Review Conference. This was due, mainly, to disagreement between the United States and France on the one side, and the NAM supported by many other States on the other, on whether to recognize the outcome of the 2000 Review Conference in the agenda for the 2005 Review Conference. The main area of divergence arose over the continued relevance of the "13 practical steps" on nuclear disarmament agreed to at the 2000 Review Conference. Other related controversies included disagreement on how to deal with the issue of negative security assurances, and whether to establish subsidiary bodies to the Main Committees of the Review Conference.

The only significant decision taken by the PrepCom was to endorse the candidacy of Ambassador Sergio Duarte (from Brazil) as President-Elect for the Review Conference. This decision was primarily motivated by the realization that without such endorsement, the President-Elect would not be able to consult with delegations on the many outstanding organizational and substantive issues that need to be resolved before the Conference can start its work. The PrepCom confirmed that the Conference will be held in New York from 2 to 20 May 2005, and agreed on the draft rules of procedure, to endorse the chairpersons of the three Main Committees of the Review Conference, the appointment of the Secretary-General (Ms. Da Silva from DDA), and the financing of the

Review Conference, including its Preparatory Committee. The final report of the PrepCom is contained in NPT/CONF.2005/1.

2003 Preparatory Committee for the 2005 Review Conference

The second session of the Preparatory Committee (PrepCom) for the 2005 NPT Review Conference (RevCon) was held in Geneva from 28 April to 9 May 2003, under the chairmanship of Ambassador László Molnár of Hungary. This PrepCom was the second of three sessions that are to be held prior to the 2005 RevCon. As decided at the 2000 RevCon, the Second PrepCom session carried out the first phase of the "new" strengthened review process. Under the new process, the first two sessions (2002 and 2003) considered "principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality." The third PrepCom (held in New York from 26 April to 7 May 2004) was required to make recommendations to the 2005 RevCon, taking into account the deliberations and results of the two previous sessions.

One hundred and six States Parties as well as representatives from the International Atomic Energy Agency (IAEA) participated in the PrepCom, while representatives from the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the European Commission, the League of Arab States, and the Organization of the Islamic Conference attended as observers. Representatives from 37 non-governmental organizations attended the plenary meeting of the PrepCom. Ms. Silvana da Silva (Chief, Weapons of Mass Destruction Branch, Department for Disarmament Affairs, United Nations) served as Secretary of the PrepCom.

Although the generally held view among State Parties was that North Korea's withdrawal came into effect on 10 April 2003, when its three-month notice of withdrawal expired, some uncertainty existed over North Korea's status at the PrepCom. On 10 January 2003, the DPRK announced that its withdrawal "will come into force automatically and immediately" on the next day, claiming that it had suspended its 1994 withdrawal from the Treaty on the last day of the required three-month notice period and thus did not need to give additional notice to other NPT Parties and the Security Council as required under Article X of the Treaty. Given that this uncertainty could have led to a procedural and potentially divisive debate at the start of the PrepCom meeting, the Chairman announced that he would take custody of the DPRK's nameplate and that it would not be displayed among those of the States Parties, but that it would remain in the conference room. No decision was, however, taken by the State Parties as to the status of North Korea vis-à-vis the Treaty.

As was the case in 2002, the PrepCom discussions were structured according to an indicative timetable that provided equal time for the consideration of three clusters of issues and three specific blocks of issues (details on these clusters and blocks of issues are provided under developments at the 2002 PrepCom – see below). As was done at the 2002 PrepCom, the Chairman prepared a Chairman's factual summary of the Committee's consideration of the issues, which was contained in Annex II to the 2003 PrepCom report. This document comprises 43 paragraphs of text capturing the Chairman's factual distillation of the views expressed by States Parties on a number of substantive matters, including North Korea's withdrawal and non-compliance; allegations of Iranian non-compliance; nuclear disarmament and the implementation of the 13 "practical steps" toward the elimination of nuclear arsenals; non-strategic nuclear weapons; security assurances; the situation in the Middle East; utilizing the strengthened review process through regular reporting; disarmament and nonproliferation education; the role of the IAEA and its safeguards system; nonproliferation export controls; peaceful uses of nuclear energy; nuclear safety; the threat of nuclear terrorism; and further strengthening of the review process. The Chairman's initiative to invite delegations to offer specific text proposals provided him with a good basis to formulate language that accommodated most views. He furthermore consulted with various key delegations on specific paragraphs of his summary with the result that it was to some extent negotiated.

2002 Preparatory Committee for 2005 Review Conference

The first session of the PrepCom for the 2005 NPT Review Conference was attended by 140 of the then 187 States Parties. Cuba (a non-State Party at the time), seven intergovernmental organizations, and 62 non-governmental organizations attended the open meetings of the PrepCom. Ms. Hannelore Hoppe (Chief, Weapons of Mass Destruction Branch, Department for Disarmament Affairs, United Nations) served as Secretary of the PrepCom. Among the procedural decisions taken, it was decided that the second session of the PrepCom would be held in Geneva from 28 April to 9 May 2003; the third session would be held in New York from 26 April to 7 May 2004; and the provisional dates for the Review Conference in New York would be 2 May to 27 May 2005. Ambassador László Molnar (Permanent Representative of Hungary to the United Nations),

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representing the Group of East European States, was unanimously selected as the Chairman of the 2003 PrepCom. The Chairman of the third session and the President of the 2005 Review Conference would be nominated by the Non-Aligned Movement (NAM) States.

Following two days of general debate comprising opening statements, the PrepCom held a total of 11 meetings for substantive discussion. The substantive discussion was structured according to a timetable, which provided equal time for the consideration of three *clusters* of issues and three specific blocks of issues. The PrepCom considered the following three clusters of issues as contained in Annex VIII of the final report of the Preparatory Committee to the 2000 Review Conference: (1) implementation of the provisions of the Treaty relating to nonproliferation of nuclear weapons, disarmament, and international peace and security; (2) implementation of the provisions of the Treaty relating to safeguards, and nuclear-weapon-free zones; and (3) implementation of the provisions of the Treaty relating to the inalienable right of all 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.

The PrepCom considered the following three specific blocs of issues: (1) implementation of article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament," as well as the agreements, conclusions, and commitments listed under the section entitled "Article VI and eighth to twelfth preambular paragraphs" contained in the Final Document of the 2000 NPT Review Conference; (2) regional issues, including with respect to the Middle East, the implementation of the 1995 Middle East resolution and the commitments, conclusions, and follow-up submissions to the United Nations Secretary-General, the President of the 2005 Review Conference, and the Chairpersons of the Preparatory Committee meetings, in accordance with the relevant subparagraphs listed under the section entitled "Regional issues: The Middle East, particularly implementation of the 1995 Resolution on the Middle East," contained in the Final Document of the 2000 Review Conference; and (3) safety and security of peaceful nuclear programs.

The Chairman prepared a factual summary of the Committee's consideration of the issues, which was contained in Annex II to the report of the 2002 PrepCom. Ambassador Salander produced the Chairman's factual summary under his own responsibility, and its content was not open for negotiation or change. This document comprises 37 paragraphs of text capturing the Chairman's factual distillation of the views expressed by States Parties on a number of substantive matters, including nuclear nonproliferation, nuclear disarmament, safeguards, export controls, nuclear-weapon-free zones, regional issues (DPRK, Iraq, South Asia, and the Middle East), strengthened physical protection of nuclear material, and reporting.

2000 Review Conference

The 2000 NPT Review Conference was convened at United Nations Headquarters from 24 April to 19 May 2000, with 157 of 187 States Parties participating. One non-State party, Cuba attended as an observer. Palestine was also granted observer status; 141 research institutes and non-governmental organizations attended as observers.

The bureau of the Review Conference comprised *inter alia:* President Abdallah Baali (Algeria) and Secretary-General Hannelore Hoppe (Chief, WMD Branch, UN Department for Disarmament Affairs).

The 33 Vice-Presidents were Armenia, Australia, Azerbaijan, Belarus, Cameroon, Canada, China, Costa Rica, Côte d'Ivoire, Ecuador, France, Germany, Ghana, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Latvia, Lithuania, Mexico, Myanmar, Netherlands, New Zealand, Nigeria, Peru, Romania, Senegal, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, and Viet Nam.

Main Committee I: Chairman Camilo Reyes (Colombia); Vice-Chairmen: Jean Lint (Belgium) and Vadim Reznikov (Belarus); Subsidiary Body 1: Clive Pearson (New Zealand).

Main Committee II: Chairman Adam Kobieracki (Poland), Vice-Chairmen: Suh Dae-won (Republic of Korea) and Yaw Odei Osei (Ghana); Subsidiary Body 2: Christopher Westdal (Canada). Main Committee III: Chairman Markku Reimaa (Finland); Vice-Chairmen: Igor Dzundev (the former Yugoslav Republic of Macedonia) and Hamid Baidi Nejad (Islamic Republic of Iran). Drafting Committee: Chairman André Erdös (Hungary); Vice-Chairmen: Fayza Aboulnaga (Egypt) and Pedro Villagra-Delgado (Argentina); and Credentials Committee: Chairman Makmur Widodo (Indonesia); Vice-Chairmen: Ion Botnaru (Moldova) and Wernfried Köffler (Austria). The Conference appointed representatives from the following States parties as members of the Credentials Committee: Chile, Greece, Morocco, Slovakia, Slovenia, and Switzerland.

The 2000 Review Conference held 16 plenary meetings together with several sessions of informal consultations. On 19 May, the Conference adopted a Final Document by consensus.

Nuclear Disarmament: The Conference agreed on the following practical steps for the systematic and progressive efforts to implement Article VI of the NPT and Paragraphs 3 and 4(c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation

and Disarmament": (1) the importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear Test-Ban Treaty (CTBT); (2) a moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of the CTBT; (3) the necessity of negotiations in the Conference on Disarmament (CD) on a non-discriminatory, multilateral, and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear nonproliferation objectives; the CD is urged to agree on a program of work which includes the immediate commencement of negotiations on such a treaty with a view to its conclusion within five years; (4) the necessity of establishing in the CD an appropriate subsidiary body with a mandate to deal with nuclear disarmament; the CD is urged to agree on a program of work which includes the immediate establishment of such a body; (5) the principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures; (6) an unequivocal undertaking by the NWS to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States Parties are committed under Article VI; (7) the reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control; (8) regular reports, within the framework of the NPT strengthened review process, by all States Parties on the implementation of Article VI and Paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament," and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996; and (9) the further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

In the Conference's review of Article VI, the NWS agreed to the following steps toward nuclear disarmament in a way that promotes international stability and the principle of undiminished security for all:

- further efforts by the NWS to reduce their nuclear arsenals unilaterally;
- increased transparency with regard to nuclear weapons capabilities and the implementation of agreements;
- the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;
- concrete agreed measures to further reduce the operational status of nuclear weapons systems;
- a diminishing role for nuclear weapons in security policies; and
- the engagement as soon as appropriate of all the NWS in the process leading to the total elimination of their nuclear weapons.

Safeguards: The Conference reaffirmed the fundamental importance of full compliance with the provisions of the Treaty and the relevant safeguards agreements. The Conference reaffirmed that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Statute of the IAEA and the IAEA safeguards system, compliance with its safeguards agreements with States Parties undertaken in fulfillment of their obligations under Article III, Paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. The Conference emphasized that nothing should be done to undermine the authority of IAEA in this regard. States Parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States Parties should direct such concerns, along with supporting evidence and information, to the IAEA to consider, investigate, draw conclusions, and decide on necessary actions in accordance with its mandate.

The Conference considered that IAEA safeguards provide assurance that States are complying with their undertakings under relevant safeguards agreements and assist States to demonstrate this compliance. It stressed that the nonproliferation and safeguards commitments in the Treaty are also essential for peaceful nuclear commerce and cooperation and that IAEA safeguards make a vital contribution to the environment for peaceful nuclear development and international cooperation in the peaceful uses of nuclear energy. The Conference stressed that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved. The Conference reiterated the call by previous conferences of the States Parties for the application of IAEA safeguards to all source or special fissionable material in all peaceful nuclear activities in the States Parties in accordance with the provisions of Article III of the Treaty. The Conference noted with satisfaction that, since 1995, 28 States have concluded safeguards agreements with the IAEA in compliance with Article III, Paragraph 4, of the Treaty, 25 of which have brought the agreements into force.

The Conference reaffirmed that IAEA safeguards should regularly be assessed and evaluated. Decisions adopted by the IAEA Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards should be supported and implemented. It also reaffirmed that the implementation

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of comprehensive safeguards agreements pursuant to Article III, Paragraph 1, of the Treaty should be designed to provide for verification by the IAEA of the correctness and completeness of a State's declaration so that there is a credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities. The Conference also fully endorsed the measures contained in the Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards (INFCIRC/540 (Corrected)), which was approved by the IAEA Board of Governors in May 1997. The safeguards-strengthening measures contained in the Model Additional Protocol will provide the IAEA with*, inter alia*, enhanced information about a State's nuclear activities and complementary access to locations within a State.

The Conference recognized that comprehensive safeguards agreements based on document INFCIRC/153 have been successful in providing assurance regarding declared nuclear material and have also provided a limited level of assurance regarding the absence of undeclared nuclear material and activities. The Conference noted that implementation of the measures specified in the Model Additional Protocol will provide, in an effective and efficient manner, increased confidence about the absence of undeclared nuclear material and activities in a State as a whole and that those measures are now being introduced as an integral part of the IAEA's safeguards system.

The Conference noted, in particular, the relationship between the additional protocol and the safeguards agreement between the IAEA and a State Party as set out in Article I of the Model Additional Protocol. In this regard, it recalled the interpretation provided by the IAEA Secretariat on 31 January 1997 and set out in document GOV/2914 of 10 April 1997 that, once concluded, the two agreements had to be read and interpreted as one agreement.

The Conference noted the high priority that the IAEA attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear-material verification activities with the new strengthening measures and looked forward to an expeditious conclusion of this work. It recognized that the aim of these efforts is to optimize the combination of all safeguards measures available to the IAEA in order to meet the Agency's safeguards objectives with maximum effectiveness and efficiency within available resources.

Furthermore, the Conference noted that credible assurance of the absence of undeclared nuclear material and activities, notably those related to enrichment and reprocessing, in a State as a whole could permit a corresponding reduction in the level of traditional verification efforts with respect to declared nuclear material in that State, which is less sensitive from the point of view of nonproliferation.

The Conference recognized that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to providing credible assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear material and activities must be implemented by all States Parties to the NPT, including the NWS.

Middle East: The States Parties also reaffirmed the Resolution on the Middle East, adopted by the 1995 NPT Review and Extension Conference, and in its review of its implementation:

The Parties called on Israel by name to accede to the Treaty for the first time in the NPT's history, as it is the only state in the region not to have done so. The Conference recalled that operative Paragraph 4 of the 1995 Resolution on the Middle East "calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards." The Conference noted, in this connection, that the report of the United Nations Secretariat on the Implementation of the 1995 Resolution on the Middle East (NPT/CONF.2000/7) states that several States have acceded to the Treaty and that, "with these accessions, all States of the region of the Middle East, with the exception of Israel, are States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference welcomed the accession of these States and reaffirms the importance of Israel's accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East."

All States Parties, particularly the NWS and the States of the Middle East, are to report on the steps that they have taken to promote the achievement of "a Middle East zone free of nuclear weapons as well as other weapons of mass destruction" at the 2005 Review Conference.

Bearing in mind the importance of full compliance with the NPT, the Conference noted the statement of 24 April 2000 by the IAEA Director-General that, since the cessation of IAEA inspections in Iraq on 16 December 1998, the Agency has not been in a position to provide any assurance of Iraq's compliance with its obligations under UN Security Council Resolution 687. The Conference further noted that the IAEA carried out an inspection in January 2000 pursuant to Iraq's safeguards agreement with the IAEA during which the inspectors were able to verify the presence of the nuclear material subject to safeguards (low enriched, natural, and depleted uranium). The

Conference reaffirmed the importance of Iraq's full continuous cooperation with the IAEA and compliance with its obligations.

South Asia: The Conference deplored the nuclear test explosions carried out by India and then by Pakistan in 1998. The Conference declared that such actions do not in any way confer NWS status or any special status whatsoever. It also called on India and Pakistan to abide by Resolution 1172 (1998) and to implement a series of confidence-building measures, including moratoria on further testing and fissile material production for weapons. Furthermore, the Conference called upon all States Parties to refrain from any action that may contravene or undermine the objectives of UNSCR 1172. The Conference noted that India and Pakistan have declared moratoriums on further nuclear testing and their willingness to sign and ratify the CTBT, and it urged them to accede to the NPT as NNWS, and to place all their nuclear facilities under comprehensive IAEA safeguards. The Conference urged both countries to observe a moratorium on the production of fissile material for nuclear weapons, pending the conclusion of a treaty banning the production of fissile material for nuclear explosives.

DPRK: The Conference noted with concern that, while the Democratic People's Republic of Korea remained a Party to the NPT, the IAEA continued to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the DPRK and was therefore unable to conclude that there had been no diversion of nuclear material in the DPRK. The Conference looked forward to the fulfillment by the DPRK of its stated intention to come into full compliance with its safeguards agreement with the IAEA, which remains binding and in force. The Conference emphasized the importance of action by the DPRK to preserve and make available to the IAEA all information needed to verify its initial inventory.

Universality: The Conference reaffirmed the long-held commitment of parties to the Treaty to universal membership and noted that this goal had been advanced by the accession to the Treaty of several new States since the 1995 Review and Extension Conference (NPTREC), thereby bringing its membership to 187 States Parties. The Conference reaffirmed the importance of the Treaty in establishing a norm of international behavior in the nuclear field. The Conference called on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards on all their nuclear activities. These States are Cuba, India, Israel, and Pakistan. In this context, the Conference welcomed the signature by Cuba of the protocol additional to its safeguards agreements with the IAEA. The Conference particularly urged those non-parties to the Treaty that operate unsafeguarded nuclear facilities — India, Israel, and Pakistan — to take similar action, and affirmed the important contribution this would make to regional and global security.

Strengthened Review Process: The States Parties also agreed to measures to improve the effectiveness of the strengthened review process as follows:

- Three sessions of the PrepCom, normally for a duration of 10 working days each, should be held in the years prior to the review conference. A fourth session, would, if necessary, be held in the year of the review conference.
- Specific time should be allocated at sessions of the Preparatory Committee to address "specific relevant issues." Subsidiary bodies for this purpose can also be established at Review Conferences.
- The first two sessions of the PrepCom would "consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality."
- Each session of the PrepCom should consider specific matters of substance relating to the implementation of the Treaty and NPTREC Decisions 1 and 2, as well as the Resolution on the Middle East adopted in 1995, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty.
- The Chairpersons of the PrepComs will carry out consultations in preparation for the subsequent meeting.
- The PrepComs are to factually summarize their results and transmit them to the next meeting. The last PrepCom meeting before the Review Conference, should make every effort to produce a consensus report containing recommendations to the Review Conference and should decide on its procedural arrangements.
- A meeting should be allocated to non-governmental organizations (NGOs) to address each session of the PrepCom and the Review Conference.

In addition, the final document contained well over one hundred paragraphs dealing with other aspects of the Treaty, such as strengthened safeguards, compliance, the authority of the IAEA in implementing safeguards and technical assistance cooperation, effective physical protection of all nuclear material, the highest possible standards of nuclear safety, efficacy of and transparency in export controls, the safe transport of radioactive materials, radiological protection and radioactive waste management, conversion of military nuclear materials to peaceful uses, nuclear-weapon-free zones, non-recognition of any new NWS, and universal adherence to the Treaty.

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Other significant developments at the 2000 Review Conference included:

Joint NWS Statement: A joint statement was issued by the five NWS on May 1. The 23-paragraph document covered nuclear disarmament, nonproliferation, nuclear-weapon-free zones, nuclear energy, and safeguards. The statement referred to their "unequivocal commitment" to fulfilling their NPT obligations and to the ultimate goals of a complete elimination of nuclear weapons and general and complete disarmament. The statement also noted that none of the NWS targets nuclear weapons at any other state. It reiterated their view that, in accordance with the Treaty, India and Pakistan do not have the status of NWS, and stressed that the two countries should implement UN Security Council Resolution 1172. The NWS statement also called for the preservation and strengthening of the Anti-Ballistic Missile (ABM) Treaty as a cornerstone of strategic stability and as a basis for further strategic offensive reductions. Furthermore, the statement referred to negotiation of a fissile material cutoff treaty (FMCT), but placed it in the context of an agreed work program for the CD.

New Agenda Coalition: Among the NNWS, the New Agenda Coalition (NAC)—a grouping of states that cuts across traditional regional associations and includes Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa, and Sweden—played a dominant role in putting forth disarmament proposals and in directly negotiating the text on disarmament with the NWS. The coalition proposed identifying "areas in which" and "means through which" future progress should be sought on nuclear disarmament. A key demand of the coalition was for the NWS to "make an unequivocal undertaking" to totally eliminate their nuclear arsenals and to "engage in an accelerated process of negotiations" during the upcoming 2000-2005 review period. In addition, the coalition called for early and interim steps, including adaptation of nuclear postures to preclude the use of nuclear weapons; dealerting and removal of warheads from delivery vehicles; reductions in tactical nuclear weapons leading to their elimination; greater transparency with regard to nuclear arsenals and fissile material inventories; and irreversibility in removing excess fissile material from weapons programs and in all nuclear disarmament, nuclear arms reduction, and nuclear arms control measures. They also promoted an appropriate subsidiary body in the CD with a mandate to deal with nuclear disarmament and the rapid negotiation and conclusion of legally binding security assurances for NNWS party to the Treaty. See the Final Document.

Preparatory Committee (PrepCom) 1997-1999

The 1999 PrepCom took place from 10-21 May in New York. It was chaired by Ambassador Camilo Reyes-Rodriguez of Columbia and was attended by 119 States Parties. Israel and Cuba attended as observers, as well as more than 60 NGOs. In addition to discussing the implementation of 1995 Principles and Objectives, the PrepCom also considered proposals concerning the expected outcome of the Review Conference. The Committee reached agreement on the provisional agenda for the Review Conference, the allocation of items to the three main committees, the office bearers of the Conference, the draft rules of procedure for the Conference, as well as the estimated costs of the Conference and the schedule of the division of costs.

The 1998 session of the PrepCom took place from 27 April to 8 May in Geneva and was chaired by Ambassador Eugeniusz Wyzner (Poland). The session was attended by 97 countries, two observers (Brazil and Israel), and 76 NGOs. The Committee continued the process of reviewing the operation of the Treaty, taking into account the decisions and the Resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference. Specific time was also allocated for discussions on three issues: security assurances for parties to the NPT; the resolution on the Middle East; and a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT).

The first session of the Preparatory Committee for the 2000 NPT Review Conference was held at UN headquarters in New York from 7-18 April 1997. The PrepCom was attended by 149 countries under the chairmanship of Ambassador Pasi Patokallio (Finland). Brazil, Cuba, Israel, and Pakistan participated as observers. One hundred and thirteen NGOs also attended. The Chairman issued a statement recommending that time be allocated at the second session for discussion and consideration of proposals concerning security assurances, the Resolution on the Middle East, and an FMCT.

The 1995 Review and Extension Conference (NPTREC)

The Review and Extension Conference was convened at United Nations Headquarters from 17 April to 12 May 1995, with 175 of the then 179 States Parties taking part. Ten States not parties attended as observers, as did 195 NGOs. The bureau of the NPTREC comprised President Jayantha Dhanapala (Sri Lanka); Secretary-General Prvoslav Davinic (Director of the UN Center for Disarmament Affairs); 33 Vice-Presidents (Algeria,

Australia, Austria, Bangladesh, Belarus, Bulgaria, Cameroon, Canada, China, Congo, Czech Republic, Finland, France, Indonesia, Iran, Japan, Malaysia, Mali, Mexico, Norway, Peru, Romania, Russian Federation, Slovakia, South Africa, Sweden, Trinidad and Tobago, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States, and Venezuela); Main Committee I: Chairman Isaac Ayewah (Nigeria), Vice-Chairmen: Richard Starr (Australia) and Anatoli Zlenko (Ukraine); Main Committee II: Chairman André Erdös (Hungary); Vice-Chairmen: Enrique de la Torre (Argentina), Rajab Sukayri (Jordan); Main Committee III: Chairman Jaap Ramaker (Netherlands); Vice-Chairmen: Yanko Yanes (Bulgaria), Gustavo Alvarez Goyoaga (Uruguay); Drafting Committee: Chairman Tadeusz Strulak (Poland); Vice-Chairmen: Nabil Fahmy (Egypt) and Pasi Patokakallio (Finland); and Credentials Committee: Chairman Andelfo Garcia (Colombia); Vice-Chairmen: Alyksandr Sychou (Belarus) and Mary Elizabeth Hoinkes (United States).

The 1995 NPTREC held 19 plenary meetings together with several sessions of the informal "President's Consultations." On 11 May, the Conference adopted without a vote a package of three decisions, comprising Decision 1 (NPT/CONF.1995/L.4) on "Strengthening the Review Process for the Treaty"; Decision 2 (NPT/CONF.1995/L.5) on "Principles and Objectives for Nuclear Non-proliferation and Disarmament"; and Decision 3 (NPT/CONF.1995/L.6) on "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons." The Conference decided thereby "that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance with Article X, Paragraph 2, the Treaty shall continue in force indefinitely." The NPTREC also adopted draft resolution (NPT/CONF.1995/L.8) on the Middle East, as orally amended, without a vote, as Resolution 1, sponsored by the three NPT depositary States.

Decision 1 on a strengthened review process for the Treaty (largely based on Canadian and South African suggestions) specified that:

- Review Conferences should continue to be held every five years and that the next such conference should be held in the year 2000;
- beginning in 1997, the PrepCom should meet for 10 working days, in each of the three years prior to the Review Conference, and if necessary, a fourth PrepCom may be held in the year of the Review Conference;
- the purpose of the PrepCom would be to consider principles, objectives, and ways in order to promote the full implementation of the Treaty, as well as its universality, including those identified in Decision 2, and to make recommendations thereon to the Review Conference, as well as making procedural preparations;
- the present structure of the three Main Committees should continue and the question of overlap of issues being discussed in more than one Committee should be resolved in the General Committee;
- subsidiary bodies could be established within the respective Main Committees; and
- Review Conferences should look forward as well as back, identify areas for further progress in the strengthened implementation of the Treaty.

Decision 2 on principles and objectives for nuclear nonproliferation and disarmament covered seven substantive areas to promote the full realization and effective implementation of the Treaty that included *inter alia:*

- furthering universal adherence to the Treaty;
- promoting nuclear nonproliferation without hampering the peaceful uses of nuclear energy;
- pursuing nuclear disarmament, in particular a "programme of action" on: (i) completion by the CD of a universal and internationally and effectively verifiable CTBT no later than 1996, and pending the entry into force of a CTBT the NWS should exercise utmost restraint; (ii) immediate commencement and early conclusion of a non-discriminatory and universally applicable FMCT; and (iii) determined pursuit by the NWS of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all states of general and complete disarmament;
- endorsing the establishment of internationally recognized NWFZs, on the basis of arrangements freely arrived at, as enhancing global and regional security, especially in regions of conflict such as in the Middle East;
- noting the security assurances under UNSC Res. 984, and calling for an internationally and legally binding instrument on such assurances;
- requiring full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices as a necessary precondition for new supply arrangements for nuclear materials and technology; and
- promoting peaceful uses of nuclear energy in conformity with Articles I, II, and III of the NPT, and promoting transparency in nuclear- related export controls.

On the basis of a draft resolution on indefinite extension co-sponsored by Canada and 103 other cosponsors, as well as Decisions 1 and 2, the NPTREC in Decision 3 agreed without a vote that "as a majority exists among States party to the Treaty for its indefinite extension, in accordance with Article X, Paragraph the Treaty shall continue in force indefinitely."

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In the ***Resolution on the Middle East,*** cosponsored by the three NPT depositary States to secure the concurrence of the Arab States Parties to indefinite extension, the Conference *inter alia:*

- endorsed the Middle East peace process and recognized its contribution to a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;
- noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities and called upon all States with unsafeguarded facilities to place them under full-scope IAEA safeguards;
- called upon all States of the Middle East that have not yet done so to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards;
- called upon all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective; and
- called upon all States Parties to the NPT, and in particular the NWS, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

The UN Department for Disarmament Affairs maintains a website with resources on the NPT meetings: http://disarmament.un.org/wmd/npt/index.html.

Comprehensive Nuclear Test Ban Treaty (CTBT)

Opened for Signature: 24 September 1996.

Duration: Indefinite

Number of Signatories: 180

Number of Ratifications: 148

Number of Signatures of the 44 States noted in (Article XIV) Annex 2: 41

Number of Ratifications of the 44 States noted in (Article XIV) Annex 2: 35

Depository: UN Secretary-General.

Structure: The Comprehensive Nuclear Test Ban Treaty (CTBT) itself includes a Protocol in three parts: Part I detailing the International Monitoring System (IMS); Part II on On-Site Inspections (OSI); and Part III on Confidence-Building Measures (CBMs). There are also two Annexes to the Protocol: Annex 1 detailing the location of various Treaty monitoring assets associated with the IMS; and Annex 2 detailing the parameters for screening events.

Basic Obligations: The CTBT bans any nuclear weapon test explosion or any other nuclear explosion (i.e., true zero yield).

Organization: The Treaty establishes a CTBT Organization (CTBTO), to be located in Vienna, to ensure the implementation of its provisions, including those provisions for international verification measures.

Verification and Compliance:

Verification: The Treaty's verification regime includes an international monitoring system composed of seismological, radionuclide (16 laboratories), hydroacoustic and infrasound monitoring; consultation and clarification; on-site inspections; and confidence-building measures. The use of national technical means, vital for the Treaty's verification regime, is explicitly provided for. Requests for on-site inspections must be approved by at least 30 affirmative votes of members of the Treaty's 51-member Executive Council. The Executive Council must act within 96 hours of receiving a request for an inspection.

Compliance*:* The Treaty provides for measures to redress a violation of the Treaty and to ensure compliance, including sanctions, and for settlement of disputes. If the Conference or Executive Council determines that a case is of particular gravity, it can bring the issue to the attention of the United Nations (Article V of Treaty).

Amendments: Any State Party to the Treaty may propose an amendment to the Treaty, the Protocol, or the Annexes to the Protocol. Amendments shall be considered by an Amendment Conference and shall be adopted by a positive vote of a majority of the States Parties if no State Party casts a negative vote.

Withdrawal: Each State Party has the right to withdraw from the CTBT if it decides that extraordinary events related to the subject matter of the Treaty have jeopardized the State Party's supreme national interests.

Entry into Force: The Treaty will enter into force 180 days after the date of deposit of the instruments of ratification by all States listed in Annex 2 to the Treaty, but no earlier than two years after its opening for signature. Annex 2 lists the following 44 States, Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Finland, France, Germany, Hungary, India, Indonesia, Islamic Republic of Iran, Israel, Italy, Japan, Mexico, Netherlands, Norway, Pakistan, Peru, Poland, Republic of Korea, Romania,

Russian Federation, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States of America, and Vietnam. The aforementioned States are members of the Conference on Disarmament (CD) with nuclear power and/or research reactors. If the Treaty has not entered into force three years after the date of its opening for signature, a conference of the States that have already deposited their instruments of ratification may convene annually to consider and decide by consensus what measures, consistent with international law, may be undertaken to accelerate the ratification process in order to facilitate the early entry into force of this Treaty.

Of the 44 States included in Annex 2 required for entry into force of the CTBT, all have signed with the exceptions of the Democratic People's Republic of Korea (DPRK), India, and Pakistan. Six of the 44 Annex 2 States have signed but not ratified the CTBT; they are China, Egypt, Indonesia, Iran, Israel, and the United States. The United States and China are the only remaining NPT Nuclear Weapon States that have not ratified the CTBT.

Review Conference: Ten years after entry into force, a Conference of the States Parties will be held to review the operation and effectiveness of the Treaty.

Comprehensive Nuclear Test Ban Treaty Organization (CTBTO): The CTBTO consists of two organs, the Preparatory Commission (a plenary body) and the Provisional Technical Secretariat (PTS).

Provisional Technical Secretariat (PTS): The PTS began its work on 17 March 1997 and has an international staff of approximately 260 members from 65 countries. The PTS cooperates with the host countries in the development and running of an international network of 321 monitoring stations.

Preparatory Commission: The main task of the Preparatory Commission is to establish a global verification regime as foreseen in the Treaty so that it will be operational by the time the Treaty enters into force. A worldwide network of 321 monitoring stations will be built and run by the host countries in cooperation with the Provisional Technical Secretariat. Some 100 stations are already transmitting data to the International Data Center (IDC) in Vienna via satellite-based global communications infrastructure. Procedures for on-site inspections and CBMs will be developed.

The Preparatory Commission has three subsidiary bodies: Working Group A on administrative and budgetary matters, Working Group B on verification issues, and the Advisory Group on financial, budgetary, and associated administrative issues. Both Working Groups make proposals and recommendations for consideration and adoption by the Preparatory Commission at its plenary sessions. Ambassador Abdulkadir Bin Rimdap of Nigeria is the Chairperson of Working Group A and Dr. Hein Haak of The Netherlands is the Chairperson of Working Group B. The Advisory Group, with Andre Gue of France as its chair, is composed of experts of international standing serving in a personal capacity**.** Ambassador Hans Lundborg, Permanent Representative of Sweden, is the Chairperson of the Preparatory Commission for 2008.

Developments: Signatures and Ratifications:

2008: On 14 January 2008, Barbados signed and ratified the CTBT. This was followed on 17 January with ratification by Malaysia, which had signed the Treaty in July 1998. Malaysia is the sixth out of the 10 ASEAN countries to ratify the Treaty; it is coordinating CTBT-related issues for the Non-Aligned Movement from 2006-2009 and is active in nonproliferation and disarmament issues.

Colombia became the 35th Annex 2 State to ratify the CTBT on 29 January 2008; Colombia had signed the Treaty on 24 September 1996. After this ratification, nine Annex 2 States must still ratify the Treaty before it can enter into force; the nine States are China, the DPRK, Egypt, India, Indonesia, Israel, Iran, Pakistan, and the United States. At the time, 178 States had signed the CTBT, while 144 States had deposited their instruments of ratification with the United Nations Secretary-General.

On 19 August 2008, Iraq became the 179th state to sign the CTBT. Iraq was one of the few remaining larger countries in the world that had not signed the treaty, and Iraq's signature now brings the total number of signatory states in the critical Middle East and South Asia group to 21 out of 26.

Shortly after a joint ministerial meeting in September 2008, Burundi ratified the Treaty, and Timor Leste signed, bringing the number of signatories to 180 and the number of ratifying states to 145.

Mozambique ratified the treaty on 4 November, and both Malawi and Lebanon deposited their instruments of ratification on 21 November, bringing the number of ratifying states to 148.

2007: The Republic of Moldova deposited its instruments of ratification to the United Nations Secretary-General on 16 January 2007, bringing the total number of ratifications to 138. Moldova's ratification is of particular significance as it completes the ratification of the Treaty by all States in Europe.

The Dominican Republic ratified the Treaty on 4 September 2007, just two weeks prior to the fifth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (Article XIV Conference). The decision by the Dominican Republic

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followed the ratification of the Treaty by the Republic of Palau on 1 August 2007.

2006: During the first three months of 2006, five States deposited their instruments of ratification with the United Nations. These States are Antigua and Barbuda, Cameron, Suriname, Zambia, and Cape Verde.

On 10 March 2006, Vietnam deposited its instrument of ratification with the United Nations Secretary-General, thus becoming the 34th Annex 2 State to ratify the Treaty. There are now 10 Annex 2 States yet to ratify the treaty before it enters into force.

After declaring its independence on 3 June 2006, and becoming the 192nd member of the United Nations on 28 June 2006, the Republic of Montenegro succeeded to the CTBT on 23 October 2006. Bosnia and Herzegovina deposited its instrument of ratification with the United Nations on 26 October 2006.

Between July and August 2006, three States from three separate CTBT geographical regions deposited their instruments of ratification with the United Nations: Armenia and Andorra both ratified the Treaty on 12 July 2006, while Ethiopia ratified on 8 August 2006.

2005: Convened from 27-30 June 2005, the 24th session of the Preparatory Commission welcomed ratifications by Rwanda and Saint Kitts and Nevis.

Member States welcomed the ratification of the Treaty by the Cook Islands, Djibouti, Madagascar, and Vanuatu during the 25th session of the Preparatory Commission, held from 14-18 November 2005.

2004: The 22nd session of the Preparatory Commission was held from 22-24 June 2004. During the session, Member States welcomed ratifications by Bahrain, Belize, the Libyan Arab Jamahiriya, Serbia and Montenegro, Seychelles, and Sudan. The Commission also determined that Timor Leste would be included in the South East Asia, Pacific and the Far East geo-graphical region.

On 28 September, the Democratic Republic of the Congo deposited its instrument of ratification with the United Nations Secretary-General, thus becoming the 33rd Annex II State to ratify the CTBT. The United Republic of Tanzania signed and ratified the Treaty on 30 September 2004. These ratifications bring the total number of ratifications in the African geographical region to 25, and the total number worldwide to 118.

The 23rd session of the Preparatory Commission, convened from 15-19 November 2004, welcomed the ratifications of the Treaty by the Democratic Republic of the Congo, Liechtenstein, Togo, Tunisia, and the United Republic of Tanzania.

2003: The 20th session of the Preparatory Commission was held from 24-27 June 2003. States Signatories welcomed the signature of the CTBT by Gambia and ratification by Albania, Cote d'Ivoire, Kuwait, Mauritania and Oman, as well as the completion of the national ratification procedure in the Libyan Arab Jamahiriya since the previous session of the Commission.

The 21st session of the Preparatory Commission was held 10-14 November 2003. States Signatories welcomed recent ratifications by Afghanistan, Algeria, Cyprus, Eritrea, Honduras, Kuwait, Kyrgyzstan, and Oman. As of 19 November 2003, the Treaty had been signed by 170 States and ratified by 108. Thirty-two Annex 2 States had already deposited their instruments of ratification with the United Nations Secretary-General.

2002: At the 18th session of the Preparatory Commission, held from 19-22 August 2002, Member States welcomed the ratification of the CTBT by Burkina Faso, Kazakhstan, and Venezuela. Niger ratified the Treaty on 9 September, and Georgia and Samoa ratified on 27 September. Botswana deposited its instrument of ratification with the United Nations Secretary-General on 28 October 2002.

2001: The 14th and 15th sessions of the Preparatory Commission, held from 24-27 April and 21-24 August 2001 respectively, welcomed ratifications by 12 States: Benin, Croatia, Guyana, the Holy See, Kenya, Malta, Namibia, Nicaragua, the Philippines, Saint Lucia, Uganda, and Ukraine.

During the 16th session of the Preparatory Commission, convened from 19-23 November 2001, Member States welcomed the recent ratifications by Costa Rica, Ecuador, Jamaica, Latvia, Nauru, Nigeria, Pa-raguay, Singapore, Sierra Leone, and Uruguay.

2000: At the 12th session of the Preparatory Commission, held from 22-24 August 2000, Member States welcomed ratifications by Chile, Iceland, Portugal, and Russia.

Held in Vienna from 20-21 November 2000, the 13th session of the Preparatory Commission welcomed ratifications by Belarus, Cambodia, Gabon, Kiribati, the Lao People's Democratic Republic, Maldives, and the United Arab Emirates.

1996-1999: The Comprehensive Nuclear-Test-Ban Treaty was adopted by the General Assembly as a resolution (A/RES/50/245) on 10 September 1996. The Treaty opened for signature on 24 September 1996. Between 1996 and 1999 the following States signed and ratified the Treaty: Argentina, Australia, Austria, Azerbaijan,

Belgium, Bolivia, Brazil, Bulgaria, Canada, Czech Republic, Denmark, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Grenada, Hungary, Ireland, Italy, Japan, Jordan, Lesotho, Luxembourg, Mali, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Qatar, Republic of Korea, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, and Uzbekistan.

The following States signed the Treaty between 1996 and 1999, but had not yet ratified it: Angola, Brunei Darussalam, Burundi, Chad, China, Comoros, Congo, Egypt, Equatorial Guinea, Ghana, Guatemala, Guinea, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Israel, Liberia, Malawi, Marshall Islands, Mozambique, Myanmar, Nepal, Papua New Guinea, Sao Tome and Principe, Solomon Islands, Sri Lanka, Swaziland, Thailand, United States of America, Yemen, and Zimbabwe.

Point of Contact:

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Treaty Banning Nuclear Weapons in the Atmosphere, in Outer Space, and Underwater (Partial Test Ban Treaty – PTBT)

Opened for signature: 5 August 1963.
Entered into force: 10 October 1963.
Duration: The Treaty is of unlimited duration.
Number of Parties: 131 States.
Depositories: Russia, United Kingdom, and United States.

Background: In 1954, India made the first proposal calling for an agreement to ban nuclear weapons tests. In 1958, the United States, the Soviet Union, and the United Kingdom began a Conference on the Discontinuance of Nuclear Tests in Geneva, aimed at reaching agreement on an effectively controlled test ban. The Conference did not come to fruition because the sides could not reach an agreement on the issue of verification procedures. On 5 August 1963, the Partial Test Ban Treaty (PTBT) – also known as the Limited Test Ban Treaty (LTBT) – was signed in Moscow by the United States, the Soviet Union, and the United Kingdom.

Treaty Obligations: The Treaty requires Parties to prohibit, prevent, and abstain from carrying out nuclear weapons tests or any other nuclear explosions in the atmosphere, in outer space, under water, or in any other environment if such explosions cause radioactive debris to be present outside the territorial limits of the State that conducts an explosion; to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the above-described environments.

Verification and Compliance: The PTBT does not provide for international verification; however, it is understood that each party may do so by its own national technical means.

Developments:

1996: With the signing of the Comprehensive Test Ban Treaty (CTBT) in September 1996, the PTBT became someredundant. However, should a PTBT party withdraw from the CTBT, or not sign the CTBT, it would still be bound by the provisions of the PTBT.

1995: The UN General Assembly (UNGA) passed resolution 50/64 urging the conclusion of the CTBT and urged all States not already doing so to adhere to the PTBT.

1994: The 1994 session of the UN General Assembly noted that the Conference on Disarmament (CD) had initiated the multilateral negotiation of a universal and effectively verifiable CTBT. It took note of the intention of the President of the Amendment Conference to convene, after appropriate consultations, and in the light of the work carried out by the CD, another special meeting of the States Parties to the PTBT, to review developments and assess the situation regarding a CTBT, and to examine the feasibility of resuming the work of the Amendment Conference.

1993: On 10 August, a special meeting of the States Parties to the PTBT was held. Broad agreement was found for pursuing work on a CTBT in the Amendment Conference and in the CD "in a mutually supportive and mutually complimentary manner," for holding another special meeting early in 1994; and for promoting the universality of a CTBT by having the President of the Amendment Conference liaise with the CD and the five nuclear weapon States (NWS).

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1991 and 1992: The Amendment Conference was held in New York from 8-18 January 1991, but ended in deadlock. However, Indonesian Foreign Minister Ali Alatas was mandated to continue consultations. In 1991 and 1992, the UNGA called for resumption of the negotiations as soon as possible.

1988: On 5 August, five nations asked the PTBT depository States to circulate a call for an Amendment Conference with the aim of reaching an agreement on a CTBT.

1982: In 1982, the United States announced that it would not resume trilateral efforts, but would pursue the Threshold Test Ban Treaty (TTBT) and Peaceful Nuclear Explosions Treaty (PNE) and discussions in the CD working group.

1977: On 3 October, the United States, United Kingdom, and the Soviet Union resumed trilateral negotiations on a CTBT.

Hague Code of Conduct against Ballistic Missile Proliferation (HCOC)

Signatures: 130 States (November 2008)
Membership: Open to all States.

The Hague Code of Conduct against Ballistic Missile Proliferation (HCOC), formerly known as "The International Code of Conduct" (ICOC), was adopted at an international conference held on 25-26 November 2002 in The Hague. The HCOC, as a political initiative, is aimed at bolstering efforts to curb ballistic missile proliferation worldwide and to further delegitimize such proliferation. The HCOC is the only multilateral code in the area of disarmament which had been adopted in recent years, and is the only normative instrument to verify the spread of ballistic missiles. The Code does not call for the destruction of any missiles, it is simply an agreement between States on how they should "conduct" their trade in missiles.

The Code is meant to supplement the Missile Technology Control Regime (MTCR) but its membership is not restricted. Under the Code, States make politically binding commitments to curb the proliferation of WMD-capable ballistic missiles and to exercise maximum restraint in developing, testing, and deploying such missiles. Given the similarities between the technologies used in ballistic missiles and civilian rockets, the Code also introduces transparency measures such as annual declarations and pre-launch notifications regarding ballistic missile and space launch programs.

At the conference, Austria was appointed as the administrative Central Contact of the Code, coordinating the information exchange under HCOC. Subscribing States also decided to have regular meetings starting in the spring of 2003.

Verification and Compliance: The Code does not represent an effective and verifiable regime against ballistic missiles. Rather, it is a politically binding document, encouraging States to undertake limited measures such as annually reporting on their ballistic missile programs and alerting all other signatories before conducting ballistic missile tests. There is no attempt to commit signatories to legal obligations, with the focus remaining on broad principles rather than detailed action plans. There is no inspection system to assure compliance with the Code or sanctions for violating it.

Developments:

2008: The 7th Regular Meeting of the HCOC was held in Vienna from 29-30 May under Hungarian chairmanship. Costa Rica was selected as the next chair. On 28 October, the UN First Committee voted on draft Resolution L.38 (GA/63/64) which noted that 130 states have subscribed to the HCOC and invited states that had not yet subscribed to do so. The vote was 146-1-19 with only the Islamic Republic of Iran voting against the resolution. The Iranian vote served to protest that the HCOC was negotiated outside of the United Nations and did not involve all interested countries in the process.

2007: The 6th Regular Conference of Subscribing States of the HCOC was held in Vienna from 31 May to 1 June. Chairperson Ivica Dronjic of Bosnia and Herzegovina noted that in addition to the confidence building measures and the outreach activities, he would promote the Code in the Organization of Islamic Conference and the Non-Aligned Movement. Hungary was elected as the new Chair. The next regular meeting would be held between 29-30 May 2008 in Vienna.

2006: The 5th Regular Conference was held from 22 – 23 June 2006 in Vienna. As outgoing Chair of the HCOC, Philippine Ambassador to Vienna, Austria Linglingay F. Lacanlale opened the 5th Regular Meeting of the Subscribing States to the Code with a brief overview of the highlights of the two-year Philippine Chairmanship (details in 2005 developments). The conference considered various confidence building measures and deliberated the outreach activities that would support the universalization of the Code of Conduct. Morocco was elected as the new Chair. The new chairperson, Omar Zniber, noted that he would promote HCOC in the Middle East and Africa.

2005: The 4th Regular Conference of Subscribing States of the HCOC was held in Vienna in 2-3 June. The main

topics discussed were the strengthening of confidence building measures, including annual declarations of ballistic missile and space-launch vehicle politics, and the universalization of the code through outreach activities. Subscribing states also agreed on a draft text resolution for the UN General Assembly in the hopes of building upon the previous resolution passed on 2 December 2004. The Philippines was elected to continue as Chair of HCOC.

The United Nations General Assembly at its 60th session (2005) adopted resolution 60/62 which cited the HCOC as "a practical step against the proliferation of weapons of mass destruction and their delivery," and invited non-subscribing states to subscribe to the code

An HCOC outreach seminar was held in Manila on September 10, 2005, seeking to heighten awareness of the HCOC and to encourage more Asian States to subscribe to the Code.

2004: Vienna held the 2nd Intersessional Meeting 23-25 June, at which the Philippines was elected Chair.

The 3rd Regular Conference took place in Vienna in November. It was decided at this meeting that the International Code of Conduct would be called the Hague Code of Conduct.

2003: The Second Annual Meeting was held 1-3 October in New York, and was chaired by Chile. Members agreed to continue working on universalization of the Code, as well as implementation issues. Annual declarations on space and ballistic missile policies were also discussed.

In Vienna on 23 June, an ad-hoc technical intercessional meeting held by the Subscribing States reported on issues relating to the implementation of the Code, specifically annual declarations on ballistic missile and space programs.

2002: At the February 2002 meeting in Paris, more than 80 States agreed on a slightly revised draft International Code of Conduct (as was agreed to at the 2001 MTCR Plenary meeting), with the hope of completing it by the end of 2002. Among the significant changes were fewer and less explicit references to existing disarmament and nonproliferation treaties, as well as the introduction of looser language with respect to the Code's "obligations" (now referred to as "general measures") and "incentives" (replaced by "cooperation" and "cooperative measures"). Outstanding issues included calls to delegitimize missiles and promote missile disarmament, the question of how to preserve the peaceful use of ballistic missile technology in space (space launch vehicles) without promoting ballistic missile proliferation, and the issue of long-range cruise missiles.

On 17-19 June 2002, delegations from nearly 100 countries met in Madrid to continue negotiations on the drafting of the International Code of Conduct against Ballistic Missile Proliferation. At the Madrid conference, countries provided additional comments and suggestions on the revised text transmitted by France. The number of countries attending the meeting surpassed that of the Paris meeting and included states with well-developed missile programs such as China, India, Israel, and Pakistan. However, Iran, which actively participated at the Paris meeting, decided not to attend at the last minute.

2001: At the Ottawa Plenary in September, the draft HCOC was adopted and the partners of MTCR decided that France would host a meeting to be attended by member and non-member countries early in 2002 to further discuss and finalize the draft Code of Conduct.

2000: At its plenary session in Helsinki in October, MTCR partners issued a draft International Code of Conduct, under which subscribing States would commit themselves to exercising maximum possible restraint in the development, testing, and deployment of ballistic missiles capable of delivering weapons of mass destruction. The draft Code contains principles, obligations, incentives, and confidence-building measures, including the announcement of planned missile launches, and transparency measures relating to missile policy and stockpiles. The subscribing States to the draft Code agreed to make an annual declaration with respect to ballistic missile programs, including an outline of their ballistic missile and space launch vehicle policies. The draft Code offers all countries outside the MTCR an opportunity to engage in a broader common effort to agree on an internationally binding Code of Conduct. According to the Code, cooperative measures would be arranged on a case-by-case basis between the countries requesting cooperation and those subscribing countries willing and able to provide it.

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Austrian Foreign Ministry, Hague Code of Conduct Web Page

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Convention on the Physical Protection of Nuclear Material

Opened for Signature: 3 March 1980.

Entered into Force: 8 February 1987.
The Convention does not set any limits on its duration.

Number of Signatories: 45 States and the European Atomic Energy Community (EURATOM).

Number of Parties: 137 States and EURATOM.

Amendment Status: 22 Contracting parties

Depositary: International Atomic Energy Agency (IAEA) Director-General (INFCIRC/274/Rev.1).

Scope of Application: Pursuant to Article 2, the Convention applies to nuclear material used for peaceful purposes while in international nuclear transport. The Convention does not apply to nuclear materials used for military purposes or to those used for peaceful purposes but not in international transport. The latter are covered by the information circular INFCIRC/225/Rev4, a set of recommendations for the physical protection of nuclear material.

The limited scope of the Convention corresponds to States' positions during its negotiation that physical nuclear protection should fall in the domestic sphere. It therefore remains a national responsibility—not subject to binding international standards. However, increasing security concerns of large-scale terrorism, prompted by the September 11th attacks, have led to the initiation of an amendment process that would expand the Convention's scope to cover, *inter alia*, the physical protection of nuclear material in domestic use, storage, and transport, and the protection of nuclear materials and facilities against sabotage. While points of political difference remain, States have developed a renewed interest in convening a Diplomatic Conference to amend and strengthen the Convention, which will be convened in July 2005.

Provisions: The CPPNM obligates parties to:

- make specific arrangements and meet defined standards of physical protection for international shipments of nuclear material for peaceful purposes (plutonium, uranium 235, uranium 233 and irradiated fuel), according to Annexes I and II and IAEA INFCIRC/225;
- undertake not to export or import nuclear materials or to allow their transit through their territory unless they have received assurances that these materials will be protected during international transport in accordance with the levels of protection determined by the Convention;
- co-operate in the recovery and protection of stolen nuclear material, by sharing information on missing nuclear materials;
- criminalize specified acts, including misusing or threatening to misuse nuclear materials to harm the public; and
- prosecute or extradite those accused of committing such acts. States Parties undertake to include those offenses as extraditable offenses in every future extradition treaty to be concluded between them.

The Convention also promotes international cooperation in the exchange of physical protection information.

Verification and Compliance:

Verification: States Parties must identify and make known to each other directly or through the IAEA their central authority and point of contact having responsibility for physical protection of nuclear material and for coordinating recovery and response operations in the event of any unauthorized removal, use, or alteration of nuclear material or in the event of a credible threat thereof. The Convention does not provide for inspections.

Compliance: Article 17 provides for dispute settlement procedures, but allows parties to opt out of those procedures.

Reservations: Several States Parties, including Argentina, Belarus, China, Cuba, Cyprus, France, Guatemala, Indonesia, Israel, Pakistan, Peru, Republic of Korea, Romania, the Russian Federation, South Africa, Spain, and Turkey, declared that they were not bound by the provision of Article 17, paragraph 2, which provides for the submission of disputes to arbitration or their referral to the International Court of Justice in the case of an inability to resolve the dispute on the basis of negotiations between the States Parties.

Review Conferences: Pursuant to Article 16 of the Convention, a Review Conference five years after its entry into force was held in Vienna from 29 September to 1 October 1992 and attended by 35 States Parties. The Review Conference unanimously expressed its full support for the Convention. Subsequently, repeated calls have been made by the IAEA and its Member States for the strengthening of the CPPNM as an important contributor to nuclear security.

Developments:

2009: Saudi Arabia acceded to the Convention on 9 January.

2008: Seven States became parties to the Convention: Mauritania (29 Jan), Gabon (19 Feb), Central African Republic (20 Feb), Bahamas (21 May), Fiji (23 May), Saint Kitts and Nevis (29 Aug), and Guinea-Bissau (8 Oct).

Nine States ratified or officially accepted the amendment: Mauritania (28 Feb), Gabon (20 Mar), Fiji (22 Jun), Australia (17 Jul), Russian Federation (19 Sep), Switzerland (15 Oct), Hungary (4 Dec), Moldova (22 Dec), and Ukraine (24 Dec),

2007: Eight States became parties to the Convention: Cape Verde (23 Feb), Montenegro (21 Mar), Nigeria (4 Apr), Palau (24 Apr), Comoros (18 May), Yemen (31 May), Guyana (13 Sep), and South Africa (17 Sep).

Seven countries ratified or officially accepted the amendment: Romania (6 Feb), Algeria (25 Apr), Nigeria (4 May), Poland (1 Jun), Kenya (1 Aug), India (19 Sep), and Spain (9 Nov).

2006: Five countries acceded to the Convention: Tanzania (24 May), Andorra (27 Jun), Cambodia (4 Aug), Georgia (7 Sep), and El Salvador (15 Dec).

Five countries ratified or officially accepted the amendment: Seychelles (9 Jan), Bulgaria (17 Mar), Libya (19 Jul), Croatia (11 Sep), and Austria (18 Sep).

2005: The Conference to Consider and Adopt Proposed Amendments to the Convention on the Physical Protection of Nuclear Materials was held 4-8 July in Vienna to discuss strengthening existing provisions and expand the scope of the convention.

Delegates from 89 countries agreed on "fundamental changes" to strengthen the treaty to better address issues of nuclear terrorism, smuggling, and sabotage. The amended CPPNM legally binds states to the protection of nuclear facilities and material in peaceful domestic use, storage, and transport. It also provides for enhanced cooperation between states regarding the rapid location and recovery of stolen or smuggled nuclear materials, mitigation of radiological consequences of sabotage, and prevention of combat-related offenses.

The new rules dictated by the amendments will come into effect once two-thirds of the 112 States Parties to the convention ratify the changes. The IAEA states that it would actively assist Member States in their efforts to ratify and implement the obligations of the CPPNM. Turkmenistan was the first country to officially accept the proposed amendment, doing so on 22 September.

2004: During the first half of the year, further consultations were held among a number of States Parties to the CPPNM on the outstanding issues of the Final Report of the "Open-Ended Group of Legal and Technical Experts to Prepare a Draft Amendment of the Convention on the Physical Protection of Nuclear Material."

On 5 July, the IAEA Director General circulated proposed amendments to the CPPNM suggested by the governments of Austria, Australia, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, France, Greece, Hungary, Ireland, Italy, Japan, Lithuania, Luxemburg, Norway, Poland, Portugal, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, and the United States. Should a majority of States Parties to the CPPNM so request, the Director General will invite all States Parties to the CPPNM to a conference for consideration of the proposed amendments.

2003: From 3 to 14 March 2003, the group of legal and technical experts held its last meeting to prepare its recommendation on a well-defined amendment to the Convention. Under the chairmanship of Mr. Dennis Flory, the group adopted a Final Report that recommended the extension of the scope of the CPPNM to cover, inter alia, the physical protection of nuclear material in domestic use, storage and transport, and the protection of nuclear materials and facilities against sabotage. However, the prepared text still contained a number of bracketed clauses on which the group was not able to reach agreement. On June, the IAEA Director General distributed the Final Report to the States Parties urging them to work rapidly towards consensus on the text in order to have a Diplomatic Conference to adopt the proposed amendments at an early date.

2002: The Fourth Meeting for Legal and Technical Experts to prepare a draft for amendment of the Physical Protection Convention was held on 2-6 September, in which around 120 delegations from 46 States participated. During the meeting, the participants were anticipated concluding the draft, but failed to agree on the methodology to incorporate Fundamental Principles of Physical protection in the draft and the scope of sabotage and question of sanction for its environmental damage related to the international commission. Later an international conference on physical protection was held on 8-13 September, which was titled "Strengthening Practices for Protecting Nuclear Material." The goal of the Conference was to strengthen the international regime of physical protection against new threats as well as to prepare political and technical countermeasures against illicit trafficking of nuclear material and other radioactive materials. The working groups were separated into three topics, international standards, research and development and training programs.

2001: In February, the Fourth Working Group meeting of the Informal Open-Ended Expert Meeting to discuss whether there was a need to revise the Convention was held. It adopted a Final Report, in which the working group recommended the strengthening of the existing Convention by a well-defined amendment that would cover, among other topics, domestic use, storage and transport of nuclear material with the exclusion of nuclear material and nuclear facilities for military use, mandatory international oversight, periodic national reporting, peer reviews, and mandatory use of INFCIRC/225. It also recommended drafting a resolution for the IAEA General

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Conference with the aim of strengthening the physical protection regime.

The June 2001 Informal Open-Ended Expert Meeting adopted this Final Report. The meeting concluded that an amendment to strengthen the Convention should be drafted and then be reviewed by the States Parties with the view to determine if it should be submitted to an amendment conference. It also recommended that the IAEA Director-General convene a group of legal and technical experts to draft such an amendment.

2000: On 22-24 February, the First Working Group meeting to discuss whether to revise the Convention took place in Vienna. The meeting participants decided to establish five working sub-groups on different related matters, including illicit trafficking and physical protection assistance. The Second Working Group meeting, convened on 26-30 June, discussed five working papers related to the competency of the five working sub-groups established at the first meeting.

In May, the Review Conference of the Nuclear Non-Proliferation Treaty (NPT), in its Final Document, noted the paramount importance of effective physical protection of all nuclear material, the need for strengthened international cooperation in physical protection, and called on all States to maintain the highest possible standards of security and physical protection of nuclear materials. The Conference urged all States that had not yet done so to adhere to the Convention by the earliest possible date and to apply, as appropriate, the recommendations on the physical protection of nuclear material and facilities contained in IAEA document INFCIRC/225/Rev.4 (corrected) and in other relevant guidelines. The series of the IAEA documents INFCIRC/225Rev.l, Rev.2, Rev.3, and Rev.4 represent the existing international consensus guidelines and recommendations intended to apply to the physical protection of nuclear material in use, storage, and transport, whether domestic or international and whether peaceful or military. The Conference also welcomed the ongoing informal discussions among legal and technical experts, under the *aegis* of IAEA, to discuss whether there is a need to revise the Convention.

On 20-24 November, the Third Working Group meeting of the Informal Open-Ended Expert Meeting to discuss whether there was a need to revise the Convention was held in Vienna. The meeting was convened to discuss and review several papers presented by the IAEA and Member States. The Working Group recommended that a draft resolution on wider adherence to the Convention should be presented to the IAEA General Conference in 2001. It also recommended that the IAEA create a Standing Advisory Group on security.

1998-1999: In response to the request of some States Parties to the Convention to hold a meeting to discuss whether there is a need to revise the Convention, the Director-General of the IAEA decided to convene an Informal Open-Ended Expert Meeting at the IAEA Headquarters in Vienna from 15-19 November 1999. The meeting considered proposals by the United Kingdom, France Germany, Belgium, and Sweden to look more broadly at the question. The meeting concluded that the next meeting should be held in May 2001, and before that, a working group should be established to make recommendations to the Expert Meeting.

1997: In September, members of the IAEA Board of Governors voiced support to move towards a possible review of the Convention. They suggested that the Agency should consider the possibility of convening a meeting of interested States to address the issues involved in such a review. It was agreed that in case of sufficient support for such a meeting, it would be convened in 1998.

1996: The participants at the Moscow Nuclear Safety and Security Summit in April recognized the importance of effective nuclear material accounting and control and physical protection and fundamental responsibility of nations to ensure the security of all nuclear material in their possession and the necessity for effective national systems for nuclear accounting, control, and physical protection. They urged all States that had not yet done so to ratify the Convention at the earliest possible date.

1992-1993: The first Review Conference, attended by 35 States Parties, was held from 29 September-1 October 1992 in Vienna. The Review Conference unanimously expressed its full support for the Convention and urged all States to take action to become party to the Convention. The conference reaffirmed that the Convention provides a sound basis for the physical protection of the transport of nuclear material, the recovery and return of any stolen material, and the application of sanctions against any person who may commit criminal acts involving nuclear material. It concluded that no changes were needed in the Convention. The Conference also called upon the IAEA to organize a meeting to examine the IAEA physical protection recommendations in IAEA document INFCIRC/225/Rev.2, and to consider the incorporation of further guidance on such issues as irradiated fuel, nuclear material contained in waste, and other matters. As a result of a Technical Committee meeting in June 1993, revised recommendations were issued in September 1993 (as INFCIRC/225/ Rev.3) that reflect the Committee's views in these respects.

Convention on Nuclear Safety

Opened for Signature: 20 September 1994.

Entered into Force: 24 October 1996.

Duration: The convention does not set any limits on its duration.

Number of Signatories: 65.

Number of Parties: 61 and EURATOM.

Depositary: International Atomic Energy Agency (IAEA).

The convention was adopted on 17 June 1994 by a Diplomatic Conference convened by the IAEA from 14-17 June in document INFCIRC/449 after having been negotiated during a series of expert meetings from 1992 to 1994.

Convention Obligations: Contracting parties are to take, within the framework of national laws, the legislative, regulatory, and administrative measures and other steps necessary for implementing obligations under the convention. They are to take steps to ensure that a review of the safety of their existing nuclear facilities takes place as soon as possible after entry into force of the convention (when necessary, to ensure that all reasonably practicable improvements are made as a matter of urgency to upgrade an installation's safety; if such upgrading cannot be achieved, plans should be implemented to shut down the installation as soon as practically possible, taking into account the whole energy context and possible alternatives as well as the social, environmental, and economic impact). Also, they are to establish and maintain a legislative and regulatory framework to govern the safety of installations; establish a regulatory body with adequate authority, competence, and resources to implement the framework; and provide sufficient financial and human resources to support the safety of each installation throughout its life.

Parties are to ensure that comprehensive and systematic safety assessments are carried out before the construction and commissioning of an installation and throughout its life, including verification by testing and inspection to ensure that the physical state and operation of the installation continue in accordance with requirements. Also, they must ensure radiation exposure by the installation is kept as low as reasonably achievable and within national dose limits for individuals. Parties must establish and routinely test on-site and off-site emergency plans for installations and provide their own population and the competent authorities of states close to the installation with appropriate information for emergency planning and response.

Additional provisions detail obligations for site, design, construction, and operation of nuclear installations. Parties shall hold review meetings for the purpose of reviewing the reports submitted by contracting parties. The interval between meetings shall not exceed three years.

Scope of Application: The convention applies only to civilian nuclear power plants. Upon signature of the convention, India made a declaration that the convention should cover both civilian and military nuclear power plants. Ukraine made a reservation that the convention shall not apply to the Shelter ─ a construction enclosing the remains of Chernobyl Nuclear Power Plant Unit 4.

Verification and Compliance: The convention does not contain verification provisions. The convention is an incentive instrument based on a common interest to achieve higher levels of safety. It obliges the parties to submit reports on the implementation of their obligations for review by other parties and, if necessary, clarification.

Review Meetings: The convention provides for review meetings to be convened by contracting parties for the purpose of reviewing the reports on the measures they have taken to implement the convention's obligations.

Developments:

2008: The fourth Review Meeting was held from 14-25 April in Vienna. 55 out of 61 contracting parties participated. The President of the Meeting was Mr. Maurice Magugumela, CEO of the National Nuclear Regulator of South Africa.

The Country Groups met for five and a half days and discussed each national report. A high degree of compliance with the Convention was reported, and the discussions resulted in the identification of good practices, challenges, and planned measures to improve safety.

Iceland ratified the Convention on 4 June.

2007: Nigeria ratified the Convention on 4 April.

The fourth Organizational Meeting was held on 24-26 September in Vienna. 44 out of 60 contracting parties participated in the meeting, which was chaired by Ms. Linda Keen, President of the Canadian Nuclear Safety Commission. Mr. Maurice T. Magugumela was elected as President of the 4th Review Meeting to be held in 2008.

The meeting discussed a number of proposals to further enhance the review process and agreed to refer all proposals to the Open Ended Working Group (OEWG). An Agenda was set for the 4th Review Meeting.

As part of the review process, Contracting Parties organized themselves into six Country Groups, each group including countries with nuclear power programs of different sizes, as well as countries not having nuclear power reactors.

Malta acceded to the Convention on 15 November.

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2005: The Third Review Meeting pursuant to Article 20 of the convention was held in Vienna, 8-19 April. Fifty out of 55 contracting states participated in the meeting, which was chaired by Linda Keen, president and chief executive officer of the Canadian Nuclear Safety Commission.

The parties noted India's ratification of the convention on 31 March. The chair acknowledged that all countries with operating nuclear power plants are now members of the convention.

The contracting parties recalled the main purpose of the review meeting was to review the nuclear safety status of each party and reiterated the primary goal of the convention to achieve and maintain a high level of nuclear safety worldwide.

The parties noted the importance of reviewing accurate self-assessments of national safety standards submitted by each party in the form of national reports.

The contracting parties noted and discussed internal and external factors that pose challenges to the nuclear industry in maintaining safety management and culture.

The parties recalled the emphasis the Second Review Meeting had placed on quality assurance, safety management and culture, and long-term operations. The parties expanded the more specific concepts of quality assurance and safety culture into the broader concept of safety management systems.

The parties also recognized, after 10 years and three review meetings, the need for renewing the review process. The parties adopted recommendations of the Open-Ended Working Group of the Third Review Meeting to improve the review process. These recommendations will also be applied to future review meetings.

2004: Pursuant to Rule 11 of the Rules of Procedure and Financial Rules of the Convention, the organizational meeting was held at the headquarters of the IAEA in Vienna, 28-30 September, with the participation of 44 out of 55 contracting parties. The meeting was chaired by Linda Keen.

The meeting decided to establish six country groups for the Third Review Meeting and elected country group coordinators, chairpersons, vice-chairpersons, and rapporteurs. The meeting also decided that coordinators and rapporteurs would meet to consider questions received and review the approach of country group discussions. It was established that the General Committee of the review meeting, consisting of the president, vice-presidents and country group chairs, will meet on the Sunday preceding the review meeting. This will be followed by a meeting of all officers for the review meeting to finalize an approach to the detailed review process.

The meeting discussed how to improve the review process for the Third Review Meeting, which included a discussion of the Lessons Learned Report from the Second Review Meeting. As a result of this discussion, the Open-Ended Working Group was established.

The meeting decided on the agenda for the Third Review Conference and agreed to the report by the chair of the organizational meeting.

2002: The Second Review Meeting pursuant to Article 20 of the convention was held in Vienna, 15-26 April at the headquarters of the IAEA, which serves as the secretariat. The meeting was chaired by Miroslav Gregoric, Director of the Slovenian Nuclear Safety Authority (SNSA) with the participation of 46 states contracting parties. Six parties, namely Bangladesh, Lebanon, Mali, the Republic of Moldova, Singapore, and Sri Lanka, did not comply with the basic obligations of the convention to submit a national report and attend the review meeting, while Portugal submitted a national report but did not attend the meeting.

The parties observed that the national reports submitted were in most cases of high quality and provided ample information on steps and measures taken and in progress to implement the obligations stipulated in Chapter 2 of the convention. However, the parties observed that some parties did not clearly identify the actual changes that had taken place in response to the issues identified at the First Review Meeting. This led to extended discussion in some country groups sessions.

The contracting parties concluded that the review process—starting with the self-assessment involved in producing the national reports, followed by the review of national reports by other parties, with exchange of questions, comments and answers, and finally the open discussions at the review meeting—had proven to be of great value to the enhancement of nuclear safety worldwide. The review process demonstrated the value of the comprehensive exchange of nuclear safety information between peers.

The parties also concluded that the review process had demonstrated the strong commitment by all to the objectives of the convention. Significant progress had been observed since the First Review Meeting in the areas of legislation, regulatory independence, financial resources for regulatory bodies and operators of nuclear installations, implementation of safety improvements in installations built to earlier safety standards, and emergency preparedness.

Commitments were made by contracting parties to complete as planned the important safety improvements identified in the review process. They also noted other areas that warrant special attention, including safety management and safety culture; plant ageing and upgrading; maintaining competence; and effectiveness of

regulatory practices. While the parties cited additional steps required to reach the principal objective of the convention ─ to achieve and maintain a high level of safety at all nuclear installations ─ they nevertheless noted that all contracting parties participating in the review meeting were taking steps in the right direction, and that the review meeting has provided valuable guidance in that respect.

A number of nuclear installations were in operation or under construction in states that were not contracting parties to the convention. Recognizing the value of the review process under the convention, the contracting parties encouraged such states to join the convention as soon as possible. The parties agreed that the timely submission of the national reports and of questions and answers on these reports was a key element in the success of the review meeting process.

2001: Pursuant to Rule 11 of the Rules of Procedure and Financial Rules of the Convention, the organizational meeting was held at the headquarters of the IAEA in Vienna, 25-26 September with the participation of 41 out of 53 contracting parties. Mr. Miroslav Gregoric, Director of the Slovenian Nuclear Safety Authority, was elected chairperson of the meeting. Mr. Gregoric was also elected president of the Second Review Meeting and Mr. M. Ishikawa of Japan and Mr. C. Tenreiro Leiva of Chile as vice-presidents.

The meeting decided to establish six country groups using the list of contracting parties and their nuclear installations, for the Second Review Meeting. The contracting parties were allocated to country groups based on a ranking of the number of nuclear installations. Contracting parties that do not have any installations were also added to country groups, starting where the assignment of states parties with nuclear installations ended. The meeting required the country groups to meet separately and, pursuant to Rule 11 of the Rules of Procedure and Financial Rules, to make recommendations for country group coordinators and officers of the Second Review Meeting. Pursuant to the same rule, the meeting also decided to recommend a budget for the Second Review Meeting.

The meeting elected country group coordinators and selected chairpersons, vice-chairpersons, and rapporteurs from each country group. The meeting asked the officers for the review meeting to meet on the Sunday preceding the review meeting to determine a consistent approach to the review process, taking into account the comments raised by the contracting Parties on national reports. The meeting mentioned that in developing such a consistent approach, the secretariat would be invited to assist officers.

During the meeting, the contracting parties also discussed how to improve further the review process and agreed to assign a specific agenda item at the Second Review Meeting to take into account any improvement deemed appropriate according to Article 22.2 in the convention on the procedural arrangements for review meetings. The meeting also agreed on the establishment of a working group under the chairmanship of Spain, which would assess different options to increase publicly available information from the review process and report on its findings to the Second Review Meeting of the contracting parties.

1999: The First Review Meeting pursuant to Article 20 of the convention was held in Vienna, 12-23 April at the headquarters of the IAEA—which serves as the secretariat. The meeting was chaired by Lars Hogberg, Director-General of the Swedish Nuclear Power Inspectorate (SKI) with the participation of the 45 contracting parties. Bangladesh, Mali, and Moldova did not submit a national report and did not attend the meeting. Singapore submitted a report but did not attend the meeting. Other than that, the contracting parties noted the high quality of most of the reports, which provided ample information on steps and measures taken to implement the obligations under the convention.

The contracting parties noted that this convention entailed two basic commitments by each contracting party:

• to prepare and make available a national report, including a self-assessment of steps and measures already taken and in progress to implement the convention obligations; and

• to subject its national report, and the nuclear safety program it describes, to a peer review by the other contracting parties, and to take an active part in that review and in the review of the reports of other contracting parties.

At the review meeting, contracting parties organized themselves into six country groups, each group including countries with nuclear power programs of different sizes, as well as countries not having nuclear power reactors. The contracting parties concluded that the review process had proven to be of great value to their national nuclear safety programs. Although the review process had been successful, especially considering that it was the first of its kind, they decided on certain improvements and amendments to the procedural documents providing guidance for the review process. The contracting parties voiced satisfaction with the commitment of all of them to the objective of achieving and maintaining a high level of safety at all nuclear installations. They reconfirmed their commitment to the objectives and obligations of the convention, and their commitment to make all reasonable efforts to provide the additional information called for in the next national reports.

Six months before the review meeting, contracting parties submitted national reports on steps and measures taken to

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implement convention obligations. In the following months the contracting parties reviewed each other's reports, and exchanged written questions and comments.

1997: On 21-25 April, contracting parties held their first preparatory meeting on matters related to the implementation of the convention. The meeting focused on the adoption of guidelines regarding the form and structure of national reports, the process of reviewing such reports, the rules of procedure and financial arrangements. The meeting agreed on the last date for submission of national reports before the review meeting in April 1999.

1996: The participants of the Moscow summit in April underscored progress to date and reinforced the importance of partnership among the participants of the summit in addressing nuclear safety concerns. They pledged to assist in the completion of least-cost power sector plans and in the safety assessments on nuclear reactors as an integral part of a licensing process.

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Joint Convention on the Safety of Nuclear Fuel Management and on the Safety of Radioactive Waste Management

Adopted: 5 September 1997.
Opened for Signature: 29 September 1997.
Entered into Force: 18 June 2001.
Number of Signatories: 42
Number of States Parties: 47 and EURATOM
Depositary: Director General of International Atomic Energy Agency (IAEA).

The Joint Convention was adopted on 5 September 1997 at a Diplomatic Conference convened by the IAEA at its headquarters from 1-5 September 1997. It was opened for signature at the IAEA General Conference on 29 September 1997. Pursuant to Article 40, the Joint Convention entered into force 90 days after the date of deposit with the IAEA of the 25th instrument of ratification, acceptance or approval, including the instruments of 15 States each having an operational nuclear power plant.

Convention Provisions: The Joint Convention is the first international instrument that deals with the safety of management and storage of radioactive waste and spent fuel in countries with and without nuclear programs. It also considerably elaborates on and expands the existing IAEA nuclear safety regime and promotes international standards in the area. The Convention is aimed at achieving and maintaining a high level of safety in spent fuel and radioactive waste management, ensuring that there are effective defenses against potential hazards during all stages of management of such materials, and preventing accidents with radiological consequences.

The Convention covers the safety of spent fuel and radioactive waste management from civilian applications. It also applies to the management of military or defense-originated spent fuel and radioactive waste if and when such materials are transferred permanently to and managed within exclusively civilian programs.

The Convention calls on the contracting parties to review safety requirements and conduct environmental assessments both at existing and proposed spent fuel and radioactive waste management facilities. It provides for the establishment and maintenance of a legislative and regulatory framework to govern the safety of spent fuel and radioactive waste management.

The Convention establishes rules and conditions for the transboundary movement of spent fuel and radioactive waste that *inter alia* require a State of destination to have adequate administrative and technical capacity and regulatory structure to manage spent fuel or radioactive waste in a manner consistent with the Convention. It obligates a State of origin to take appropriate steps to permit re-entry into its territory of such material if a trans-boundary movement cannot be completed in conformity with the Convention.

Verification and Compliance:

***Verification*:** The Convention provides for a binding reporting system that will address the measures taken to implement obligations under the Convention, including reporting on national inventories of radioactive waste and spent fuel. Each Contracting Party shall take, within the framework of its national law, the legislative, regulatory, and administrative measures and other steps necessary for implementing its obligations under this Convention. In the event of a disagreement between two or more Contracting Parties concerning the interpretation or application of this Convention, the Contracting Parties shall consult within the framework of a meeting of the Contracting Parties with a view to resolving the disagreement.

***Compliance*:** In the event that the consultations prove unproductive, recourse can be made to the mediation, conciliation, and arbitration mechanisms provided for in international law, including the rules and practices prevailing within the IAEA.

Reservations: Upon signature, Denmark stated that the Convention shall not apply to Greenland and the Faroe Islands.

Preparatory Meeting of Contracting Parties: Article 29 of the Convention requires that a Preparatory Meeting of contracting parties shall be held not later than six months after the date of entry into force of the Convention. The Preparatory Meeting was held from 10-14 December 2001. At the Preparatory Meeting, contracting parties fixed the date of the first Review Meeting (3-14 November 2003), the date of the associated Organizational Meeting (7-11 April 2003), and the deadline for submission of National Reports (5 May 2003). The meeting also adopted the Rules of Procedure and Financial Rules, and established guidelines on the form and structure of national reports, and on the process for reviewing the reports.

Developments:

2009: The third Review Meeting will be held on 11-22 May.

2006: The second Review Meeting of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was held at IAEA headquarters in Vienna from 15 to 24 May. All 41 contracting parties and eight new contracting parties—Brazil, Estonia, Euratom, Iceland, Italy, Lithuania, Russian Federation, and Uruguay—participated in the review discussion. Parties agreed that progress had been made since the first Review Meeting, particularly in key areas including decommissioning, international cooperation, legislative and regulatory frameworks, and spent fuel and waste management. National reports evidenced that those areas that had been identified in the previous meeting as requiring further work, had been addressed satisfactorily. Parties identified the need to further enhance policies and practices in the following areas:
(1.) National strategies for spent fuel and radioactive waste management;
(2.) Engagement with stakeholders and the public;
(3.) Control of disused seal sources.

2003: The first Review Meeting of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was held in Vienna from 3 to 14 November 2003. National reports, which had been submitted well in advance to the meeting, were presented orally and formed the basis of discussion between groups of States Parties.
At the meeting, it was noted that States Parties had made improvements to the management of spent fuel or radioactive waste in the period leading up to the meeting. States Parties acknowledged that the process of preparing national reports had been beneficial since it had identified needs and deficiencies in the national arrangements for radioactive waste management. Some delegations volunteered to report on progress in their implementation at the next review meeting.

Some areas in which progress is still required were identified:
(1.) All countries need to have in place a long term strategy for managing spent fuel and radioactive waste, since only a few possess firm plans for the final disposition of spent fuel and high level waste.
(2.) Regional solutions for the management of radioactive waste need to be explored.
(3.) Plans for integrated decommissioning and waste management, containing schemes for managing all of the various different types of waste resulting from the decommissioning process need to be put in place by countries.

The emphasis in national reports and in the discussions at the Review Meeting was on spent fuel and radioactive waste from the nuclear fuel cycle. In this regard, it is noteworthy the increasing role that public consultation is playing in relation to long term radioactive waste management. In several countries, the public is being involved through consultation processes in decision making with regard to repository siting decisions, options for decommissioning and policies for effluent discharge.

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and Ocean Floor and in the Subsoil Thereof (Seabed Treaty)

Opened for Signature: 11 February 1971.
Entered into Force: 18 May 1972.
Number of Parties: 95 States.
Number of Signatories: 21 States.
Depositories: Russia (originally the Soviet Union), United Kingdom, and United States.

In the 1960s, there were concerns that due to recent advances in oceanographic technologies, nations might use the seabed as a new environment for nuclear-related military installations. The Soviet Union and the United States submitted two separate drafts that differed on what was to be prohibited and verification measures. On 7 October 1969, the two States submitted a joint draft to the Conference of the Committee on Disarmament (CCD). During the deliberations in the CCD, coastal States raised

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concerns about the protection of their rights and smaller States had doubts whether they could check on violations. The final draft was approved by the United Nations General Assembly's Resolution 2660 (XXV) on 7 December 1970 by a vote of 104 to 2 (El Salvador, Peru), with two abstentions (Ecuador, France). The Seabed Treaty was opened for signature on 11 February 1971 and entered into force on 18 May 1972, when the Soviet Union, the United States, and the United Kingdom, as well as more that 22 nations had deposited instruments of ratification.

Treaty Obligations: The Treaty forbids States Parties from implanting or placing on the seabed or ocean floor or in the subsoil thereof, beyond a 12-mile territorial zone, any nuclear weapons or any other types of weapons of mass destruction or structures, launching installations, or any other facilities specifically designed for storing, testing, or using such weapons.

Verification and Compliance:

Verification: The Treaty allows for verification through observation by the States Parties of the activities of other States Parties, provided that observation does not interfere with such activities. If after such observation reasonable doubts remain, further procedures for verification may be agreed upon, including inspections. After completion of the further procedures for verification, an appropriate report shall be circulated to other Parties by the Party that initiated such procedures.

Compliance: If consultation and cooperation have not removed the doubts concerning the activities and there remains a serious question concerning fulfillment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

Review Conferences: As set forth in Article VII of the Treaty, review conferences have been held every five years in 1977, 1983, and 1989. In 1989, it was agreed that the next review conference would be held no sooner than 1996. In 1992, the Conference on Disarmament informally considered further measures and established no need for a forth review conference.

Regional (Nuclear-Weapon-Free Zones)

Antarctic Treaty

Opened for Signature: 1 December 1959.

Entered into Force: 23 June 1961.

Number of Parties: 47 states, of which 12 are original members and Consultative Parties, 17 Consultative Parties with voting status at Antarctic Treaty Consultative Meetings, and 16 Non-Consultative Parties with observer status.

Depositary: United States.

Background: The Antarctic Treaty originated in an extraordinary moment of Cold War-era cooperation. In the mid-1950s, a group of scientists convinced the United Nations to institute an event to promote cooperation in the sciences. To this end, the UN designated 1 July 1957 to 31 December 1958 the "International Geophysical Year (IGY)." During the 18 month IGY, scientists from 12 nations worked together in Antarctica. At the conclusion of the project, all agreed that the IGY had been successful. The momentum of this symbolic event was followed by the drafting of the Antarctic Treaty in Washington in 1959.

The Treaty's framers intended to guarantee that "... Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord." The Treaty covers everything south of 60° South latitude, now known as the Antarctic Treaty Area (ATA). Among other things, the Treaty prohibits nuclear explosions, radioactive waste disposal, and military deployments in the ATA. (However, using military personnel to support scientists is specifically allowed.) The Treaty's next most significant goal is the encouragement of continued international cooperation in scientific research.

By the time of the IGY, seven of the 12 original signatory countries (Australia, New Zealand, United Kingdom, France, Norway, Chile, and Argentina) had already laid territorial claims in Antarctica; several of these claims overlapped. These overlapping claims were a potential cause of the very "international discord" the Treaty sought to avoid. For this reason, the framers devised a plan to "freeze" these claims for the duration of the Treaty. Article IV clarifies that the Treaty does not repudiate any existing claim, but it prohibits their assertion as well as the establishment of new claims. To date, none of these seven states has renounced its claim, and the United States and Russia maintain the "right" to lay claims. Still, none has directly challenged Antarctica's international status.

Decision-making: Currently, 47 nations have agreed to the Antarctic Treaty, but only 28 control the decision making process. These 28 are the "Consultative Parties" mentioned above, and they include the original 12 signatories. Only the Consultative Parties have votes at the Antarctic Treaty Consultative Meetings (ATCM), and every decision requires a consensus. However, nations who conduct scientific research on the continent can apply to become Consultative Parties.

In 2005, the 28 Consultative Parties were Argentina, Australia, Belgium, Brazil, Bulgaria, Chile, China, Ecuador, Finland, France, Germany, India, Italy, Japan, the Republic of Korea, Netherlands, New Zealand, Norway, Peru, Poland, Russia, South Africa, Spain, Sweden, Ukraine, United Kingdom, Uruguay, and United States.

The 19 Non-Consultative Parties were Austria, Belarus, Canada, Colombia, Cuba, the Czech Republic, Denmark, Estonia, Greece, Guatemala, Hungary, the Democratic Republic of Korea, Monaco, Papua New Guinea, Romania, the Slovak Republic, Switzerland, Turkey, and Venezuela.

Treaty Obligations: The Treaty obligates Parties to use Antarctica for peaceful purposes only. Any measures of a military nature, including testing of any type of weapons, are prohibited; any nuclear explosions in Antarctica and the disposal there of radioactive waste material are prohibited.

The 14 Articles of the Treaty may be summarized as follows:

1. Antarctica shall be used for peaceful purposes only; any military measures are prohibited.
2. Freedom of scientific investigation in Antarctica and cooperation as applied during IGY shall continue.
3. Plans for scientific programs and the observations and results thereof shall be freely exchanged; scientists may be exchanged between expeditions.
4. All national claims are held static from the date of signature. No future activity of any country during the life of the Treaty can affect the status quo on any rights or claims to territorial sovereignty.
5. Nuclear explosions and disposal of radioactive waste are prohibited in Antarctica.
6. The provision of the Treaty applies to the area south of 60° South latitude.

7/8. Any Contracting Party may appoint observers. They shall have complete freedom of access at any time to any area of Antarctica, with the right to inspect any other nation's buildings, installations, equipment, ships, or aircraft or to carry out aerial observations.

9. Regular consultative meetings of the active signatory nations shall be held.
10. Contracting Parties shall ensure that no activity contrary to the Treaty is carried out.
11. Any disputes between Contracting Parties shall be resolved by peaceful negotiation, in the last resort by the International Court of Justice.
12. The Treaty shall remain in force for a minimum of 30 years.

13/14. These Articles provide the legal details of ratification and deposit.

Verification and Compliance:

***Verification*:** All areas of Antarctica, including all stations, installations, and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargos or personnel in Antarctica are open at all times to inspection by observers designated by the Contracting Parties. Over 40 inspections have taken place between 1961 and 2009, the majority since 1980. Argentina, Australia, Chile, Finland, France, Germany, Norway, New Zealand, Peru, Russia, the United Kingdom, and the United States have conducted these inspections.

Compliance: There is no administrative body to oversee implementation of these measures. The methods of dispute resolution provided by the Antarctic Treaty are negotiation, arbitration, or, if all the parties to the dispute agree, adjudication by the International Court of Justice.

Developments:

2009: On 6-17 April, the XXXII Antarctic Treaty Consultative Meeting (ATCM) took place in Baltimore, USA, marking the 50th anniversary of the signing of the treaty. Among the issues discussed, the accomplishments of the International Polar Year and the future of polar science priorities featured more prominently.

2008: On 2-13 June, the XXXI Antarctic Treaty Consultative Meeting (ATCM) took place in Kyiv, Ukraine. The Committee for Environmental Protection (CEP) discussed climate change, non-native and specially protected species, marine acoustics, inspections reports, waste management and prevention of marine pollution, and cooperation between organizations. There were also working groups on tourism and non-governmental organization activities, legal and institutional issues, and operational matters.

2007: On 30 April-11 May, the XXX Antarctic Treaty Consultative Meeting (ATCM) was held in New Delhi, India. Issues discussed at the meeting included environmental protection, tourism and non-governmental activities, scientific cooperation and facilitation, educational issues, and the International Polar Year 2007-2008. The final report of the 30th ATCM discussed issues on the agenda, measures, decisions and resolutions, as

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well as opening and closing remarks, reports and additional documents.

On 9 November, the United Nations Secretary-General Ban Ki-moon visited Antarctica in order to highlight the effects of global climate change. Ban Ki-moon was the first United Nations Secretary-General to visit Antarctica.

2006: On 12-23 June, the United Kingdom hosted the XXIX Antarctic Treaty Consultative Meetings (ATCM) in Edinburgh. The final report focused on raising public awareness of environmental issues specific to Antarctica. In addition, several resolutions were adopted that created management plans for specially protected areas of Antarctica.

2005: On 6-17 June, the XXVIII Antarctic Treaty Consultative Meeting (ATCM) took place in Stockholm, Sweden.. After almost 13 years of negotiations, parties agreed on liability rules in the event of an environmental emergency in Antarctica. The agreement requires states that operate in the Antarctica to take measures to avoid, minimize, or contain the impact of an environmental emergency. The meeting also adopted guidelines for developing and implementing environmental monitoring programs. The guidelines present practical advice for states but are not binding on member states and guidelines for environmental impact assessments in Antarctica to achieve transparency and effectiveness in assessing environmental impacts during the planning stages of possible activities in Antarctica.

2004: On 23 May to 4 June, the XXVII Antarctic Treaty Consultative Meeting (ATCM) took place in Cape Town, South Africa. The meeting adopted several resolutions related to environmental protection measures in Antarctica. The meeting also adopted a resolution on the establishment of an intersessional contact group to improve information exchange among states.

2003: On 9-20 June, the XXVI Antarctic Treaty Consultative Meeting was held in Madrid, Spain. The meeting adopted resolutions on the Antarctic protected area system and management plans for Antarctic specially protected areas.

2002: On 10-20 September, the XXV Antarctic Treaty Consultative Meeting was held in Warsaw, Poland. Outcomes achieved include progress on the establishment of the Antarctic Treaty Secretariat and improvements to the operation and structure of treaty meetings.

2001: On 9-20 July, the XXIV Antarctic Treaty Consultative Meeting (ATCM) took place in St. Petersburg, Russia. The Parties achieved a long-awaited breakthrough with a decision to establish the first Secretariat of the Antarctic Treaty System in Argentina, 40 years after the Treaty entered into force. The breakthrough came when Britain announced to the meeting that it would join the consensus.

2000: On 11-15 September, the XII Special Antarctic Treaty Consultative Meeting (SATCM) took place in The Hague, Netherlands. The main purpose of the meeting was to receive the report of the Third Meeting of the Committee for Environmental Protection (CEP III). The informal meeting of legal experts continued its discussions on an annex or annexes to environmental liability in the Protocol. Legal experts also discussed aspects of the Antarctic Treaty Secretariat.

1999: In January, the States Parties held a so-called "Ministerial on Ice" in Antarctica. The "Ministerial-on-Ice" at Scott Base (New Zealand) and McMurdo Station (US) involved representatives from the 27 Consultative Parties. The purpose of the program on the ice intended to give participants an understanding of the global importance of Antarctica and of the significance of the achievements of the Antarctic Treaty System on the eve of the new millennium. Site visits and specialist briefings and presentations achieved this goal. One particular area of focus during the visit included: "Peace and security — the success of the Antarctic Treaty over the past forty years."

On 24 May-4 June, the XXIII Antarctic Treaty Consultative Meeting (ATCM) took place in Lima, Peru. Poland, expected to host ATCM XXIV in 2000,, announced that budgetary reasons would prevent it from doing so. Poland instead offered to host an ATCM in 2001. With no alternative resolved at the conclusion of the meeting,, the United States, as Depository Government for the 1959 Antarctic Treaty, undertook an investigation of alternatives through diplomatic channels. Apparently, Australia, Chile, and the Netherlands each indicated that they could host a simplified ATCM in 2000. A representative of the US Department of State verified in April that an official diplomatic invitation issued by the Netherlands stated plans to hold the annual Antarctic Treaty meeting during the week of 11 September 2000.

1998: On 25 May-7 June, the XXII annual Antarctic Treaty Consultative Meeting (ATCM) took place in Tromso, Norway. Delegates of the 27 Antarctic Treaty Consultative Parties, 17 Antarctic Treaty Non-Consultative Parties, and non-governmental organizations attended. This meeting provided the forum for formal discussions and negotiations in relation to the Antarctic Treaty.

1997: In May, New Zealand's Prime Minister, Rt. Hon Jim Bolger, announced at the XX Antarctic Treaty Consultative Meeting (ATCM) in Christchurch that New Zealand would offer Ministers from Antarctic Treaty countries an opportunity to visit Antarctica. The visit

aimed to demonstrate the extraordinary importance of the continent and the success of the Antarctic Treaty System.

Point of Contact:

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Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

Opened for Signature: 14 February 1967
Entered into Force: 25 April 1969.
Number of Signatories: 33 states.
Number of Ratifications: 33 states.
Duration: The treaty is of a permanent nature and shall remain in force indefinitely.

On 23 October 2002, the Tlatelolco Treaty came into full force throughout the region when Cuba, the only state which had not ratified the treaty, deposited its instrument of ratification. Currently, all 33 states in the region of Latin America and the Caribbean have signed and ratified the treaty. The Tlatelolco Treaty has served as a model for all future nuclear-weapon-free zone (NWFZ) agreements.

Background: Costa Rica was the first regional state to propose a Latin American nuclear arms control arrangement at an Organization for the American States (OAS) Council meeting in 1958, which sought to prevent the manufacture of nuclear arms or their acquisition from the nuclear weapon states (NWS). Other proposals were unsuccessfully floated within the OAS context during 1958-1960.

French nuclear weapon testing in the Sahara in 1960, together with the South African apartheid regime's interest in nuclear arms, led the African states to issue a call for an African NWFZ, which was endorsed by the UN General Assembly in 1961. Alone among Latin American states, Brazil supported the African NWFZ resolution and proposed a similar zone within its region. The efforts of Alfonso Garcia Robles, as Mexican ambassador to Brazil, eventually led, in March 1963, to Bolivia, Brazil, Chile, and Ecuador joining Mexico in supporting a Latin American NWFZ.

Treaty Obligations: The treaty aims to prohibit and prevent in the region: (a) the testing, use, manufacture, production, or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else, or in any other way, and (b) the receipt, storage, installation, deployment, and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf, or in any other way. The Parties also undertake to refrain from engaging in encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession, or control of any nuclear weapons.

Treaty Zone: The treaty covers the region and large sectors of the Pacific and Atlantic Oceans.

Verification and Compliance:

***Verification*:** Verification is accomplished by concluding multilateral or bilateral agreements with the International Atomic Energy Agency (IAEA) for the application of its safeguards to nuclear activities of States Parties to the treaty. In addition, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) is an inter-governmental agency created by the Treaty of Tlatelolco to ensure that the obligations of the treaty are met.

***Compliance*:** The General Conference, the supreme organ of the OPANAL agency, will take note of all cases in which any Contracting Party is not complying fully with its obligations under this treaty and shall draw the matter to the attention of the Party concerned, making such recommendations as it deems appropriate. If such non-compliance constitutes a violation of this treaty which might endanger peace and security, the General Conference may report simultaneously to the United Nations Security Council and the General Assembly through the Secretary-General of the United Nations, and to the Council of the Organization of American States. The General Conference shall likewise report to the IAEA for such purposes as are relevant in accordance with its Statute.

Additional Protocol I provides for the application of the status of denuclearization in territories for which, *de jure* or *de facto*, France, the Netherlands, the United Kingdom, and the United States are internationally responsible, and which lie within the limits of the geographic zone established by the treaty. All four states have acceded to Protocol I. Signed: France on 2 March 1979, the Netherlands on 15 March 1968, United Kingdom on 20 December 1967, and United States on 26 May 1977. Ratified: France on 24 August 1992, the Netherlands on 26 July 1971, United Kingdom on 11 December 1969, and United States on 23 November 1981.

Additional Protocol II obliges all NWS to respect the status of denuclearization of the relevant geographic zone and commits them not to use or threaten to use nuclear weapons against parties to the treaty. All five NWS acceded to the protocol. Ratified: France on 22 March

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1974, China on 2 June 1974, United Kingdom on 11 December 1969, United States on 12 May 1971, and USSR on 8 January 1979.

Developments:**2008:** On 8 February, the Organization of American States Permanent Council's Committee on Hemispheric Security convened in special session to consider OAS progress with respect to initiatives on the CTBT and related instruments. The session received briefings from the OPANAL, CTBTO, and UNODA, and reaffirmed the OAS commitment to the Western Hemisphere as a nuclear weapons free-zone and stressed the support for the CTBT.

2007: On 14 February, members of the Treaty of Tlatelolco met in Mexico City to celebrate the Treaty's 40th anniversary.

On 28 June, OPANAL adopted resolution C/Res.43 on procedural issues relating to the resignation of Secretary General Edmundo Vargas Carreno. The OPANAL council resolved to assume the duties of the Secretary General until a new one is elected.

2006: On 11 September, OPANAL adopted resolution C/Res.41. The resolution welcomed the establishment of the Central Asia Nuclear Weapons Free Zone and instructed the Secretary General to congratulate the relevant republics on its behalf.

On 7 December, OPANAL adopted resolution C/Res.42 on strengthening the organization. The resolution urges OPANAL members to promote campaigns to disseminate the principles and objectives of the Treaty.

2005: On 26-28 April, the Conference of States Parties and Signatories of Treaties that establish Nuclear-Weapon-Free Zones was held in Tlatelolco, Mexico. The Conference adopted a declaration, reaffirming that nuclear weapons constitute a threat to humanity, urging nuclear weapons states to adopt negative security assurances, and stressing the importance of the right to peaceful uses of nuclear energy.

2003: The XVIII Session of the General Conference of OPANAL adopted several resolutions related to the Tlatelolco Treaty: CG/Res. 439 Status of the Treaty and its Additional Protocols, CG/Res. 444 Prevention of Radioactive Contamination of the Marine Environment within the Framework of the Treaty of Tlatelolco: Transportation of radioactive material, and CG/Res. 447 Declarations of Nuclear Powers to the Additional Protocols I and II of the Treaty of Tlatelolco.

2002: On 23 October, Cuba ratified the Tlatelolco Treaty. With its ratification, the treaty came into full force throughout all 33 states within the region. Cuba had announced to the UNGA that it would accede to the NPT and ratify the Tlatelolco Treaty on 14 October.

1995: On 25 March, Cuba signed the Tlatelolco Treaty and subsequently signed its amendments in December. However, Cuba did not ratify the treaty. By this point in time, all 33 states in Latin America and the Caribbean had become signatories of the treaty. It took the treaty nearly 30 years to secure universality of membership in the region.

1992: General Conference Resolution 290 (E-VII) (1992) amended Articles 14, 15, 16, 19 and 20, reassuring the confidentiality of industrial secrets of Member States in nuclear matters and establishing how the IAEA shall intervene in the special inspections referred to in Article 12 and 13 of the Treaty.

1991: At the XII Session of the General Conference of OPANAL, Resolution 268 (XII) amended paragraph 2 of Article 25, following the wording of Article 8 of the OAS Charter, making possible the adherence to the System of Tlatelolco of those countries which previously impeded to do so.

1990: On 3 July, V Special Session of the General Conference Resolution 267 (E-V) (1990) amended Article 7, relating to the legal denomination of the Treaty. Once into force, the Treaty was to be titled "Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean" but was to continue to be recognized as Treaty of Tlatelolco.

1982: Alfonso García Robles, the former Mexican ambassador to Brazil, was awarded the Nobel Peace Prize for his efforts promoting the Treaty of Tlatelolco.

1969: The Treaty entered into force on 25 April, after 11 states of the region ratified it and exercised the right to waive requirements laid down in Article 28. Subsequently, it became effective for each additional state individually after that state ratified the Treaty and exercised its right of waiver.

Point of Contact:

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Southeast Asia Nuclear-Weapon-Free Zone Treaty (Treaty of Bangkok)

Opened for Signature: 15 December 1995.

Entered into Force: 28 March 1997.

Number of Parties: Ten full members ─ Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam.

None of the nuclear weapon states (NWS) has yet signed the protocols, largely due to U.S. and French objections regarding the unequivocal nature of security assurances and over the definitions of territory, including exclusive economic zones (EEZ).

Duration: The treaty is of a permanent nature and shall remain in force indefinitely.

Organs: Commission for the Southeast Asia Nuclear Weapon-Free Zone, Executive Committee.

Background: The notion of a Southeast Asia Nuclear-Weapon-Free Zone (SEANWFZ) dates back to 27 November 1971, when the original five members of the Association of Southeast Asian Nations (ASEAN) in Kuala Lumpur signed a Declaration on a [ASEAN] Zone of Peace, Freedom, and Neutrality (ZOPFAN). The first major component of the ZOPFAN pursued by ASEAN was the establishment of a SEANWFZ. However, due to the unfavorable political environment in the region, the formal proposal for the establishment of such a zone was tabled in the mid-1980s. After a decade of negotiating and drafting efforts by the ASEAN Working Group on a ZOPFAN, the SEANWFZ Treaty was signed by the heads of states/governments of all 10 regional states in Bangkok on 15 December 1995.

Obligations: States Parties are obliged not to develop, manufacture or otherwise acquire, possess or have control over nuclear weapons; station nuclear weapons; or test or use nuclear weapons anywhere inside or outside the treaty zone; not to seek or receive any assistance in this; not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any state; not to provide source or special fissionable materials or equipment to any non-nuclear weapon state (NNWS), or any NWS unless subject to safeguards agreements with the International Atomic Energy Agency (IAEA); to prevent in the territory of States Parties the stationing of any nuclear explosive device; to prevent the testing of any nuclear explosive device; not to dump radioactive wastes and other radioactive matter at sea anywhere within the zone, and to prevent the dumping of radioactive wastes and other radioactive matter by anyone in the territorial sea of the States Parties.

Treaty Zone: The treaty zone covers the territories, continental shelves, and EEZ of the States Parties within the zone.

Verification and Compliance:

***Verification*:** Verification is to be achieved through reports by members and the exchange of information, and through the application of IAEA safeguards. States Parties have discretion over visits by foreign ships and aircraft to ports and airfields, transit of airspace by foreign aircraft, and navigation by foreign ships carrying nuclear weapons.

Compliance: The treaty provides for a Commission for the Southeast Asia Nuclear-weapons-free Zone to oversee the implementation of this treaty and ensure compliance with its provisions. The treaty also gives each State Party the right to ask another State Party for clarification or a fact-finding mission to resolve an ambiguous situation or one which may give rise to doubts about compliance. If there is a breach by a State Party, that State Party shall, within a reasonable time, take all steps necessary to bring itself into full compliance with this treaty. If this fails, the commission shall decide on any measure it deems appropriate to cope with the situation, including the submission of the matter to the IAEA and, where the situation might endanger international peace and security, the Security Council and the General Assembly of the United Nations.

The protocol is open for signature by China, France, Russia, the United Kingdom, and the United States. These NWS would undertake to respect the treaty and not to contribute to any act, which constitutes a violation of the treaty or its protocol by States Parties. They would also undertake not to use or threaten to use nuclear weapons against any State Party to the treaty and not to use or threaten to use nuclear weapons within the SEANWFZ.

The SEANWFZ Treaty includes two elements that go beyond other existing Nuclear-Weapon-Free Zone (NWFZ) agreements: 1) the zone of application also includes the continental shelves and EEZ of the contracting parties; and 2) the negative security assurance implies a commitment by the NWS not to use nuclear weapons against any contracting State or protocol Party within the zone of application. In other aspects, the SEANWFZ contains all the standard obligations, prohibitions, and verification and control measures found in previous zonal treaties.

Thus far, the NWS have not signed the Protocol to the SEANWFZ Treaty because they object to the inclusion of continental shelves and EEZ; to the restriction not to use nuclear weapons within the zone; or from within the zone against targets outside the zone, and to the restriction on the passage of nuclear-powered ships through the zone *vis-à-vis* the issue of the high seas as embodied in the UN Convention on the Law of the Sea (UNCLOS). The NWS also raised the issue that the continental shelves and EEZ are not clearly defined in the South China Sea, which creates uncertainty over the scope of the treaty, as well as the treaty's protocol obligations. The United States also

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expressed concerns with the nature of the legally binding negative security assurances to be expected of the parties to the protocol, the alleged ambiguity of the treaty's language concerning the permissibility of port calls by ships, which may carry nuclear weapons, and the procedural rights of the parties to the protocol to be represented before the various executive bodies set up by the treaty to ensure its implementation.

Secretariat: The Bangkok Treaty does not have any designated Secretariat, given the informal style of ASEAN, but the Commission at the level of Foreign Ministers and the working group of Senior Officials will work to promote the full implementation of the zone.

Developments:

2008: On 17-24 July, the 41th ASEAN Ministerial Meeting was held in Shangri-La, Singapore. On 21 July, the Commission on SEANWFZ issued a Joint Communiqué which noted Thailand as the incoming commission chair, reaffirmed the importance of treaty implementation, and called upon the P5 to ratify the SEANWFZ protocol as soon as possible.

2007: On 29-30 July, the 40th ASEAN Ministerial Meeting was held in Manila, the Philippines. The meeting issued a Joint Communiqué which reviewed the progress of the treaty implementation and welcomed the Plan of Action that would prepare the treaty to respond to the evolving internal and external challenges and opportunities.
On 29 July, the foreign ministers of the State Parties to the SEANWFZ Treaty met in Manila, the Philippines to review the treaty implementation and a plan of action that would guide the future implementation of the treaty. The meeting issued a Joint Statement that noted the implementation of the treaty obligations by the state parties. The statement also contained measures that would be undertaken under the Plan of Action (2007-2012). These measures include fulfillment of commitments under the treaty and accession to the IAEA safeguards, pursuing consultations with the five nuclear weapon states for the ratification of the treaty protocols, seeking cooperation with international and regional bodies in developing legal framework to meet international standards on nuclear safety, establishing regional networks for early notification of nuclear accidents, developing a regional emergency preparedness and response plan, and strengthening capacity building in the region on nuclear safety issues.

2006: On 25 July, at the 39th ASEAN Ministerial Meeting in Kuala Lumpur, the ministers issued a Joint Communiqué wherein they reaffirmed the importance of strengthening cooperative efforts toward the implementation of the SEANWFZ Treaty. They urged the nuclear weapon states to become parties to the protocol of the treaty as soon as possible. The ministers further recalled Article 20 of the treaty, which states that "Ten years after this Treaty enters into force, a meeting of the Commission shall be convened for the purpose of reviewing the operation of the Treaty". To this effect, they directed the Executive Committee of SEANWFZ to look into the implementation of Article 20.

2005: On 29 July, the 12th Meeting of the ASEAN Regional Forum (ARF) was held in Vientiane, Lao PDR. According to the Chairman's Statement, the ministers reaffirmed their support for the concept of internationally recognized NWFZs and emphasized the contribution of such zones to enhancing global and regional peace and security. They further reaffirmed the importance of continued consultation on the Protocol of the Bangkok Treaty between the Nuclear Weapon States and the parties to the treaty.

2004: On 29-30 June, the 37th ASEAN Ministerial Meeting, held in Jakarta, adopted a Joint Communiqué reaffirming the importance of further strengthening the cooperation in support of the Bangkok Treaty. The Ministers welcomed China's readiness to sign the protocol and called on the NWS to show maximum flexibility and work together with ASEAN on outstanding issues.

2002: On 29-30 July, at the 35th ASEAN Ministerial Meeting ASEAN Ministers welcomed the ongoing consultations between ASEAN and the NWS and urged the NWS to sign the protocol of the treaty as soon as possible.

At the Ninth Meeting of the ASEAN Regional Forum (ARF) on 31 July, the ministers noted the ongoing consultations between ASEAN and the NWS regarding the latter's signing the protocol.

2001: On 25 July, at the Eighth Meeting of ARF ASEAN Foreign Ministers welcomed progress regarding treaty implementation as a contribution to global efforts to curb the proliferation of nuclear weapons, and noted with satisfaction the continued progress made in consultation between the States Parties to the treaty and the NWS regarding the latter's accession to the protocol to the treaty. In this regard, they welcomed the progress made at the recent direct dialogue between the States Parties and the NWS held in Hanoi on 19 May. The ministers welcomed the participation for the first time of the Philippines as a full member of the SEANWFZ Commission, having recently deposited its instrument of ratification. They also welcomed the P-5 Joint Statement concerning security assurances for Mongolia and support for the Nuclear-Weapon-Free Status of Mongolia.

Having resolved the differences with China regarding the implication of the treaty on the question of sovereignty in the South China Sea, the parties are undertaking further

consultations with the remaining four NWS in order to address their concerns as a package, including the question of the formulation of negative security assurances. ASEAN hopes the remaining NWS, namely the United States, the United Kingdom, France, and Russia, will keep their commitment to nuclear disarmament by supporting the treaty, and ASEAN's contribution towards nuclear disarmament and nonproliferation, through signing the protocol that guarantees NNWS in legally binding form against the use or threat of use of nuclear weapons in this zone.

Recognizing that the IAEA has an important role to play in assisting parties to fulfill their obligations under the treaty, a dialogue between the treaty parties and the IAEA was established. A number of issues being discussed in detailed consultations include the question of IAEA support in implementing the provisions with respect to safeguards and handling of nuclear wastes, as well as possible assistance in terms of technical cooperation programs for the treaty parties. In addition, all treaty parties have been encouraged to conclude a full-scope safeguards agreement with the IAEA in accordance with Article 5 of the treaty.

2000: On 27 July, at the Seventh Meeting of the ARF in Bangkok the ASEAN Foreign Ministers welcomed progress toward the implementation of the treaty, which contributed to the nonproliferation of nuclear weapons. They welcomed in particular the operation of the Commission for SEANWFZ and the Executive Committee for SEANWFZ, and the dialogue between the States Parties to the treaty and the IAEA, as provided for by the treaty. The ministers also expressed support for the continued consultations between the States Parties to the treaty and the NWS regarding the latter's accession to the protocol to the treaty.

1999: On 23-24 July, the ASEAN Foreign Ministers convened the Commission of the SEANWFZ Treaty for the first time. The commission ordered the preparation of the draft rules of procedure and initiation of all necessary actions in compliance with the treaty, including consultations with the NWS, the IAEA and other related bodies. The States Parties committed to vigorously pursue consultations with the NWS so that they could eventually accede to the treaty's protocol.

The commission meeting was held in conjunction with the ARF meeting in Singapore. Reportedly, at this meeting, China agreed to sign the protocol, as did India. (Since India does not fall within the definition of a NWS as stipulated in the Non-Proliferation Treaty (NPT), if the contracting parties accept an Indian signature to the protocol, they might be in technical violation of both the NPT and the Bangkok Treaties.)

On 28 November, at the ASEAN+1 Informal Summit China stated that it would support ASEAN in its efforts to establish ZOPFAN and a SEANWFZ. At the inaugural meeting, the commission directed its executive committee to initiate all necessary actions to ensure compliance with the treaty.

On 12 October, the executive committee met for the first time in Bangkok and decided to launch a dialogue with the IAEA and to establish a Working Group to undertake discussions with the IAEA.

1998: On 25 July, at the 31st ASEAN Ministerial Meeting the ASEAN foreign ministers noted the report of the ASEAN senior officials on the progress made so far by the ASEAN Working Group on a ZOPFAN and SEANWFZ regarding its consultations with NWS in the context of enabling the latter to sign the protocol to the treaty. The foreign ministers reiterated that the signing of the protocol by the NWS would constitute a manifestation of their support for nuclear disarmament and nuclear-weapon-free zones. They expressed the view that the recent nuclear tests by India and Pakistan were not conducive to the full realization of the treaty.

1997: On 27 March, the treaty entered into force upon the deposit of the instrument of ratification of the eighth ratifying state, Cambodia, and was registered with the UN on 26th June. On 25 July, the participants to the 30th ASEAN Ministerial Meeting recalled that the commission to be established by the treaty would oversee the implementation of the treaty and ensure compliance with its provisions. Nonetheless, pending the establishment of the commission, they accepted the recommendation of the ASEAN senior officials to extend the mandate of the ASEAN Senior Officials Meeting (SOM) Working Group on a ZOPFAN and SEANWFZ, to pursue consultations with NWS pertaining to the protocol to the treaty. The foreign ministers called upon NWS to demonstrate their support for nuclear-weapon-free zones by acceding to the protocol of the treaty.

In June, the United States maintained its opposition to signing the protocol to the treaty on the grounds that it contained an automatic provision of NSA to the benefit of the non-SEANWFZ countries in the ocean area of the zone and the inclusion of EEZ in the treaty's scope of application.

No specific target date has been identified for the implementation of the SEANWFZ, although the ASEAN Vision 2020 adopted in December envisioned that all of the NWS would have adhered to the protocol, and that the region could be free of all nuclear weapons and other weapons of mass destruction by the year 2020.

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South Pacific Nuclear-Free-Zone Treaty (Treaty of Rarotonga)

Opened for Signature: 6 August 1985.

Entered into Force: 11 December 1986.

Number of Parties: 13 full members ─ Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu. Of the five nuclear-weapon states, France and the United Kingdom have ratified all three protocols while Russia and China have only ratified Protocols II and III. U.S. ratification of all three protocols is still pending.

Duration: Treaty is of a permanent nature and shall remain in force indefinitely.

Organs: Consultative Committee, Director.

Background and Developments: The States in the Asia-Pacific region became concerned with nuclear weapon issues following the nuclear detonations over Hiroshima and Nagasaki, when the region became a testing ground for such weapons. From 1946-1958, the United States conducted some 66 atmospheric and underwater tests in the Marshall Islands in the northern Pacific region, which lies outside the South Pacific Nuclear-Free Zone (SPNFZ). The United Kingdom conducted atmospheric tests between 1952-1957 on Australian territory at Maralinga, Emu Field, and Monte Bello Island. Both the United Kingdom and the United States conducted atmospheric nuclear tests on Christmas Island until the signing of the Partial Test Ban Treaty (PTBT) in 1963, which banned further atmospheric nuclear detonations. That same year, France established a nuclear test site in its French Polynesian atolls and carried out some 190 nuclear detonations (including more than 40 above ground) between 2 July 1966 and early 1996 at the Mururoa and Fangataufa sites.

The South Pacific States, besides being concerned with nuclear testing in their region and its vicinity, were also worried about the dumping of nuclear wastes at sea, fearing radioactive contamination of the marine environment. The South Pacific Forum (SPF) took up the issue in 1975 in response to a proposal by New Zealand calling for the setting up of a nuclear-weapon-free zone (NWFZ) in the region. This proposal was endorsed by the UN General Assembly that same year. In 1979, in response to reports of nuclear dumping in the region, the SPF strongly condemned the use of the Pacific as a dumping ground for nuclear wastes. Japan also opposed nuclear dumping in the Pacific.

In 1983, Australia revived the concept of a SPNFZ at a SPF meeting held in Canberra. The following year, meeting in Tuvalu, the Forum endorsed a set of principles proposed by Australia as a basis for establishing a zone and appointed a Working Group to draft a treaty text. These principles aimed at preventing the region from becoming an arena for superpower rivalry, preserving peace and security, and protecting natural resources in addition to the well-being and livelihood of the South Pacific peoples.

The Working Group used the Treaty of Tlatelolco, Antarctic Treaty, Seabed Treaty, the PTBT and the Non-Proliferation Treaty (NPT) to guide its work. The Treaty of Rarotonga was signed in Rarotonga (Cook Islands) on 6 August 1985, and entered into force on 11 December 1986, with the deposit of the eighth instrument of ratification. The Treaty has 13 signatories and 12 ratifications: Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Western Samoa. Tonga has yet to ratify. Three dependent territories not located within the zone (Marshall Islands Republic, Federated States of Micronesia, and Palau) are not parties to the Treaty although eligible to be Parties. If these territories decide to join the SPNFZ Treaty in the future, the SPNFZ area would be enlarged to incorporate the territory of each new party. The SPNFZ contributes to limiting the threat posed by nuclear weapons and serves to strengthen the NPT regime and nuclear nonproliferation.

Seven Dialogue Partners: The SPNFZ dialogue partners are Canada, China, the EU, Japan, South Korea, the United Kingdom, and the United States. France was one of the dialogue partners; however, its dialogue partner status was suspended in 1995 in protest of its nuclear tests in Mururoa but restored in 1996.

Obligations: States Parties are obliged not to manufacture or otherwise acquire, possess, or have control over any nuclear explosive device anywhere inside or outside the Treaty zone; not to seek or receive any assistance in this; not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any State; and not to provide sources or special fissionable materials or equipment to any non-nuclear weapon State (NNWS), or any nuclear weapon State (NWS) unless it is subject to safeguards agreements with the (International Atomic Energy Agency) IAEA. States Parties are also obligated to prevent in the territory of States Parties the stationing of any nuclear explosive device; to prevent the testing of any nuclear explosive device; not to dump radioactive wastes and other radioactive matter at sea, anywhere within the SPNFZ, and to prevent the dumping of radioactive wastes and other radioactive matter by anyone in the territorial sea of the States Parties.

Treaty Zone: Under Annex I, the Treaty Zone covers an extensive part of the South Pacific.

Verification and Compliance:

Verification: Verification is achieved by providing reports and exchanging information, and by the application of IAEA safeguards. Visits by foreign ships and aircraft to ports and airfields, transit of airspace by foreign aircraft, and navigation by foreign ships carrying nuclear weapons are left to the discretion of States Parties.

Compliance: Treaty compliance is verified through the enforcement of IAEA safeguards agreements.

Protocol I calls on each Party with respect to the territories situated within the SPNFZ for which it is internationally responsible, to apply the prohibitions of the Treaty. On 25 March, 1996, France, the United Kingdom and the United States signed the Protocol, thereby expanding the Treaty's scope of application to the American Samoa and Jarvis Island, as well as to the dependent territories of France and the United Kingdom. France ratified Protocol I on 20 September, 1996, and the United Kingdom on 19 September, 1997. The United States has not yet ratified Protocol I.

Protocol II calls on the NWS not to use or threaten to use nuclear explosive devices against any Party to the Treaty or against each other's territories located within the zone. China signed this protocol in 1987, the USSR in 1986. The USSR stated that in case of action taken by a Party or Parties violating their commitments concerning the status of the zone, it would consider itself free of its non-use commitments. The same would apply in case of aggression committed by one or several Parties to the Treaty supported by a NWS, or together with it, involving the use by such a State of the territory, airspace, territorial sea, or archipelago waters of the Parties for visits by nuclear weapon-carrying ships and aircraft or for transit of nuclear weapons. However, the USSR eventually ratified the Protocol without reference to the above statement.

The remaining three NWS signed the Protocol on 25 March 1996 (after France ceased nuclear weapon testing in the zone). China ratified Protocol II on 21 October 1988, France on 20 September 1996, the United Kingdom on 19 September 1997, and the USSR on 21 April 1988. The United States has yet to ratify Protocol II.

Protocol III calls on the NWS not to test nuclear explosive devices within the zone established by the Treaty. China signed this protocol in 1987, the USSR in 1986, whereas the remaining three NWS signed it on 25 March 1996 (after France ceased nuclear weapon testing in the zone). China ratified Protocol II on 21 October 1988, France on 20 September 1996, the United Kingdom on 19 September 1997, the USSR on 21 April 1988. US ratification of Protocol III is still pending.

In its statement of reservation and interpretation, the French government made it clear that it did not consider its inherent right to self-defense to be restricted by the signed documents, that assurances provided for in Protocol II were the same as those given by France to the NNWS parties to the NPT, and that it would not be bound by its undertaking under Protocol II in the case of an invasion or any other attack carried out or sustained by a party to the Treaty in association or alliance with a NWS, or if material breach of the nonproliferation obligations under the Treaty were committed.

The US government signed the protocols without reservation, but its spokesman said that "certain declarations and understandings" would be proposed to the Senate for incorporation in the resolution of ratification. The United States stated that its practices and procedures in the South Pacific were not inconsistent with the Treaty and its protocols. However, it has yet to ratify the protocols. The United States said it would not accept any limitation on the right of passage of its nuclear vessels and aircraft in the region.

The Treaty of Rarotonga is considered an improvement upon the Tlatelolco Treaty in preventing the dumping of nuclear wastes and banning nuclear explosions even for peaceful purposes.

Developments:

2008: At the 61st plenary meeting of the UN General Assembly on December 2, 2008, the Assembly adopted resolution 63/65, which reiterated the issues delineated in resolution (62/35) of 2007.

2007: On 5 December, the UN General Assembly adopted resolution (62/35) entitled "Nuclear Weapon Free Southern Hemisphere and Adjacent Areas." The resolution calls for greater implementation and expansion of nuclear weapon free zone treaties, underlines their vital role in combating proliferation, and calls upon all states to support the process of nuclear disarmament and to take steps toward achieving the complete elimination of nuclear weapons. The resolution also congratulates past institutional collaboration and encourages further cooperation towards accomplishing common goals.

2006: The UN General Assembly adopted a further resolution (60/58) 'Nuclear Weapons Free Southern Hemisphere and Adjacent Areas,' similar to previous resolutions from 1996 through 2004. The resolution speaks of the consolidation, strengthening, and expansion of nuclear-weapon-free zones, the prevention of nuclear proliferation, and the achievement of a nuclear-weapon-free world.

In addition, the resolution congratulates the states that participated in the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones (often referred to as the NWFZ Conference) and encourages further cooperation between the existing

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NWFZs towards establishing a southern hemisphere NWFZ.

2005: On 26–28 April, Mexico hosted the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones in Tlatelolco, that included all the parties to the Treaty of Rarotonga. The states issued a joint statement to the Conference on Disarmament on 11 July 2005 concerning the consolidation, strengthening, and expansion of nuclear-weapon-free zones, the prevention of nuclear proliferation, and the achievement of a nuclear-weapon-free world. In the statement, the states reaffirmed their commitment to their respective NWFZs, called upon all states mentioned in the relevant protocols to ratify them, urged the nuclear weapon states (NWS) to issue comprehensive negative security assurances (NSAs) to non-nuclear weapon states and they expressed serious concern over both the failure of the NWS to move forward with their obligations under Art. VI of the NPT and the continued failure of some states to accede to the NPT. In addition, the conference established a process for continuing communication, cooperation, and collaboration between the zones that will seek to encourage the adoption of effective joint measures that benefit the international disarmament and nuclear nonproliferation regimes. Each of the four regional treaties will take turns at coordinating this work.

African Nuclear-Weapon-Free Zone (Pelindaba Treaty)

Opened for signature: 11 April 1996.

Entered into Force: The Treaty has not yet entered into force. Its entry into force requires 28 ratifications.

Number of signatories: 51 States.

Number of ratifications: 27 States.

Duration: The Treaty is of a permanent nature and shall remain in force indefinitely.

Background: In 1961, the UN General Assembly (UNGA) first adopted a resolution, which called upon Member States to consider and respect the continent of Africa as a de-nuclearized zone. In 1964, the Organization of African Unity (OAU) issued the Declaration on the De-nuclearization of Africa, which was subsequently endorsed by the UNGA.

The OAU and the UN established a Joint Group of Experts to draft a treaty creating a nuclear-weapon-free zone (NWFZ) in Africa, which first met in Addis Ababa in April 1991. Thereafter the Group met several times at various African venues: Lomé, 1992; Harare, 1993; Windhoek and Addis Ababa, 1994. At its meetings in Windhoek (March 1994) and in Addis Ababa (May 1994), the experts were able to adopt the first complete draft text of an African NWFZ Treaty. The final treaty text was completed at a joint meeting of experts in Johannesburg and Pelindaba in May and June 1995, and was approved by African Heads of State on 23 June 1995. The 1995 regular session of the UNGA approved the Treaty on 6 November (A/C.1/50/L.23).

The ANWFZ Treaty ─ the Treaty of Pelindaba ─ was signed in Cairo on 11 April 1996 by 47 of the continent's 53 States. The protocols were signed at the same time by the nuclear-weapon States (NWS) except for Russia, which sought clarification on the status of the Indian Ocean island of Diego Garcia (controlled by the United Kingdom and formerly used as a base for nuclear weapons by the United States). The UN Security Council issued a statement on 12 April commending the ANWFZ.

Obligations: The Parties undertake not to conduct research on, develop, manufacture, stockpile or otherwise acquire, possess, or have control over any nuclear explosive device by any means anywhere; not to seek or receive any assistance in the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device; and not to take any action to assist or encourage the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device. The Parties also undertake to prohibit, in their territory, the stationing of any nuclear explosive device. However, they are allowed to decide whether to allow visits by foreign ships and aircraft to their ports and airfields, transit of their airspace by foreign aircraft, and navigation by foreign ships in their territorial seas or archipelago waters. The Treaty further prohibits the Parties from testing or allowing testing in their territory, or assisting or encouraging the testing of any nuclear explosive device; as well as the dumping of radioactive waste. The Parties undertake to declare any capability for the manufacture of nuclear explosive devices; dismantle and destroy any nuclear explosive device that they have manufactured prior to the coming into force of this Treaty; destroy facilities for the manufacture of nuclear explosive devices or, where possible, to convert them to peaceful uses; and to permit the International Atomic Energy Agency (IAEA) to verify the processes of dismantling and destruction of the nuclear explosive devices, as well as the destruction or conversion of the facilities for their production. The Treaty allows the Parties to engage in peaceful nuclear activities and obligates them to conclude full-scope safeguard agreements with the IAEA to verify the peaceful character of such activities. The Parties also undertake not to take, or assist, or encourage any action aimed at an armed attack by conventional or other means against nuclear installations in the Treaty's zone of application.

Protocol I calls on the NWS not to use or threaten to use a nuclear explosive device against any Party to the Treaty

and any territory within the Pelindaba NWFZ. Protocol I was signed by China, France, the United Kingdom, and the United States in April 1996, and the Russian Federation in November 1996. China (6 September 1996), France (31 July 1997) and the UK (27 February 2001) ratified the Treaty. US and Russian ratifications of Protocol I are still pending.

Protocol II calls on the NWS not to test or assist or encourage the testing of any nuclear explosive device anywhere within the Pelindaba NWFZ. Protocol II was signed by China, France, the United Kingdom, and the United States in April 1996, and the Russian Federation in November 1996. China (6 September 1996), France (31 July1997) and the United Kingdom (27 February 2001) ratified the Treaty. US and Russian ratifications of Protocol II are still pending.

Protocol III calls on each Party, with respect to the territories for which it is de jure or de facto internationally responsible and situated within the Pelindaba NWFZ, to apply the provisions of the Treaty. Protocol III was signed by France on 11 April 1996 and ratified on 31 July 1997. Spain neither signed nor ratified Protocol III.

Verification and Compliance:

Verification: Upon entry into force, the Treaty provides for the establishment of the African Commission on Nuclear Energy for the purpose of ensuring compliance with the obligations under the Treaty. The Commission shall have a Bureau consisting of the Chairman, the Vice-Chairman, and the Executive Secretary and meet in ordinary session once a year. The Commission shall be responsible for collecting reports on Member States' nuclear activities as well as other matters relating to the Treaty; arranging consultations as well as convening conferences of Parties on any matter arising from the implementation of the Treaty and reviewing the application of IAEA safeguards to peaceful nuclear activities. *Compliance*: A Party with grounds for a complaint that another Party to the Treaty or to Protocol II is in breach of its obligations shall bring the subject matter of the complaint to the attention of the offending Party and shall allow the latter 30 days to provide the former with an explanation to resolve the matter. If the matter is not resolved, the complaining Party may bring its concerns before the Commission, which may request that the IAEA conducts an inspection as soon as possible. The Commission may also designate its representatives to accompany the Agency's inspection team. If the Commission decides that the Party complained of is in breach of its obligations under this Treaty, States Parties to the Treaty shall meet in extraordinary session to discuss the matter. The States Parties convened in extraordinary session may make recommendations to the Party held to be in breach of its obligations and to the Organization of African Unity. The Organization of African Unity may, if necessary, refer the matter to the United Nations Security Council.

Developments:

2009: On 23 April, Malawi became the 27th state to deposit its instrument of ratification with the African Union, following its ratification on 6 March. Subsequently, the Treaty requires the ratification of only one more state to enter into force. Twenty five signatories to the Treaty have not yet ratified.

2008: On 18 February, Ethiopia ratified the Pelindaba Treaty and deposited its instrument of ratification on 13 March. On 26 March, Mozambique ratified the Treaty and deposited its instrument of ratification on 28 August.

2007: Rwanda ratified the Treaty on 23 January and deposited its instrument of ratification on 1 February. Gabon ratified the Treaty on 18 May and deposited its instrument of ratification on 12 June. Benin ratified the Treaty on 17 July and deposited its instrument of ratification on 4 September.

2006: On 20 September, Senegal ratified the Treaty and deposited its instrument of ratification on 25 October.

The 60th session of the UN General Assembly adopted Resolution 60/49 entitled "African Nuclear-Weapon-Free Zone Treaty." As in past years, the resolution again called on African states that had not yet ratified the Treaty to do so as soon as possible to allow its entry into force, on the NWS that had not yet ratified Protocols I and II to do so at the earliest possible date, and on states concerned by Protocol III to take all measures needed for the application of the Treaty in the territories for which they are responsible.

2005: Following the announcement by Libya in December 2003 that it would abandon its WMD programs, and the ratification of both the Comprehensive Test-Ban Treaty (CTBT) and the Chemical Weapons Convention (CWC) in January 2004, Libya deposited its instrument of ratification for the Pelindaba Treaty with the African Union on 11 May.

2003: Equatorial Guinea deposited its instrument of ratification on 19 February. Madagascar did so on 23 December.

The 58th session of the UN General Assembly adopted Resolution 58/30 entitled "African Nuclear-Weapon-Free Zone Treaty." As in the case of previous resolutions adopted by the General Assembly, the resolution called on African states that had not yet ratified the Treaty to do so as soon as possible to allow its entry into force, on the NWS that had not yet ratified Protocols I and II to do so at the earliest possible date, and on states concerned by Protocol III to take all measures needed for the

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application of the Treaty in the territories for which they are responsible.

2002: On 6 March, Lesotho ratified the Treaty and deposited its instrument of ratification on 14 March.

2001: On 9 January, Kenya deposited its Instrument of Ratification. Nigeria did so on 18 June. By the end of this year 16 countries concluded their ratification process.

The 56th session of the UN General Assembly adopted Resolution 56/17 entitled "African Nuclear-Weapon-Free Zone Treaty," which called on African States that had not yet ratified the Treaty to do so as soon as possible to allow its entry into force, on the NWS that had not yet ratified Protocols I and II to do so at the earliest possible date, and on States concerned by Protocol III to take all measures needed for the application of the Treaty in the territories they are responsible for. This is a resolution biannually adopted.

2000: On 21 January, Guinea deposited its instrument of ratification. On 17 July Swaziland, four years after its ratification, deposited its instrument of ratification. On 18 July, Togo followed.

1999: On 1 December, the UNGA adopted, without a vote, Resolution 54/48, introduced by Burkina Faso. The Resolution called upon African States that had not yet done so to ratify the Treaty as soon as possible, to conclude comprehensive safeguards agreements with the IAEA, as required by the Treaty, and to conclude additional protocols to their safeguards agreements on the basis of the 1997 Model Protocol. The Resolution called upon the NWS that had not yet done so to ratify the Protocols as soon as possible.

During this year, Botswana, Côte d' Ivoire, and Mali ratified the Treaty, bringing the number of ratifications to eleven.

1998: By November, only eight States – Algeria, Burkina Faso, Gambia, Mauritania, Mauritius, South Africa, Tanzania, and Zimbabwe – had ratified the Treaty.

1997: In December, during the 52nd session of the UNGA, Kenya introduced Resolution 52/46, which was subsequently adopted by the UNGA without a vote, calling on all States that had not done so to sign and ratify the Treaty of Pelindaba as soon as possible. The Resolution expressed appreciation to NWS that had signed the Protocols that concern them and called upon those that have not yet ratified the Protocols to do so as soon as possible. The resolution also called upon those African States Parties to the Non-Proliferation Treaty (NPT) that had not yet concluded comprehensive safeguard agreements with the IAEA to so as soon as possible.

1996: The Treaty was opened for signature on 11 April in Cairo, Egypt, to all African States eligible to become parties to the Treaty. Shortly after the Protocols were signed, US officials undercut the intent and meaning of Protocol I, stating that it would not limit its options in the case of an attack on the United States by a party to the Treaty using weapons of mass destruction.

Nuclear-Weapon-Free Status of Mongolia

Declared: 25 September 1992.

Entered into Force: 3 February 2000.

Background: A comprehensive study conducted in 1976, in accordance with the Resolution 3261 F of the UN General Assembly in 1974, provided for the possibility of a single-State nuclear-weapon-free zone (SS-NWFZ). The study concluded that "obligations relating to the establishment of nuclear-weapon-free zones may be assumed not only by groups of States, including entire continents or large geographical regions, but also by small groups of States and even individual countries."

Treaty Obligations: An individual, legal person or any foreign State shall be prohibited on the territory of Mongolia from committing, initiating, or participating in the following acts or activities relating to nuclear weapons: 1) developing, manufacturing, or otherwise acquiring, possessing, or having control over nuclear weapons; 2) stationing or transporting nuclear weapons by any means; 3) dumping or disposing nuclear weapons-grade radioactive material or nuclear waste.

Transportation through the territory of Mongolia of nuclear weapons, parts, or components thereof, as well as of nuclear waste or any other nuclear material designed or produced for weapons purposes shall be prohibited.

Treaty Zone: The Treaty covers the territory of Mongolia in its entirety, including its air space, land, waters, and the sub-soil.

Verification and Compliance:

Verification: Verification is to be achieved in cooperation with the relevant international organizations or by concluding special international agreements. National Verification: The Mongolian government has the right to gather information, stop, detain, and search any suspected aircraft, train, vehicle, individual, or group of persons. The central administrative authority in charge of foreign relations shall be entrusted with monitoring the compliance with the present law and the international commitments assumed by Mongolia in connection with the nuclear-weapon-free status. Non-governmental organizations or individuals may, within the mandate provided for by the legislation, exercise public oversight of the implementation of the legislation on the nuclear-weapon-free status and submit proposals thereon to the

relevant State authority. International Verification: Mongolia shall conduct international verification of the implementation of the present law in cooperation with the relevant international organizations or by concluding special international agreements thereon. In case of violation or suspected violation of the present law by a foreign State, Mongolia shall officially notify the State concerned of the violation or suspected violation, request an explanation, and peacefully resolve any question that may arise. If deemed necessary, the International Atomic Energy Agency (IAEA) and other relevant bodies could be asked for assistance. In case of a dispute, the issue could be submitted to the relevant international court or arbitration.

Compliance: An individual or legal person that violates the present law shall be held liable in accordance with the Criminal Code and shall pay compensation for the damage caused to the interests of Mongolia as well as to the population, the environment, and the properties in accordance with the relevant legislation of Mongolia or in conformity with the appropriate international treaty and the principles and norms of international law.

Developments:

2009: On 12 January, the 63rd UNGA adopted Resolution 63/56 entitled "Mongolia's international security and nuclear-weapon-free status."

On 3-4 March, at the UN office in Geneva, Mongolia, Russia and China held their first meeting to discuss Mongolia's draft trilateral treaty regarding its NWFZ status.

On 27 April, the coordinators of Mongolia's nuclear-weapon free status met in Ulaanbaatar to discuss increased interaction between Mongolia and NWFZs, discuss plans for the second conference of NWFZ member states, and prepare for the NPT 2010 Review Conference.

2008: On 14 July, the UN Secretary-General issued a report stating that Mongolia has continued to seek international recognition for and the institutionalization of its NWF status through the conclusion of a legally binding instrument between Mongolia, Russia and China. The Secretary-General also stated in the report that he hopes the UN will further contribute to consolidating Mongolia's NWF status.

2007: In September, Mongolia presented a draft trilateral treaty to China and Russia.

2006: On 6 December, the 61st UNGA adopted Resolution 61/87 entitled "Mongolia's international security and nuclear-weapon-free status."

2004: On 3 December, the 59th UNGA adopted Resolution 59/73 entitled "Mongolia's international security and nuclear-weapon-free status."

2002: On 30 September-1November, at the 57th session of the UN General Assembly (UNGA) First Committee, Mongolia expressed its support of consolidation of existing and establishment of new nuclear-weapon-free (NWF) zones. It welcomed an agreement reached among the five Central Asian States on the content of a treaty establishing a NWF zone in that region, stressing that the new treaty could make a significant contribution to strengthening nuclear nonproliferation.

On 22 November, the 57th UNGA adopted Resolution 57/67 entitled "Mongolia's international security and nuclear-weapon-free status."

2001: On 5-6 September, the UN Asia-Pacific Regional Centre organized a non-governmental expert group meeting on Mongolia's NWF status in Sapporo, Japan. Experts from the five nuclear-weapon States (NWS) and Mongolia examined the issue and came to agreed conclusions and recommendations. In line with those recommendations, Mongolia proposed to institutionalize its NWF status by concluding a multilateral agreement, to which China and Russia have in principle responded positively.

2000: On 28 February, Ambassador Jargalsaikhany Enkhsaikhan, Permanent Representative of Mongolia to the UN, transmitted to the Secretary-General the text of the "Law of Mongolia on its nuclear-weapon-free status," adopted by the Parliament of Mongolia on 3 February 2000 and entered into force that same day. The law prohibits an individual, legal person, or any foreign State on the territory of Mongolia from developing, manufacturing or otherwise acquiring, possessing, or having control over nuclear weapons; stationing or transporting nuclear weapons by any means; testing or using nuclear weapons; dumping or disposing nuclear weapons-grade radioactive material or nuclear waste, and transporting nuclear weapons, parts, or components thereof, as well as nuclear waste or any other nuclear material designed or produced for weapons purposes through the territory of Mongolia. The law does not prohibit the peaceful use of nuclear energy. Upon the adoption of the legislation, the State Hural (national parliament) issued a resolution that required the government to actively cooperate with and acquire assistance from the relevant States, and international organizations, including the International Atomic Energy (IAEA), in implementing the law.

In October, during the 55th UNGA session, the NWS submitted a joint statement entitled "Statement on security assurances in connection with Mongolia's nuclear-weapon-free status." They reaffirmed their commitment to cooperate with Mongolia in implementing resolution 53/77 with respect to Mongolia's NWF status.

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On 20 November, the 55th UNGA adopted Resolution 55/33 S entitled "Mongolia's international security and nuclear-weapon-free status."

1998: On 4 December, the 53rd UNGA adopted, without a vote, Resolution 53/77 D, entitled "Mongolia's international security and nuclear-weapon-free-status," which stated the international community's unanimous support for Mongolia's efforts to strengthen regional stability and invited UN Member States to cooperate with Mongolia to ensure its international security and NWF status.. Each of the five NWS has also declared its support bilaterally.

1997: In April 1997, Mongolia tabled a working paper (A/CN.10/195) at the UN Disarmament Commission (UNDC) on the principles of establishment of a SS-NWFZ. This working paper enumerated six principles for establishing single-State NWFZ: 1) total absence of nuclear weapons or parts thereof on the territory of the zonal State; 2) adoption of a legally binding document; 3) general agreement freely arrived at with neighboring and NWS; 4) absence of territorial or border disputes with neighboring States; 5) effective verification and control arrangements; and 6) recognition of the zone as such by the General Assembly. Bearing in mind specifics of the single-State zone, the Mongolian delegation proposed that the guidelines for establishing SS-NWFZ be considered in parallel with guidelines for traditional zones, while the actual drafting of a SS-NWFZ could be undertaken separately.

The Mongolian delegation at the UNDC argued that the creation of single-State zones could not be ruled out in the future, especially bearing in mind that more than one-third of the entire membership of the United Nations was not covered by existing or emerging zones. It was pointed out that compared with existing zones; the single-State zone had its obvious advantages. The geographical scope of the zone was well-developed. There was also no need for intra-zonal negotiations or coordination. The Mongolian delegation expressed its belief that an essential requirement was for the zonal State not to have any territorial or border problems with its neighbors and that the zone required the support of immediate neighbors and of the NWS.

The NWS seemed reluctant to accept SS-NWFZs as a concept, since they believed that this might set a precedent for other States to declare themselves as SS-NWFZ with all the attendant international consequences. At the same time, the NWS recognized the legitimacy of Mongolia's situation.

1993: On 20 January, the Russian Federation, through a bilateral friendship treaty concluded with Mongolia, pledged respect for Mongolia's policy of non-deployment and a ban on transit through its territory of foreign troops as well as nuclear and other weapons of mass destruction.

On 22 October, China welcomed and supported Mongolia's status as a NWF State. Also in the fall, the United States commended Mongolia's continued adherence to the Non-Proliferation (NPT), as well as its decision to declare Mongolia a NWFZ, and said that NPT-related security assurances would apply to Mongolia. In November 1993 and in January 1994, respectively, the United Kingdom and France both expressed their support for Mongolia's NWF status and reiterated their NPT-related security assurances.

1992: On 25 September, the Mongolian government declared itself a SS-NWFZ when Mongolian President Punsalmaagin Ochirbat announced before the 47th session of the UNGA that Mongolia's territory would be a NWFZ and that it would work to have its status internationally recognized. Its NWF policy includes non-deployment and a ban on transit through its territory of foreign troops, as well as nuclear and other weapons of mass destruction.

Central Asian Nuclear-Weapon-Free Zone (CANWFZ)

Opened for signature: 8 September 2006

Entered into force: The treaty has been ratified by all 5 signatories. The last ratification occurred on 11 December 2008 and the last instrument of ratification was deposited on 20 February 2009. The treaty entered into force on 21 March 2009.

Number of signatories: 5 (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan).

Number of ratifications: 5 (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan,).

Duration: Unlimited.

Depositary: Kyrgyzstan.

Organs: None.

Background: The idea of a CANWFZ dates back to the 1992 initiative by Mongolia declaring itself a nuclear-weapon-free zone (NWFZ), in which Mongolia also called for a regional NWFZ. The first formal CANWFZ proposal was made by Uzbek President Islam Karimov at the 48th session of the UN General Assembly in 1993. Additional proposals by Uzbekistan and Kyrgyzstan followed in 1994-1996, but none made any headway owing to a lack of regional consensus on the issue. However, the crucial step was taken on 27 February 1997, when the five presidents of the Central Asian states issued the Almaty Declaration endorsing the creation of a CANWFZ.Experts from all five Central Asian states (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) agreed on the text of a treaty establishing a Central Asian nuclear-weapon-free zone (CANWFZ) at a meeting held in Samarkand in Uzbekistan from 25-27 September 2002. The agreement concluded five years of

talks that began in 1997. On 8 February, 2005, the five Central Asian states adopted a final draft of the treaty text at a meeting in Tashkent, Uzbekistan.

Basic Provisions: Under the treaty, Central Asian states undertake not to research, develop, manufacture, stockpile, acquire, possess, or have any control over any nuclear weapon or other nuclear explosive device, not to seek or receive assistance in any of the above, or assist in or encourage such actions. The receipt, storage, stockpiling, installation, or other form of possession of any nuclear weapon or nuclear explosive device on the territory of the member states is not allowed. Each party pledges not to carry out nuclear weapon tests or any other nuclear explosion and prevent any such nuclear explosion at any place under its control. Member states undertake to conclude with the International Atomic Energy Agency (IAEA) and bring into force a Safeguards Agreement and Additional Protocol within 18 months after the treaty's entry into force. Parties must also introduce export controls under which they will not provide source or any special fissionable material or related equipment to any non-nuclear weapon state (NNWS) that has not concluded an IAEA comprehensive safeguards agreement and Additional Protocol. Further, the states undertake to maintain standards of physical protection of nuclear material, facilities, and equipment that are at least as effective as those outlined in the IAEA recommendations and guidelines and called for by the Convention on Physical Protection of Nuclear Material (CPNNM). The treaty does not affect rights and obligations of the parties under other international treaties concluded prior to the entry into force of the CANWFZ. This clause has become a point of contention between the Central Asian states and some of the nuclear weapon states (NWS). The treaty may be amended by consensus.

Verification and Compliance: The terms of the Treaty itself buttress the nonproliferation regime as they oblige the Central Asian States to accept enhanced International Atomic Energy Agency (IAEA) safeguards on their nuclear material, and require them to meet international standards securing nuclear facilities. The CANWFZ draft Treaty does not provide for the establishment of an organization/commission to oversee implementation and compliance/verification as do Bangkok, Pelindaba, and Tlatelolco, Treaties which establish NWFZs, or "control systems" as in the case of the Bangkok, Rarotonga and Tlatelolco Treaties. It does, however, provide for annual consultative meetings to review compliance, but no direct linkage exists between this function and IAEA safeguards. The agreement between the Central Asian states is also the first of the NWFZ treaties to require its members to comply fully with the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

Developments:

2009: On 20 February, Kazakhstan became the fifth country to submit the instruments of ratification.

According to the provisions of the article 15 of the treaty, the CANWFZ entered into force on 21 March 2009, 30 days after the date of deposit of the fifth instrument of ratification. The UN Secretary General welcomed the entry into force of the CANWFZ and, in order to ensure the effective implementation of the treaty, urged the states concerned to address any outstanding issues. The IAEA Director General also welcomed the entry into force of the treaty and noted with appreciation the obligation of the CANWFZ member states to conclude an Additional Protocol.

In accordance with article 10 of the treaty, the state parties will hold annual compliance review and implementation meetings. The rules of procedure for the implementation of article 10 specify that the first annual consultative meeting will take place in Dushanbe, Tajikistan, no later than 2 months after the treaty's entry into force.

A meeting of focal points for NWFZ was held 27-28 April in Ulaanbaatar, Mongolia. In his concluding statement, the chairman of the meeting welcomed the entry into force of the CANWFZ and noted it was the first in the northern hemisphere and covering an area where nuclear weapons were previously based.

At the 4-15 May third session of the NPT PrepCom, the five parties to the CANWFZ issued a common working paper suggesting positive language welcoming the entry into force of the treaty. The first draft proposed by the PrepCom chairman Chidyausiku welcomed the establishment of the CANWFZ. Negotiations on the text watered down the statement to "note" the CANWZ in the second draft. The third draft used "recognize," yet the PrepCom could not achieve consensus on a final document.

As of 25 May, the Dushanbe meeting was postponed for later in the year due to more urgent internal issues confronting some of the member states.

2008: On 19 April, Turkmenistan ratified the CANWFZ.

On 17 October, the UNGA First Committee adopted draft resolution A/C.1/63/L.37 on the establishment of an NWFZ in Central Asia. The resolution welcomed the ratification by Kyrgyzstan, Turkmenistan, and Uzbekistan, noted the readiness of the Central Asian countries to continue consultations with the nuclear-weapon States on a number of provisions of the Treaty, welcomed a conference to be held in 2009 in Bishkek, and decided to include in the agenda for the next meeting an item dealing with the CANWFZ. The resolution was adopted 129 in

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favor, 3 against, and 36 abstentions. France, the United Kingdom, and the United States voted against the resolution. Russia and China voted in favor.

On 12 November, Tajikistan ratified the CANWFZ. According to Tajik legislation, the law entered into force after the parliament's approval. On 26 November, the Kazakh lower house of the parliament (Majlis) approved the ratification of the CANWFZ. Ratification of the Central Asian Nuclear-Weapon-Free-Zone Treaty was completed on 11 December after action by the upper house (Senate) of the parliament of Kazakhstan.

2007: On 22 March, Kyrgyzstan deposited the first instrument of ratification for the CANWFZ. Just weeks later, Uzbekistan deposited the second instrument of ratification necessary for entry into force of the CANWFZ on 2 April.

2006: The treaty establishing the Central Asian nuclear-weapon-free zone was signed by the five states on 8 September 2006 in Semipalatinsk, Kazakhstan. Foreign ministers of Kazakhstan, Kyrgyzstan, and Uzbekistan, and foreign ministry officials from Tajikistan and Turkmenistan attended the ceremony in the city of Semipalatinsk near the former Soviet nuclear weapons test site with the same name. The United States, Great Britain, and France objected to the signing of the treaty because of concerns that previous security agreements may take precedence over the provisions of the CANWFZ treaty. In particular, the P-3 are concerned that, under the 1992 Tashkent Collective Security Treaty, Russia will still be able to transport nuclear weapons through Central Asia or deploy them in the region in the future. The Kazakh foreign minister commented that the issue remained open to interpretation. On 1 September 2006, the C-5 sent a note to the NNWS, indicating their willingness to continue the consultations. The Protocol to the treaty has not yet been opened for signature by the P-5.

The United Nations was represented by the UN resident coordinator in Kazakhstan who delivered a statement on behalf of the secretary-general. The UN Department for Disarmament Affairs was represented by the director of the Regional Centre for Peace and Disarmament in Asia and the Pacific, Mr. Ishiguri.

On 30 October 2006, the UNGA First Committee adopted draft resolution A/C.1/61/L.54/Rev.1 on the establishment of an NWFZ in Central Asia. The resolution welcomes the establishment of the CANWFZ and recognizes it as an important step toward strengthening the nuclear nonproliferation regime, promoting cooperation in the peaceful uses of nuclear energy and in the environmental rehabilitation of territories affected by radioactive contamination, and enhancing regional and international peace and security. It also states that the establishment of the zone is an effective contribution to combating international terrorism and preventing non-state actors from acquiring nuclear materials and technologies. The resolution notes the readiness of the Central Asian states to continue consultations with NWS on a number of provisions of the treaty. It does not, however, note the readiness of the P5 to continue consultations, nor does it call on the NWS to sign and ratify the protocol and provide negative security assurances. Due to the controversy surrounding the treaty, the draft resolution was adopted by a vote rather than consensus (128 in favor, 3 against, and 36 abstentions).

The Conference of States parties and Signatories of Treaties that Establish Nuclear Weapon-Free Zones in Tlatelolco, Mexico, took place April 26-28, 2005. At this general meeting, which is intended for all states of all nuclear-weapon-free zones, the Central Asian states were commended in their effort to agree upon and sign the treaty. Uzbekistan issued a statement discussing the significance of the agreement, emphasizing the fact that member state Kazakhstan once possessed the fourth-largest nuclear arsenal in the world.

2005: On 7-9 February 2005, the group met in Tashkent, Uzbekistan, where they adopted the text of a treaty establishing a nuclear-weapon-free zone. The treaty will be opened for signature in Kazakhstan. A signature date has not been finalized, but may take place as early as July. The depositary selected will be located in Kyrgyzstan. The countries will gather for their first official meeting in Tajikistan after the treaty opens for signature.

The final draft of the text is almost identical to the text agreed upon at the Samarkand Meeting, containing only a few minor changes. Included in the text is an additional clause to allow the transportation of low- to medium-level radioactive waste in accordance with IAEA guidelines. In addition, a clause allowing for the extension of the treaty to neighboring states was removed. There was no change to the text to answer the criticism that this NFWZ might conflict with treaties already enacted between the member states and other states.

2002: On 8-19 April, at the 2002 NPT PrepCom, the five Central Asian States submitted a Working Paper calling on the Preparatory Committee to reflect in its report the progress made in the process of drawing up and agreeing on a draft treaty on the establishment of a CANWFZ. The Working Paper also noted the support provided to the Central Asian States by the UN, in particular the Secretary-General, the Department for Disarmament Affairs, the UN Regional Center for Peace and Disarmament in Asia and the Pacific, and the International Atomic Energy Agency (IAEA), in drafting the document. This progress was acknowledged in the 2002 NPT PrepCom Chairman's Summary, which states that "support was expressed for the efforts among the

Central Asian countries to establish a NWFZ in their region."

On 27 September 2002, at the UN-sponsored Expert Group meeting held in Samarkand, Uzbekistan, diplomats from the five Central Asian states agreed on the text of the Treaty and concluded five years of talks that began in 1997.

On 8 October 2002, the UN Department for Disarmament Affairs organized the first consultative meeting between the five NWS and the five Central Asian states on the CANWFZ Treaty in New York. The purpose of the meeting was to facilitate the agreement by the NWS on the Protocol annexed to the Treaty regarding negative security assurances.

On 25 October, 2002, the 57th session of the UN General Assembly (UNGA) adopted Resolution A/RES/57/69 by consensus welcoming "the decision by all five Central Asian States to sign the Central Asian Nuclear-Weapon-Free Zone Treaty as soon as possible." It also invites "all five Central Asian States to continue consulting with the five nuclear-weapon States on the draft treaty and its protocol for the establishment of a nuclear-weapon-free-zone in Central Asia."

2000: On 20 November, 2000, the 55th UNGA session adopted Resolution 55/33W on the establishment of a NWFZ in Central Asia. In the resolution, the UN Member States expressed their conviction that the establishment of a NWFZ was conducive to the achievement of general and complete disarmament and welcomed the desire of all five Central Asian States to finalize work on the establishment of the regional NWFZ and the concrete steps that they had taken to prepare the legal groundwork for the initiative. The resolution called upon all five Central Asian States to continue their dialogue with the five NWS on the establishment of the regional NWFZ. Prior to this resolution, the UNGA had adopted by consensus Resolutions 52/38S (1997) and 53/77A (1998) in support of the CANWFZ initiative. The initiative was also endorsed in the Final Document of the 2000 NPT Review Conference.

1999: On 5-8 October, 1999, and from 3-6 April, 2000, the UN Regional Center for Peace and Disarmament in Asia and the Pacific and the Japanese government sponsored expert group meetings held in Sapporo, Japan to further discuss and negotiate the draft text of the CANWFZ.

1998: On 9-10 July, **a**n expert working group meeting, held in Bishkek, Kyrgyzstan and attended by representatives from the five Central Asian States, the five NWS, the UN and IAEA, issued the Bishkek Communique. The Communique, issued at the conclusion of the meeting, recognized that the Central Asian States had made some progress in drafting the legal document on a NWFZ and that working consultations on basic elements of the future NWFZ were necessary. The five Central Asian States submitted a document entitled "Basic elements of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia." At the meeting, the participants exchanged opinions on the document and considered further steps towards establishing a NWFZ in Central Asia. The Central Asian States also acknowledged that continued consultations of experts from the NWS on the establishment of a NWFZ would be very useful.

1997: On 27 February 1997, the Presidents of the five Central Asian States issued the Almaty Declaration endorsing the creation of a CANWFZ. They agreed to call on all States concerned, on the eve of the 50th anniversary of the former Soviet Union nuclear weapons test site at Semipalatinsk, Kazakhstan, to support the idea of proclaiming Central Asia a nuclear-free zone. The declaration placed the establishment of the NWFZ in the context of the environmental challenges faced by all five Central Asian States.

On 7-18 April 1997, at the session of the NPT Preparatory Committee, five Central Asian States (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) agreed to form a working group of foreign ministry officials to coordinate activities related to creating a CANWFZ. The group has held meetings in Almaty, Bishkek, Geneva, New York, Sapporo, and Tashkent. These meetings resulted in preparation of a draft text of the Treaty for a NWFZ in Central Asia.

On 14-16 September, an international conference on "Central Asia—A Nuclear Weapon Free Zone" was held in Tashkent, Uzbekistan. The Tashkent conference, arranged by the five Central Asian States and attended by experts from the four existing NWFZs, considered lessons learned during the creation of these zones, which may be useful for the drafting of a CANWFZ treaty. Following the meeting, the Foreign Ministers of the five Central Asian States issued the Tashkent Statement, reaffirming their commitment to the establishment of a NWFZ and requested that the specialized agencies of the UN establish a group of experts, with the participation of experts from the region, to elaborate the forms and elements of preparation and implementation of an agreement on the establishment of a NWFZ in Central Asia.

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Bilateral

Interim Agreement between the United States of America and the Union of Soviet Socialist Republics on Certain Measures with Respect to the Limitation of Strategic Offensive Arms (SALT I)

Signed: 26 May 1972.

Entered into Force: 3 October 1972.

Duration: Five years, unless replaced earlier by an agreement on more complete measures limiting strategic offensive arms.

Parties: Soviet Union and United States.

Overview: The earliest efforts to halt the growth in strategic arms launched on a multilateral level and using comprehensive schemes ended in failure. In January 1964, at the Geneva-based Eighteen-Nation Disarmament Committee (ENDC), the United States proposed a verified freeze on the number and characteristics of the US and Soviet strategic nuclear offensive and defensive vehicles, which would be negotiated on a bilateral level. The Soviet Union did not accept this proposal due to the US superiority in the number of weapons at that time. When in 1966 and 1967 the United States proposed that both sides forgo deployment of anti-ballistic missile (ABM) defenses, the Soviet Union offered to include strategic offensive weapons in the discussion of strategic defensive weapons. This proposal was accepted by the United States, and on 1 July 1968, at the signing of the Nuclear Non-Proliferation Treaty (NPT), President Johnson announced that the United States and the USSR had reached an agreement to negotiate limitations and reductions of both strategic offensive and defensive systems.

For some time, due to external and internal reasons, the sides were not able to begin substantive discussions on the subject. Finally, on 20 January 1969, the Soviet Union expressed its willingness to discuss strategic arms limitations. On 17 November 1969, the United States and the Soviet Union began the Strategic Arms Limitation Talks (SALT I) on limiting both ABM defensive systems and strategic nuclear offensive systems. The first real exploration of possible packages began in the spring of 1970. At one point, the sides reached an impasse because of a disagreement on what types of strategic weapons should be included in the treaty. The USSR insisted that the US forward based systems (FBS) were counted in the strategic equation, while the United States believed that FBS and the relevant Soviet short-medium-and intermediate-range strategic systems should be dealt with in a different forum. The second deadlock was caused by disagreement on the scope of the future treaty: the Soviet Union proposed that the negotiations should be limited to discussions of ABM systems only, while the United States insisted that it was essential to make at least a beginning at limiting offensive systems as well. On 20 May 1971, the impasse was broken, when the United States and USSR announced that they had reached a preliminary agreement on a partial constraint on certain strategic offensive systems and on a treaty to limit ABM systems.

After three years of negotiations, during a summit meeting between Nixon and Brezhnev, on 26 May 1972, the talks were concluded with the signing of two basic SALT I documents:

- an Interim Agreement on certain measures limiting strategic offensive arms; and
- the ABM Treaty on the limitation of strategic defensive systems.

It was the first agreement between the United States and the USSR that placed limits and restraints on their nuclear weapons systems.

Obligations: The Parties undertook not to start construction of additional fixed land-based intercontinental ballistic missile (ICBM) launchers after 1 July 1972 (Article I); Agreed Statement A specified that fixed land-based ABM launchers under active construction as of the date of signature of the Agreement might be completed. The Agreement obligated the Parties not to convert land-based launchers of older types or light ICBMs into land-based launchers for heavy ICBMs of types deployed after 1964 (Article II). The Agreement also limited the numbers of submarine-launched ballistic missile (SLBM) and modern ballistic missile submarines to those operational and under construction on the date of signature of the Agreement (Article III).

The Protocol to the Agreement with regard to Article III, entitled the United States to have no more than 710 SLBM launchers on 44 modern ballistic missile submarines, and the USSR, no more than 950 SLBM launchers on 62 submarines. Additional SLBM launchers in excess of the initial level of 656 for the United States and 740 for the USSR up to the above-agreed levels may become operational as replacements for equal numbers of ICBM launchers of old types deployed prior to 1964 or of SLBM launchers on older submarines.

Subject to the provisions of the Agreement, the Parties received the right to conduct modernization and replacement of strategic offensive ballistic missiles and launchers covered by the Agreement (Article IV). In Agreed Statement C, the Parties expressed understanding that in the process of modernization and replacement, the

dimensions of land-based ICBM silo launchers would not be significantly increased. The Parties further expressed a common understanding that the term "significantly increased" means that an increase would not be greater than 10-15 percent of the present dimensions of land-based ICBM silo launchers. The Parties also agreed that there would be no significant increase in the number of ICBM and SLBM test and training launchers, and that construction or conversion of ICBM launchers at test ranges would be undertaken only for purposes of testing and training (Agreed Statement D).

To promote the objectives and implementation of the Agreement, the Parties shall use the Standing Consultative Commission (SCC) established under the 1972 ABM Treaty (Article VI). The Agreement obligated the Parties to continue active negotiations for limitations on strategic offensive arms, whose scope or terms would not be prejudiced by the obligations provided for in this Interim Agreement (Article VII). The Parties agreed that they would observe the obligations of the Agreement and would not take any action prohibited by the Agreement, as well as the ABM Treaty, pending their ratification or acceptance.

Verification and Compliance: Verification: The Agreement entitled the Parties to use their national technical means (NTM) of verification to ensure compliance with the Agreement and obligated them not to interfere with NTM of the other Party, nor to use deliberate concealment measures that may impede verification by NTM (Article V). Compliance: No mechanisms existed to deal with non-compliance.

Withdrawal: The Agreement entitled the Parties to withdraw from the Agreement with a six-month advanced notice if they decide that extraordinary events related to the subject matter of the Agreement have jeopardized their supreme interests. In its Unilateral Statement A, the United States noted that if an agreement providing for more complete strategic offensive arms limitations was not achieved within five years, the US supreme interests could be jeopardized and it would constitute a basis for withdrawal from the ABM Treaty.

In its Unilateral Statement B, the United States stated that it would consider the deployment of operational land-mobile ICBM launchers during the period of the effectiveness of the Agreement as inconsistent with the objectives of the Agreement. The Soviet Unilateral Statement stressed that should NATO allies of the United States increase the number of their modern submarines to exceed the number of submarines they would have operational or under construction on the date of signature of the Agreement, the USSR would have the right to a similar increase in the number of its submarines. In response to this Statement, the United States declared that it did not accept its validity.

Developments: The Agreement did not require the Senate's consent for ratification and it entered into force upon exchange of written notices of acceptance by the Parties at the same time as the exchange of instruments of ratification of the ABM Treaty took place, i.e., on 3 October 1972. On 30 September 1972, both houses of the US Senate passed a Congressional Joint Resolution, which urged and requested the President to seek a future treaty that would not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the USSR. The Agreement was designated "interim" because the Parties intended to continue negotiations. In Article VII of the Agreement, the Parties pledged to continue active negotiations for further limitations on strategic offensive arms. Therefore, in November 1972, the Parties began SALT II negotiations.

The Agreement was to expire on 3 October 1977. However, on 23 September 1977, the United States made a unilateral announcement that it would continue to honor the Agreement while SALT II was still being negotiated, provided the USSR would do the same. On 25 September 1977, the USSR made a similar announcement.

Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms (SALT II)

Signed: 18 June 1979.

Entered into Force: Never entered into force; superceded by the START I Treaty in 1991.

Duration: Until 31 December 1985; unless the Treaty is replaced earlier by an agreement further limiting strategic offensive arms.

Parties: Soviet Union and United States.

Overview: As mandated by Article VII of SALT I, in November 1972, the Parties began negotiations on further limitations on offensive strategic arms. The primary goal of SALT II was to replace the Interim Agreement with a long-term comprehensive treaty on broad limitations on strategic offensive weapons. The Parties discussed what types of weapons should be included, prohibitions on new systems, qualitative limitations, inclusion in the treaty of the US forward-based systems, etc. In November 1974, the Parties reached a basic framework for SALT II, which included:

- 2,400 equal aggregate limit on strategic nuclear delivery vehicles (SNDV), including intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and heavy bombers;
- 1,320 equal aggregate limit on multiple independently targetable re-entry vehicle (MIRV) systems;

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prohibition on construction of new land-based ICBM launchers;

limits on deployment of new types of strategic offensive arms;

duration of the new Treaty should be until 1985.

After further intensive work on several levels, the Parties signed the SALT II Treaty on 18 June 1979. In 1991, the Treaty was superseded by START I.

Obligations: The Treaty obligated the Parties to limit strategic offensive arms quantitatively and qualitatively, to exercise restraint in the development of new types of strategic offensive arms, and to adopt other measures provided for in the Treaty (Article I). Upon entry into force of the Treaty, the Parties undertook to limit ICBM launchers, SLBM launchers, heavy bombers, and air-to-surface ballistic missiles (ASBMs) to an aggregate number not to exceed 2,400, and from 1 January 1981, to an aggregate number not to exceed 2,250, as well as to initiate reductions of those arms, which as of that date would be in excess of this aggregate number (Article II and III). These limitations did not apply to ICBM and SLBM test and training launchers or to space vehicle launchers for exploration and use of outer space (Article VII). Within these aggregate numbers, the Parties were entitled to determine the composition of these aggregates (Article III).

The Parties undertook not to start construction of additional fixed ICBM launchers; not to relocate fixed ICBM launchers; not to convert launchers of light ICBMs or of ICBMs of older types deployed prior to 1964 into launchers of heavy ICBMs of types deployed after that time; in the process of modernization and replacement of ICBM silo launchers, not to increase the original internal volume of an ICBM silo launcher by more than 32 percent; not to supply ICBM launcher deployment areas with ICBMs in excess of a number consistent with normal deployment, maintenance, training, and replacement requirements; not to provide storage facilities for or to store ICBMs in excess of normal deployment requirements at launch sites of ICBM launchers ("normal deployment requirements" means the deployment of one missile at each ICBM launcher); not to develop, test, or deploy systems for rapid reload of ICBM launchers; not to have under construction at any time ICBM launchers, SLBM launchers, heavy bombers, and ASBMs in excess of numbers consistent with a normal construction schedule; not to develop, test, or deploy ICBMs with a launch-weight or a throw-weight greater than that of the heaviest of the heavy ICBMs deployed by either Party as of the date of signature of this Treaty; not to convert land-based launchers of ballistic missiles that are not ICBMs into launchers for launching ICBMs, and not to test them for this purpose; not to flight-test or deploy new types of ICBMs, that is, types of ICBMs not flight-tested as of 1 May 1979, (except that each Party may flight-test and deploy one new type of light ICBM); not to flight-test or deploy ICBMs of a type flight-tested as of 1 May 1979 with a number of re-entry vehicles greater than the maximum number of re-entry vehicles, with which an ICBM of that type has been flight-tested as of that date; not to flight-test or deploy ICBMs of the one new type permitted by the Treaty with a number of re-entry vehicles greater than the maximum number of re-entry vehicles, with which an ICBM of either Party has been flight-tested as of 1 May 1979, (that is, 10); not to flight-test or deploy SLBMs with a number of re-entry vehicles greater than the maximum number of re-entry vehicles with which an SLBM of either Party has been flight-tested as of 1 May 1979, (that is, 14); not to flight-test or deploy ASBMs with a number of reentry vehicles greater than the maximum number of re-entry vehicles with which an ICBM of either Party has been flight-tested as of 1 May 1979, (that is, 10); not to deploy at any one time on heavy bombers equipped for cruise missiles capable of a range in excess of 600 kilometers (km) more than 28 such cruise missiles (Article IV).

Within the aggregate limits, the Treaty set the following sub-limits:

a total of 1,320 launchers of ICBMs and SLBMs equipped with MIRVs, ASBMs equipped with MIRVs, and heavy bombers equipped for cruise missiles capable of a range in excess of 600 km;

a total of 1,200 launchers of ICBMs and SLBMs equipped with MIRVs, and ASBMs equipped with MIRVs; and

a total of 820 launchers of ICBMs equipped with MIRVs (Article V).

The Treaty prohibited the flight-testing, including research and development, of cruise missiles capable of a range in excess of 600 km or ASBMs from aircraft other than bombers. It also prohibited the conversion of such aircraft into aircraft equipped for such missiles and the conversion of an aircraft other than bombers into an aircraft, which can carry out the mission of a heavy bomber (Article VII).

The Treaty prohibited development, testing, or deployment of ballistic missiles capable of a range in excess of 600 km for installation on waterborne vehicles other than submarines, or launchers of such missiles; fixed ballistic or cruise missile launchers for emplacement on the ocean floor, on the seabed, or on the beds of internal waters and inland waters, or in the subsoil thereof, or mobile launchers of such missiles that move only in contact with the ocean floor, the seabed, or the beds of internal waters and inland waters, or missiles for such launchers; systems for placing into Earth orbit nuclear weapons or any other kind of WMD, including fractional orbital missiles; mobile launchers of heavy ICBMs; SLBMs that have a launch-weight greater or a throw-weight greater than that of the heaviest of the light

ICBMs deployed by either Party as of the date of signature of the Treaty, or launchers of such SLBMs; ASBMs that have a launch-weight greater or a throw-weight greater than that of the heaviest of the light ICBMs deployed by either Party as of the date of signature of the Treaty (Article IX).

The Treaty allowed modernization and replacement of strategic offensive arms, subject to the provisions of the Treaty, and obligated the Parties to dismantle or destroy strategic offensive arms in excess of the Treaty's aggregate numbers by 31 December 1981 and strategic offensive arms prohibited by the Treaty no later than six months after the entry into force of this Treaty (Articles X and XI).

The Parties undertook to begin, promptly after the entry into force of this Treaty, active negotiations with the objective of achieving, as soon as possible, agreement on further measures for the limitation and reduction of strategic arms (Article XIV); The Treaty provided for the use of the Standing Consultative Commission (SCC) established by the Memorandum of Understanding between the Parties on 21 December 1972, which was assigned with multiple tasks in order to promote the objectives and implementation of the provisions of the Treaty.

Verification and Compliance:

Verification: SALT II entitled the Parties to use their national technical means (NTM) of verification to ensure compliance with the Treaty and obligated them not to interfere with NTM of the other Party, as well as not to use deliberate concealment measures that may impede verification by NTM (Article XV). The Treaty provided for notifications on a case-by-case basis of ICBM launches, except for single ICBM launches from test ranges or from ICBM launcher deployment areas, which were not intended to extend beyond a Party's national territory (Article XVI).

Compliance: No mechanisms existed to deal with non-compliance.

Withdrawal: The Treaty allowed the Parties to withdraw from the Treaty, with a six-month notice, if they decided that extraordinary events related to the subject matter of the Treaty had jeopardized their supreme interests.

The Treaty was supplemented with numerous Agreed Statements and Common Understandings elaborating on specific provisions of the Treaty or defining specific terms used in the Treaty's language.

Protocol to the Treaty: The Parties also signed a Protocol to the Treaty, in which they agreed to additional limitations. The Parties undertook not to deploy mobile ICBM launchers or to flight-test ICBMs for such launchers; not to deploy cruise missiles capable of a range in excess of 600 km on sea-based launchers or on land-based launchers; not to flight-test cruise missiles capable of a range in excess of 600 km that are equipped with multiple independently targetable warheads from sea-based or land-based launchers; and not to flight-test or deploy ASBMs. The Protocol was also supplemented with Agreed Statements and Common Understandings elaborating on its specific provisions or defining specific terms.

Memorandum of Understanding: The Parties also exchanged initial declarations on the number of strategic offensive arms they possessed and agreed to maintain this agreed database through regular updates at each session of the SCC. They made a joint statement on principles and guidelines for subsequent negotiations on the limitation of strategic arms. The Parties agreed to pursue negotiations on further quantitative and qualitative limitations on strategic arms, to apply additional verification measures to increase effectiveness of NTM, and to take other steps to ensure and enhance strategic stability and equal security of the Parties.

The USSR made a unilateral statement regarding its "Tu-22M" (Backfire) bomber, which it declared to be a medium-range bomber and did not intend to give the bomber the capability of operating at intercontinental distances.

Developments:

1991: The Treaty was superseded by the START I Treaty.

1990: On 18 July, the USSR destroyed missile launchers and declared again that it was continuing within the Treaty's limits. The Soviet Ministry of Defense presented figures indicating that the USSR SNDVs totaled 2,484 (2,504 max) in 1990. The United States claimed the real Soviet SNDV figure was 2,580, while the United States maintained a total of 1985 SNDVs (2,250 max).

1989: SALT II proponents in the United States relied on budget limits to keep the United States from further exceeding the limits.

At the end of 1989, the United States had exceeded the MIRVed ICBMs + MIRVed SLBMs + bombers with ALCMs limit of 1,320 by 61, while the USSR remained under all sub-limits, but over the 2,250 total SNDV limit.

1988: The US House passed language putting the 820/1,200/1,320 sub-limits into law; however, the Senate did not pass such language. Therefore, the conference abandoned the language but noted that, for budgetary reasons, the US strategic forces would be stabilized during FY89 at roughly the same levels as FY88.

1987: During 1987, the USSR apparently continued to abide by the limits. In the United States, the Congress and the administration agreed that the United States would stay under the SLBM and ICBM sub-limits, although President Reagan was strongly opposed to it.

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1986: On 27 May, President Reagan announced that the United States would no longer abide by the Treaty limits. The president said that the USSR was not observing its political commitment to observe provisions of the Treaty, as well as not demonstrating its readiness to achieve further arms reductions agreements. He continued that the United States would base its decisions regarding its strategic force structure on the nature and magnitude of the threat posed by Soviet strategic forces and not on standards contained in the SALT structure. He stated that the United States would not deploy more SNDV or strategic ballistic missile warheads than the USSR in order to protect strategic deterrence.

On 28 May, the United States announced that it would continue equipping B-52s with ALCMs beyond the limit of 130.

On 28 November, the United States exceeded the 1,320 SNDV limit. On 5 December, the USSR announced that it would abide by the limits for the time being.

1985: The United States repeated its January 1984 accusation of the USSR's violations of certain provisions of the Treaty. In June, President Reagan reaffirmed that it was in the United States' interest to maintain an interim framework of mutual restraint with the USSR and declared that the United States would continue to refrain from undercutting existing strategic arms agreements as long as the USSR exercised comparable restraint and actively pursued arms reductions agreements in the Nuclear and Space Talks (NST) in Geneva. The USSR also restated its January 1984 accusations of US violations of certain provisions of the Treaty.

1984: On 23 January, the United States stated that the USSR had violated its political commitment to observe the provisions of the Treaty on encrypting telemetry and modernization of ICBMs, as well as "probably" violated the ban on deployment of the SS-16 and the provision permitting only one new type of ICBM. Based on that, President Reagan openly considered American abrogation of the still not ratified Treaty.

On 27 January, the USSR stated that the United States had in turn violated its political commitment to observe the provisions of the Treaty on negotiating a ban on SLCMs and ground-launched cruise missiles (GLCMs), on non-circumvention by deploying the GLCM and Pershing II, and also intended to violate the provision permitting only one new type of ICBM.

1983: On 17 July, the US Air Force conducted the first test-flight of the Peacekeeper (MX) four-stage ICBM capable of carrying up to 10 independently targeted re-entry vehicles.

1982: In May 1, US President Reagan stated he would not do anything to undercut the Treaty as long as the USSR demonstrated equal restraint. The USSR made a statement along similar lines.

1981: The United States announced that it would not ratify the Treaty, leaving the Parties under only a political obligation to abide by the Treaty limits.

1980: In response to the December 1979 Soviet invasion of Afghanistan, on 3 January, President Carter requested that the Senate delay consideration of the Treaty. The US President declared that the United States would comply with the Treaty as long as the USSR reciprocated. Soviet General Secretary Brezhnev made a similar statement regarding Soviet intentions. The Parties, therefore, undertook to refrain from acts, which would defeat the object and purpose of the Treaty, until one of them had made its intentions clear not to become a party to the Treaty.

1979: On 22 June, President Carter transmitted the Treaty to the Senate, where it ran into considerable resistance.

Treaty between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms (START I)

Signed: 31 July 1991
Entered into Force: 5 December 1994
Duration: 15 year duration with option to extend for unlimited five year periods, if all parties agree.
Parties: United States, Russian Federation, Belarus, Kazakhstan and Ukraine.

Treaty Obligations: The treaty limits the total number of strategic nuclear delivery vehicles for United States and Russia to 1,600 each, the total number of accountable warheads to 6,000 each, total number of warheads mounted on ballistic missiles (ICBMs and SLBMs) to 4,900 each, total number of warheads mounted on mobile ICBMs to 1,100 each, and the total ballistic missile throw-weight for each party to 3,600 metric tons (t). Additionally, START I permits Russia to have no more than 154 so-called "heavy" ICBMs (defined as having launch weight greater than 106t or a throw-weight greater than 4,350kg), specifically the R-36M-series [NATO designation SS-18 'Satan,' START designation RS-20] ICBMs, and no more than 1,540 warheads mounted on these missiles. The treaty also bans the construction of new types of heavy ICBMs and SLBMs, although it permits modernization programs and, in exceptional cases, new silo construction.

START I also bans the testing of missiles with a greater number of warheads than declared in the treaty, and bans any new ballistic missiles with more than 10 warheads. Parties to the treaty may also reduce the number of warheads attributed to a specific missile. However, no more than three existing missile types may have the number of warheads reduced, and the total reduction may not exceed 1,250 warheads. New missile types or heavy ICBMs may not be downloaded.

While the treaty counts each ICBM and SLBM reentry vehicle as a single warhead, counting rules for warheads attributed to heavy bombers are more complicated. Each Russian heavy bomber equipped to carry long-range nuclear ALCMs (defined as having maximum range of 600km or more), up to a total of 180 bombers, counts as eight warheads toward the 6,000 warhead limit, even though existing Russian heavy bomber types can carry between six and 16 ALCMs. Each Russian heavy bomber above the level of 180 has its actual number of ALCMs counted toward the 6,000 warhead limit. Similarly, each US long-range nuclear ALCM-carrying heavy bomber, up to a total of 150 bombers, counts as 10 warheads toward the 6,000 warhead limit, and each bomber in excess of 150 has the actual number of ALCMs it can carry counted toward the warhead limit. Bombers not equipped to carry long-range nuclear ALCMs are counted as one warhead.

Verification and Compliance: START I contains extensive provisions for verification, including the use of National Technical Means, missile test telemetry tape exchanges, periodic data exchanges, monitoring activities, and on-site inspections.

Developments:

2009: On 13 January, Secretary of State Clinton stated during her confirmation hearing that the U.S. was committed to working with Russia to extend essential monitoring and verification provisions of the START treaty and towards an agreement for further reductions.

On 6 February, Russia's First Deputy Prime Minister Ivanov stated at the Munich Security Conference that Moscow was committed to continuing the START negotiations process but maintained concerns regarding uploading procedures and the U.S. planned missile defense system in Europe. At the same conference, U.S. Vice President Biden stated that Russia and the U.S. should cooperate "to renew the verification procedures in the START treaty."

2008: On 7 April, after a bilateral meeting in Sochi, Russia, Putin stated that Russia was to continue working with the U.S. to maintain all the useful and necessary parts of the START treaty.

On 9 April, the United States announced that the Nunn-Lugar Cooperative Threat Reduction program completed the elimination of SS-24 "scalpel" ICBM, including their supporting components, in accordance to START I obligations.

On 29 May, Russia announced that it had dismantled 36 outdated Topol mobile ballistic missile systems in 2007 and twelve in two consecutive operations in March and May 2008 under the provisions of the START I treaty.

On 11 September, Russian Foreign Minister Lavrov stated Russia was still awaiting concrete proposals from the U.S., a statement confirming Russian sources contending that the U.S. had not supplied necessary working papers to move the negotiation process forward.

On 29 September, Russian Foreign Minister Lavrov stated that the bilateral negotiations on the future of START were "not so far heading anywhere."

2007: In March, U.S. and Russia commenced bilateral consultations at the level of the deputy minister to explore a post-START agreement, including a possible extension of certain verification elements of the treaty.

In July, statements were made at an informal meeting between U.S. President George W. Bush and Russian President Vladimir Putin in Kennebunkport, Maine, expressing support for the replacement of START I, which expires at the end of 2009. While there were no direct talks pertaining to the START I treaty during the meeting, Secretary of State Condoleezza Rice and Russian Foreign Minister Sergei Lavrov commented that both countries were committed to reducing strategic arms levels to "the lowest possible level consistent with their national security requirements." Supporters of the START treaty process expressed hope that the dialogue was to encourage a disarmament discussion in the future.

2001: On 4 January, the Russian Defense Ministry accused the United States of violating it's START I obligations of disarmament in regards to the U.S. LGM-118A Peacekeeper ICBM. The United States considered destroying the first stage of the Peacekeeper to be sufficient under START I guidelines. However, the Russian Defense Ministry contended that all stages of the missile must be destroyed under START I. In response, the Pentagon claimed that the second and third stages of the Peacekeeper are used for space launch vehicles, which are permitted under START I.

On 24 August the United States announced the destruction of the last Minuteman III silo at Grand Forks, North Dakota.

On 30 October, Ukraine completed its compliance obligation under the START I Treaty by destroying its last SS-24 ICBM silo.

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On 13 November President Putin announced that in late October the last Ukrainian nuclear warhead had been destroyed in Russia.

On 5 December the United States and Russia announced that both parties had fulfilled START I requirements. In particular, Russia announced that it had reduced its deployed strategic delivery vehicles to 1136 and its accountable warheads to 5518. This accomplishment marked the largest arms control reduction in history.

1997: In congruence with START I obligations, on 22 December the United States announced that the last Minuteman II silo was destroyed at Whiteman Air Force Base.

1996: On 23 November, after transferring its remaining ICBMs and nuclear warheads to Russia, Belarus announced that it had fulfilled it's START I and NPT obligations and officially became a Non-nuclear weapon state.

1995: On 9 November, a revision of the START I treaty was signed in Geneva, allowing converted mobile strategic missiles to be used as space launchers.

On 1 March, START I baseline inspections began and lasted 120 days.

1994: On 5 December at the Budapest Conference on Security and Cooperation in Europe, the United States, Belarus, Kazakhstan, Russia and Ukraine exchanged instruments of ratification for START I, thereby marking the treaty's entry into force.

In May, the Joint Commission on Inspection and Compliance met in Geneva to discuss the implementation details of START I. Representatives from the United States, Belarus, Kazakhstan, Russia and Ukraine signed several agreements that will help to realize the multilateral obligations of START I.

1993: On 18 November the Ukrainian Parliament ratified START I and the Lisbon Protocol. However, given Ukraine's serious reservations about the Treaties, doubts arose concerning Ukraine's commitment to the NPT as a non-nuclear weapon state.

On 2 July Kazakhstan ratified START I and subsequently acceded to the NPT as a non-nuclear weapon state on 14 February 1994.

On 23 April, President Clinton announced an accelerated reduction schedule for U.S. strategic forces under START I in an attempt to further strengthen disarmament and security measures.

On 4 February, Belarus ratified START I, the Lisbon Protocol and acceded to the NPT.

1992: On 4 November, Russia ratified START I. However, Russia announced that it would not exchange its instrument of ratification until Belarus, Kazakhstan and Ukraine were to accede to the NPT as non-nuclear weapon states.

On 23 May, the United States, Belarus, Kazakhstan, Russia and Ukraine signed the Lisbon Protocol in Portugal. Furthermore, Belarus, Kazakhstan and Ukraine agreed to accede to the NPT as non-nuclear weapon states in "the shortest possible time".

1991: On 31 July, President Bush and President Gorbachev signed START I. The Treaty was expected to cut strategic warheads arsenals by approximately 35%.

Treaty between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms (START II)

Signed: 3 January 1993.

Ratified by US Senate: 26 September 1997.

Ratified by the Russian State Duma: 14 April 2000.

Ratified by the Russian Federation Council: 19 April 2000.

Russia Declares It Null and Void: 14 June 2002.

Extension Protocol:

Signed: 26 September 1997.

Ratified by the Russian State Duma: 14 April 2000.

Ratified by the Russian Federation Council: 19 April 2000.

US Letter on Early Deactivation: 26 September 1997.

Russian Letter on Early Deactivation: 26 September 1997.

The US Senate Ratification Resolution included a provision requiring the president to seek Senate approval of any strategic arms cuts that would reduce the US strategic arsenal to below START I ceilings before START II entered into force. Russian State Duma START II Ratification Law required the US Senate to ratify the Extension Protocol and the 1997 ABM Demarcation Agreements for ratification instruments to be exchanged and for the Treaty to enter into force.

On 14 June 2002, the Russian Federation announced its withdrawal from START II due to US refusal to ratify the Treaty and to US withdrawal from the ABM Treaty. The Treaty is no longer in effect.

Treaty Obligations: START II complemented, rather than replaced, the earlier START I, in that the earlier Treaty's provisions remain unchanged unless specifically modified by START II. START II was to remain in force for the duration of START I.

START II established a limit on strategic weapons for each Party, with reductions to be implemented in two phases. By the end of Phase I, the United States and Russia were to reduce their total deployed strategic nuclear warheads to 3,800-4,250, including no more than 2,160 warheads deployed on submarine-launched ballistic missiles (SLBMs), no more than 650 on heavy intercontinental ballistic missiles (ICBMs), and no more than 1,700-1,750 on SLBMs. By the end of Phase II, each Party's total number of deployed strategic nuclear warheads was not to exceed 3,000-3,500. Of this number, no more than 1,700-1,750 were to be deployed on SLBMs. Phase II required the elimination of all heavy ICBMs and all ICBMs on multiple independently targetable re-entry vehicles (MIRVs) (although some of the latter were to be downloaded to one warhead).The MIRV ban did not apply to SLBMs.

Initially, Phase I was to be fully implemented within seven years of the entry into force of START I, and Phase II was to be fully implemented by 1 January 2003. However, these timeframes were extended to 31 December 2004 and 31 December 2007, respectively, by a Protocol to the Treaty signed by US and Russian representatives on 27 September 1997. In spite of this delay, both sides pledged to deactivate all weapons to be eliminated under START II by 31 December 2003. The fixed implementation deadline of START II made it unusual among arms control treaties, and the delays in ratifying it by both the United States and the Russian Federation, as well as the unexpectedly early entry into force of START I on 5 December 1994, required an extension to these deadlines.

START II modified START I missile "downloading" rules governing which MIRVed missiles may be converted to a single-warhead configuration. START II allowed each side to download two existing types of missiles by up to four warheads per missile, with no limit on the total number of missiles or warheads affected. Each side was also allowed to download 105 ICBMs by up to five warheads per missile. In practice, these conditions meant Russia may download 105 of its UR-100Ns [NATO designation SS-19 "Stiletto," START designation RS-18], the only Russian in-service ICBM that qualified for downloading, and was to deactivate all of its 10-warhead RT-23UTTKh [NATO designation SS-24 "Scalpel," START designation RS-22] ICBMs.

START II missile system elimination rules were generally similar to those of START I in that they required that the missile's silo was to be eliminated or converted to carry a Treaty-permitted missile type. The sole exception to this rule was the R-36M [NATO designation SS-18 "Satan," START designation RS-20] ICBMs, which were to be destroyed along with their silos. START II allowed 90 R-36M silos to be converted for use by single-warhead missiles, however, which meant that the Russian elimination quota was 64 out of 154 R-36M silos.

In contrast to START I, START II calculated nuclear warheads attributed to heavy bombers by counting the number of warheads each heavy bomber is actually capable of carrying. Additionally, START II allowed each side to convert up to 100 heavy bombers to conventional roles. Such bombers would not be counted against the START II warhead limit provided they had observable differences from nuclear-capable bombers of the same type and were not based at the same locations as nuclear-capable bombers. Each side was to convert such bombers to a nuclear role following a three-month notification but was not to subsequently reconvert them to a conventional role.

Verification and Compliance:

***Verification*:** Like the provisions of its predecessor, START II provisions would have been verified by on-site inspections, including observation of differences on heavy bombers converted to conventional roles, and missile and silo elimination or conversion. Silo conversions were also subject to inspection. START II provided for inspections in addition to those called for in START. START II provided for additional inspections to confirm the elimination of heavy ICBMs and their launch canisters, as well as additional inspections to confirm the conversions of heavy ICBM silo launchers. In addition, START II provided for exhibitions and inspections to observe the number of nuclear weapons for which heavy bombers were actually equipped and their relevant observable differences. These additional inspections were to be carried out according to the provisions of START unless otherwise specified in the Elimination and Conversion Protocol or in the Exhibitions and Inspections Protocol.

Compliance: To provide a forum for discussion of implementation of START II, the Treaty established the Bilateral Implementation Commission (BIC). Through the BIC, the Parties could have resolved questions of compliance and agreed upon additional measures to improve the viability and effectiveness of the Treaty.

START III: During a meeting in Helsinki in March 1997, US President Bill Clinton and Russian President Boris Yeltsin adopted a Joint Statement that committed both countries to begin START III negotiations as soon as START II entered into force. The two sides began consultations on strategic stability in the summer of 1997

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and continued until the fall of 2000. During the September 1998 summit in Moscow, the two presidents reaffirmed their commitment to begin formal START III negotiations after Russia's ratification of START II. In 2000 the United States and Russia exchanged draft START III texts.

The basic provisions of START III, as laid out in the Helsinki Joint Statement of 21 March 1997, included reducing the aggregate levels of strategic nuclear warheads to 2,000-2,500 per side, establishing strategic nuclear inventory transparency measures, ensuring irreversibility of the reductions, and making START I and II unlimited in duration. The Joint Statement also included language supporting confidence-building and transparency measures concerning long-range sea-launched cruise missiles and tactical nuclear weapons, which would be explored as separate issues in the START III context.

In 2000, the Russian Federation officially proposed a lower aggregate level ceiling of 1,000-1,500, a position which did not receive US support. Since the beginning of START III discussions, the Russian Federation made START III negotiations contingent on US support for the preservation of the ABM Treaty.

Developments:

2002: On 13 June, US President Bush declared that the US withdrawal from the ABM Treaty, which he had announced 6 months earlier in accordance with the Treaty's provisions, was formally taking effect, thereby marking the end of the ABM Treaty. On 14 June, the Russian Federation announced its withdrawal from the START II Treaty due to US refusal to ratify the Treaty and to US withdrawal from the ABM Treaty.

2001: Defense Minister Sergey Ivanov announced on 11 December that Russia would not begin implementing the provisions of START II until the United States ratified the Treaty. Ivanov said that since the United States had not yet ratified it, the Treaty had not entered into force and therefore Russia was not obligated to carry out the required reductions of its strategic forces.

During a press conference held on 19 December following the conclusion of a NATO conference in Brussels, Russian Defense Minister Sergey Ivanov stated that, as a result of the US decision to withdraw from the ABM Treaty, START II would never enter into force. According to Ivanov the US decision caused not only the "disappearance of the entire legal mechanism regulating the reductions of strategic offensive armaments," but also undermined all existing nonproliferation agreements and nuclear testing treaties, and even the supplementary protocol to the Biological Weapons Convention.

2000: The Duma ratified START II by a vote of 288-131 with four abstentions at its 14 April session. Ratification required 226 votes. The Federation Council, the upper house of the Russian Federal Assembly, ratified the Treaty on 19 April.

Vladimir Putin signed the START II Ratification Law on 4 May. The law was to enter into force on the date of its publication in the official government newspaper, Rossiyskaya gazeta. However, the Treaty itself was not to enter into force until the conditions contained in the ratification law were fulfilled.

On 10 May, the U.S. House Armed Forces Committee defeated a proposal to unilaterally reduce the strategic forces to START II levels before the treaty entered into force.

1999: A summit meeting between Presidents Bill Clinton and Boris Yeltsin was held on 20 June in Cologne, Germany on the last day of the annual summit of the Group of Eight nations. The two presidents agreed to hold preliminary consultations on START III and to begin discussions on "possibly reopening" the 1972 ABM treaty on 17-19 August in Moscow. US Deputy Secretary of State Strobe Talbott will be the head of the US delegation to the talks. According to Sandy Berger, President Clinton's national security adviser, this is the first time that Russia has agreed to discuss changes to the ABM Treaty. In the Russia-US joint statement released in Cologne, the two sides recognized the "fundamental importance" of the Treaty and reaffirmed their current obligations under Article XIII "to consider possible changes in the strategic situation that have a bearing on the ABM Treaty and, as appropriate, possible proposals for further increasing the viability of this Treaty." The two governments also pledged to "do everything in their power to facilitate the successful completion of the START II ratification processes in both countries." Despite the agreement to consider possible changes to the ABM Treaty, Russian Foreign Minister Igor Ivanov said that the US plan to deploy the nation-wide ABM system "is dangerous and can destroy the basis of strategic stability and the whole disarmament process" and expressed hope that "Russia and the US will be factors of stability and security."

1998: In its report START II: Prospects for Ratification released on 28 April, the Analytic Directorate of the Duma argued that START II should be ratified only if the Treaty is amended to include a series of supplemental proposals. The report recommended that the ratification legislation should encompass the principle of equal reduction for both Russian and US strategic forces. To justify its position, the report cited the conditions the US Senate added when it ratified START II in January 1996. The report echoed START II opponents' criticism that the United States had secured for itself terms that allowed "reducing without destroying," which would enable the United States to swiftly increase its nuclear strike potential should a crisis situation develop. US strategic

nuclear forces rely heavily on SLBMs, from which some nuclear warheads must be removed, but not destroyed, under the terms of START II.

In an interview given on 12 May, Russian Foreign Minister Yevgeniy Primakov stated that any US economic sanctions against Russian companies suspected of selling missile technology to Iran would likely affect the chances of START II being ratified by the Duma. Referring to accusations that Russian firms are assisting the Iranian missile program, Primakov stated that "Russia does not seek to advance Iran's missile industry," and said that Russia had no reason "to encourage the creation of a missile with a range of 2,000 kilometers in Iran." Primakov added, though, that he and Defense Minister Igor Sergeyev should be able to persuade Duma members to ratify the Treaty.

In a 45-minute meeting at the close of the G-8 summit with US President Bill Clinton in Birmingham, England on 17 May, Russian President Boris Yeltsin said that his administration would step up its efforts for START II ratification by Russia's reluctant parliament. During the talks, Clinton again linked the timing of the next US-Russian summit with the ratification of START II, saying that he would like to hold a summit meeting in Moscow this year to discuss further arms reduction talks, but adding that Washington would first like to see the Russian Federal Assembly ratify START II.

In a resolution adopted on 21 August, the Duma voiced "deep concern in connection with the US missile strikes at targets in Sudan and Afghanistan," which were launched by Washington in retaliation for the August 1998 bombings of US embassies in Nairobi, Kenya and in Dar Es Salaam, Tanzania. The non-binding resolution, passed 264-0 with two abstentions, argued that the missile strikes violated international law and the UN Charter, and termed them an act of aggression. The resolution asserted that such action on the part of the United States would prompt deputies to "weigh most thoroughly all the pluses and minuses of ratification of the START II Treaty." The Duma has often tried to link its ratification of START II to US foreign policy regarding other issues, including NATO enlargement, Iraq, Bosnia, and Kosovo.

At their 1-3 September summit meeting in Moscow, Presidents Boris Yeltsin and Bill Clinton reiterated yet again their pledges to push for further reductions of strategic nuclear weapons, but were unable to report any concrete steps toward the ratification of START II by the Russian Duma. According to a joint statement issued by the two leaders, "Russia and the United States will continue to fulfill their commitments of the ABM and START arms reduction agreements and cooperate for accelerated ratification of START II by Russia." The two presidents also repeated their pledge, made at their Helsinki summit in March 1997 that after START II is ratified, talks will begin on START III.

The draft of the revised law on START II ratification prepared by the Duma was published on 9 December in the PIR Center Arms Control Letter. As expected, Article II of the law specifies a number of "extraordinary events," which would "give the Russian Federation the right to withdraw from the [START II] Treaty." These include violation of START II by the United States; a build-up of nuclear weapons by States not party to START II; "military deployment" decisions by the United States or NATO that "threaten the national security of the Russian Federation," including the deployment of nuclear weapons in countries which have joined NATO since 1993; the deployment by any country of weapons that threaten the Russian early warning system; and "technical" or "economic" events that make it impossible for Russia to implement the Treaty or jeopardize its "environmental security." The Duma's version of the bill also includes a number of conditions that must be met before Russia would exchange instruments of ratification with the United States, the final step which would allow START II to enter into force. Among these are the ratification by the United States of the ABM Demarcation Agreements signed by the United States and Russia in September 1997. These agreements face opposition in the US Senate, which could refuse to ratify them, creating another potential obstacle to the implementation of START II.

In the wake of US and British air strikes against Iraq that began on 16 December 1998, Russian Presidential Representative to the State Duma Alexander Kotenkov expressed doubt that the current Duma would ratify START II. Kotenkov said on 17 December that "ratification is unlikely to take place until a new Duma has been elected." The following Duma elections were scheduled for December 1999. The Duma reacted angrily to the US-led air strikes on Iraq, terming them "barbaric" and "an act of international terrorism" in a resolution adopted on 17 December by the vote of 394-1 with two abstentions.

1997: Meeting with his U.S. counterpart Bill Clinton in Helsinki on 21 March, Russian President Boris Yeltsin pledged to push for speedy ratification of START II by the Russian Federal Assembly. In an attempt to accelerate ratification of the Treaty, Clinton and Yeltsin issued a joint statement on the "Parameters of Future Nuclear Reductions." The statement was targeted at Russian parliamentary critics of START II. Under its terms, the deadline for dismantling the strategic delivery systems slated for elimination under START II would be extended from 2003 to 2007. This provision would allow Russia to spread out the cost of destroying its multiple-warhead land-based ICBMs, addressing the cost concerns of some Russian parliamentarians. Clinton and Yeltsin also outlined a proposed START III that would reduce both countries' strategic arsenals to the level of 2,500-2,000 warheads by 2007.

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This proposed treaty, with its lower warhead ceiling, would save Russia the expense of building several hundred new single-warhead land-based missiles to match US force levels under START II. However, the United States insisted that negotiations on START III could not begin until after START II has been ratified, although many Russian critics of START II have said that they would prefer to scrap the Treaty and immediately begin talks on START III. According to Clinton administration officials, the joint statement provides for "reciprocity," since now the downloading of both US Minuteman III and Russian SS-19 ICBMs does not have to be completed until the end of 2007.

Meeting in New York, Russian Foreign Minister Yevgeniy Primakov and his US counterpart Madeleine Albright signed a Protocol to START II on 26 September, extending the deadline for destruction of weapons systems slated for elimination under the Treaty from 2003 to 2007. In addition to the Protocol, the two foreign ministers exchanged letters in which the United States and Russia pledged that pending their destruction; these systems would be "deactivated" by 2003. The letters specified that deactivation will be carried out by "removing the nuclear re-entry vehicles from the missiles, or by taking other jointly agreed steps." The Russian letter contained a unilateral declaration that "the Russian Federation proceeds from the understanding that well in advance of the above deactivation deadline the START III treaty will be achieved and will enter into force," a statement which the United States took note of in its letter.

The Protocol and letters formally codified the agreement reached by Presidents Clinton and Yeltsin at the Helsinki Summit in March 1997. The United States and Russia also released a joint agreed statement that enables the United States to download (remove) warheads from its Minuteman III ICBMs "at any time" before 31 December 1997. Under the terms of START I, Washington would previously have been required to download two warheads from its three-warhead Minuteman III missiles by 5 December 2001, effectively converting them into single-warhead ICBMs.

1996: On 26 January, upon notification of the U.S. Senate's ratification of START II (by an 84-7 vote), Russian President Yeltsin called U.S. President Bill Clinton pledging to push the Russian parliament to ratify the Treaty before the G-7 Moscow summit on nuclear safety in April. (The Russian constitution requires the Treaty's ratification by both houses of parliament.)

On 17 October, U.S. Secretary of Defense William Perry addressed the State Duma Committees on Defense and International Affairs, arguing in favor of ratification of START II. According to Russian and Western reports, Perry was accorded a cool reception and his speech failed to impress the Duma. Shorter presentations by Senators Richard Lugar and Joseph Lieberman fared no better. Senator Lugar stressed that further funding for Cooperative Threat Reduction programs would not be forthcoming without START II ratification.

1995: A Russian Duma internal report dated 26 October recommended modifying START II in order to allow Russia to continue deploying multiple-warhead ICBMs. The report also recommended that Russian START II ratification be conditioned upon completion of a US-Russian agreement on regional missile defenses. But Duma Defense Committee Chairman Sergei Yushenkov was quoted saying that "the Duma is unlikely to ratify the START II treaty in the near future, judging by the atmosphere of the deputies."

1994: On 28 September, Presidents Yeltsin and Clinton issued a joint statement that included their intention to seek early ratification of START II. Clinton and Yeltsin also stated that once START II was ratified, the United States and Russia were to deactivate the missiles slated for destruction under the Treaty by removing their warheads and removing them from alert status.

1992: In the State of the Union address on 28 January, U.S. President George Bush proposed further strategic arms reduction to an unspecified limit (reportedly, to 4,700 warheads) under the condition of complete elimination of all MIRVed ICBMs. In the context of such an agreement, he promised to download the number of warheads on Minuteman ICBMs from three to one, to reduce the number of warheads on SLBMs by one-third compared to the START I projected SLBM force, and to convert "a substantial portion" of heavy bombers "to primarily conventional use." He also announced a unilateral decision to terminate the B-2 program at 20 heavy bombers instead of the previously planned 75, cancelled the small ICBM program, ended production of new warheads for SLBMs, and terminated purchases of additional advanced cruise missiles.

The day following President Bush's address, Russian President Yeltsin, in a special televised statement, suggested a warhead limit of 2,000-2,500 warheads, reportedly with the the de-MIRVing of both ICBMs and SLBMs. Yeltsin also declared that Russia had unilaterally terminated the production of its heavy bombers (Tu-160 and Tu-95MS), as well as long-range air-launched cruise missiles (ALCMs), and proposed renouncing the creation of new types of such missiles on a bilateral basis. He announced that Russia would no longer conduct exercises involving more than 30 heavy bombers, and had reduced by half the number of submarines with SLBMs on patrol. He proposed that Russia and the United States agree on detargeting their nuclear weapons.

On 17 June, Presidents Bush and Yeltsin signed the "joint understanding," on which START II is based. This agreement committed Russia and the United States to a

two-phase reduction of their strategic offensive arms to the level of 3,000 to 3,500 warheads each by the year 2003, or "if the United States can contribute to the financing of the destruction or elimination of strategic offensive arms in Russia," by the year 2000. The agreement also called for elimination of all MIRVed ICBMs, a limit of 1,750 on the warheads of SLBMs, and a "real" account of warheads on heavy bombers (START I established an "average" number of warheads assigned to each heavy bomber, lower than the actual number of weapons deployed on each of them). The agreement also permitted the "reorientation" of heavy bombers from nuclear to conventional roles without additional conversion.

1991: U.S. President George Bush proposed on 27 September to "use START I as a springboard to achieve additional stabilizing reductions." In particular, he said that the United States would unilaterally terminate the program of development of the mobile MX Peacekeeper ICBM and proposed that the United States and the Soviet Union agree on the elimination of all MIRVed ICBMs.

On 5 October, responding to the initiatives proposed by U.S. President George Bush, Soviet President Mikhail Gorbachev stated that the deployment and modernization of MIRVed mobile ICBMs would be terminated and all rail-mobile ICBMs would remain in their permanent basing areas. The Soviet Union promised to unilaterally reduce its strategic nuclear weapons to 5,000 warheads instead of the 6,000 provided for under START I and proposed immediately, upon ratification of START I, to begin negotiations on reduction by half of the remaining strategic arsenals.

1990: During a summit meeting in Washington in June, still in the middle of START I negotiations, U.S. President George Bush and Soviet President Mikhail Gorbachev signed a Joint Statement that outlined the two sides' approach to the next START treaty. The statement expressed the intention to reduce strategic offensive arms "in a way consistent with enhancing strategic stability," in particular through reduction of "concentration of warheads on strategic delivery vehicles" and increasing survivability of systems. They agreed that the agreement would include "measures related to the question of heavy missiles and MIRVed ICBMs."

Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes (PNE Treaty)

Signed: 28 May 1976.

Entered into Force: 11 December 1990.

Duration: Five years with automatic extension for successive five-year periods unless either State Party notifies the other of its termination. Neither Party, however, may withdraw from the treaty, while the Threshold Test Ban Treaty (TTBT) is in force.

States Parties: United States and Soviet Union.

During the negotiations of the TTBT, the United States and Soviet Union recognized the need to agree on appropriate measures related to peaceful nuclear explosions (PNE). Under Article III of the TTBT signed in June 1974, the States Parties undertook to negotiate and conclude, at the earliest possible time, an agreement governing underground nuclear explosions for peaceful purposes. On 7 October 1974, the negotiations on the PNE Treaty began in Moscow, and after 18 months of negotiations, were completed in April 1976. The PNE Treaty was signed on 28 May 1976.

Scope of Application: The treaty applies to all nuclear explosions for peaceful purposes conducted by the Parties after 31 March 1976 outside the geographical boundaries of test sites specified under the TTBT.

Obligations: The treaty gives the Parties the right to conduct underground PNEs at any place under their jurisdiction or control outside the geographical boundaries of test sites specified under the TTBT and to carry out, participate in, or assist in carrying out underground PNEs in the territory of another State at the request of such other State. The Parties undertake, however, not to conduct individual underground PNEs with a yield exceeding 150 kilotons, group underground PNEs with an aggregate yield exceeding 1.5 megatons, or group PNEs with an aggregate yield exceeding 150 kilotons unless the individual explosions in the group could be identified and measured by agreed verification procedures. The treaty establishes a Joint Consultative Commission to facilitate the treaty's implementation, and to handle issues of information exchange, compliance, and changes in technology that might have a bearing on the Treaty's provisions, and consider possible amendments to the treaty.

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Agreed Statement: The treaty is accompanied by the Agreed Statement, which specifies that PNEs will not be used for developmental testing of nuclear explosive, and will not involve test facilities, instrumentation, or procedures related only to testing of nuclear weapons or their effects.

Verification and Compliance:

Verification: The Treaty entitles the parties to use their national technical means (NTM) of verification and provide each other with information and access to sites of PNEs, in accordance with the Protocol, to ensure compliance with the Treaty. The parties commit not to interfere with NTM. The initial Protocol to the Treaty specifies details for the PNEs and provides for the exchange of detailed information about the explosions before and after. The Protocol entitles the parties to conduct visits by their designated personnel to the other party's designated areas and locations in case of PNEs with a yield exceeding 100 kilotons. The Protocol regulates the designated personnel's rights, functions, and equipment.

Enhanced Verification: In 1987, after a series of six-round negotiations, the United States and the USSR agreed to revise the PNE Treaty Protocol to include more effective verification provisions. Another series of six-round talks, which took place between 1987 and 1990, resulted in the signing in June 1990 of a new Protocol that provides for an enhanced regime of verification. The new Protocol replaced the initially agreed upon Protocol, and elaborates on its provisions. For the purpose of verification of compliance with the Treaty, the new Protocol gives the parties the right to use the hydrodynamic yield measurement method and a local seismic network in the case of a PNE with a yield exceeding 50 kilotons. In the case of a PNE with a yield exceeding 35 kilotons, the parties are entitled to conduct on-site inspections. All the notifications required by the Protocol and other relevant information are to be transmitted through the Nuclear Risk Reduction Centers (NRRC), established in 1987 in the United States and Soviet Union to reduce the risk of conflict or of accidental nuclear war between the two countries. On-site inspections are to be conducted to confirm the validity of the geological and geophysical information and other relevant information, to observe the emplacement of each explosive canister, to observe the explosion, etc. The 1990 Protocol specified functions and rights of on-site inspection teams.

Compliance: A Joint Consultative Commission was established to make inquiries and furnish information, to assure confidence in compliance with the obligations to consider questions concerning compliance with the obligations, assumed and related situations that may be considered ambiguous, and to consider questions involving unintended interference with the means for assuring compliance with the provisions of this Treaty.

The treaty entered into effect on 11 December 1990. Since the treaty's entry into force, neither Party has conducted a PNE. Article V of the Nuclear Non-Proliferation Treaty (NPT) allows for PNEs. However, the States Parties to the NPT agreed at the 2000 NPT Review Conference that Article V of was to be interpreted in the light of the Comprehensive Nuclear Test Ban Treaty (CTBT), once it enters into force. Although the CTBT was signed in 1996, it has not yet entered into force.

Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Immediate-Range and Shorter-Range Missiles (INF Treaty)

Signed: 8 December 1987.

Entered into force: 1 June 1988.

Duration: Unlimited.

Parties: United States and Soviet Union (12 former republics of the USSR, six of which — Russia, Ukraine, Belarus, Kazakhstan, Turkmenistan, and Uzbekistan — had inspectable facilities on their territory). Belarus, Kazakhstan, Russia, and Ukraine are active participants in the process of implementing the Treaty. Turkmenistan and Uzbekistan have assumed a less active role, foregoing attendance at sessions of the Special Verification Commission (SVC) and participation in inspections.

Background: In early 1977, the USSR began deployment in Eastern Europe of the SS-20 ("Pioneer") intermediate-range ballistic missiles (IRBM) with three independently targetable re-entry vehicles (MIRV) and the range to target all of Western Europe. In December 1979, NATO adopted a "dual-track decision," which foresaw negotiations to address the perceived increased in the level of threat to Western Europe and, should these negotiations fail, to deploy 464 single-warhead U.S. ground-launched cruise missiles (GLCMs) and 108 single-warhead U.S. Pershing II ballistic missiles.

The INF talks began in October 1981, and continued without result until November 1983, when, in response to the beginning of deployment of U.S. missiles, the Soviet Union left negotiations. In January 1985, U.S. Secretary of State George Schultz and Soviet Foreign Minister Andrey Gromyko agreed to resume the effort (the United States classified these talks a continuation of the earlier process while the Soviet Union considered them new negotiations). While originally negotiations only addressed the INF issue in Europe, the scope was later expanded to global coverage and a new category, short-range intermediate-range missiles (SRINF) was added.

The INF Treaty was signed at a summit meeting between U.S. President Ronald Reagan and Soviet General Secretary Mikhail Gorbachev in Washington on 8 December 1987.

The INF Treaty is considered an innovative, new-generation agreement, which served as an example for subsequent arms control treaties, such as START I and CFE. It eliminated an entire category of nuclear weapons and introduced, for the first time, extensive verification and data exchange mechanisms, including on-site inspections.

Obligations: The Treaty includes the Memorandum of Understanding (MOU), the Protocol on Elimination, and the Protocol on Inspection. It obligates the Parties to eliminate their intermediate-range missiles and launchers to such missiles, and all support structures and support equipment of the categories listed in the MOU associated with such missiles and launchers within three years after entry into force of the Treaty, and not have such systems thereafter (Article I and IV). The Treaty obligates the Parties to eliminate their shorter-range missiles and launchers of such missiles, and all support equipment of the categories listed in the MOU associated with such missiles and launchers within 18 months after entry into force of the Treaty, and not have such systems thereafter (Article I and V).

The intermediate-range missile is defined as ground-launched ballistic missiles (GLBM) or ground-launched cruise missiles (GLCM) having a range between 1,000 km to 5,500 km. The shorter-range missile is defined as GLBMs or GLCMs with a range between 500 km and 1,000 km (Article II). The Treaty covers the following intermediate-range missiles: for the United States, Pershing II and BGM-109G; for the Soviet Union, SS-20, SS-4, and SS-5. As for shorter-range missiles: for the United States, Pershing IA; for the USSR, SS-12 and SS-23 (Article III).

The INF Treaty applied to all land-based missiles regardless of their equipment. A special clarification, adopted in the spring of 1988 during the ratification process, elaborated that it covered all missiles falling under the definition irrespective of whether they were equipped with nuclear, conventional, or "exotic" warheads.

Subsequently, a controversy emerged in the Soviet Union with regard to the inclusion of the SS-23 ("Oka") missile into the INF Treaty. According to the Soviet view, the SS-23 had never been tested to the range of 500 km and was included at the insistence of the United States (the list of existing missiles covered by the Treaty was separate from the definition of INF).

The Treaty bans production or flight-testing of any intermediate-range or shorter-range missiles or production of any stages of such missiles or any launchers of such missiles (Article VI). It permits the Parties to use intermediate-range missiles if they are test-launched at a test site from a fixed land-based launcher distinguishable from GLBM launchers. The Parties are entitled to produce and use for booster systems, which might otherwise be considered to be intermediate-range or shorter-range missiles, only existing types of booster stages for such booster systems. Launches of such booster systems shall not be considered as flight-testing of intermediate-range or shorter-range missiles provided that stages used in such booster systems are different from stages used in those missiles listed as existing types of intermediate-range or shorter-range missiles in Article III of the Treaty; such booster systems are used only for research and development purposes to test objects other than the booster systems themselves; the aggregate number of launchers for such booster systems shall not exceed 35 for each Party at any one time; and the launchers for such booster systems are fixed, emplaced above ground and located only at research and development launch sites, which are specified in the MOU (Article VII).

The Treaty obligates the Parties to keep their intermediate-range missiles and their launchers in deployment areas, at missile support facilities, or in transit (movement of a missile or a launcher of such missile between different facilities); and their shorter-range missiles and their launchers, until their removal to elimination facilities, at missile operating bases, at missile support facilities, or in transit, which was to be completed within 25 days. The Parties are forbidden to increase the number of, or change the location or boundaries of, deployment areas, missile operating bases, or missile support facilities, except for elimination facilities, from those set forth in the MOU. No later that 30 days after the Treaty's entry into force, the Parties became obligated not to locate intermediate-range or shorter-range missiles, including stages or launchers of such missiles, at missile production facilities, launcher production facilities, or test ranges listed in the MOU (Article VIII).

Elimination of items subject to the Treaty was to be completed no later than three years from its entry into force. The Treaty provides for the elimination of the intermediate-range and shorter-range missiles subject to the Treaty at the designated elimination facilities, specified by the MOU. It entitles each Party, during the first six months after entry into force of the Treaty, to eliminate by means of launching no more than 100 of its intermediate-range missiles. The Treaty provides for the elimination of both the missiles that had been tested and deployed prior to the Treaty's entry into force and those that had been tested but not deployed, including the Pershing IB for the United States, and the RK-55 (SSC-X-4) for the Soviet Union. Together with the missiles, their launchers and support equipment, the Parties were obligated to eliminate their deployment areas, missile

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operating bases, and missile support facilities. Specific procedures for the elimination of missiles, equipment, and facilities were outlined in the Elimination Protocol (EP). The Treaty permitted the Parties to convert a missile-operating base listed in the MOU for use as a base associated with GLBM or GLCM systems not subject to the Treaty (Article X).

Verification and Compliance:

***Verification*:** The Treaty provides for data exchange and notifications through Nuclear Risk Reduction Centers. The Parties are obligated to provide notifications of the elimination of a specific deployment area, missile operating base, or missile support facility; changes in the number or location of elimination facilities, including the location and scheduled date of each change; the scheduled date of initiation of the elimination of intermediate-range and shorter-range missiles, including the stages, launchers, support structures, and support equipment associated with such missiles and launchers; the scheduled date of the launch, or the scheduled date of the initiation of a series of launches, of intermediate-range missiles for the purpose of their elimination; changes in the number of intermediate-range and shorter-range missiles, including launcher, support structures, and support equipment associated with such missiles and launchers, resulting from elimination; transit of intermediate-range or shorter-range missiles or launchers of such missiles, or the movement of training missiles or training launchers for such missiles; and the scheduled date and location of the launch of a research and development booster system as described in Article VII of the Treaty (Article IX).

The Treaty entitled the Parties to conduct on-site inspections, both within the territory of the other Party and within the territories of basing countries; each Party to the Treaty undertook to conclude special agreements with basing countries to allow for inspections in their territories. The Parties were allowed to inspect missile operating bases, missile support facilities, missile production facilities, and elimination facilities (Article XI). The Inspection Protocol specified detailed procedures required for the preparation and conduct of on-site inspections and their rules.

Types of inspections to verify compliance with the Treaty:

1. baseline inspections (to verify data exchanged on Treaty-limited items (TLI));
2. closeout inspections (to verify that all INF-related activities had ceased);
3. elimination inspections (to confirm the destruction of missiles, launchers, and associated equipment);
4. quota or short-notice inspections (The Parties were entitled to conduct inspections for 13 years after the Treaty's entry into force: 20 such inspections per calendar year during the first three years after entry into force of the Treaty, 15 such inspections per calendar year during the subsequent five years, and 10 such inspections per calendar year during the last five years.); and
5. continuous Portal Monitoring inspections (to permit monitors located outside the facility to ensure that prohibited SS-20s or Pershing IIs were not being produced and shipped.) These inspections were permitted only at two facilities: Votkinsk, Russia (former SS-20 final assembly facility) and Magna, Utah (former Pershing II production facility.)

The Parties were also entitled to use national technical means of verification (NTM) at their disposal in a manner consistent with generally recognized principles of international law. They were prohibited from interfering with NTM of the other Party and using concealment measures that impeded verification of compliance with the provisions of this Treaty by NTM (Article XII).

The States-parties' rights to conduct on-site inspections under the treaty ended on 31 May 2001, but the use of surveillance satellites for data collection continues.

***Compliance*:** The Treaty established the Special Verification Commission (SVC) to resolve questions relating to compliance with the obligations assumed; and to decide on such measures as may be necessary to improve the viability and effectiveness of this Treaty (Article XII).

Duration: The treaty is of unlimited duration.

Withdrawal: The Treaty entitles the Parties, in exercising their national sovereignty, to withdraw from the Treaty if they decide that extraordinary events related to the subject matter of the Treaty jeopardized their supreme interests (Article XV).

Amendments: The Parties are entitled to propose amendments to the Treaty. (Article XVI).

Developments:

2008: On 12 February 2008, the Russian delegation to the Conference on Disarmament presented a set of proposals (in Russian) towards globalizing the obligations set forth in the INF Treaty.

On 6 April, Presidents George W. Bush and Vladimir Putin issued a joint "U.S.-Russia Strategic Framework Declaration" which specified with regards to the INF Treaty that the two governments were to work together to identify new missile threats and deal with those threats together.

On 30 May, the Russian Defense Ministry announced that a global INF Treaty would facilitate missile non-

proliferation and make the U.S. plans to install a global missile defense system unnecessary.

2007: On 7 February, Defense Minister Sergei Ivanov told the State Duma that Russia was much weaker because of the elimination of the SS-20 missiles under the INF treaty, a statement coinciding with renewed U.S. plans to deploy an ABM system in Europe.

On 10 February, at the Munich Security Conference, Russia's President Putin suggested reconsidering the INF Treaty, as many countries are actively pursuing weapons the U.S. and Russia pledged to refrain from. At the same conference, Defense Minister Ivanov raised the issue of countries "near [Russia's] borders" possessing this type of armament and stated "the treaty is simply a cold war vestige and we are concerned."

As a consequence of the statements in Munich, on 15 February, Russian army's Chief of the General Staff Yuri Baluyevsky stated that Russia's decision on unilateral withdrawal from the treaty would depend on further U.S. actions concerning anti-ballistic missile defense in Eastern Europe. In response, Russia's Foreign Minister Sergey Lavrov pointed out, however, that no decision had yet been made. On 16 February, the head of the Federation Council Defense and Security Committee Viktor Ozerov also said that Russia might reconsider its membership in the INF Treaty, citing the U.S. withdrawal from the ABM Treaty as precedent. U.S. Defense Secretary Robert Gates stated that a Russian abrogation of the INF Treaty would be a problem for the U.S. and Europe.

On 20 April, the Defense Ministry stated that Russia possesses the necessary capabilities to resume the production of ballistic missiles eliminated under the INF Treaty. On 24 April, Russian army's Chief of the General Staff Yuri Baluyevsky said he saw no reason for Russia to withdraw from the INF Treaty yet.

On 12 October, Russian President Vladimir Putin suggested that the INF Treaty should become multilateral and pointed out that Russia would find it difficult to remain in the treaty that does not regulate missile development in other countries.

On 25 October, in a joint statement to the UN General Assembly's First Committee, Russia and the United States called on all countries to join a global INF Treaty.

On 14 November, Russian Colonel General Vladimir Zaritsky announced that if Russia were to withdraw from the INF Treaty, the Iskander missile system could be modernized and its range extended.

On 27 November, Russian Major General Yevgeniy Borodunov cited Iran's development of a ballistic missile with a range of 2,000 km as an argument in support of Russia's withdrawal from the INF Treaty.

On December 4, former Soviet President Mikhail Gorbachev emphasized the importance of Russia preserving the INF Treaty.

2006: On 24 April, Russia's Deputy Prime Minister and Defense Minister Sergey Ivanov stated the INF treaty was a relic of the Cold War, but Russia was not yet discussing a possible withdrawal.

At the end of August, Russian media reported that at a meeting in Alaska with U.S. Secretary of Defense Donald Rumsfeld, Russian Minister of Defense Sergey Ivanov had again mentioned the possibility of his country withdrawing from the INF Treaty.

2005: At the beginning of March, Russian media reported that, at a meeting in January, Defense Minister Sergei Ivanov had asked his American counterpart, Donald Rumsfeld, about his views of a hypothetical Russian withdrawal from the INF Treaty.

On 15 March, Russian Foreign Ministry spokesman Aleksandr Yakovenko restated Russia's adherence to the INF Treaty in order to counter existent rumors that the Russian defense minister had inquired about the U.S. reaction to a Russian withdrawal from the treaty.

2002: On 31 October, Bulgaria reported that it had destroyed its last SS-23 tactical ballistic missiles. Bulgaria was the last country in Europe possessing these missiles. The Bulgarian Parliament overwhelmingly approved a resolution on destruction of SS-23s in December 2001.

2001: In February, the Russian government declared that the U.S. testing of the Hera missile for the development of the missile defense system violated the provisions of the INF Treaty. It noted that Moscow had scrapped its SS-23 missile with a similar range at the insistence of the United States. The Hera was built using the second and third stages of the Minuteman-II missile (with certain modifications), and, according to some sources, guidance components from the Pershing missile which was eliminated under the INF Treaty. The missile's maximum range is about 1,000 km. The United States justified its position by categorizing the Hera missile as a "booster system," which the Parties have the right to produce and use (paragraph 12 of Article VII).

On 28 March, Russian Lieutenant General Vyacheslav Romanov stated that should the United States withdraw from the 1972 ABM Treaty, Russia might stop adhering to the INF Treaty. In previous similar statements, Strategic Rocket Forces Commander General Yakovlev threatened to deploy a "shortened" intermediate-range variant of the Topol (SS-25 "Sickle") missile and a new short-range ballistic missile type that had already been designed, but not built or tested. Yakovlev said these missiles would be targeted against U.S. military forces and facilities in Europe.

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On 31 May, the December 2000 Agreement on terminating inspection and monitoring activities entered into force. During the 13-year existence of the Treaty, over 440 sites had been inspected in the United States and over 770 on the territory of the USSR and successor States.

On 1 June, Russian Foreign Minister Igor Ivanov stated that the United States would be in violation of the Treaty if it were to use the second and third stages of Peacekeeper (MX) ICBMs to create an IRBM under the guise of designing a ballistic missile target.

2000: On 14 December, the Parties signed an amendment to the Treaty's Memorandum of Agreement outlining the procedures for ending on-site inspections and monitoring activities of the missile production plants located in Magna (Utah) and Votkinsk (Udmurtiya, Russia). The Agreement provides that the Treaty's inspection and monitoring regime would expire on 31 May 2001.

1999: On 5 March, Slovakia announced that it would destroy its SS-23 missiles before their lifespan expiration date as part of a plan to restructure its army to make it more suitable for NATO membership. Slovakia announced that it would also destroy its SS-1 Scud-B tactical ballistic missiles.

1998: At the commemoration of the 10th Anniversary of the Treaty, Russia announced that it had eliminated 1,846 intermediate-range and short-range missiles, 587 launchers, and monitored the elimination of 846 U.S. missiles and 288 launchers.

1997: Bulgaria and Slovakia continued to reject U.S. requests to destroy their SS-23 missiles. Slovakia reiterated that it was not planning to decommission any of these missiles prematurely (the service life would end in 2000). Bulgaria claimed that no international agreement that Bulgaria was a party to covered the SS-23 missiles. The United States underscored its determination to continue efforts to prevent proliferation of these "Category 1" missiles, i.e., missiles capable of carrying WMD, and to carry on its dialogue with Bulgaria and Slovakia in order to achieve this goal.

On 21 November, the United States and Russia signed an agreement on the inspection procedures for the exit from the Votkinsk plant of space launch vehicles. The problem of such inspections surfaced several years ago after some missiles that exited the facility did not undergo all the inspection procedures required by the Treaty. The Parties agreed that while such vehicles exited, Russia would notify the United States of the exit of the vehicles and provide their "unique identifiers." The agreement specified the technical data to be used to identify the launch canister during measurement of the canister, and for the imaging of its contents.

1996: In July, the Czech Republic eliminated the SS-23 missiles it inherited from the former Czechoslovakia, which had received the missiles from the USSR. Former Czech missiles were divided between the Czech Republic and Slovakia on a 2:1 ratio, hence the Czech Republic retained 16 missiles, and Slovakia, 8.

Bulgaria continued to retain its SS-23 missiles received from the USSR before the signature of the Treaty. The Bulgarians argued that the missiles could not use nuclear warheads and were needed for national security purposes.

The Slovaks reported that the SS-23 missiles they inherited from Czechoslovakia had a range of less than 500 km and also lacked critical components permitting the use of nuclear warheads. The Slovak advisor to the defense minister claimed that these missiles were not subject to any disarmament agreements.

1994: By 1 February, the Parties had conducted more than 700 inspections: the United States, 452; the USSR/Russia, 270. From February 1994, the United States began carrying out inspections in other former USSR republics, namely, Belarus, Kazakhstan, and Ukraine.

In June, the United States again raised the issue of the multilateralization of the Treaty. Arms Control and Disarmament Agency Director John Holum said that the United States should consider opening up the basic obligations of the Treaty to every country in the world by inviting, encouraging, and pressing all countries to forego the threat of INF missiles, under global nonproliferation norms. The U.S. Arms Control and Disarmament Agency (ACDA) was still considering whether a global ban should be achieved by expanding the Treaty (the working title of the expanded Treaty was the Medium Range Missile Ban (MRMB)) or by negotiating an entirely new treaty. Experts were cautious about the globalization of the Treaty because of its possible negative implications for the Missile Technology Control Regime (MTCR). They argued that it would potentially create a less stringent agreement that would not include tactical ballistic missiles.

In, according to the ACDA annual report, Germany, Bulgaria, the Czech Republic, and Slovakia continued to possess SS-23 missiles – the class of missiles the Treaty sought to eliminate.

On 3 November, the Treaty was multilateralized with Belarus, Kazakhstan, Russia, and Ukraine signing the document ensuring its continued implementation.

1992: On 9 October, the Commonwealth of Independent States (CIS) signed an agreement on participation in the Treaty. In December, Armenia, Belarus, Kazakhstan, Russia, Uzbekistan, and Ukraine held a meeting to consult on the implementation of the October agreement.

On 14 November, Germany announced that it rendered inoperable all 24 SS-23 missiles supplied to the German

Democratic Republic (GDR) by the Soviet Union prior to the signature of the Treaty. These missiles had also been supplied to Czechoslovakia and Bulgaria. Since 1990, the United States had insisted that these missiles should be eliminated in accordance with Treaty provisions, while the Soviet Union contended that these missiles did not fall under the Treaty. Bulgaria announced that these missiles enhanced the country's defense capabilities. In an annual report to Congress, the United States also mentioned SS-4 and SS-5 support equipment allegedly undeclared by the USSR.

1991: On 5 April, at the 10th session of the SVC, the Parties signed two amendments to the memorandum on verification procedures. The first concerned the use of a system in Votkinsk (Russia) to determine whether missiles emerging from the site were SS-20 missiles, and the second permitted U.S. and Soviet inspectors to carry dosimeters for the purpose of personal medical monitoring during inspections.

On 27 May, the United States completed the elimination of 234 Pershing II and 443 BGM-109 LRINF missiles, as well as 169 Pershing IA SRINF missiles. On 28 May, the Soviet Union completed the elimination of 654 SS-20, 149 SS-4, 6 SS-5, and 80 SSC-X-4 LRINF missiles, as well as 239 SS-23, and 718 SS-12 SRINF missiles. By May, all elimination inspections had been completed. By 1 June, as required by the Treaty, the Parties had eliminated all the missiles covered by the Treaty. By August 1991, all closeout inspections had been completed.

On 27 September, President Bush announced the cancellation of a short-range attack missile program and the unilateral withdrawal of all remaining army ground-based tactical nuclear weapons (TNW) and Navy TNW worldwide. (Air Force and Marine TNW were not affected.) The United States called on the Soviet Union to destroy its entire inventory of ground-launched TNW.

On 5 October, the Soviet Union responded with the unilateral withdrawal of TNW and called for the elimination of air-based weapons. The Soviet Union announced that all nuclear artillery munitions, nuclear warheads for tactical missiles, and nuclear mines shall be eliminated; nuclear warheads for air defense missiles shall be withdrawn from the troops and concentrated in central bases, and a portion of them shall be eliminated; and all TNW shall be removed from surface ships and multipurpose submarines and stored in central storage sites, while part of them shall be eliminated. The Soviet Union proposed that the United States, on the basis of reciprocity, completely eliminate all TNW of naval forces and withdraw from combat units on frontal (tactical) aviation all nuclear weapons (gravity bombs and air-launched missiles) and place them in centralized storage bases.

1990: By 26 April, the Soviet Union had destroyed 1,590 of 1,846 missiles, while the United States had destroyed 480 out of 480 missiles.

On 3 May, the United States announced the cancellation of its short-range missile program in Europe and any further modernization of U.S. nuclear artillery shells deployed in Europe. On 27 September, the last U.S. Pershing II missile left Germany. On 4 October, Germany decommissioned its 72 Pershing IA missiles and associated launchers.

In September, the United States was considering opening the Treaty to other countries and offering help for space programs in return for their adherence to the Treaty, but the U.S. Department of Defense opposed such plans.

1989: On 12 April, the USSR proposed negotiations on the short-range nuclear forces (SNF) with a range less than 500 km, and later in May, announced a unilateral cutoff of 500 SNF weapons. The United States stated that negotiations on SNF should begin after the implementation of the CFE Treaty was completed.

1988: On 6 January 1988, the United States established the On-Site Inspection Agency (OSIA) to conduct on-site inspections, escort, and monitoring activities under the Treaty.

On 11-12 May, the Parties resolved a few final questions through an exchange of a series of letters and memoranda. On 27 May, the U.S. Senate ratified the Treaty. The following day, on 28 May, the Treaty was ratified by the Soviet Union. This cleared the way for the Treaty's entry into force on 1 June 1988.

On 2 June, the Parties began continuous monitoring of one another's missile production facilities. On 22 July, the USSR began the elimination process. On 29 August, all baseline inspections were completed. On 8 September, the United States began the elimination process.

Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty)

Signed: 26 May 1972.

Entered into Force: 3 October 1972.

Duration: Ceased to be in force on 13 June 2002, after the US formally withdrew from the Treaty.

Parties: United States and USSR (Russia, Belarus, Kazakhstan, Ukraine).

In 1967, the United States proposed the adoption of strict limitations on strategic anti-ballistic missile (ABM)

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systems. The USSR did not accept this proposal, but in its counter proposal suggested that negotiations on ABM defenses should include discussion of strategic offensive arms. This counter proposal was accepted by the United States. On 1 July 1968, at the signing of the Nuclear Non-proliferation Treaty, President Johnson announced that the United States and USSR had reached an agreement to limit and reduce both strategic offensive and defensive systems, but not until 1969 were the sides prepared to begin a substantive dialogue. On 17 November 1969, the United States and Soviet Union began the Strategic Arms Limitation Talks (SALT I) on limiting both ABM defensive systems and strategic nuclear offensive systems. The first real exploration of possible packages began in the spring of 1970. In 1970, the United States proposed to limit ABMs to the defense of national capitals. After the USSR had accepted this proposal, the United States tried to backtrack and proposed more ABM sites. The discussion reached an impasse due to disagreement on the scope of the future treaty. The Soviet Union proposed that the negotiations be limited to discussions of ABM systems only, while the United States insisted that it was essential to make at least a beginning at limiting offensive systems as well. Finally, after some back-channel negotiations, in May 1971, the sides reached a preliminary agreement on the outlines of a limited ABM Treaty. On 26 May 1972, the talks were concluded with the signing of two basic SALT I documents:

- an Interim Agreement on certain measures limiting strategic offensive arms (see SALT I Section);
- the ABM Treaty on the limitation of strategic defensive systems.

Obligations: The Parties undertook to limit ABM systems, and not to deploy ABM systems for the defense of their countries or an individual region except as provided by the Treaty (Article I). The Treaty obligated the Parties to limit their deployed ABM systems to two sites: one around the national capital with no more than 100 ABM launchers and no more than 100 ABM interceptor missiles, and the other around ICBM silo launchers with no more than 100 ABM launchers and no more than 100 ABM interceptor missiles, with the requirement that the two sites must be separated by no less than thirteen hundred kilometers (Article III, Agreed Statement C). These limitations did not apply to ABM systems nor their components used for development or testing, nor those located within agreed test ranges, where each party could have no more that a total of 15 ABM launchers (Article IV). The Treaty and the ensuing Agreed Statements specified in detail the number and characteristics of radars permitted by the Treaty. The Treaty prohibited development, testing, or deployment of sea-based, air-based, space-based, or mobile land-based ABM systems or components (Article V). Agreed Statement D obligated the Parties, in case of the future creation of ABM systems based on other physical principles, to discuss specific limitations on such systems in a Standing Consultative Commission (SCC). The Treaty also banned development, testing, or deployment of ABM launchers for launching more than one ABM interceptor missiles at a time, automatic or semi-automatic or other similar systems for rapid reload of ABM launchers, and ABM interceptor missile with more than one independently guided warhead (Article V, Agreed Statement E). The Parties further undertook not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in ABM mode, as well as not to deploy in the future early warning radars (EWR) except at locations along the periphery of their national territory and oriented outward (Article VI). The Treaty provided for the destruction or dismantlement of the ABM systems or their components in excess of the numbers or outside the areas specified by the Treaty, or those prohibited by it (Article VIII). The Parties also undertook not to transfer to other States, and not to deploy outside their national territories, ABM systems or their components limited by the Treaty, as well as not to provide to other States technical descriptions or blueprints of the ABM systems prohibited by the Treaty (Article IX, Agreed Statement G). The Parties established an SCC to handle compliance issues, matters related to dismantlement and destruction procedures, ambiguous situations that may arise during the Treaty's implementation, etc.

Verification and Compliance: Verification: To ensure compliance with the Treaty, the parties were entitled to use their national technical means (NTM) of verification and were obligated not to interfere with such NTM and not to use deliberate concealment measures that impede such verification (Article XII). Compliance: The Standing Consultative Commission (SCC) was established to promote the objectives and implementation of the provisions of the Treaty. The SCC was to establish and approve regulations governing procedures and other relevant matters and amend them as it deemed appropriate. To address non-compliance, the United States and the USSR/Russian Federation exchanged documents since 1972 stating that no activities contrary to the 1972 ABM Treaty had been carried out.

Amendments and Withdrawal: The Parties were entitled to propose amendments to the Treaty, which were to be considered by the SCC. The SCC was also required to consider possible changes in the strategic situation that have a bearing on the provisions of the Treaty (Articles XIII and XIV). The Treaty gave the Parties the right to withdraw from it with a six-month notice in the event of extraordinary circumstances that jeopardize their supreme interests (Article V). The United States withdrew from the Treaty in June 2002.

Developments:

2002: In January, the US Secretary of Defense announced the redesignation of the Ballistic Missile Defense Organization (BMDO) as the Missile Defense Agency (MDA). The MDA is tasked with developing a missile defense system and establishing a baseline for its capabilities and configuration. The first round of US-Russia Arms Control Discussions took place on 15-16 January in Washington. The countries discussed the war on terrorism, the issue of offensive nuclear forces, the unilateral strategic nuclear weapons reductions that the United States and Russia have already announced and the issue of missile defense. At the end of the talks, the Parties decided to create a number of working groups to develop bi-lateral arrangements and agreements.

On 19 February, the second round of Russian-American talks on the issue of START/ABM Treaty and the formation of a new framework for strategic relations between the two countries took place in Moscow. The talks focused on the promotion of strategic stability and international security, nuclear disarmament, and nonproliferation. The Parties agreed to increase their efforts in the preparation of a legally binding document on a radical reduction in strategic offensive weapons and a declaration on the formation of a new strategic partnership between the United States and Russia.

On 13 June, US President Bush declared that US withdrawal from the ABM Treaty, which he had announced six months earlier in accordance with the Treaty's provisions, was formally taking effect, thereby marking the end of the ABM Treaty. The following day, US Deputy Secretary of Defense Paul Wolfowitz reiterated the US commitment to developing, testing, and deploying effective defenses against limited missile attacks. In this regard, he announced the construction by 2004 in Alaska of silos to house missile defense interceptors, which would be part of the testing program but would also give the United States an emergency capability to protect the country in a crisis situation. He also stated that initial deployments of sea-based interceptors would begin in 2004-2005, and that the prototype airborne laser was scheduled for testing. On 14 June, the Russian Federation announced its withdrawal from START II due to US refusal to ratify the treaty and to US withdrawal from the ABM Treaty.

2001: On 20 February, Russian Minister of Defense Igor Sergeyev officially presented to NATO Secretary-General George Robertson Russia's proposal for a European non-strategic ballistic missile defense system. Expanding on the June 2000 proposal made by President Putin, the proposal represented the most comprehensive outline of this concept. According to this proposal, the system would be created in the interests of all European countries, regardless of their membership in NATO or other alliances or international organizations; it would be implemented following the assessment of the missile threat to Europe (which would be accomplished through multilateral consultations) and the development of a conceptual framework of the system. The European missile defense would consist of rapidly deployable mobile missile defense units manned by multi-national crews, and would be deployed in threatened areas. Russia stressed that this proposal did not in itself constitute an acknowledgement of the existence of a threat, thus refuting comments, including those by the NATO Secretary-General, that the proposal represented a shift in the Russian position. However, Russia also emphasized that the mobile anti-missile units could be created only after a need for a military solution to the missile threat is identified during negotiations, and that Russia continued to adhere to the view that changes in the world situation did not warrant resorting to solely military solutions.

On 1 May, US President Bush, in his remarks to students and faculty at the National Defense University, noted that the changed world required a new policy of active nonproliferation, counterproliferation and defenses and new concepts of deterrence that rely on both offensive and defensive forces. This new framework would allow the country to build missile defenses to counter the different emerging threats. Therefore, he called for moving "beyond the constraints of the 30-year old ABM Treaty." The President indicated that the final solution of what the national missile defense (NMD) would look like had not been found yet, but the Pentagon was actively exploring options, stressing that the question was not whether the United States would deploy NMD but when. The President said that the United States would consult closely on the subject with its "friends and allies" and announced that he was dispatching high-level representatives to allied capitals in Europe, Asia, Australia, and Canada to conduct "real consultations," and not to present them with unilateral decisions already made. He also said the United States would reach out to Russia and China.

Russian officials interpreted this statement as a sign of US unwillingness to withdraw from the Treaty unilaterally and positively commented on Bush's willingness to consult with Russia on issues of international security and to take into consideration Russia's concerns on strategic stability. However, during the May 2001 bilateral consultations, no apparent progress was made.

Republicans in US Congress applauded Bush's 1 May speech calling for the deployment of NMD and scrapping the ABM Treaty. Democrats challenged the arguments and intentions. They questioned the administration's threat assessment, claiming that NMD would undermine rather than enhance US security because of Russia's and China's development of new ways to overwhelm the defense and because of the build-up of nuclear arsenals in

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Asia in response to NMD deployment. Finally, Democrats indicated that they would not blindly follow presidential decisions by saying that the president's speech opened one of the most important and consequential debates the United States would see in their lifetime.

In May, senior US officials conducted a nine-day tour during which they visited 19 countries, including Russia and China, and briefed NATO. Along with the ABM issue, the delegations discussed such topics as nonproliferation, counterproliferation, and unilateral nuclear reductions. During the consultations, the United States failed to provide details on the future of NMD, saying that at that moment it was still a concept, and that there had been no decision about how to deal with the Treaty. Upon completion of the tour, the Pentagon described reactions as mixed, saying there was skepticism from some of the capitals, as well as some positive reactions.

Russia proposed establishing two working groups, one to examine threats and another to look at how to solve the problems posed by these threats. Russia still reiterated its adherence to the Treaty's language, spoke of the unacceptability of unilateral actions to destroy it, and expressed the desirability of continuing the dialogue and narrowing differences.

China reiterated its harsh criticism of US NMD plans, stressed that its position would not change, and warned that if the United States deployed NMD, it would harm others without benefiting the United States. China also voiced strong objection to the planned TMD in East Asia.

During 14 June testimony before a subcommittee of the House Armed Services Committee, Lieutenant General Kadish, director of the Ballistic Missile Defense Organization (BMDO) said that all ABM testing conducted by the United States complied with the Treaty.

In June, US President Bush toured several European countries, visited NATO headquarters in Brussels and met with Russian President Putin in Slovenia. Meetings with European leaders and NATO did not bring new support to the US NMD proposal. France reiterated its concern over NMD's potential to trigger a new arms race, the United Kingdom said it understood the US position but reserved judgment until it knew the program's specificities, and Germany emphasized the need for further consultations and clarification of certain issues.. During their first meeting in Slovenia, Bush and Putin discussed differences around the Treaty and NMD system, but the disagreements over future development of a US NMD system remained to be resolved. Putin proposed a US-Russian cooperative effort to ensure that "rogue" states would not become threats in the future, but warned again that should the United States withdraw from the Treaty, it would give Russia the right to withdraw from START I and II. Both presidents assigned their two top diplomatic and military advisers to meet to discuss differences.

On 17 June, US National Security Advisor Rice named Spain, Turkey, the United Kingdom, Italy, Poland, and the Czech Republic as countries where Bush's initiative had received positive reactions.

Two days after the meeting with Bush, Putin called for further consultations with the United States and noted that the Parties should look at what specific provisions in the Treaty would prevent the United States from countering perceived threats, implying that the Treaty originally allowed for two regional defenses. He invited the United States to a discussion on what it viewed as threat and sought clarification of what the Bush administration meant when it said NMD would be limited.

During the 22 July G-8 Summit meeting, Presidents Bush and Putin discussed the ABM Treaty issue once again. The Parties issued a Joint Statement in which they expressed their intention to begin "intensive consultations on the interrelated subjects of offensive and defensive systems." Commenting on the Statement, US officials insisted that it provided for a "link" between the issues of offense and defense. The visit of Rice to Moscow and two expert meetings in Washington and Moscow did not produce any results. The United States was unable to provide Russia with detailed parameters of the conceived NMD and intended START III reductions, while Russia reiterated its preference to preserve the Treaty. The Parties also voiced divergent approaches to the status of their possible agreement: Russia opted for codifying it in a formal document, while the US said it was not seeking a formal agreement on offenses or defenses.

On 30 July, the Pentagon's ABM Treaty Compliance Review Group reported preliminary findings that proposed testing plans could violate the Treaty. These plans called for the testing of ground- and ship-based interceptors, as well as air-borne lasers (ABL). The Pentagon offered three possibilities for future violations: the start of the construction of a testing site in Alaska, the use of ship-based radars to track long-range targets, and the use of ABM and non-ABM radars together during a short-range interceptor test. It said, however, that violations would not occur before the end of September. Nevertheless, US Deputy Secretary of Defense Paul Wolfowitz stated that if the United States and Russia failed to reach an agreement on the Treaty's modifications, the United States would not violate the Treaty, and the test would be postponed or would be modified so that it would comply with the Treaty. On 16 August 2001, Secretary of Defense Rumsfeld echoed this position saying the United States was "certainly not going to breach the Treaty or violate it in any way." The US administration made a point that nothing in the Treaty prevented research of or laboratory work on anything.

Contrary to statements by the Pentagon, on 15 August President Bush declared that building NMD would require getting rid of the Treaty. Administration officials claimed also that the preferred course of action would be either to withdraw with Russia from the Treaty or to issue a joint political statement stating that NMD was permissible.

On 28 August, a private Alaskan company began preparatory work at Fort Greely in Alaska, where the Pentagon planned to deploy the primary "emergency capability" of up to five ground-based interceptors. The construction was planned to start in April 2002 and finish as early as 2004. This site was described by the Pentagon as a test site, but it did not rule out the possibility of converting it into an operational site and underscored the importance of using this facility for an emergency deployment. The construction of the site was likely to violate the Treaty if the United States pursued the intention of turning it into an operational capability.

At the summit meeting between President Bush and Putin in November, in Crawford, Texas no agreement was reached on the question of the future of the Treaty. The Bush administration made it clear that it preferred unilateral or joint withdrawal from the Treaty in order to pursue missile defenses unfettered, whereas Russia wanted to preserve the accord or at least to keep in place some limits on future strategic missile defenses. The presidents, however, pledged to continue their discussions.

On 13 December, President Bush officially announced that the United States was withdrawing from the ABM Treaty. As provided in Article 15 of the Treaty, the effective date of withdrawing will be six months from 13 December. President Bush announced that by leaving the 29-year-old Treaty, the United States would be able to conduct the type of research, testing, and development necessary to determine if a workable anti-ballistic missile defensive system can be fielded. The United States already had begun testing a ground-based system designed to intercept intercontinental ballistic missiles (ICBMs). The US Navy had also been testing some components of a shipboard missile intercept system. Russian President Vladimir Putin called the US decision to withdraw from the ABM Treaty a "mistake." In a later statement, the Russian President declared that the US withdrawal presented "no threat to the national security of the Russian Federation," which has an effective system capable of overcoming any new missile program. President Putin also called for continued cuts in nuclear stockpiles.

2000: On 19-21 January, US-Russian consultations took place in Geneva where the United States presented Russia with several documents, including the "NMD Protocol: Topics for Discussion," a Unilateral Statement, and the text of a proposed Protocol to the Treaty with Annex.

The "NMD Protocol: Topics for Discussion" document noted that the United States was planning to make a decision on the deployment of the NMD system no earlier than mid-2000. The United States recognized that the planned system would contravene the current provisions of the ABM Treaty, but assured Russia it would not be directed against it and would not weaken Russia's strategic deterrence potential. The document further invited Russia to negotiate a draft protocol containing amendments to the Treaty allowing for the United States to deploy a limited NMD system corresponding to the initial Phase I of the conceived system This would involve establishing an ABM site in Alaska, maintaining the total of 100 interceptors with the addition of a phased-array ABM radar, and enabling existing early warning radars (EWRs) to exercise ABM functions.

Proposed Amendments to the Treaty by the Clinton Administration

The Protocol would allow the Parties to deploy a missile defense system for purposes of limited defense of their national territory against limited long-range ballistic missile strikes as an alternative to deploying the ABM systems permitted by Articles I and III of the Treaty (Article I). Article II of the Protocol would permit the Parties to each deploy no more than 100 ABM launchers and no more than 100 antimissile missiles at launching positions within one deployment region within their national territory; to enable EWRs in existence on 1 December 1999 to perform ABM radar functions to support the limited territorial missile defense system; and to deploy one additional ABM radar each at any site within their national territory. If the Parties decided to deploy such limited territorial missile defense system, the Protocol would obligate them to dismantle or destroy ABM launchers deployed pursuant to Article III of the Treaty that were operational, under construction or undergoing testing, major overhaul, repair, or refurbishment as of 1 December 1999, so that there would be no more than 100 ABM launchers deployed at any time. Under the Protocol, the ABM launchers deployed in accordance with Article III of the Treaty that are not operational, under construction or undergoing testing, overhaul, repair, or refurbishment on 1 December 1999, and ABM radars deployed pursuant to Article III of the Treaty on 1 December 1999 would not have to be dismantled or destroyed (Article III). Article VI of the Protocol says that no sooner than 1 March 2001, one of the Parties could request negotiations to review the Protocol to take into account further changes in the strategic situation caused by the WMD proliferation and long-range ballistic missiles that might require deployment of more effective limited national territorial defense systems necessary to counter these long-range missiles.

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In the proposed Annex to the Protocol, the United States put forward transparency and verification measures to insure compliance with the Treaty, including information exchange and notifications, system demonstrations, and inspections.

During the January-February 2000 visit by Secretary of State Albright to Moscow, the Russian President reportedly agreed to continue consultations on amendments to the Treaty that would allow the United States to deploy a limited NMD system, but insisted on protecting the Treaty's "fundamental principles." Later in February, Russia expressed concern with US-Japanese plans to deploy a TMD in East Asia.

On 18 April 2000, Russia stated that the Globus-2 radar station under construction in the Norwegian town of Vardo represented a violation of the ABM Treaty. Dismissing the US claims that the radar was aimed at tracking space objects, Russia insisted that prior to being located in Norway, the radar was used in ABM tests in the United States, making it clear that the radar could be used as part of a US NMD system. On 20 April 2000, Russian Strategic Rocket Forces (SRF) Commander-in-Chief General Vladimir Yakovlev requested that negotiations be held between the Parties on the radar station. Once installed in Norway, according to Yakovlev, the radar would be able to monitor a large portion of Russian territory, including missile launches from the Plesetsk cosmodrome and SLBM launches from training areas in the Barents Sea.

In the 6 June 2000 Joint Statement, the Presidents of Russia and the United States reaffirmed their commitment to strengthening the Treaty and recognized its importance as a cornerstone of strategic stability and its contribution to offensive forces reductions. At the same time, the presidents recognized that the proliferation of WMD and their means of delivery posed an emerging threat to international security and noted that the Treaty contained provisions on considering new developments in strategic situation. Both presidents directed their cabinet members and experts to prepare a report on concrete measures that would address emerging threats while preserving strategic stability. The Parties also noted the importance of the consultative process and expressed their desire to continue consultations in the future as a means of promoting the objectives and implementation of the Treaty. The United States officially interpreted this Joint Statement as permitting amending the Treaty in response to threats posed by the proliferation of WMD and related technologies. Russia opposed such an interpretation and reiterated its opposition to amending the Treaty.

The same day, the Parties signed a Memorandum of Understanding (MOU) establishing a Joint Data Exchange Center, with the goal of "near real-time" exchange of data produced by US and Russian space- and land-based missile launch early warning systems. The MOU specified that the center would begin operations in June 2001, that it would be located in Russia, and that it would be manned by 16 US and 16 Russian officers, as well as 60 support personnel. Data exchanged at the center was to include submarine-launched ballistic missile (SLBM) launch information as well as information on third country ballistic missile launches capable of posing a direct threat to either Russia or the United States or creating an ambiguous situation, which might lead to incorrect interpretation. The center is also to gather data on the place and time of preparations for missile launches in any spot of the globe.

On 21 June 2000, during his visit to Norway, Russian Foreign Minister Igor Ivanov said that he received assurances from Norway that the Globus-2 radar construction and operation would remain fully under Norwegian control and that it would not be used in the interests of US plans to create an NMD system.

On 21 July 2000, a Russian Foreign Ministry spokesman expressed Russia's surprise and concern regarding an announcement by the Norwegian military's chief of staff that Norway intended to examine the possibility of participating in US plans for an NMD. He said that the new announcement cast doubt on Norway's earlier assurances that the Globus-2 radar station currently under construction would not be used as part of the planned US NMD and contradicted earlier Norwegian statements of support for the ABM Treaty.

During the G-8 Summit in Okinawa on 21-23 July 2000, Russia solicited international support for its opposition to US plans to develop and deploy a NMD system. Canada stated that it had not formulated a position on US NMD plans, and attached great importance to Russia's position; and France expressed doubts about the need for such system and noted that the majority of EU members shared France's position. Presidents Clinton and Putin also issued a Joint Statement on cooperation on strategic stability, which underscored the Treaty's importance and created a constructive basis for progress in further reducing nuclear arsenals, preserving and strengthening the Treaty, and counteracting new challenges to international security. The United States and Russia also affirmed their readiness to continue cooperation on TMD systems.

On 16 December 2000, the Parties signed a bilateral Memorandum of Understanding (MOU) establishing procedures for notification of ballistic missile launches. The new MOU expanded ballistic missile and space launch vehicle pre- and post-launch notification procedures and complemented the June 2000 MOU on exchanging early warning information. In a press conference following the signing, Albright and Ivanov stated that the bilateral notification regime provided for by this MOU could be converted into a multilateral notification regime.

1999: In January, the United States indicated to Russia that it was willing to negotiate changes to the Treaty, which prohibited the development of NMD in order to respond to the WMD threat posed by such "rogue" states as North Korea and Iraq. Russia reacted negatively to this proposal and stated that it would regard any attempts to modify the Treaty as upsetting strategic stability and directed against Russia's security interests, and dismissed any possibility that the "rogue" states were able to pose any serious threat to the US mainland. The Russian Foreign Ministry rejected any possibility for amending the Treaty, while the Ministry of Defense announced that should the United States unilaterally withdraw from the Treaty, Russia would take measures "adequate to the international situation."

On 16 March, during its visit to Russia, the US Congressional delegation proposed that the Parties should jointly develop missile defenses against "pariah states." Russia dismissed this proposal because of financial constraints that would make it impossible for Russia to work on the joint NMD.

On 17 March, the US Senate voted 97-3 to pass the National Missile Defense Act of 1999, which called for the deployment as soon as is technologically possible of an effective NMD system capable of defending US territory against limited ballistic missile attacks (whether accidental, unauthorized, or deliberate). Similar legislation passed in the US House of Representatives on 18 March by a vote of 317-105. The Russian Foreign Minister harshly criticized this decision, reiterating Russia's opposition to amending the Treaty and noting that the country would withdraw from the START treaties if the United States withdrew from the ABM Treaty.

On 20 June, during the US-Russian Summit meeting, the Parties agreed to hold preliminary consultations on START III and to begin discussions on "possibly reopening" the Treaty in August in Moscow. In the Russia-US Joint Statement, the Parties recognized the "fundamental importance" of the ABM Treaty and reaffirmed their current obligations to consider possible changes in the strategic situation that have a bearing on the Treaty and, as appropriate, possible proposals for further increasing the viability of this Treaty.

During the 17-19 August US-Russian consultations, the Parties outlined their approaches to the Treaty and to further efforts to strengthening it and to enhance its viability and efficiency, but did not discuss any specific amendments. Russia reiterated that it did not see any practical need for the Treaty's amendment and that it would withdraw from the START treaties if the United States unilaterally deployed NMD. During the September 1999 meeting of the US-Russian group for strategic stability and the September and October 1999 additional consultations, the Parties were unable to make progress on the issue.

In an attempt to secure Russia's agreement to amend the Treaty, on 17 October, the United States proposed possible cooperative measures to include: assistance in completing the EWR at Mishelevka, Irutsk Oblast; joint computer simulations of antimissile systems; expanded intelligence sharing on threats from rogue states; collaboration in developing missile launch early warning satellites; a joint presence at one US and one Russian radar site; joint exercises in battlefield missile defense; sharing of the US radar data with Russia, and mediation with Azerbaijan to help Russia regain the use of a former Soviet early warning radar site at Lyaki, Azerbaijan, which would cover the Middle East. Russian officials, however, showed no willingness to seriously consider modifying the Treaty. Later, Russia stated that it would not accept any trading with respect to the Treaty.

On 16 November, the Russian Minister of Defense stated that should the United States deploy an ABM system, the Russian government would give its highest priority to modernizing existing systems and designing and creating a new generation of strategic and tactical systems in order to maintain a credible threat and to ensure its nuclear deterrent remained viable.

On 1 December, the UN General Assembly (UNGA) passed a resolution, sponsored by Russia, China, and Belarus, calling for renewed efforts by Russia and the United States to preserve and strengthen the Treaty through full and strict compliance. The vote on the resolution was 80-4, with 68 abstentions. The United States, Israel, Albania, and Micronesia voted against the resolution. Most Western European countries abstained, although France voted for the resolution.

1998: On 13 October, the United States, Russia, Belarus, Kazakhstan, and Ukraine signed an agreement that finalized some details of the theater missile defense (TMD) demarcation agreements concluded in September 1997. The new agreement would make it possible to implement the September 1997 agreements as soon as they were ratified by the Parties and entered into force.

1997: On 21 January, Senate Majority Leader Trent Lott introduced the "National Missile Defense Act of 1997," calling for the deployment of an NMD system by 2003. The same day, Senator Lugar introduced the "Defend the United States of America Act of 1997," which required the United States to develop an NMD system capable of being deployed by the end of 2003 with a congressional vote in 2000 to determine whether or not to deploy such a system.

On 21 March, during the Summit meeting, the Parties issued a Joint Statement regarding the demarcation negotiations. The Parties reaffirmed their commitment to the ABM Treaty and proclaimed their common task to preserve the ABM Treaty, prevent circumvention of it, and enhance its viability. The Parties acknowledged their

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right to establish and to deploy effective TMD systems without violating the Treaty and agreed that such a system:

1. will not pose a realistic threat to the strategic nuclear force of the other side;
2. will not be tested to give such systems that capability; and
3. will not be deployed by the sides for use against each other.

The Parties stated that they had no plans before April 1999 to flight test against a ballistic target missile the theater missile defense (TMD) interceptor missiles subject to the agreement on demarcation with respect to higher-velocity TMD systems; to test TMD systems against target missiles with multiple independently targetable re-entry vehicles (MIRVs) or against reentry vehicles deployed or planned to be deployed on strategic ballistic missiles; nor did the Parties have plans for TMD systems with interceptor missiles faster than 5.5 km/sec for land-based and air-based systems or 4.5 km/sec for sea-based systems.

The document laid down elements for the agreement on higher-velocity TMD systems:

1. The velocity of the ballistic target missiles will not exceed 5 km/sec;
2. The flight range of the ballistic target missiles will not exceed 3500 km;
3. The sides will not develop, test, or deploy space-based TMD interceptor missiles or components based on other physical principles that are capable of substituting for such interceptor missiles;
4. The sides will exchange detailed information annually on TMD plans and programs.

The Parties agreed that there was considerable scope for cooperation in TMD and voiced readiness to explore integrated cooperative defense efforts in the provision of early warning support for TMD activities, technology cooperation in areas related to TMD, and expansion of the ongoing program of cooperation in TMD exercises.

On 26 September, the United States, Russia, Belarus, Kazakhstan and Ukraine signed the Memorandum of Understanding on Succession to the ABM Treaty, and four related documents: 1) First Agreed Statement Relating to the ABM Treaty; 2) Second Agreed Statement Relating to the ABM Treaty; 3) Confidence-Building Measures Agreement; and 4) Regulations of the Standing Consultative Commission.

ABM/TMD Demarcation Agreement

In the First Agreed Statement, the Parties agreed on the characteristics of the non-strategic ABM systems, including:

1. The velocity of the interceptor missile does not exceed 3 km/sec over any part of its flight trajectory;
2. The velocity of the ballistic target-missile does not exceed 5 km/sec over any part of its flight trajectory;
3. The range of the ballistic target-missile does not exceed 3,500 km.

In the Common Understandings related to the First Agreed Statement and constituting its integral part, the Parties agreed that the velocity of space-based interceptor missiles shall be considered to exceed 3 km/sec.

In the Second Agreed Statement, the Parties undertook that in the course of testing, separately or in a system, interceptor missiles, interceptor missile launchers, and radars, of systems covered by this Agreed Statement, which were not ABM interceptor missiles, ABM launchers, or ABM radars, the velocity of the ballistic target-missile would not exceed 5 km/sec over any part of its flight trajectory and the range of the ballistic target-missile would not exceed 3,500 km. They also undertook not to develop, test, or deploy space-based interceptor missiles to counter ballistic missiles other than strategic ballistic missiles, or space-based components based on other physical principles.

The Agreement on Confidence-Building Measures obligated the Parties to provide notifications to the other Parties of test ranges and other test areas where launches of interceptor missiles of systems subject to this Agreement (THAAD, NTW, S-300V (SA-12) and other systems as agreed upon by the Parties in the future) would take place either within 30 days after entry into force of this Agreement, or no later than 90 days in advance of the first launch of an interceptor missile of a system subject to this Agreement. The Agreement provided for the notifications of each launch of an interceptor missile of systems subject to this Agreement no later than 10 days in advance of the planned date of the interceptor missile launch. The Parties further committed not to deploy systems subject to this Agreement in numbers and locations so that these systems could pose a realistic threat to the strategic nuclear force of another Party.

The SCC Joint Statement provided for the annual information exchange by the Parties on the status of their plans and programs with respect to systems to counter ballistic missiles other than strategic ballistic missiles, specified in the Agreement on Confidence-Building Measures, including:

1. Whether or not the Parties have plans before April 1999 to test, against a ballistic target-missile, interceptor missiles with the velocity exceeding 3 km/sec over any part of their flight trajectory;
2. Whether or not the Parties have plans to develop such systems with interceptor missiles, whose velocity over any part of their flight trajectory exceeds 5.5 km/sec for land-based and air-based systems or 4.5 km/sec for sea-based systems;
3. Whether or not the Parties have plans to test such systems against MIRVed ballistic target-missiles or against re-entry vehicles deployed or planned to be deployed on strategic ballistic missiles.

All the Parties, in the ensuing separate statements, declared that they had no plans to implement the three above-mentioned points.

ABM Succession

The Memorandum of Understanding (MOU) decreed that the United States, Russia, Belarus, Kazakhstan, and Ukraine constituted the Parties to the Treaty and that the USSR Successor States shall assume the rights and obligations of the former USSR under the Treaty and its associated documents. The Parties agreed that the term "Union of Soviet Socialist Republics" shall mean the USSR Successor States; that the terms "national territory" and "territory of its country" when used to refer to the former USSR shall mean the combined national territories of the USSR Successor States, and the term "periphery of its national territory" when used to refer to the former USSR shall mean the periphery of the combined national territories of those States; and the term "capital" when used to refer to the capital of the Union of Soviet Socialist Republics shall continue to mean the city of Moscow. Under the MOU, the USSR Successor States shall collectively be limited at any one time to a single ABM system deployment area and to a total of no more than 15 ABM launchers at ABM test ranges, in accordance with the provisions of the Treaty and its associated documents, including the Protocols of 3 July 1974. The MOU entitled the USSR Successor States to continue to use any facility that was subject to the provisions of the Treaty and that was currently located on the territory of any State that was not a Party to the Treaty, with the consent of such State, and provided that the use of such facility shall remain consistent with the provisions of the Treaty. The Parties agreed that Treaty obligations regarding ABM system transfers shall not apply to transfers between or among the USSR Successor States. The work of the SCC with the new composition was regulated by the adopted Regulations of the SCC.

1996: On 6 March, the United States announced its "3+3" program calling for the development over the next three years of the basic elements of an NMD system that could be deployed in three more years if a threat emerged that would justify such a decision.

On 24 June, during the SCC Session, the Parties concluded an initial agreement on the low-velocity TMD systems, under which all TMD systems with interceptor velocities up to and including 3 km/sec would be permitted under the ABM Treaty as long as they were not tested against target missiles with velocities above 5 km/sec or ranges greater than 3,500 km. The Parties agreed to convene the SCC meeting on 1 October to sign the low-velocity TMD part of the final document and begin discussions on the high-velocity TMD issues. The Parties also reached a preliminary agreement regarding confidence-building measures (CBM) and ABM Treaty succession.

On 23 September, during the UNGA 51st session, the Parties issued a joint statement containing an outlook for a second agreement on higher-velocity strategic and TMD systems. The Statement also said that an Agreement on Confidence-Building Measures applicable to these systems would be completed, which would expand on the basic document. The Parties noted that there was a basis for a constructive outcome of the demarcation negotiations on the higher-velocity TMD systems.

On 31 October, the planned signing ceremony of the low-velocity demarcation agreement was cancelled. Russia refused to sign the first-phase (low-velocity) agreement without a second-phase (high-velocity) agreement on more capable systems. The United States refused to link the two agreements and canceled the signing.

1995: During the May Summit, the United States and Russian Presidents agreed that the deployed TMD systems would not pose a realistic threat to the strategic nuclear force of the other side, would not be tested to give such systems that capability, would not be deployed by the sides for use against each other, and the scale of TMD deployment by either side would be consistent with TMD programs confronting that side.

On 17 November, the Parties agreed on a framework for establishing a "demarcation line" between permitted TMD and restricted ABM systems. Under the agreed framework, TMD systems with interceptor velocities of 3 km/sec or less will be considered treaty-compliant provided that they are not tested against ballistic missile targets with ranges greater than 3,500 km or velocities above 5 km/sec.

1994: In January, in response to the July 1993 proposal by the United States, Russia proposed that, in addition to placing limits on the speed of target re-entry vehicles, TMD interceptors themselves should be limited to a velocity of 3 km/sec. The proposal was rejected by the United States because the proposed limitation would not have allowed the United States to deploy such higher-

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speed TMD systems as the Navy upper-tier or the Air Force air-launched boost-phase intercept systems.

On 11-13 July, the United States proposed a speed limit of 3 km/sec for land-based interceptors, 4.5 km/sec for sea-based interceptors, and 5.5 km/sec for air-based interceptors. Russia proposed to restrict higher-speed TMD interceptors to the test phase.

The September 1994 "Contract with America" Republican pre-election platform called for the deployment at the earliest possible moment of an ABM system that was capable of providing a highly effective defense against ballistic missile attacks directed towards the United States and to provide at the earliest possible date highly effective TMD systems to protect forward-deployed and expeditionary elements of the US Armed Forces and friendly forces and allies of the United States.

1993: On 13 July, the United States confirmed that it was adhering to the "narrow" interpretation of the ABM system, which prohibits the development, testing, and deployment of sea-based, air-based, space-based, and mobile land-based ABM systems and components without regard to the technology utilized.

From 27 September to 1 October, the Parties conducted the fourth review of the Treaty. Delegations from the United States, Russia, Belarus, and Ukraine were present at the review. Among other questions, the participants discussed the question of succession. They reaffirmed their commitment to the Treaty, agreed on the importance of maintaining the viability of the Treaty in view of political and technological changes, and advocated continued efforts to strengthen the Treaty.

In November 1993, the US proposed establishing guidelines for deployment of TMD systems, without violation of the ABM Treaty, formally withdrew the revisions to the ABM Treaty put forward by the Bush administration in September 1992, and agreed to multilateralize the Treaty. The United States proposed that the TMD interceptor should be capable of intercepting a ballistic missile with the re-entry vehicle velocity not exceeding 5 km/sec and with a range not exceeding 3,500 km.

1992: On 28 January, in his annual State of the Union address, President Bush called for congressional support in funding a program to protect the country from limited ballistic missile attack.

On 31 January, President Yeltsin proposed the elimination of existing anti-satellite (ASAT) programs and a ban on weapons especially designed to destroy satellites. As an alternative to the Strategic Defense Initiative (SDI) program, Russia proposed the creation of a jointly operated global defense system with the faithful observance of the provisions of the ABM Treaty.

On 17 June, the Parties issued a Joint Statement, in which they agreed that the two countries should work together with allies and other interested States in developing a concept for a Global Protection System (GPS) as part of an overall strategy regarding the proliferation of ballistic missiles and weapons of mass destruction. The Parties agreed to establish a high-level group to explore on a priority basis the following practical steps: 1) the potential for sharing of early warning information through the establishment of an early warning center; 2) the potential for cooperation with participating States in developing ballistic missile defense capabilities and technologies; and 3) the development of a legal basis for cooperation, including new treaties and agreements and possible changes to existing treaties and agreements necessary to implement a GPS.

On 21-22 September, during the Second US-Russian GPS meeting, the American side tabled a Draft Protocol of the ABM Treaty. The Protocol provided for:

1. six ABM sites with 150 interceptors each;
2. unlimited ABM development and testing;
3. unlimited space-based sensor development and testing;
4. increase in capabilities of TMD systems;
5. transfer of ABM systems to other States.

During the final weeks of his presidential campaign, Bill Clinton renounced the goal of a space-based defense system and supported the development of an option for "a limited missile defense system within the strict framework" of the ABM Treaty.

1991: On 29 January, the United States announced that from then on the SDI program ─ which would contemplate the deployment of 1,000 space-based "Brilliant Pebbles" interceptors, 750 to 1,000 long-range ground-based interceptors at six sites, space-based and mobile sensors, and transportable theater ballistic missile defenses ─ would be redesigned to protect not a large-scale ballistic missile attack, but against limited ballistic missile strikes.

On 27 September, the United States called on the USSR to join it in taking immediate concrete steps to permit the limited deployment of non-nuclear defenses to protect against limited ballistic missile strikes without undermining the credibility of existing deterrent forces.

1990: In April, the United States proposed an executive agreement, not tied to the ABM Treaty, that included the exchange of data on defensive programs, meetings of experts, briefings, visits to laboratories, observations of tests, and notifications of ABM tests.

1989: During the ministerial meeting on 22-23 September, the USSR dropped the requirement to link the Defense and Space Talks (DST) agreement on the future of ABM systems with completing and implementing

START, but stated that it reserved the right to withdraw from START if the United States failed to abide by the ABM Treaty. The Soviet Union also agreed to eliminate its radar near Krasnoyarsk without preconditions.

1988: On 22-23 March, the United States presented the Soviet side with a new initiative that would permit the development, testing, and deployment of space-based sensors without restriction.

From 24 to 31 August 1988, the Parties conducted the third review of the Treaty. Unlike at the two previous reviews, the Parties were unable to issue a joint statement, but came forward with unilateral statements. The United States accused the USSR of violating the Treaty, by constructing a phased-array radar near Krasnoyarsk. The United States demanded that the radar be dismantled and noted that the continuing existence of the Krasnoyarsk radar would make it impossible to conclude any future arms agreements in the START or defense and space areas. The United States also pointed to radars at Gomel, which it considered to be another violation of the Treaty and discussed "compliance concerns" that made the United States believe that the Soviet Union might be preparing a prohibited ABM territorial defense.

The USSR accused the United States of adopting a confrontational and unobjective approach to the review and the situation around the radar in Krasnoyarsk, of reluctance in giving practical consideration to Soviet concerns, and of seeking to reduce the entire review of the operation of the ABM Treaty to the acceptance by the Soviet side of the American demand for the dismantling of the Kranoyarsk radar station, which arguably did not exist at the time of the review meeting. The Soviet Union announced that in order to show goodwill, it expressed readiness to dismantle the equipment of this station in a way that would be verifiable, if an accord were reached on compliance with the ABM Treaty as was signed in 1972. It argued that US concerns over the USSR planning of a territorial defense was unfounded, and, in turn, raised the issue of US radar stations at Thule, Greenland, and Fylingdales, the United Kingdom, which it considered a violation of the Treaty as well as other alleged occasions of US noncompliance with the Treaty.

1987: In April, during the DST talks, the US proposed to commit through 1994 not to withdraw from the ABM Treaty, to condition such commitment on the implementation of the START reductions, and to open the option to deploy defensive systems of each Party's choosing after 1994, unless mutually agreed otherwise. The United States also proposed that the Parties exchange data on their planned strategic defense activities on an annual basis, provide reciprocal briefings on their respective strategic defense efforts, permit visits to associated research facilities, and agree to procedures for reciprocal observation of strategic defense testing.

1986: During the October Reykjavik Summit, the Soviet side proposed that the Parties should commit not to withdraw from the Treaty within the 10-year period. The United States conditioned such a commitment upon a 50 percent reduction in the strategic offensive forces of the Parties by 1991, elimination by 1996 of all the Parties' offensive ballistic missiles, and agreement that either Party could deploy advanced strategic defenses after 1996 unless both sides agreed otherwise. The USSR also proposed to ban testing of any space-based element of a missile defense system outside of laboratories, the proposal was rejected by the United States due to its potential impact on the SDI program.

1985: During the March US-Soviet DST, the United States sought to discuss a transition from deterrence based solely on the threat of nuclear retaliation to increased reliance on defenses, either ground- or space-based, against ballistic missiles. The USSR in turn sought a comprehensive ban on research, development, testing, and deployment of space-based weapons.

In October, the United States introduced a "broad" interpretation of the ABM Treaty, i.e. space-based and mobile ABM systems and components that are based on "other physical principles" (i.e., lasers, particle beams) may be developed and tested but not deployed, while the "narrow" interpretation allows the development and testing, but not the deployment, of ABM systems based on other physical principles only for fixed, land-based systems and components. However, the United States decided that the SDI program would be continued according to the more restrictive interpretation of the Treaty.

In November, during the DST, the United States proposed to jointly explore how a cooperative transition could be accomplished should new defensive technologies prove possible, provide information on each other's strategic defense R&D programs, and exchange visits to associated laboratories.

1983: On 23 March, US President Reagan announced the launching of the program that came to be known as the SDI. He called for a research program, consistent with US obligations under the ABM Treaty, which would examine the feasibility of defensive measures against ballistic missiles to eliminate the threat posed by strategic nuclear missiles and render nuclear weapons impotent and obsolete.

In July, the United States revealed that it had detected the construction of a large phased-array radar near Krasnoyarsk in the USSR, which it called an outright violation of the Treaty due to its location at about 800 km from the nearest border, while the Treaty required that all such radars be located on the periphery of the country and were a key to providing a nationwide defense.

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1982: From 9 to 15 November, the Parties conducted the second review of the Treaty. In the SCC Communiqué, the Parties reaffirmed their commitment to the aims and objectives of the Treaty, and to the process of consultation within the framework of the SCC to promote the implementation of its objectives and provisions.

1978: On 1 November, the SCC adopted an Agreed Statement, which specified the test ranges referred to in Article IV of the Treaty, defined the term "tested in ABM mode," and established rules for the use of air defense radars located at or near an ABM test range. The Agreed Statement defined an ABM test range as any test range, at which an ABM system or at least one ABM launcher, regardless of whether it contains an ABM interceptor missile, or one ABM radar is located or constructed for purposes of testing. The Agreed Statement named the current test ranges: for the United States, in the vicinity of White Sands, New Mexico, and on the Kwajalein Atoll (Marshall Islands) and for the USSR, in the vicinity of Sary Shagan, Kazakhstan, and on the Kamchatka Peninsula. The Parties agreed that a new test range would be considered "additionally agreed" if it were consistent with the Treaty's prohibitions on a nationwide defense or a base for such defense. A Party building a new test range would simply have to notify the other Party of its plans no later than 30 days after starting construction of ABM launchers or radars at a new site.

According to the Agreed Statement, the term "tested in an ABM mode" referred to an ABM radar tracking a strategic ballistic missile or its elements in flight trajectory and guiding an ABM interceptor missile toward them regardless of whether the intercept was successful; or tracking and guiding an ABM interceptor missile; or tracking a strategic ballistic missile or its elements in flight trajectory in conjunction with an ABM radar, which is tracking a strategic ballistic missile or its elements in flight trajectory and guiding an ABM interceptor missile toward them or is tracking and guiding an ABM interceptor missile. With respect to air defense components, which are co-located with ABM components, the Parties agreed to refrain from concurrent testing of such air defense components and ABM system components at that range.

Following the Agreed Statement, the Parties exchanged statements, in which they specified the locations for phased-array radars, which are constructed and used only as instrumentation equipment for testing of any types of weapons or military equipment, and agreed that passage of strategic ballistic missiles or their elements through the fields of view of an EWR or a phased-array radar not operating the ABM mission, would not be equated with the tracking of such missiles by these radars and would not be grounded for either Party to consider that the radars are being tested in an ABM mode.

1977: From 4 to 21 November, the Parties conducted a review of the Treaty after five years of its operation. They agreed that the Treaty had been operating effectively, that it had served the security interests of both Parties, decreased the risk of outbreak of a nuclear war, and facilitated progress in the further strategic offensive arms limitations. The Parties reaffirmed their mutual commitment to the objectives and provisions of the Treaty and their determination to maintain and further increase the viability and effectiveness of the Treaty.

1976: The United States deactivated its permitted ABM site in Grand Forks, Montana. Since then, the only deployed ABM system has been the ABM system around Moscow.

1974: At the 1974 Summit Meeting, on 3 July, the Parties to the ABM Treaty signed a Protocol that further restrained the deployment of ABM systems. The Protocol reduced the number of permitted ABM sites to one for each Party, with the USSR choosing to deploy an ABM system around its capital city Moscow, while the United States would do so around the ICBM launching site in Grand Forks, Montana. The Treaty also entitled the Parties to change the deployment site of the ABM system only once with advance notice. Upon entry into force on 24 May 1976, the Protocol became an integral part of the ABM Treaty. On the same day, the Parties adopted a document governing procedures for the dismantling, destruction, and notifications thereof for ABM systems and components.

Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions (SORT / Treaty of Moscow)

Signed: 24 May 2002.

Entry into Force: 1 June 2003.

Duration: The Treaty shall remain in force until 31 December 2012 and may be extended by agreement of the Parties or superseded earlier by a subsequent agreement.

Parties: Russian Federation and United States.

Background: The U.S.-Russian summit held in Moscow and St. Petersburg on 24-26 May 2002, capped the process of rapprochement between the two States that began in earlier summits in Ljubljana, Genoa, Crawford, and Shanghai, with both aspiring to leave behind the logjams of the Cold War.

Several documents were signed on a set of issues ranging from arms control to cooperation in the economic, energy, and information technology areas. The most publicized event of the summit was the signing of the Treaty of Moscow. This document was largely a result of

compromise: the United States insisted that the two countries did not need a treaty at all, but agreed to insistent Russian proposals to conclude one. At the same time, the United States did not compromise on its top priority, freedom of choice on the fate of its decommissioned warheads, while Moscow gave up its earlier proposals for the guaranteed destruction of warheads.

Obligations:

Each Party shall reduce and limit strategic nuclear warheads so that by 31 December 2012, the aggregate number of such warheads does not exceed 1,700-2,200 for each Party.

Each Party shall determine for itself the composition and structure of its strategic offensive arms, based on the established aggregate limit for the number of such warheads.

The Parties agree that START I remains in force in accordance with its terms.

The parties shall meet at least twice a year for a Bilateral Implementation Commission to discuss the progress of implementation of the treaty.

In February of 2003, the Senate Armed Services Committee, in reviewing the treaty for ratification, stipulated two additional conditions. First, the creation of an annual report on the status of US-Russian Cooperation Threat Reduction initiatives and, second, an annual update on treaty implementation, including information on strategic force levels, planned reductions each calendar year, and verification or transparency measures.

Verification and Compliance: The Treaty does not contain any specific verification or compliance provisions. For purposes of implementing this Treaty, the parties shall hold meetings at least twice a year of a Bilateral Implementation Commission. The Joint Declaration of the United States of America and the Russian Federation, issued on 24 May 2002, states that START I provisions "will provide the foundation for providing confidence, transparency, and predictability in further strategic offensive reductions, along with other supplementary measures, including transparency measures, to be agreed." START I verification measures allow each country to utilize any accessible "national technical means" of verification, and provide for inspections at declared or suspect facilities in order to authenticate each country's declarations of its weapons and facilities. START I also requires several other types of confidence-building measures, including notification to the other side of weapons testing and open displays of some types of missile launchers. START I will expire in 2009. SORT does not expire until 2012.

Withdrawal: Each Party may withdraw from the Treaty upon 90-days' written notice to the other Party.

Developments:

2007: The Bilateral Implementation Commission (BIC) met on 11 May and 6 December in Geneva and participants exchanged confidential briefings on their strategic nuclear forces.

2006: The BIC met on 16-17 May and on 25 October in Geneva and participants exchanged confidential briefings on their strategic nuclear forces.

U.S. Undersecretary of State Robert Joseph and Russian Deputy Foreign Minister Sergey Kislyak met in September within the new framework of the Strategic Group on international security issues.

2005: The offensive transparency working group of the Consultative Group for Strategic Security (CGSS) met on 27-28 January.

In its 2005 Annual Report of the Implementation of the Moscow Treaty, the United States announced plans to complete the deactivation of its 13 remaining Peacekeeper ICBMs. It also noted configuration changes in warhead loading for all Trident II submarines and some Minuteman II ICBMs.

In November, the United States proposed replacing the CGSS with a Core Group and a Strategic Group on international security issues, to be chaired by the Russian Deputy Foreign and Defense Ministers and U.S. Undersecretaries of State and Defense.

2004: In January-March 2004 the United States and Russia engaged in talks concerning the implementation of SORT. Though the talks and work were described as useful and a draft document was drawn up setting forth the tasks of the Bilateral Implementation Commission (BIC) of the treaty, the United States expressed concerns over how Russia intended to count its weapons reductions under the treaty because SORT did not have a verification clause.

The treaty text requires the BIC to occur on a biannual basis for the lifespan of the treaty. The United States and Russia held the first two meetings of the BIC on April 8-9 and October 14-15, 2004, in Geneva. The work of the BIC is confidential.

The first steps envisaged by the United States are reducing operationally deployed strategic nuclear warheads, retiring 50 Peacekeeper ICBMs, removing four Trident submarines from strategic service, and no longer maintaining the ability to return the B-1B heavy bomber to nuclear service. These steps are already completed (B-1B and Trident submarines) or will be in 2005 (Peacekeeper deactivation). Beginning in FY06, at any given time, the United States will likely have two of the

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remaining 14 Trident SSBNs in overhaul. Those SSBNs will not contain operationally deployed strategic nuclear warheads.

In October 2004, Russian President Vladimir Putin announced that, in the near future, Russia will have arms capable of surmounting all current anti-ballistic missile (ABM) systems. Putin noted that the new technology was not aimed at the United States and that his country fully intended to comply with SORT obligations by 2012.

2003: In February of 2003, the Senate Armed Services Committee reviewed the treaty and added two conditions. First, the committee requested an annual report on the status of U.S.-Russian Cooperative Threat Reduction initiatives. Second, the committee required an annual update on the treaty's implementation, including information on strategic force levels, a schedule of planned reductions each calendar year and verification or transparency measures that might have been or might be employed.

On 6 March, the United States Senate unanimously ratified SORT after defeating two amendments. One amendment sought to include an instrument of verification (specifically, a provision requiring U.S. intelligence agencies to file annual reports on the U.S. ability to monitor Russia's compliance). The amendment failed 45-50. The second amendment sought to establish the requirement of presidential consultations with Congress 60 days before any decision to withdraw from the treaty or to extend it. The amendment failed 44-50.

On 9 March, the Russian working group developed a new draft of the bill which was agreed to by President Putin and submitted to the Duma. On 18 March, the Duma postponed ratification of the treaty, citing disagreement with the United States over the decision to invade Iraq. On 14 May, the Duma approved the Federal Law on Ratification for the Treaty by a 294-134 vote.

According to reports, the ratification legislation identifies two possible scenarios in which Russia should consider activating its right to withdraw from the treaty (a step permissible upon the service of three months' notice): a "significant build-up in strategic offensive forces of some nation or a group of nations" or deployment by another state or states of a missile defense system "capable of significantly reducing the efficiency of Russia's nuclear arsenals."
On 1 June, Presidents Bush and Putin met in St. Petersburg to exchange instruments of ratification to bring the treaty into force. The leaders noted in a joint statement that the treaty "codifies...deep reductions of strategic nuclear warheads" and thus stands as "another indication of the transformed relationship between our two countries."

2002: On 13 June U.S. withdrawal from the 1972 Anti Ballistic Missile Treaty took effect.

On 14 June, the Russian Federation announced its withdrawal from the START II Treaty due to U.S. refusal to ratify the treaty and to U.S. withdrawal from the ABM Treaty.

The Joint Declaration on the New Strategic Relationship Between the United States and Russia established the Consultative Group for Strategic Security (CGSS), a forum where foreign and defense ministers work to strengthen confidence, expand transparency, share information, and discuss strategic issues of mutual interest. The CGSS met for the first time on 20 September.

2001: At the G-8 summit in Genoa, Presidents Bush and Putin first met to discuss new bilateral arms control options. The presidents issued a statement noting that the two would "shortly begin intensive consultations on the interrelated subjects of offensive and defensive systems."

US-DPRK Agreed Framework / Six-Party Talks

Signed: October 21, 1994.

Under the Agreed Framework, the DPRK agreed to halt the operations and infrastructure development of its nuclear program in return for a package of nuclear, energy, economic, and diplomatic benefits from the United States.

According to the Agreed Framework, the DPRK agreed to:

- freeze and eventually dismantle its graphite-moderated reactors; seal, cease activities at, and eventually dismantle its reprocessing facilities; cooperate in finding a safe method to store existing spent fuel from its 5 MW experimental reactor and to dispose of such fuel in a safe manner that does not involve reprocessing in the DPRK;
- allow the International Atomic Energy Agency (IAEA) to monitor the freeze of its reactors; allow the implementation of its safeguards agreement under the nuclear Non-Proliferation Treaty (NPT); allow the IAEA to resume ad hoc and routine inspections of facilities not subject to the freeze upon conclusion of a Supply Agreement for the light-water reactor (LWR) project;
- come into full compliance with its safeguards agreement with the IAEA upon conclusion of a significant portion of the LWR project; remain a party to the NPT; and
- take consistent steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula; and engage in North-South dialogue.

In return for its obligations above, the DPRK will receive:

- two LWRs with a total generating capacity of approximately 2,000 MW(e), financed and supplied by an international consortium, by 2003;
- 150,000 tons of heavy fuel oil by October 1995 for heating and electricity production foregone due to the freeze of its graphite-moderated reactors, and 500,000 tons annually thereafter until the completion of the first LWR; and
- formal assurances from the United States against the threat or use of nuclear weapons.

In addition, the Agreed Framework requires the United States and the DPRK to:

- reduce barriers to trade and investment, including restrictions on telecommunications services and financial services and transactions; open liaison offices in each other's capitals; and
- upgrade bilateral relations to ambassadorial level as progress is made on issues of concern to each side.

Verification and Compliance: The Korean Peninsula Energy Development Organization (KEDO) was set up 9 March 2003 to monitor verification of the Framework. If non-compliance occurs, the IAEA is the responsible body.

Developments:

For related information, see sections on Joint Declaration of South and North Korea, KEDO, and IAEA

2008: While behind schedule, disablement of Yongbyon was reported to be nearing completion and the DPRK submitted its long-overdue nuclear declaration on 26 June. The following day, in an effort to demonstrate its commitment to the denuclearization process, the DPRK destroyed the cooling tower of its 5 Mw(e) experimental reactor at Yongbyon. The six parties resumed negotiations to map out a verification plan.

In October, the DPRK agreed to a number of verification measures, and the United States removed it from the State Sponsors of Terrorism list.

2007: On 13 February, the DPRK agreed to an "Action Plan" based on the 2005 Statement of Principles. Under the deal, the DPRK would shut down its nuclear facilities at Yongbyon within 60 days in exchange for 50,000 tons of heavy-fuel aid. Separate bilateral talks with the United States and Japan would also begin in order to normalize relations. Furthermore, in accordance with the Action Plan's second phase, another 950,000 tons of heavy fuel oil would be delivered along with other humanitarian, economic, and energy aid if the DPRK disabled its nuclear weapons program entirely.

On 19 March, DPRK assets in Banco Delta Asia were released and on 14 July, the IAEA confirmed the shutdown of Yongbyon nuclear facilities. In October 2007, the six parties agreed to a second phase Action Plan which called for the DPRK to disable its key nuclear facilities at Yongbyon and furthermore to submit a full declaration of its entire nuclear program by 31 December 2007.

2006: On 9 October 2006, the DPRK tested its first nuclear device at 10:35am (local time) at Mount Mant'ap near P'unggye-ri, Kilchu-kun, North Hamgyong Province. The yield from the test appeared to be less than 1 kiloton; the DPRK reportedly was expecting at least a 4 kiloton yield, possibly indicating that the nuclear program still had a number of technical hurdles to overcome before it could deploy a usable warhead. In reaction to the test, the UN Security Council passed Resolution 1718 placing sanctions on the DPRK.

With Beijing's behind the scenes negotiations, the DPRK returned to the Six-Party Talks in December 2006.

2005: On 10 February, the DPRK announced that it had manufactured nuclear weapons. A fourth round of talks took place in two phases: from 26 July-7 August and from 13-19 September.

On 19 September, the DPRK's delegation to the Six-Party talks signed a "Statement of Principles" whereby Pyongyang agreed to abandon all nuclear programs and return to the NPT and restore IAEA safeguards in exchange for a U.S.-provided light-water reactor. Implementation has been delayed because the DPRK and the United States have desired that the other side fulfill its obligations under the agreement first.

Despite the "Statement of Principles," the Six-Party Talks process was put on hold for over a year. A key issue holding back the talks was a disagreement over financial sanctions placed by the United States on businesses working with the DPRK. In September 2005, Washington froze the assets of Macao-based Banco Delta Asia. The reasons for this action were controversial, with the United States claiming that the bank was involved in money laundering unrelated to the nuclear issue, while experts claimed it was to gain negotiating leverage over the DPRK nuclear weapons program.

2004: A second and third round of Six-Party Talks took place from 25-28 February and from 23-26 June.

2003: On 10 January, DPRK announced its withdrawal from NPT.

On 5 February, North Korean officials declared that DPRK has reactivated the Yongbyon nuclear reactor and its operations are now going ahead "on a normal footing." They also stated that DPRK will use the facilities to produce electricity "at the present stage."

Six-Party Talks between North Korea, South Korea, Japan, China, Russia, and the United States took place from 27-29 August.

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2002: Through April, US and South Korean officials attended several meetings to discuss the possible resumption of US negotiations with North Korea to reinvigorate the 1994 Agreed Framework. South Korean presidential aide Lim Dong Won met with North Korean officials, including leader Kim Jong Il, who agreed to receive US diplomat Jack Pritchard to discuss restarting US-North Korean negotiations on the Agreed Framework. At issue were the IAEA inspections of North Korea's nuclear facilities, called for in the 1994 agreement when a "significant portion" of the new reactors is completed. US officials said the inspections could take three to four years to conduct, making their early commencement necessary to avoid interruption or delay in US aid for building the two LWRs intended to supply electricity to North Korea. North Korean officials, however, were reluctant to allow the inspections in the wake of US President Bush's January "axis of evil" speech, and due to concerns that the United States will renege on its pledge to help the country complete the LWRs.

On 16 October, the United States announced that during a visit to the DPRK, Assistant Secretary James A. Kelly and his delegation advised the North Koreans that the United States had recently acquired information indicating that North Korea has a program to enrich uranium for nuclear weapons in violation of the Agreed Framework and other agreements. North Korean officials acknowledged that they have such a program.

On 14 November, US President George W Bush declared that November oil shipments to the North will be the last if the North does not agree to put a halt to its weapons ambitions.

On 12 December, DPRK threatened to reactivate nuclear facilities for energy generation, saying the Americans' decision to halt oil shipments leaves it with no choice. DPRK also blamed the United States for violating the 1994 pact.

2001: On 22 February, North Korea threatened to abandon its participation in the Agreed Framework if the Bush administration followed a "different" North Korea policy from that of the Clinton administration. North Korea accused the United States of not sincerely implementing the Agreed Framework and emphasized that, should the United States continue to delay implementation, it would not bound to the agreement any longer. The United States stated in response that it was willing to continue dialogue with the DPRK on security issues and that it would honor the Agreed Framework.

On 6 March, US Secretary of State Colin Powell announced that the United States planned to engage with North Korea and pick up where President Clinton had left off. The administration noted some "promising elements" that had been left on the table. President Bush further noted that he was looking forward, at some point in the future, to having a dialogue with the DPRK, however such dialogue would require complete verification of the terms of a potential agreement. The DPRK called the new US policy hostile.

However, on 7 June, President Bush announced that his administration would not immediately resume missile negotiations with the DPRK, he expressed concerns about the ability to verify any agreement with a closed society like North Korea. US officials stated that the administration was conducting a comprehensive review of US policy towards the DPRK.

US Congress Republican leaders urged the administration to reconsider the terms of the Agreed Framework by abandoning the LWR project in favor of conventional power plants to meet North Korea's civilian energy needs. They called into question Pyongyang's "track record" and said that North Korea's regime could hardly be trusted with LWR technology or fissile material.

On 6 June, the United States announced its determination to resume "serious discussions" on a "broad agenda" with the DPRK, i.e., comprehensive negotiations, including "improved implementation of the Agreed Framework, verifiable missile ban and North Korean conventional forces on the peninsula." Some experts interpret this new comprehensive approach as linkage between progress on nuclear issues with missile, and conventional issues in dealing with North Korea. The DPRK refused to resume talks with the United States on such a comprehensive basis, accusing the Bush administration of committing to a policy of isolation and suppression of North Korea. The DPRK stated that instead of holding comprehensive discussions, bilateral talks should focus on compensating the DPRK for the loss of electricity due to delays in the construction of the LWRs under the Agreed Framework and warned that the accord was in danger of collapse. The Bush administration stated that it was committed to the Agreed Framework, however, construction of the LWRs, required by the accord, had not yet begun.

On 13 June, US special envoy Jack Pritchard met North Korea's UN envoy in New York, beginning a dialogue between the Bush administration and the government in Pyongyang. This meeting was followed by the US administration's decision to resume negotiations with North Korea after a three-month review.

2000: In February, testifying before the United States Congress, President Clinton claimed that North Korea remained in compliance with the Agreed Framework; that implementation of the 1992 Joint Declaration on the Denuclearization of the Korean Peninsula was progressing; and that steps had been taken to increase dialogue between North and South Korea. The president, however, waived the certification of two other issues: whether North Korea had diverted the US assistance (food

or fuel oil) to military purposes; and whether North Korea was seeking to produce fissile material.

In his statement to the 2000 NPT Review Conference in New York on 24 April, the Director-General of the IAEA, Mohamed El Baradei, noted that with regard to the DPRK, there is regrettably little to report since the 1995 NPT Conference. The Agency remained unable to verify the correctness and completeness of the DPRK's initial declaration of its nuclear material subject to safeguards and could not, therefore, provide any assurance about non-diversion. The DPRK remained in non-compliance with its safeguards agreement, which remained valid and in force. The DPRK, however, continues to accept IAEA activities solely in the context of the Agreed Framework, which it had concluded in October 1994 with the United States. As requested by the Security Council, the Agency was monitoring a "freeze" of the DPRK's graphite-moderated reactors and related facilities under that agreement. The degree of cooperation the IAEA received from the DPRK continued to be limited and was linked by the DPRK to its perception of progress in implementation of the Agreed Framework.

On 25-27 May, the United States conducted a second inspection of the Kumchang-ri site and concluded that conditions there had not changed since the first inspection. Following the June 2000, North-South summit, the United States relaxed some economic sanctions on North Korea.

1999: On 5 January, as a result of the developments around the suspected secret nuclear facility in Kumchang-ri, the LWR project was postponed.

During the January meeting between the United States and the DPRK, the latter agreed to grant the United States one "visit" to the site in return for one million tons of grain. The United States later threatened to halt the LWR project and heavy fuel oil shipments if access were not granted by 1 June. Some progress was made at the talks; both parties agreed to consider the option of food assistance through the UN World Food Program in return for US access to the site.

After the February-March meetings, where the sides reached understanding on the Kumchang-ri issue, on 16 March, they announced a formal agreement. According to the agreement, the United States committed to donate food through the UN World Food Program, institute bilateral food programs with North Korea, and take steps to improve political and economic relations with North Korea. In return, North Korea pledged to permit multiple site visits by a US team to the entire site. Both parties reaffirmed their commitment to the Agreed Framework and principles of US-North Korean bilateral relations as expressed in the 11 June 1993 US-North Korean Joint Statement.

On 24 March, the IAEA reported that critical parts of the North Korean 50 MW gas graphite reactor at Yongbyon had been missing since 1994 when IAEA inspectors first arrived at the site. The parts were vital for controlling nuclear reactions in the reactor's graphite core and they could be used to construct another nuclear reactor.

On 13 May, North Korea confirmed that the Kumchang-ri site would be open for inspections to 15 US arms inspectors beginning 18 May. When the inspection team arrived, it was allowed to measure the dimensions of all underground areas at the main complex, videotape and photograph agreed above-ground facilities, and take soil and water samples to be analyzed for radioactive substances. According to a US State Department spokesman, the team witnessed no effort by North Korea to conceal the facility at Kumchang-ri during the visit. He said the site was incomplete and dismissed allegations that nuclear equipment could have been removed prior to the inspectors' arrival. It was concluded that the site at Kumchang-ri did not contain a plutonium-production reactor or reprocessing plant, either completed or under construction, and that the site was not suitable for a reprocessing plant. Despite the inspection team's findings, the United States continued to remain suspicious that Kumchang-ri might be intended for other nuclear-related uses. The United States further concluded that Kumchang-ri did not violate the Agreed Framework. It was announced that the next US inspection team was scheduled to visit the site at Kumchang-ri in May 2000. The purpose of the second visit would be to examine the feasibility of Kumchang-ri being utilized for commercial purposes.

1998: On 2 January, the United States announced that the DPRK might be building an underground nuclear weapons-related facility at Kumchang-ri. Later it was reported that US intelligence had evidence that 15,000 North Korean workers were building an underground nuclear facility in a mountainside 25 kilometres from its nuclear center at Yongbyon. Although the exact nature of the facility was unclear, the United States intelligence sources concluded that the facility was intended to be either a nuclear reactor or a nuclear reprocessing plant. US officials estimated that it would take from two to six years to complete the construction. However, there was no evidence yet that North Korea had violated the Agreed Framework; pouring cement for the plant would constitute a violation. The United States requested access to the Kumchang-ri site, but the DPRK turned down this request claiming that the site was intended for civilian use.

On 17 March, the DPRK refused to cooperate with IAEA inspectors, citing delays in the implementation of the Agreed Framework. The IAEA inspectors were prevented from taking samples of nuclear waste and from taking samples from the high-temperature water plant of the 5

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MW gas graphite reactor. Earlier, North Korea had said that nobody could predict what would happen unless the United States sought new practical measures and took decisive action to implement its obligations under the Agreed Framework. This statement came as a response to the US claim that it would not complete the reactor project as long as the DPRK did not fully comply with its IAEA obligations. Further, the DPRK announced that pressure was growing for North Korea to unseal its 5 MW reactor, because the United States and KEDO were not in compliance with their obligations under the Agreed Framework. The DPRK pointed to delays in heavy fuel oil shipments, delays in the LWR project, and the persistence of the economic embargo.

On 15 July, the US General Accounting Office (GAO) reported that North Korea had not allowed the IAEA to install monitoring devices in nuclear waste tanks. The tanks were connected to a complex and inaccessible piping system that, if operating, would permit the waste to be removed and/or altered. The GAO report warned that North Korea might have secretly removed some of the nuclear waste to hide evidence of an earlier diversion of plutonium.

After the 31 August test of the Taepodong-1 intermediate-range ballistic missile (IRBM), the US Congress eliminated funding for the heavy fuel oil shipment to the DPRK, and Japan also suspended its food aid and normalization talks with Pyongyang.

On 10 September, the Clinton administration put forth a package of agreements for North Korea aimed at defusing tensions on the Korean Peninsula and restarting the stalled diplomatic initiatives. US State Department officials said that the United States would demand that the suspected underground nuclear-related site at Kumchang-ri be opened up to international inspections. It stated that this was a non-negotiable condition for further US compliance with the Agreed Framework. The United States and the DPRK reached an agreement, under which North Korea pledged to resume the packing of its nuclear spent fuel rods (the process was suspended in April 1998), and the United States reaffirmed its commitment to heavy fuel oil shipments and additional stipulations of the Agreed Framework. Both countries agreed to further negotiations. The DPRK still denied that it was building a secret underground nuclear facility.

On 15 October, the DPRK again threatened to resume its nuclear program if the United States cut heavy fuel oil shipments and food assistance. It also said that inspection of the Kumchang-ri site would only occur on North Korean terms. The United States reaffirmed that if it were not allowed to inspect the underground site in Kumchang-ri, it would be unable to fulfill its part of the Agreed Framework. At their November 1998 meeting, the DPRK and the United States were unable to agree on the inspection of the suspected site. The United States maintained that it had strong material evidence that the site was nuclear-related, while North Korea argued that it was intended for civilian use.

In December, after a series of meetings with the DPRK on the issue of a secret nuclear-related site in Kumchang-ri, which failed to succeed, the United States stated that the Agreed Framework could be scrapped due to North Korea's refusal to allow inspections of this site. In response, North Korea once again threatened to terminate its nuclear freeze.

1997: On 19 March, President Clinton certified that North Korea was cooperating fully in the packing and safe storage of all spent fuel from its 5 MW gas-graphite reactor, and that it had not diverted assistance provided by the United States for unintended purposes.

On 14 April, the DPRK accused the United States of attempting to contain it and thus threatened to pull out of the Agreed Framework. On 22 April, a defector from the DPRK claimed that the country was preparing for war with South Korea and that it possessed nuclear weapons. The CIA expressed doubts about this claim. Later in June, another defector claimed that North Korea possessed nuclear weapons and that a planned nuclear test had been cancelled under pressure from the North Korean Foreign Ministry. However, the defector conceded that he did not have proof that the DPRK possessed nuclear weapons, but suggested that it would be wise for South Korea to assume that it did.

On 1 June, the IAEA Board of Governors reported that it was still unable to verify the initial declaration made by North Korea, and that the DPRK still remained in non-compliance with its nuclear safeguards agreement.

On 4 June, NAC International, the US contractor in charge of the packing, clean-up, and dismantlement project at North Korea’s Yongbyon nuclear facility, said that 6,500 of North Korea’s 8,000 nuclear spent fuel rods had been packed for long-term storage. Two and one-half months later, NAC announced that 90 percent of North Korea’s 8,000 nuclear spent fuel rods had been properly packed for safe storage, and that the packing operation would be completed by the end of 1997.

1996: According to a January 1996 Russian Foreign Ministry report, North Korea would not give up its nuclear weapons program. The report stated that nuclear weapons had become symbolically important to North Korea, that North Korea had extracted 7-22 kilograms of plutonium, that it conducted over 70 tests of high explosive nuclear triggering devices near Yongbyon between 1991 and 1994, and that it had nuclear-related facilities at Pakchon, and 20 other sites including Hamhung, Kilchu, and Kusong.

On 15 January, North Korea proposed a comprehensive security dialogue with the United States, including

replacement of the Armistice Agreement by a North Korea-US Peace Agreement, relaxation of tensions along the demilitarized zone, loosening of the US economic sanctions against North Korea, and provision of US assistance to North Korea. The US State Department responded affirmatively to the North Korean proposal. Later in February, the DPRK demanded that the United States remove it from the Coordinating Committee for Multilateral Export Controls (COCOM) list in exchange for honoring the Agreed Framework. The United States and South Korea cancelled their Team Spirit military exercises to demonstrate good will to North Korea.

On 23 January, the DPRK agreed that the IAEA could conduct routine and ad hoc inspections of its operational nuclear sites.

On 27 April, the US firm NAC International began the process of packing the 8,000 nuclear spent fuel rods removed from North Korea's 5 MW gas-graphite reactor in order for these fuel rods to be taken out of the storage pond, dried, put into stainless steel cans, and then shipped out of North Korea to a permanent storage site, which was not yet identified. The IAEA was denied permission to measure the plutonium levels in the rods. The inspectors were only allowed to verify whether the fuel rods had been "burnt." The IAEA later announced that it had been unable to verify North Korea's initial declaration under the NPT. North Korea responded that it would not give the IAEA information about the fuel rods from the 5 MW reactor until the new reactor (LWR project) was finished and began operations. The DPRK threatened again that it would unfreeze its nuclear program if the LWR project was not completed on time.

1995: On 16 January, the DPRK stated that the Agreed Framework would be threatened if it were to be supplied with South Korean nuclear reactors. On 16 January, North Korea received its first shipment of heavy fuel oil under the Agreed Framework. For the first time in 44 years, the United States relaxed some trade restrictions with the DPRK to implement the Agreed Framework.

On 9 February, the DPRK rejected US demands that it recommence dialogue with South Korea as a component of the Agreed Framework, contending that the two issues were separate. On 8 March, the US Senate passed an amendment to the US Defense spending bill, which required congressional approval for aid to North Korea in order to prevent the Clinton administration from accessing reprogrammed or emergency funds for the DPRK without congressional approval. On 25 March, the DPRK announced that it would discontinue the nuclear freeze if a contract for the provision of LWRs was not concluded by 21 April.

A March 1995 intelligence report compiled for President Bill Clinton said that North Korea was likely to continue its program to develop nuclear weapons despite the Agreed Framework. The report further said that North Korea would allow the dismantlement of its nuclear program to occur only if it had covertly developed another source of fissile material.

On 13 June, the United States and the DPRK issued a joint statement outlining the mutually agreed provisions for further implementation of the Agreed Framework, including provision to the DPRK of "two pressurized light water reactors with two coolant loops and a generating capacity of approximately 1,000MW each." The two countries further agreed that a group of US experts would travel to North Korea in June to begin implementing the safe storage of nuclear spent fuel, and that KEDO would arrange the delivery of heavy-fuel oil without delay.

On 1 September, a group of technicians from the United States firm Centec-21 arrived at Yongbyon and started operations to stabilize the spent fuel storage pond and clean the water in the pond. They spent six months packing the 8,000 nuclear spent fuel rods from the fuel pool. On 10-15 September, the IAEA sent a team of inspectors to North Korea to monitor its compliance with the NPT and the Agreed Framework. The IAEA requested that it be allowed to expand its monitoring activities in North Korea and improve its technical capability to confirm that North Korea's maintenance of the 5 MW gas graphite reactor at Yongbyon and the plutonium processing facility did not reflect an attempt to revive its nuclear program.

On 18 September, the US House of Representatives adopted a resolution exhorting President Bill Clinton not to improve relations or ease economic restrictions on North Korea until it made efforts to fulfill the terms of the North-South Declaration on the Denuclearization of the Korean Peninsula.

On 22 September, the IAEA General Conference adopted a resolution concerning nuclear safeguards in North Korea. It called on the DPRK to cooperate with the IAEA to "preserve intact" all data pertinent to determining the "accuracy and completeness" of its original nuclear inventory report until the country came into full compliance with the safeguards agreement. In his opening statement, IAEA Director General Hans Blix told the conference that unresolved concerns included the disposition of nuclear spent fuel from the DPRK's 5 MW gas graphite reactor and installation of waste tank monitoring equipment at its reprocessing plant. On 25 September, the IAEA announced that North Korea had denied the IAEA permission to measure the amount of plutonium in the 8,000 spent fuel rods or in the liquid waste at its reprocessing facility. North Korea agreed only to allow IAEA inspectors to determine if the fuel rods were irradiated and to photograph the reprocessing facility. North Korea indicated that it would make the examination of plutonium contingent upon progress in negotiations for the LWR supply contract. The United

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States rejected the IAEA's requests to verify North Korea's nuclear history as "not implementable." The United States wanted to store the rods and delay inspections for four or five years, after which the rods could be examined along with special inspections of North Korea's undeclared nuclear facilities. The IAEA officials insisted that it would be impossible to verify North Korea's nuclear past if the rods were not examined prior to storage. A US official insisted however, that the stance taken by the IAEA represented an abrogation of the Agreed Framework. The United States expressed its confidence that the DPRK would fulfill its obligations under the Agreed Framework.

On 15 December, North Korea and KEDO signed a LWR supply agreement according to the terms of the Agreed Framework. The DPRK warned the United States that it would restart its nuclear program if KEDO failed to meet all term of the contract.

1994: On 1 November, the DPRK Foreign Ministry spokesman announced that North Korea's Administration Council had ordered the cessation of construction on the 50 MW and 200 MW gas-graphite reactors, as well as decided to halt operation of the 5 MW gas graphite reactor, to take measures to withdraw fuel rods that were intended to refuel it, and to cease operations at its reprocessing facility and other nuclear facilities.

On 18 November, the DPRK announced that it had frozen its nuclear program in accordance with the Agreed Framework. It promised to comply with its obligation to dismantle the components of its suspected nuclear weapon sites, and requested the United States to fulfill its promises under the Agreed Framework.

On 28 November, the IAEA confirmed that the DPRK had frozen operations at the 5 MW gas graphite reactor, reprocessing facility, and fuel fabrication facility. It also confirmed that construction had been stopped at the 50 MW gas graphite reactor at Yongbyon and the 200 MW gas graphite reactor at Taechon.

Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula

Signed: 20 January 1992.

Entered into Force: 19 February 1992.

Under the Joint Declaration, the Democratic People's Republic of Korea (DPRK) and the Republic of Korea (ROK) agree not to test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons; to use nuclear energy solely for peaceful purposes; and not to possess facilities for nuclear reprocessing and uranium enrichment.

Verification and Compliance: According to the Joint Declaration, the two sides will conduct inspections of locations chosen by the other side and mutually agreed upon by both sides. The two Koreas also established the South-North Joint Nuclear Control Commission (JNCC) as an implementing mechanism of the Joint Denuclearization Declaration (JDD) in March 1992. The JNCC has not been able to reach agreement on the reciprocal inspection regime and has been stalled since 1993.

Developments:

For related information, see sections on the US-DPRK Agreed Framework / Six-Party Talks, KEDO, and IAEA

2002: On 16 October North Korea admitted that it had been conducting a secret uranium enrichment program, which Pyongyang agreed to halt under the 1994 DPRK-US Agreement Framework. On 28 October a joint statement issued by the United States together with Japan and the ROK concluded that the DPRK's program was a violation of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula.

2001: Despite the fact that the Joint Declaration had been in force since February 1992, no inspections were conducted within the framework of the Joint Declaration. The last JNCC meeting was convened in January 1993.

2000: In February, President Clinton certified to the US Congress that the implementation of the 1992 Joint Declaration on the Denuclearization of the Korean Peninsula was progressing.

1995: On 19 September, the US House of Representatives adopted a resolution exhorting President Bill Clinton not to improve relations or ease economic restrictions on North Korea until it made efforts to fulfill the terms of the North-South Declaration on the Denuclearization of the Korean Peninsula.

1994: On 31 January, South Korea said that it would proceed with the 1994 Team Spirit military exercise unless North Korea allowed international inspections of its nuclear-related facilities.

On 15 August, as a response to the DPRK's announcement that it was ready to terminate construction of its graphite-moderated nuclear reactor in exchange for the light water nuclear reactor and economic incentives, South Korea offered North Korea "the necessary capital and technology" to build light water reactors "if and when the North guaranteed the transparency of its nuclear facilities."

On 21 October, the United States and DPRK signed an Agreed Framework. Under one of its provisions, both countries pledged to strive towards establishing a nuclear-weapon-free zone on the Korean Peninsula. The DPRK committed to taking steps to implement the North-South

Joint Declaration on the Denuclearization of the Korean Peninsula and engaging in North-South dialogue. The Agreed Framework, however, did not link the sequencing of actions in the Agreed Framework with any timeframe for carrying out the provisions of the North-South Joint Declaration. The United States announced cancellation of the Team Spirit military exercises in 1994.

1993: On 25 January, during the 13th JNCC meeting, North Korea refused to discuss any type of negotiations until the US-South Korean Team Spirit military exercises were cancelled. South Korea announced that the exercises would commence this year because the mutual nuclear inspections issue had not been resolved. North Korea announced that it would take "necessary self-defensive measures" if the Team Spirit military exercises were conducted. The exercises were to be held from January-April 1993.

On 12 March, the DPRK announced its withdrawal from the Non-Proliferation Treaty (NPT). Since then, the developments around the Joint Declaration were overshadowed by the attempts of the international community to bring North Korea back into the NPT and ensure its compliance with the Treaty.

On 27 March, South Korea announced that it would consider ending Team Spirit military exercises permanently if North Korea reversed its decision to withdraw from the NPT.

On 9 June, the DPRK suspended its withdrawal from the NPT.

On 1 September, North Korea called for urgent talks with South Korea concerning the long-standing dispute over inspections of nuclear facilities. South Korea agreed to North Korea's proposal to resume dialogue on nuclear issues through the exchange of envoys.

1992: In February, the DPRK and ROK agreed to form the JNCC by 19 March in order for it to oversee the mutual nuclear inspections.

On 20 February, the DPRK and ROK exchanged agreements on the creation of a nuclear-weapon-free Korean Peninsula. The ROK indicated that it was necessary for North Korea to produce more evidence to verify that its nuclear intentions were peaceful. During the meeting, North Korean President Kim II-Sung ignored the South Korean demand for mutual nuclear inspections to take place at an early date. Kim also dismissed Western reports that North Korea was close to constructing a nuclear bomb. Kim said that North Korea did not intend to enter into a nuclear arms race with its neighbors. It was agreed that the matter would be discussed in greater detail during talks scheduled for the spring of 1992 between North Korean President Kim Il-Sung and South Korean President Roh Tae-Woo.

On 28 February, North Korea rejected South Korea's deadline request for mutual trial inspections by 18 March. North Korea also refused to finalize the procedures for mutual inspections by 18 April. South Korea's Assistant Foreign Minister Chang Man-Soon said that North Korea would be able to produce weapons-grade plutonium by June 1992. On 5 March, South Korea announced that the United States would like to participate in inter-Korean inspections of the suspected nuclear facilities.

On 14 March, North Korea and South Korea concluded an agreement to establish the JNCC and conduct inspections of nuclear facilities in early-June 1992. The inspections agreement, however, did not hold North Korea to a strict schedule and did not mention specific nuclear facilities in North Korea. According to Article 4, the Koreas would jointly try to adopt the necessary documents for verifying the nuclear-free status of the Korean Peninsula within an approximately two-month timeframe after 19 March. The sides agreed that inspections would begin within 20 days. North Korea also demanded to inspect US military bases in the ROK in order to verify withdrawal of US nuclear weapons from South Korea.

On 19 March, the Parties held the first meeting of the JNCC in order to develop a specific plan for proposed mutual inspections of suspected nuclear weapons sites. However, little progress was made with North Korea saying that the agreements signed with the South were merely statements of intent and were therefore not binding. Despite the announcement, South Korea advocated regular bilateral inspections of nuclear sites four times a year with 12 special inspections annually.

During the second JNCC meeting on 1 April, the DPRK and ROK failed to reach an agreement on inspection proposals. South Korea proposed that regular inspections be conducted on nuclear materials and facilities at least 16 times a year, and that special inspections be conducted on military bases at least 40 times a year. South Korea also requested that equal numbers of facilities be inspected by both Parties. North Korea responded by saying that South Korea should allow inspections of all US bases, but that the only site it would allow to be inspected was the Yongbyon nuclear facility.

On 19 April, during the third JNCC meeting, North and South Korea attempted to discuss regulations for mutual inspections. However, no progress was made. South Korea insisted that the number of sites inspected for both sides be equal and subject to mutual inspections based on the principle of reciprocity. North Korea, however, said that if Yongbyon were to be opened for inspection, all US military installations in South Korea must be opened for inspection.

On 15 May, during the JNCC fourth meeting, South Korea suggested that special inspections of nuclear facilities be conducted 24 hours after notification. South

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Korea also demanded that North Korea stopped constructing its reprocessing facility.

On 27 May, during the fifth JNCC meeting, very little progress was made on the issue of mutual inspections. By delaying discussion on inspection guidelines, North Korea blocked any possibility of mutual inspections prior to July 1992. South Korea responded by warning North Korea that delaying talks further could lead to an impasse in inter-Korean exchanges in other areas.

On 12 June, South Korea announced that North Korea was breaking the nuclear-weapon-free zone agreement by building a reprocessing facility. North Korea, however, claimed that the facility was a "radiochemical laboratory." South Korea said that it would not take further reconciliatory measures with North Korea unless it opened its facilities to South Korean inspectors. The DPRK stated that the major obstacle to the North-South talks was South Korea's refusal to allow North Korean inspections of US military bases in the South. The North wanted to determine whether these bases might house nuclear weapons. North Korea demanded that it be allowed to inspect all US military installations before it stopped reprocessing. However, neither South Korea nor the United States agreed to such terms. North Korea then indicated that it would stop reprocessing in exchange for light water reactor technology from the West.

On 26 June, during the sixth JNCC meeting, negotiations came to a standstill when South Korea insisted that its suspicion of North Korea's nuclear program was greater than ever despite the fact that North Korea had said that all suspicion had been removed through IAEA inspections. South Korea said that North Korea might inspect US military bases in the South if the North reciprocated by opening its military bases to inspection. South Korea requested that mutual inspections begin before September 1992.

On 21 July, during the seventh JNCC meeting, no progress was made again. North Korea rejected the South's proposal for 24-hour notice challenge inspections of military sites. South Korea reminded North Korea that no economic exchange could take place in the absence of a nuclear accord. South Korea also announced that IAEA inspections were not enough to deter North Korea from pursuing a nuclear weapons program. The eighth meeting in August also ended in failure. The two sides, however, agreed to prepare proposed inspection regulations for the next meeting.

On 16 September, during the ninth JNCC meeting, North Korea demanded that the United States and South Korea terminate their Team Spirit military exercises. South Korea had decided to resume the exercises due to a lack of progress in the JNCC meetings to establish mutual inspections. North Korea accused the United States of shipping nuclear weapons via submarines to the South Korean port of Chinhae. The two countries failed to reach an agreement on "challenge inspections" of military sites.

On 19 September, during the 10th JNCC meeting, North Korea continued to stress the urgency of its being allowed to inspect US bases in South Korea for nuclear weapons, while South Korea denied that any nuclear weapons or bases exist on its territory. North and South Korea agreed to speed up the process of drafting and discussing inspection regulations proposals.

On 8 October, the United States announced that due to North Korea's refusal to accept mutual nuclear inspections with South Korea, the United States and South Korea would most likely postpone removing US troops from South Korea. In response to that, later in October, the DPRK withdrew from the JNCC talks. The DPRK stated that it will stop all channels of inter-Korean dialogue if South Korea did not cancel Team Spirit military exercises with the United States. South Korea responded by stating that it would cancel the exercises if North Korea were willing to adopt guidelines for mutual inspections by the end of November 1992, and allow the first inspections to commence by 20 December.

On 27 November, during the 11th JNCC meeting, the inter-Korean dialogue collapsed. North Korea repeated its demand for the cancellation of Team Spirit military exercises. South Korea responded by demanding that North Korea allow a minimum of one inspection before it halted the exercises. South Korea said that the exercises would resume unless substantial progress was made with at least one mutual inspection before the next prime ministers' meeting in Seoul on 21 December 1992. North Korea announced the suspension of further joint committee dialogue with South Korea, excluding JNCC meetings. The next, 12th JNCC meeting in December did not produce any positive results either.

India-Pakistan Non-Attack Agreement

Signed: 31 December 1988.

Entered into Force: 1 January 1991.

The India-Pakistan Non-Attack Agreement is a unique bilateral agreement that expands, in a sense, the scope of Articles 56 and 15 of the first and second protocols to the Geneva Convention. These articles state, "Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population."

Provisions: The agreement provides for refraining from undertaking, encouraging, or participating in, directly or

indirectly, any action aimed at causing destruction or damage to any nuclear installation or facility in each country. It describes a nuclear installation or facility and requires each party to inform the other of the precise locations (latitude and longitude) of installations and facilities by 1 January of each calendar year and whenever there is any change. The agreement does not provide for detailed disclosures of nuclear-related activities.

The agreement defines nuclear installation or facilities against which attack is prohibited as "nuclear power and research reactors, fuel fabrication, uranium enrichment, isotopes separation and reprocessing facilities as well as any other installations with fresh or irradiated nuclear fuel and materials in any form and establishments storing significant quantities of radioactive materials."

India has consistently proposed extending the agreement to include non-attack on civilian and economic targets, but Pakistan has continuously rejected these proposals. However, India's recent draft nuclear doctrine involves a deterrent capability based on unacceptable damage to an opponent; thus, the likelihood of expanding the agreement to include counter-value (non-military) targets may now be small.

Starting in January 1992, India and Pakistan have exchanged lists of their respective civilian nuclear-related facilities. However, each side has questioned the completeness of the other's list.

Verification and Compliance: The Agreement requires an annual exchange of lists detailing the location of all nuclear-related facilities in each country. The measure further pledges both sides not to attack listed facilities. Though lists of nuclear facilities have been exchanged each year, the definition of nuclear facilities to be declared is unclear. There are no compliance measures in this Agreement.

Lahore Declaration

Signed: 21 February 1999.
Parties: India and Pakistan.

Provisions: The Lahore Declaration reaffirms India and Pakistan's commitment to find a peaceful resolution to the issue of Jammu and Kashmir. Each side pledged to "take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict."

The Lahore Declaration signed by the Prime Ministers of India and Pakistan on 21 February 1999*, inter alia:*

- recognizes that the nuclear dimension of the security environment of the two countries adds to their responsibility for avoidance of conflict between them;
- commits both to the principles and purposes of the Charter of the United Nations, and the universally accepted principles of peaceful co-existence;
- reiterates the determination of both countries to implement the Simla Agreement in letter and spirit;
- commits both countries to the objectives of universal nuclear disarmament and nonproliferation;
- recognizes the importance of mutually agreed confidence-building measures for improving the security environment; and
- recalls their agreement of 23 September 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose.

The Prime Ministers agreed that their respective governments:

- shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir;
- shall refrain from intervention and interference in each other's internal affairs;
- shall intensify their composite and integrated dialogue process for an early and positive outcome of the agreed bilateral agenda; and
- shall take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.

Background: The Declaration was signed during the meeting of the Prime Minister of Pakistan, Muhammad Nawaz Sharif and the Prime Minister of India, Shri Atal Behari Vajpayee, in Lahore (Pakistan) on 20-21 February 1999. The two leaders discussed the entire range of bilateral relations, regional cooperation within the South Asian Association for Regional Cooperation (SAARC), and other issues of international concern. In a joint statement they decided that:

- their Foreign Ministers will meet periodically to discuss all issues of mutual concern, including nuclear-related issues;
- the two sides shall undertake consultations on World Trade Organization (WTO)-related issues with a view to coordinating their respective positions;
- the two sides shall determine areas of cooperation in information technology, in particular for tackling the problems of Y2K;

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- the two sides will hold consultations with a view to further liberalizing the visa and travel regime; and
- the two sides shall appoint a two-member committee at the ministerial level to examine humanitarian issues relating to civilian detainees and missing prisoners of war.

Developments:

2006: On January 17-18, foreign secretary of India, Shri Shyam Saran, and the Pakistani foreign secretary, Mr. Riaz Mohammad Khan, met in New Delhi to discuss the issues of Jammu and Kashmir and peace and security, including confidence-building measures (CBMs) in accordance with the Lahore Declaration. The two foreign secretaries reviewed and assessed positively the progress made during the meetings of experts on Nuclear and Conventional CBMs. With the objective of promoting a stable environment of peace and security, they agreed to mandate the two experts groups to continue consultations on security concepts and nuclear doctrines to develop measures for confidence building in the nuclear and conventional fields.

2005: In October, after a two-day meeting, the two countries issued the October 4 Joint Statement of Pakistan and India. They recalled the outcomes of previous discussions reflected in the joint statements of 6 January 2004, 24 September 2004, 18 April 2005, and 14 September 2005. The ministers reiterated that possible options for a peaceful, negotiated settlement of the issue of Jammu and Kashmir should be explored in a sincere, purposeful, and forward-looking manner, resolving to not let terrorism impede the peace process. The two sides agreed to further details regarding bus routes between New Delhi and Lahore and prisoner return issues. The two ministers welcomed the signing of an agreement on prenotification of flight-testing of ballistic missiles and a memorandum of understanding (MoU) on establishment of a communication link between the Pakistan Maritime Security Agency and the Indian Coast Guards.

2004: In January, the two countries reached agreement on the January 6 Joint Statement of Pakistan and India. The new accord is significant in that is builds on the Lahore Declaration's roadmap for peaceful settlement in Kashmir, noting Pakistan's public commitment to prevent "any territory under its control" from committing "terrorism against India."

2003: On 18 April, Indian Prime Minister Atal Behari Vajpayee announced an initiative to "extend a hand of friendship to Pakistan" in order to establish dialogue in accordance with the Lahore Declaration. The initiative yielded a number of successes, including the appointment of respective high commissioners, Delhi-Lahore bus services, and the return of prisoners. The Indian Prime Minister noted, however, that "dialogue and terrorism do not go hand in hand" and that the two must work to solve terrorism issues before they can reach successful consensus through bilateral talks.

2002: On January 13, the Indian Government issued a statement welcoming the commitment of the Pakistan Government not to support or permit anymore the use of its territory for terrorism anywhere in the world. The Indian officials also stated that they expect Pakistan to cooperate with India in stopping all infiltration across the international border and the Line of Control. The statement emphasizes that the Indian Government remains committed to the bilateral dialogue process with Pakistan in accordance with the Shimla Agreement and Lahore Declaration.

In response to a terrorist attack on the Indian Parliament, thought to have been committed by Pakistan-based militant outfits on 13 December 2001, the Indian and Pakistani armies mobilized across the Line of Control in Kashmir and an additional 2,200 miles of shared border. The stand-off continued throughout most of the year, but on 24 October, India began to withdraw its troops from the border. Both governments recognized the level of tension between the two countries needed to be reduced through dialogue but noted that tension will remain until the issue of Kashmir is resolved.

2001: The dialogue process seemed to be slowly reviving in 2001. At the August 2001 summit meeting in Agra, India, the sides did not mention the "Lahore Process" but discussed some of the issues that play an important role in the process. India said it would implement the unilateral confidence-building measures (CBMs) announced on the eve of the summit, which covered trade, visa issues, educational exchanges, and security. The two sides discussed nuclear risk-reduction measures, cooperation to stop drug trafficking and other cross-border issues, and trade relations. The sides, however, failed to agree on a joint statement due to disagreement on the Kashmir issue.

On 11 March, the UN Secretary-General Kofi Annan called upon both India and Pakistan to retain the spirit of the Lahore Declaration, saying that it would require restraint, wisdom, and constructive steps from both sides.

Following the August 2001 Agra summit, India reiterated the necessity of implementing the Simla Agreement and the Lahore Declaration. It said that India would support the Simla Agreement, Lahore Declaration, and the issue of cross-border terrorism.

1999: Two Prime Ministers, and the foreign secretaries of Pakistan (Shamshad Ahmad) and India (K. Raghunath) signed a Memorandum of Understanding (MOU) on 21 February 1999, identifying measures aimed at promoting an environment of peace and security between the two countries. The MOU reaffirmed the continued commitment of their respective governments to the principles and purposes of the UN Charter; reiterated the

determination of both countries to implementing the Simla Agreement in letter and spirit; and that an environment of peace and security is in the national interest of both countries and that resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose. The two countries also adopted measures pursuant to the directive given by their respective prime ministers in Lahore, for promoting a stable environment of peace, and security between the two countries. The foreign secretaries agreed that the two sides:

- shall engage in bilateral consultations on security concepts and nuclear doctrines, with a view to developing measures for confidence building in the nuclear and conventional fields, aimed at avoidance of conflict;
- undertake to provide each other with advance notification in respect of ballistic missile flight tests, and shall conclude a bilateral agreement in this regard;
- are fully committed to undertaking national measures reducing the risks of accidental or unauthorized use of nuclear weapons under their respective control;
- undertake to notify each other immediately in the event of any accidental, unauthorized, or unexplained nuclear incident that could create the risk of a fallout with adverse consequences for both sides, or an outbreak of a nuclear war between the two countries; adopt measures aimed at diminishing the possibility of such actions, or such incidents being misinterpreted by the other;
- shall identify/establish the appropriate communication mechanism for notification of nuclear incidents;
- shall continue to abide by their respective unilateral moratorium on conducting further nuclear test explosions unless either side, in exercise of its national sovereignty decides that extraordinary events have jeopardized its supreme interests;
- shall conclude an agreement on prevention of incidents at sea in order to ensure safety of navigation by naval vessels, and aircraft belonging to the two sides;
- shall periodically review the implementation of existing CBMs and where necessary, set up appropriate consultative mechanisms to monitor and ensure effective implementation of these CBMs;
- shall undertake a review of the existing communication links (e.g., between the respective Directors-General, Military Operations) with a view to upgrading and improving these links, and to provide for fail-safe and secure communications; and
- shall engage in bilateral consultations on security, disarmament, and nonproliferation issues within the context of negotiations on these issues in multilateral fora.

Where required, the technical details of the above measures were to be worked out by experts of the two sides in meetings to be held on mutually agreed dates, before mid-1999, with a view to reaching bilateral agreements.

On 19 March, during the 21st Session of the SAARC Council of Ministers at Nuvara Eliya, Sri Lanka, the foreign ministers of India and Pakistan issued a joint statement, in which they reiterated the historic significance of the Lahore Declaration and discussed ways and means to build on it. The two foreign ministers agreed on the urgency of taking concrete measures for implementation of the Lahore Declaration, the MOU and the Joint Statement issued during the Lahore Summit. They agreed on the following steps: to hold the meeting of experts for implementation of the Memorandum of Understanding within the next two months; to hold the next round of the composite and integrated dialogue process in accordance with the agreed MOU commencing in May 1999 in New Delhi and Islamabad and lasting over a period of six weeks.

Due to the outbreak of hostilities in the summer of 1999 in the Kargil area, in the disputed territory of Jammu and Kashmir, the "Lahore Process" stalled and no further discussions took place between the two countries on promoting the dialogue and CBMs initiated at Lahore in February 1999.

1997: On 19-23 June, the foreign secretaries of Pakistan and India, Shamshad Ahmad and Salman Haider, respectively, met in Islamabad to continue their wide-ranging and comprehensive dialogue on all outstanding issues between the two countries with each side elaborating its respective position. They also agreed that both sides would take all possible steps to prevent hostile propaganda and provocative actions against each other. They issued a Joint Statement in which they agreed to:

1. address all outstanding issues of concern to both sides including, *inter alia:*
   - peace and security, including CBMs,
   - Jammu and Kashmir,
   - Siachen Glacier;
   - Wullar Barrage Project / Tulbul Navigation Project,
   - Sir Creek,
   - terrorism and drug-trafficking,
   - economic and commercial cooperation, and
   - promotion of friendly exchanges in various fields; and
2. set up a mechanism, including working groups at appropriate levels, to address all these issues in an integrated manner, with the issues of peace and security, Jammu and Kashmir to be dealt with at the level of foreign secretaries tasked with coordination and

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monitoring of the progress of work of all the working groups.

Mendoza Commitment

Date of Signature: 5 September 1991.

Parties: Argentina, Brazil, and Chile.

Obligations: The Parties agreed not to develop, produce, acquire in any way, stockpile or retain, transfer directly or indirectly, or use chemical or biological weapons. Prior to the entrance into force of the Chemical Weapons Convention (CWC), and in conformity with international law, the Parties intended to establish in their respective countries the appropriate inspection mechanisms for those substances defined as precursors or chemical warfare agents.

Chemical and Biological Weapons

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC)

Opened for Signature: 13 January 1993.
Entered into Force: 29 April 1997.
Duration: indefinite
Signatories: 165 (four states have signed but not ratified)
States Parties: 186
Depositary: UN Secretary-General.

Obligations: States Parties are required not to develop, produce, otherwise acquire, stockpile or retain chemical weapons (CW), or transfer, directly or indirectly, chemical weapons to anyone; not to use chemical weapons; not to engage in military preparations for use of chemical weapons; not to assist, encourage, or induce anyone to engage in any activity prohibited to a State Party under the convention.

Each State Party is required to destroy all chemical weapons and chemical weapons production facilities it owns or possesses or that are located in any place under its jurisdiction or control, as well as any chemical weapons it abandoned on the territory of another State Party no later than 10 years after entry into force of the Convention or as soon as possible in the case of States ratifying or acceding more than 10 years after entry into force. Each State Party also undertakes not to use riot control agents as a method of warfare (Article I). The Convention defines a chemical weapon as the following, together or separately:

a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under the Convention, as long as the types and quantities are consistent with such purposes; b) Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in Subparagraph (a), which would be released as a result of the employment of such munitions and devices; c) Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (b).

The Convention identifies and categorizes toxic chemicals and precursors according to their potential for chemical weapons application and extent of industrial applications. Schedule 1 lists chemicals with high potential weapons utility and little or no industrial utility. Schedule 2 singles out chemicals with some degree of commercial application and significant potential for use in weapons. Schedule 3 chemicals are generally produced in large quantities for industrial purposes and have some potential for chemical weapons application. Declarations and verification requirements are the most stringent for Schedule 1 and the least so for Schedule 3 (Article II).

Verification and Compliance:

Verification: Verification is conducted through a combination of reporting and routine on-site inspections of declared sites. To ensure the implementation of the Convention's provisions, including those on verification and compliance, the Organization for the Prohibition of Chemical Weapons (OPCW) was established upon the entry into force of the Convention (29 April 1997). In addition to routine verification and recourse to a procedure for consultations, cooperation, and fact-finding, each State Party has the right to request an on-site challenge inspection of any facility or location in any other State Party for the purpose of clarifying and resolving questions concerning possible non-compliance. The challenge inspection team is designated by the Director General of the OPCW and dispatched as quickly as possible.

Compliance: Compliance measures under the OPCW include: the OPCW may request that a party take measures to redress a situation in a specific period; the OPCW may restrict or suspend a party's rights and privileges; the OPCW may recommend collective measures to States Parties, including sanctions; the OPCW may ask for an advisory opinion from the ICJ. There is also the option to refer serious violations to the UN General Assembly and Security Council. Incentives to comply with the CWC include assistance and protection against attack, such as the dispatch of emergency aid; economic and technological benefits, including the fullest possible exchange of chemistry information and technology, removal of trade and other restrictions.

Declarations: Eleven countries have declared possession of existing or former CW-production facilities: Bosnia and Herzegovina, China, France, India, Iran, Japan, Republic of Korea, Russian Federation, United Kingdom, United States, and Yugoslavia. Four countries have declared CW stocks: India, Republic of Korea, Russia, and United States. Nine countries have declared old CW on their territory: Belgium, Canada, France, Germany, Italy, Japan, Slovenia, United Kingdom, and United States. Four countries have declared abandoned CW on their territory: China, Italy, Panama, and Poland.

Other Main Provisions: The Convention provides for the rendering to States Parties of protection against chemical weapons and assistance in the event of a chemical attack. States Parties undertake to facilitate the

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fullest possible exchange of chemicals, equipment, and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under the Convention. States Parties are obliged to provide data on the import and export of scheduled chemicals, as well as on facilities and chemical production. Restrictions on transfers of Schedule 1 and 2 chemicals to States not party to the Convention entered effect at entry into force and on 29 April 2000, respectively. Those on Schedule 3 transfers will be considered effective five years from entry into force. Each State Party is required to enact national implementing legislation to, *inter alia*, prohibit individuals under its jurisdiction or control from engaging in activities prohibited by the Convention. Each State Party is obligated to designate or establish a national authority to serve as the focal point for liaison with the OPCW and with other States Parties.

Developments:

2009: Iraq acceded to the Convention on 13 January, and the Bahamas ratified the Convention on 21 April.

2008: Congo's status as a member state was made official on 1 March.

The Second Review Conference took place on April 7-18 2008 with the participation 114 States Parties. Angola, Iraq and Lebanon were accorded observer status. The conference was chaired by Ambassador Waleed Ben Abdel Karim El Khereiji of Saudi Arabia.

The conference report noted that since the first review conference of 2003, the total number of States Parties had risen from 151 to 183, leaving only 12 states still to join the convention. It also noted that by 1 April 2008, over 38% of the total stockpiles of 70,000 tons of Category 1 chemical weapons initially declared by States Parties had been destroyed. However, the Second Review Conference expressed its concern that more than 60% of stockpiles still remained to be destroyed.

Guinea-Bissau acceded to the convention on 20 May. Lebanon acceded to the CWC on 20 November, and the instrument of accession entered into force 30 days later.

2007: Barbados acceded to the Convention on 7 March. Congo deposited its instrument of ratification on 4 December. As of December 2007, there were 183 state parties to the Chemical Weapons Convention.

In January, Turkey reported that its implementing legislation had entered into force on December 2006. On 27 March 2007, the United Kingdom of Great Britain and Northern Ireland announced that it had destroyed all old chemical weapons stocks declared to the OPCW.

From 23 to 26 April, Director-General of the OPCW, Ambassador Rogelio Pfirter, attended the destruction of old chemical weapons in Germany by the government-owned company, GEKA, charged with the destruction of the last two old chemical weapons munitions stockpiles from World War II.

2006: The following states have ratified/acceded to the Chemical Weapons Convention: Djibouti (25 January), Haiti (22 February), Liberia (23 February), Comoros (17 August), Central African Republic (20 September), and Montenegro (23 October).

As of the 23 October 2006 deposit of the instrument of succession by Montenegro (the entry-into-force of the convention for Montenegro is retroactive to the country's date of independence on 3 June 2006), there are 181 state parties to the Chemical Weapons Convention and the same number of member states to the OPCW.

In November, Bangladesh announced the approval of comprehensive implementing legislation, later confirmed to be in place in December. Saint Kitts and Nevis reported their Chemical Weapons (Prohibition and Control) Bill had been passed and was going through the necessary administrative processes before it enters into force. The United Arab Emirates submitted a copy of their recently adopted implementing legislation.

In December, during the eighth annual meeting of National Authorities, Andorra submitted a copy of comprehensive legislative measures to implement the Convention. Belize reported their enactment of implementing legislation; however, no submission under Article VII (5) has been received yet. Comoros reported that it has a National Authority in place; however, formal notification has yet to be received. Fiji announced that they have enacted implementing legislation pending a commencement order that will be issued when regulations are in place. Senegal submitted a copy of its implementing legislation which was adopted on 16 October.

2005: The following states ratified/acceded to the CWC: Niue (21 April), Grenada (3 June), the Kingdom of Cambodia (19 July), the Kingdom of Bhutan (18 August), the Republic of Honduras (29 August), Antigua and Barbuda (29 August), the Republic of Vanuatu (16 September), and the Democratic Republic of the Congo (12 October).

As of 11 November 2005, the OPCW will number 175 States Parties when the CWC will enter into force for the Democratic Republic of the Congo.

2004: The following states have ratified/acceded to the CWC: Libya (5 February), Tuvalu (18 February), Rwanda (30 April), Saint Kitts and Nevis (21 May), Marshall

Islands (18 June), Solomon Islands (23 September), Sierra Leone (30 September), Madagascar (20 October).

2003: Afghanistan deposited its instrument of ratification to the Convention with the Secretary General of the United Nations on 24 September 2003

The First Review Conference of the CWC was held from 28 April to 9 May 2003 in The Hague. From the 151 States Parties to the CWC, 110 delegations attended the Conference. The States Parties adopted both a Political Declaration and a Review Document at the end of the Conference.

The Political Declaration evaluated the operation of the Convention. The declaration stressed the importance of the timely destruction of chemical weapons, a credible verification regime related to the chemical industry and other facilities used for purposes not prohibited under the Convention, and increased effectiveness and efficiency, to achieve the nonproliferation and confidence-building aims of the Convention. The CWC also recognized the role of the United Nations in the fight against global terrorism and emphasized the importance universal adherence to the Convention could play in preventing access to chemical weapons by terrorists. The States Parties also stressed the need for the OPCW to continue promoting the free trade of chemicals as well as international cooperation and the exchange of scientific and technological development.

The Review Document assessed the implementation of specific provisions of the Convention during its first six years. The document reviewed the CWC's role in enhancing international peace and security, universality of the treaty, declarations and verification, inspections of chemical weapons and industrial facilities, and the OPCW's ability to assist and protect States Parties from use or threat of use of chemical weapons attacks. It took into consideration economical and technological developments within the chemical industries. The document encouraged States Parties to provide assistance upon request to other CWC States Parties in the destruction of chemical weapons stockpiles, while also stressing the importance of enhanced cost effectiveness of the verification measures applied to stockpiles and destruction facilities.

The Review Document also recognized the request of the UN Security Council that international organizations whose activities relate to the control of or of access to chemical and other deadly materials evaluate ways in which they can enhance the effectiveness of their activities against terrorism. The First Review Conference noted that a large part of the OPCW's verification resources had been spent on the verification of chemical weapons destruction operations. Given the increase in chemical destruction that will take place in the coming years, the Conference emphasized the importance of reviewing current verification methodology in an effort to optimize the CWC's verification regime. The First Review Conference noted that current confidentiality guidelines provide neither for the destruction of confidential documents and other data, including those kept on the Secretariat's Security Critical Network, nor for the downgrading of their classification levels over the long term. The First Review Conference encouraged the OPCW to take steps to reach agreement on developing and implementing guidelines regarding the long-term handling of confidential information. It also noted that no challenge inspections or investigations of alleged use had been requested of the OPCW since its entry into force.

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Convention on the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC)

Opened for Signature: 10 April 1972.
Entered into Force: 26 March 1975.
Duration: Unlimited.
Number of Signatories: 175 States.
Number of Ratifications: 163 States.
Depositaries: Russia, the United Kingdom, and the United States.

Treaty Obligations: States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction (BTWC) are obligated not to develop, produce, stockpile, or otherwise acquire or obtain microbial or other biological agents or toxins of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; not to develop, produce, stockpile, or otherwise acquire or obtain weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict; to destroy, or to divert to peaceful purposes (not

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later than nine months after the entry into force of the convention) all agents, toxins, weapons, equipment, and means of delivery; not to transfer to any recipient, and not in any way to assist, encourage, or induce to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment, or means of delivery; to take necessary measures to prohibit the above within their own territories. Although the BTWC (in its title and in Article I) does not explicitly prohibit "use" of biological weapons, the Final Declaration of the 1996 Treaty Review Conference reaffirmed that, although "use" is not explicitly prohibited under Article I of the BWC, it is still considered to be a violation of the convention.

Verification and Compliance:

***Verification*:** There is no formal verification regime to monitor compliance. Member States are encouraged to abide by numerous confidence-building measures (CBMs) prescribed by State Parties at various review conferences. These include: domestic implementation measures, if considered necessary; consultation and co-operation among parties; lodging of complaints with the UN Security Council; and incentives, such as assistance to victims. Since 1991, there have been efforts to negotiate a verification protocol to strengthen the BTWC's lack of provisions for an international mechanism to monitor compliance. Difficulties in creating a verification regime for the BTWC include: any nation with a developed pharmaceutical industry has the potential to make biological weapons; the emergence of non-state actors makes it difficult to develop effective verification measures.

Compliance: One example of allegations of non-compliance with the BTWC is the 1981 accusation by the United States that the Soviet Union supplied mycotoxins—poisonous compounds synthesized by fungi—to its Communist allies in Southeast Asia for military use against resistance forces in Laos and Cambodia. The UN Secretary-General dispatched two expert groups to the region to investigate the allegations. Both were inconclusive, demonstrating the need to launch an investigation shortly after an alleged attack, when the forensic evidence is still fresh, and to gain full access to the effected sites and attack victims.

Amendments and Withdrawal: Under Article XI, States Parties may propose amendments to this convention. Amendments shall enter into force for each State Party accepting the amendments when the amendment is accepted by a majority of the States Parties to the convention. For each remaining State Party thereafter, the amendment will take effect on the date of acceptance. The convention gives the parties a right of withdrawal, provided that notice is given to all other States Parties to the convention and to the United Nations Security Council (UNSC) three months in advance. Such notice shall include a statement of the extraordinary events the State regards as having jeopardized its supreme interests (Article XIII).

Review Conference: The Review Conference of the BTWC takes place every five years.

Confidence-Building Measures (CBMs): In the Final Declaration adopted at the Third Review Conference of the Parties to the BWC held in 1996, the States Parties agreed to implement a new format of confidence-building measures to improve international cooperation in the field of peaceful bacteriological (biological) activities (BWC/CONF.III/23, Part II, Annex). These included: (1) a declaration form on "Nothing to declare" or "Nothing new to declare"; (2) exchange of data on research centers and laboratories that meet very high national or international safety standards; (3) exchange of information on national biological defense research and development programs, including declarations on facilities where biological defense research and development programs are conducted. (This measure also includes information relating to contractors and on available publications.); (4) exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins that seem to deviate from the normal pattern; (5) encouragement of publication of results of biological research directly related to the convention and promotion of use for permitted purposes of knowledge gained in this research; (6) active promotion of contacts between scientists, other experts at facilities engaged in biological research directly related to the convention, including exchanges and visits for joint research on mutually agreed basis; (7) declaration of legislation, regulations, and other measures, including exports and/or imports of pathogenic microorganisms in accordance with the convention; (8) declaration of past activities in offensive and/or defensive biological research and development programs since 1 January 1946; and (9) declaration on vaccine production facilities, licensed by the State Party for the protection of humans. A summary table has been prepared to indicate participation of the States Parties in each of the agreed CBMs since 1997.

Sixty-one states (38% of States Parties) submitted CBM information requested during the Sixth Review Conference. Several States Parties approached the Implementation Support Unit (ISU) to enquire if, in the interests of transparency, their CBMs could also be made available in the publicly-accessible area of the ISU website. For 2008, nine CBM country reports have been placed in the publicly-accessible area of the CBM section of the website (they also remain available in the restricted area).

Developments:

2009: The 2009 BTWC Meetings will be chaired by Ambassador Marius Grinius of Canada. The Meeting of

Experts will be held from 24-28 August and the Meeting of States Parties will be held on 7-11 December.

2008: The following states acceded to the BTWC in 2008: Zambia (15 January), Madagascar (7 March), United Arab Emirates (20 June), and Cook Islands (5 December).

The 2008 Meeting of Experts was held in Geneva from 18 to 22 August 2008. The meeting was chaired by Ambassador Georgi Avramchev of the Former Yugoslav Republic of Macedonia. The meeting discussed and promoted national, regional, and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins, and oversight, education, awareness raising, and adoption and/or development of codes of conduct with the aim of preventing misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention.

The Meeting included three panel discussions on the topics of risk management, industry, and education and awareness raising. Experts were invited to share their opinions and offer suggestions on the questions raised by the Chair and the delegates. Some of the main themes were: developing an integrated network of information that could be shared between developed and developing countries, informing and engaging the public when outbreaks occur, training scientists to respond to outbreaks and crises, and creating stronger alliances between industry and government.

The Meeting featured the ISU's first ever poster sessions on 19 and 21 August. These sessions gave experts an opportunity to meet their counterparts among the various delegations and present details of their work. All States Parties, International Organizations, Nongovernmental Organizations, and private sector delegations were invited to participate, and nearly 30 posters were presented in total. The sessions were enthusiastically received and will likely continue in the future.

The Meeting of States Parties was held In Geneva on 1-5 December, 2008, and was chaired by Ambassador Georgi Avramchev of the Former Yugoslav Republic of Macedonia. The meeting consolidated the work of the Meeting of Experts in a final report. Many States Parties stressed the need for universalization and the necessity for countries to continually submit their CBMs. Although CBMs are not legally binding, Some States Parties, such as Switzerland, noted that they are politically binding and part of the obligations of the treaty. Some States Parties also suggested expanding the ISU duties to include an international scientific advisory panel as part of the seventh review conference.

94 States Parties attended the meeting and 39 States Parties made statements.

2007: On 28 June, Kazakhstan acceded to the BTWC.

The 2007 Meeting of Experts was held in Geneva from 20 to 24 August 2007. The meeting was chaired by Ambassador Masood Khan of Pakistan. In accordance with the decision of the Sixth Review Conference, the meeting dealt with ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, and regional and sub-regional cooperation on implementation of the BWC. The meeting concluded on 24 August by adopting its report by consensus and the presentation of an Interim Universalization Report by the chairman.

On 20 August, the Implementation Support Unit (ISU) was officially launched. The ISU was created to assist states parties in the implementation of the BWC by providing administrative support to state parties, facilitate communication, promote confidence building measures, and to work towards the universalization of the convention.

The 2007 Meeting of States Parties was held in Geneva from 10 to 14 December 2007. Ninety-five states parties and six signatories participated in the meeting, which was chaired by Ambassador Masood Khan of Pakistan. In accordance with the decision of the Sixth Review Conference, the Meeting of States Parties considered the work of the previously held Meeting of Experts. The meeting concluded with a consensus report mainly addressing procedural issues.

2006: The Preparatory Committee for the Sixth Review Conference was held in Geneva from 26 to 28 April and made the procedural arrangements necessary for the Review Conference.

The Sixth Review Conference was held from 20 November to 8 December in Geneva. In his opening remarks, Secretary General Kofi Anan called on the states parties to not repeat the deadlock of the 2001 Review Conference and stressed the importance of the convention and moving forward. Masood Khan of Pakistan was elected president of the conference and stressed the need to allow for no complacency in addressing the threats posed by biological weapons.

The most important decision of the Review Conference was to establish an Implementation Support Unit consisting of three full-time staff members to provide support and confidence building measures. The conference endorsed the consensus documents from 2003-2005 meetings of the states parties, decided for 2007-2010 to hold four annual meetings of the states parties of one week duration each year to discuss and promote common understanding and effective action. The conference also made a decision concerning confidence-

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building measures, namely that the Implementation Support Unit should develop an electronic format of the existing confidence-building measures forms, and centralize requests and offers of assistance regarding the submission of these by states parties. On the promotion of universalization, the conference agreed that a concerted effort by states parties was needed to persuade states not party to the convention to join.

2005: The Third Meeting of Experts from States Parties to the convention met in Geneva from 13 to 24 June. 82 States Parties participated in the Meeting of Experts. Egypt, Madagascar, and the Syrian Arab Republic also participated as signatories, who hold no decision-making power in the meeting. Israel participated as an observer. The meeting was chaired by Ambassador John Freeman of the United Kingdom.

Experts from various international organizations, such as the International Organization of the Red Cross (ICRC), the Organization for Economic Co-operation and Development (OECD), and the World Health Organization (WHO), were granted observer status. Twenty-three scientific, professional, academic, and industry bodies participated informally as guests of the Meeting of Experts. Sixteen non-governmental organizations and research institutes also attended the meeting.

The Meeting of Experts held two public meetings on 13 and 24 June, respectively, five open sessions, and three working sessions. At these gatherings, experts discussed the options for development and implementation of codes of conduct for scientists to help prevent contravention of the BWC. Participants also discussed the merits of a universal code system versus multiple codes, and the relationship of voluntary or contract-based codes of conduct to enforceable legislation and regulations.

The experts reached general agreement that the codes of conduct should uphold central tenets of the BWC while also working to balance the need for scientific freedom against the need to prevent deliberate and inadvertent scientific misuses. Alternatively, on the issue of increased education, participants varied in their opinion of who should be responsible for promulgating codes of conduct and whether the approach should be a "top-down" or "bottom-up" strategy.

At the end of the meeting, the chair prepared an informal paper listing the considerations, recommendations, and conclusions drawn from the gatherings. While the paper has no official status, it was the chair's view that the paper could assist delegations in their preparation for the upcoming Meeting of States Parties.

2004: A two-week Meeting of Experts of the States Parties to the Convention convened in Geneva from 19-31 July, in accordance with a three-year program established at the Fifth Review Conference. The meeting was chaired by Mr. Peter Goosen of South Africa, and attended by representatives of 87 States Parties, four signatories, and two observer States to the convention. In addition, experts from various international organizations, such as the World Health Organization, the Food and Agriculture Organization, and the World Organization for Animal Health, which are aiding in the creation of contingency plans for responding to disease outbreaks, also attended and participated in the conference as observers.

The Meeting of Experts held public sessions on 19 and 30 July, and 17 additional working meetings. During the first week of the session, participants focused on addressing means of "strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants." During this time, participants heard nearly 100 statements, presentations, and interventions and considered a number of working papers on the subject submitted by States Parties.

The following week, the primary agenda item was to discuss the enhancement of "international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease." States Parties, signatories, and observers heard and discussed a number of presentations, statements, and working papers related to this topic. In addition, participants utilized several background papers prepared by the Secretariat regarding mechanisms being implemented by intergovernmental organizations and non-governmental organizations in terms of disease surveillance and disease outbreaks, and on mechanisms available to States Parties to investigate the alleged use of biological or toxin weapons and provide assistance within the context of the convention.

At the conclusion of the conference, the chair compiled a paper, including conclusions, recommendations, proposals, and ideas drawn from the experts meeting. The paper was not given any official status and does not represent views of all States Parties or signify that consensus was reached. Rather, it is intended to assist delegates in their preparation for the Annual Meeting of States Parties, which took place from 6-10 December in Geneva.

The 2004 Meeting of States Parties convened in Geneva from 6 to 10 December, with Mr. Peter Goosen of South Africa as the chair. Eight-seven States Parties to the convention participated in the Meeting of States. Four signatory states, Egypt, Madagascar, Myanmar, and the United Republic of Tanzania, participated in the meeting without taking part in decision-making. Two additional states, Israel and Kazakhstan, joined the meeting as observers.

Among other observers were The Food and Agriculture Organizations (FAO), the International Committee of the Red Cross (ICRC), the World Health Organization (WHO), and the World Organization for Animal Health (OIE). Fourteen NGOs and research institutes also attended.

The Meeting of States Parties held two public meetings on 6 and 10 December, respectively, as well as multiple working sessions and, on 6 December, a general debate in which 28 States Parties made statements.

During the meeting, States Parties considered broadening and strengthening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis, and combating of infectious diseases affecting humans, animals, and plants. Members agreed on the importance of supporting existing networks of relevant organizations, such as the WHO, FAO, and OIE, as well as developing national and regional disease surveillance capabilities.

Members also discussed enhancing international capabilities for responding to, investigating, and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease. The States Parties recognized the need to continue to develop their own national capabilities for response, as well as cooperative efforts and provisions for international assistance.

At its closing on December 10, the Meeting of States Parties of the convention approved the nomination of Ambassador John Freeman of the United Kingdom as the chair of the Meeting of Experts and the Meeting of States Parties in 2005.

2003: From 18-29 August, the first meeting of experts from States Parties to the BTWC was held in Geneva under the chairmanship of Ambassador Tibor Toth. The meeting was the first stage of a new process established by the Fifth Review Conference of the BTWC; its purpose was to prepare the ground for the annual meeting of States Parties, scheduled for 10-14 November 2003.

The meeting addressed two topics: the adoption of necessary national measures to implement the prohibitions set forth in the convention, including the enactment of penal legislation: and national mechanism to establish and maintain the security and oversight of pathogenic microorganisms and toxins. The first topic of national legislation was divided into the following sub-topics to promote discussion: (1) legal, regulatory, and administrative (e.g., civil legislation, penal legislation, regulations, guidelines); (2) prohibitions (e.g., direct implementation, war materials, development, production, possession and use, complementary legislation); (3) restrictions (e.g., classification, operational framework, intangible technologies, sanctions); (4) practical implementation and enforcement (e.g., national infrastructure, international cooperation, education and training, experts); (5) criminalization and law enforcement (e.g., information sharing, enforcement, international arrangements).

The second topic of bio-security was divided into the following sub-topics for discussion: (1) legal, regulatory and administrative (e.g., national and international models and standards, risk assessment, program design and consequence management); (2) facilities (e.g., facility planning and management, storage, containment, custody and disposal of dangerous pathogens); (3) personnel (e.g., personnel issues for pathogen management, training and continuing education in pathogen security); (4) transport and transfer (e.g., transport and transfer of dangerous pathogens, type of recipient facility); (5) oversight and enforcement (e.g., issues of licensing, accreditation and authorization).

The experts discussed technical aspects covering a range of experiences and ideas related to national implementation of the BTWC. In addition to national delegations, experts from a range of international organizations, including the World Health Organization (WHO), Food and Agriculture Organization (FAO), World Organization for Animal Health (OIE) and Organization for the Prohibition of Chemical Weapons (OPCW) shared their knowledge. It remains unclear how the States Parties will make use of the information presented at the meeting.

From 10-14 November, the meeting of the States Parties was held in Geneva. At the meeting, convened under Chairman Tibor Toth of Hungary, representatives of 92 States Parties, four signatories, two observer States, and several intergovernmental and nongovernmental organizations developed the work begun at the August expert meeting. Two public meetings and seven working sessions were held, the first of which consisted of a general debate. During the remainder of the working sessions, discussion focused on consideration of necessary national measures to implement the prohibitions set forth in the convention, including the enactment of penal legislation and national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins. Specifically, the second working session addressed prohibitions of the convention, the third addressed licensing issues, the fourth considered enforcement issues, the fifth was dedicated to evaluations and implementation of bio-security procedures, and the sixth focused on licensing and relevant efforts by international organizations.

In the process of discussion, delegates utilized a number of working papers as well as a CD-ROM-based information repository prepared by the Secretariat that included States Parties' implementation of national measures related to the convention. In concluding the meeting, States Parties approved the nomination of Mr.

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Peter Goosen of South Africa as chairman of the 2004 Meeting of Experts and Meeting of States Parties.

In 2004 the focus of the new process will shift to enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological weapons or suspicious outbreaks of disease, and to strengthening national and international efforts against infectious diseases. The 2005 meetings will address codes of conduct for scientists.

2002: On 11 November, the resumed session of the Fifth Review Conference of the States Parties to the BTWC started in Geneva. After opening the Conference, the chairman, Ambassador Tibor Toth, suspended the formal session and called for informal consultations on a draft proposal ─ in the form of a draft decision ─ developed by him after consultations with many governments. Ambassador Toth's proposal attempted to find a middle ground between the hard-line position of the United States and substantive proposals made by States Parties such as the United Kingdom and South Africa since the December 2001 session of the Conference. The decision mandated a one-week meeting of States Parties in each of the three years (2003-2005) leading up to the next Review Conference. The purpose of these meetings would be to promote common understanding and effective action on issues of concern to all States Parties. Each annual meeting would be preceded by a two-week expert level meeting.

The first meeting in 2003 would be devoted to the adoption of national measures to implement the prohibitions set forth in the convention, including the enactment of criminal legislation as well as national mechanisms to establish and maintain the security and oversight of pathogenic micro organisms and toxins. In 2004, the discussions would consider enhancing international capabilities for responding to, investigating, and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease. The meeting will also consider strengthening and broadening national and institutional efforts and existing mechanisms for the surveillance, detection, diagnosis, and combating of infectious diseases affecting humans, animals, and plants. The final meeting to be held in 2005 would consider the role and responsibility of the scientific community and look at the content, promulgation, and adoption of codes of conduct for scientists.

Ambassador Toth's proposal was incorporated in the Final Report of the Conference. In his concluding remarks, Ambassador Toth stated that it was the responsibility of each and every State Party to make the upcoming meetings work and to identify ways to strengthen the convention.

2001: On 12 February, the BTWC Verification Protocol Ad Hoc Group (AHG) began its 22nd session with the task of completing the negotiations before the Fifth BTWC Review Conference scheduled to take place in November-December 2001. Some delegations said that the AHG's method of negotiation had been exhausted and called on the chair to produce a "vision text" ― the chair's proposal of what the end product should look like. Other delegations believed that the introduction of the vision text would endanger the friendly and cooperative atmosphere and kill the negotiations and the Protocol. They said that any departures from textual negotiations (based on the rolling text) would need to remain informal.

On 30 March, the AHG chair released a "composite text" ― the chair's proposal for a verification instrument to the BTWC. The document received a mixed reaction. The Western countries plus some "conservative" representatives of NAM (Brazil, Chile, South Africa) supported this effort. Other delegations, namely Pakistan, Iran, and China, were resistant to it, calling the "composite text" a good reference or background document, but insisting that the rolling text remained the basis of the negotiations.

On 25 July, at the beginning of the 24th session of the AHG, the United States formally announced its rejection of the Verification Protocol – not only in its current draft version, but also of further efforts to negotiate such an agreement. The United States concluded that "the current approach to a Protocol" was not "capable of strengthening confidence in compliance with the convention; it would not improve the ability to verify compliance" and would "do little" to deter countries seeking biological weapons. The United States announced that it would not support the chair's composite text, even with changes, as an appropriate outcome of the Ad Hoc Group's efforts. Instead of a Protocol, the United States said it would develop other ideas and different approaches that could help to achieve the objective of effectively strengthening the BTWC. The United States argued that the draft protocol could not achieve the objective of covering illicit activities, as there was no great promise of providing useful, accurate, and complete information to the international community, as well as deterring or hindering a rogue State's ability to conduct illicit activities. Furthermore, the United States argued, regular on-site activities ― transparency visits ― risked damaging innocent declared facilities, and putting national security and commercial propriety information at risk. The United States stated that it could not agree to subject itself to such risks when there was no corresponding benefit in impeding proliferation efforts around the globe. With respect to export controls, the United States said that the convention was a disarmament instrument, not a trade instrument. The United States also voiced its displeasure with calls to abolish existing export control arrangements such as the Australia Group and referred to attempts to fix the meaning of the convention's terms ― a reference to Russia's interest in definitions ― as well as to

investigations of disease outbreaks that the United States felt were too restrictive.

The US announcement was met with deep disappointment on the part of all other States Parties. Most of the delegations reacted quite moderately because such an announcement had been largely anticipated. Although some delegations urged the AHG to continue negotiations regardless of the US announcement, many were not willing to proceed with finalizing the text without US participation and quickly turned their attention to the question of how best to salvage the Protocol and the process. In the end, the States Parties decided not to finalize an agreement without the United States, but instead, they agreed to start drafting the AHG's report, while preserving what had been achieved thus far. By the end of the 24th session, the AHG failed to agree on the final report on its negotiations on a protocol for the convention. On one hand, there was a realization that the report would not be binding with regard to the AHG's future. On the other hand, the report would put on record some important agreements, most notably, that the AHG considered that its mandate was still in force and had yet to be fulfilled. In addition, the report would emphasize the principle of multilateral negotiations and recognize the two texts — the rolling text and the chair's composite text — as the products of the six-and-a-half years of negotiations.

The Fifth Review Conference of the BTWC was scheduled for 19 November-7 December 2001. Preceding the Conference, on 1 November, US President George W. Bush stated that despite the BTWC, the scourge of biological weapons had not been eradicated. Instead, the threat was growing, mainly posed by rogue States and terrorists who possess these weapons and are willing to use them. The president stated that the United States is committed to strengthening the convention as part of a comprehensive strategy for combating the complex threats of WMD and terrorism and proposed the following measures "to fashion an effective international approach to strengthen the BTWC": enact strict national criminal legislation against prohibited biological weapons (BW) activities with strong extradition requirements; establish an effective UN procedure for investigating suspicious outbreaks or allegations of BW use; establish procedures for addressing BTWC compliance concerns; commit to improving international disease control and to enhance mechanisms for sending expert response teams to cope with outbreaks; establish sound national oversight mechanisms for the security and genetic engineering of pathogenic organisms; devise a solid framework for bio-scientists in the form of a code of ethical conduct that would have universal recognition; and promote responsible conduct in the study, use, modification, and shipment of pathogenic organisms.

On 19 November, in the statement at the Fifth BTWC Review Conference, the United States reiterated that it rejected the draft verification protocol to the convention on the grounds that the defiant States and non-State actors would never be hampered by this Protocol and that the arms control approaches of the past would not solve the current problems. The United States argued that such States and non-State actors would not have declared their current covert offensive programs or the locations of their illegal work — nor would the draft Protocol have required them to do so. The United States also stated that by giving proliferators the BTWC stamp of approval, the Protocol would have provided them with a "safe harbor" while lulling other signatories into a false sense of security. The United States claimed that many governments had privately told the US delegation that they shared their reservations. The United States further expressed concern with the activities of Bin Laden's al-Qaeda, Iraq, North Korea, Libya, Iran, Sudan, and Syria to acquire biological weapons. The United States called on the States Parties to "look beyond traditional arms control measures to deal with the complex and dangerous threats posed by biological weapons" and reiterated proposals for strengthening the convention announced by President Bush on 1 November.

In the course of the proceedings, Iran, Iraq, and Libya rejected US accusations. Iraq claimed that its BW program had been destroyed as part of the disarmament mandate of the UN Special Commission (UNSCOM), and feared it was about to be attacked by the United States on the pretext of proliferation concerns. Iran rejected the accusations "categorically," adding that such accusations would lead to confrontation rather than cooperation in the Conference and expressed suspicion that this might be the intention, since the United States was now clearly opposed to multilateralism. Libya said the allegations were "nothing new" and asked the United States not to use the Conference as "a launching pad for accusations" since this would only damage the prospect of reaching consensus at the Conference. The delegates generally believed that the US accusatory statement would only serve to make the work of the Conference more difficult, while its proposals, unless complemented by more comprehensive, multilateral and legally binding arrangements, would not be received favorably by many States Parties. China called the US position "neither fair nor reasonable." Cuba feared that the United States had forced the Member States to lose 10 years of progress, arguing that Washington's new stance was completely inconsistent with the US delegation's previous demands to ease several of its clauses, only to reject it after invoking, among other reasons, its weaknesses.

On 21 November, the Member States heard the views of non-governmental organizations (NGO) on the strengthening of the convention. The NGO, including the Network of Engineers and Scientists for Global

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Responsibility (INES), Women's International League for Peace and Freedom (WILPF), Verification Research, Training and Information Centre (VERTIC), researchers from Bradford University, Stockholm International Peace Research Institute (SIPRI), the Sunshine Project, researchers from the University of Michigan, and the Quaker United Nations Office in Geneva, presented a variety of views, all stressing the need for a multilateral legally binding instrument to strengthen the BTWC.

The Conference commenced an article-by-article review of the convention's operation and considered the issue of the work of the Verification Protocol AHG. The US delegation reportedly announced that it would not support the continuation of the AHG in any form. In contrast, the general view of other delegations was that the Group's mandate remained in force and that the strengthening of the convention needed to take place in a multilateral setting and in a legally binding way. In particular, Non-Aligned Movement (NAM) countries asked for the reconvening of the Group to allow it to complete its task. Most States, including many Western countries, wanted to continue efforts to strengthen the convention, but did not indicate when, where, or how, or whether this meant they wanted to reconvene the AHG.

The deliberations on the convention's review were, by all accounts, conducted smoothly and without any major tension. All countries agreed that the Conference was taking place at a critical juncture, and that rapid advances in science and technology posed challenges to the BTWC regime that needed to be addressed more frequently.

Other matters discussed included the need to meet more frequently to respond to new challenges, and to agree to a follow-up mechanism for the Review Conference, e.g. annual meetings of States Parties, preparatory committee meetings for the next Review Conference, and expert meetings. In the absence of an Organization for the Prohibition of Biological Weapons (OPBW), calls were also made for some kind of interim support structure to facilitate and advance the convention's implementation. Iran expressed concern over the fact that the BTWC does not prohibit the use of BW and proposed that States Parties decide either to insert the word "use" in the convention's title and Article 1, or require those countries, which still maintain reservations to the Geneva Protocol, to withdraw them. Iran and others, including the European Union (EU), called on countries that maintained reservations to the Geneva Protocol to withdraw them. Russia reminded the States Parties that it had withdrawn its reservations on 6 December 2000. With respect to CBMs, the EU proposed that "some" of the politically binding CBMs be made legally-binding, but did not specify which. Canada regretted that participation in CBMs had been "disappointing," saying that this highlighted "the shortcomings of a voluntary approach" and that States Parties need "to get some law on our side." South Africa proposed that States Parties declare facilities working with animal and plant pathogens as a CBM. The United Kingdom suggested additional CBMs and proposed to make some of them mandatory. The developing countries, in particular, highlighted the importance of scientific and technical cooperation.

During the second week of the Fifth BTWC Review Conference, delegations submitted their proposals on the language of the Final Declaration, after which the chair of the committee released an informal document outlining all the proposals and possibilities for common ground. Based on that document, which reproduced the language of the 1996 Final Declaration and the delegations' proposals, the Drafting Committee was tasked with identifying acceptable formulations for the Final Declaration by 4 December. The most controversial issues were export controls, scientific and technological cooperation, and the issue of possible clandestine BW programs in non-compliance with the convention, as well as questions on how to deal with them.

The Fifth Review Conference of BTWC was closed in disarray on the last day, 7 December, after the United States proposed the termination of the Ad Hoc Group. On the last day of the Conference, it was impossible to get any agreement to adopt a final declaration or document containing measures to strengthen the BTWC. As a consequence, States Parties decided to adjourn the Conference to prevent outright failure until 11-22 November 2002, allowing a year-long "cooling-off" period.

2000: Four sessions of the Verification Protocol Ad Hoc Group were held during the year 2000: 17 January-4 February, 3-13 March, 10 July-4 August and 13-24 November. The year 2000 was the sixth year of negotiations for an additional Protocol. During the year, the Parties were able to make slow but steady progress by clearing almost 50 percent of the brackets that were in place in 1999. However, due to the slow pace of the negotiations, some delegations, e.g., Australia, Brazil, and the EU, called for new working methods. Others, such as India, Iran, and Russia, underlined that the rolling text developed by July 1997 was to be the basis for negotiations and they were satisfied with the slower bracket-to-bracket approach. Different interpretations remained as to the AHG's mandate and whether the Review Conference marked a deadline or a target date. Nevertheless, the delegations had less than seven weeks of negotiations left before the Review Conference. There were concerns that missing the date could potentially unravel the whole process. To facilitate the work in the time remaining, Ambassador Tibor Tóth of Hungary, the chair of the AHG, introduced the chair's "composite text," to "bring clarity to the outstanding issues." The draft consisted of some 210 pages and included nearly

1,200 "square brackets" signifying areas of disagreement or disputed text.

The main issues of contention were export controls, bio-defense cooperation, visits and investigations, technical cooperation, and compliance. On export controls, there were differing views between the Western Group and the NAM. Some NAM delegations wanted existing export control arrangements such as the Australia Group to be eliminated after the Protocol's entry into force, while the Western Group supported the continuation of such arrangements. With respect to visits and investigations, the most important problem was the security of intellectual property rights and the confidentiality of business information. Pharmaceutical industries expressed support for simple declarations and objected to any routine on-site inspections. Many developing countries underlined the importance of their right to enjoy the fullest possible exchange of equipment, material, and scientific and technological information related to the use of biological agents and toxins for peaceful purposes. Conversely, delegations from developed countries stressed the need for export control policies and to refrain from transferring any of the above-mentioned items. With regard to non-compliance, delegations were divided between "red light" and "green light" procedures for the initiation of investigations.

1996: The Preparatory Committee (PrepCom) for the Fourth BTWC Review Conference met in Geneva, from 9-12 April. It decided that the Conference would be held in Geneva, from 25 November - 6 December, and that Ambassador Michael Weston (UK) would be President of the Conference. The Conference elected Ambassador Michael Weston as chair, Sola Ogunbanwo (Nigeria) as secretary-general, Ambassador Jorge Berguno (Chile) chair of the Committee of the Whole, and Ambassador Tibor Toth (Hungary) chair of the Drafting Committee.

The 1996 BTWC Conference was attended by 138 States and focused on the scope and speed of progress on concluding a verification regime. The Final Declaration (BWC/CONF.IV/L.1) called for such a regime to be in place no later than 2001. Negotiations on a Protocol to the BTWC to entail verification and compliance measures, as well as provisions for technical cooperation and cooperation on outbreaks of disease were underway in Geneva. It was hoped that the Protocol would be completed before the Fifth BTWC Review Conference, to be held in Geneva in 2001.

1994: On 23 September, the Special Conference to consider verification measures for the BTWC was held in Geneva. The Conference decided to establish an AHG open to all States Parties. The objective of the AHG was to consider definitions of terms and objective criteria, to incorporate existing and enhanced CBMs and transparency measures, to determine appropriate measures, including possible verification measures, and draft proposals to strengthen the BTWC. Such proposals would be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States Parties.

1993 and 1992: The AHG of Governmental Experts to Identify and Examine Verification Measures from a Scientific and Technical Standpoint (VEREX) held four sessions during which it identified 21 potential verification measures, and concluded in its report that some of the potential measures would contribute to strengthening the effectiveness and would improve the implementation of the convention. As was decided by the Third Review Conference, if a majority of States Parties asked for the convening of a conference to examine the report, such a conference would be convened, and it would be preceded by a preparatory committee.

An agreement was reached between Russia, the United Kingdom, and the United States during 1992 giving Parties access to their biological research facilities to check compliance with the BTWC. Under this agreement, reciprocal visits took place in 1993 and 1994.

1991: At the Third Review Conference, held from 9-27 September, delegates decided to establish an AHG of Governmental Experts (VEREX) to identify and examine potential verification measures from a scientific and technical standpoint. Delegates also adopted three new CBMs covering declarations of legislation and other legal and regulatory measures taken to implement the BTWC; declarations of past activities concerning defensive and/or offensive biological research and development programs; and declarations of facilities involved in the production of vaccines for humans.

1986: The Second Review Conference, held from 8-26 September, sought to increase transparency through a set of CBMs in the form of politically binding data exchanges. Delegates agreed on the following CBMs: an exchange of data on research centers and laboratories containing bio-safety level 4 containment facilities; efforts to encourage publications concerning biological research of direct relevance to the convention; information exchanges regarding outbreaks of infectious diseases; and the development of contacts between scientists engaged in research related to the terms of the convention.

1980: The First Review Conference was held in Geneva from 3-21 March under the provisions of Article XII to review the operation of the convention and to assure that the purposes of the preamble and the provisions of the convention were being realized.

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India-Pakistan Agreement on Chemical Weapons

Signed in 1992, the Agreement provided for "the complete prohibition of chemical weapons". It also included a commitment for not developing, possessing or using chemical weapons, as well as not assisting, encouraging or inducing, in any way, anyone to engage in the development, production, acquisition, stockpiling or use of chemical weapons. Furthermore, the agreement committed both governments to become regional signatories of the Chemical Weapons Convention. However, it did not commit India and Pakistan to ratify the CWC.

India signed the CWC on 14 January 1993 and subsequently ratified it on 3 September 1996. Pakistan signed the CWC on 13 January 1993 and ratified the treaty on 28 October 1997.

When India and Pakistan signed the Agreement, both countries declared that they did not possess chemical weapons' stockpiles. However, as part of its accession to the CWC, India declared a quantity of chemical munitions produced by its Defense Research and Development Organization (DRDO) that caused controversy with Pakistan in terms of India's commitment to and compliance with the bilateral agreement.

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol)

Opened for Signature: 17 June 1925.

Entered into force: For each signatory as from the date of deposit of its instrument of ratification or accession.

Number of Parties: 133 States.

Depositary: France.

Protocol Obligations: The Geneva Protocol prohibits the use in war of asphyxiating, poisonous, or other gases, and of bacteriological methods of warfare.

Verification and Compliance: The Protocol recognizes the significance of bringing together controls on chemical and biological weapons. While it prohibits the use of such weapons, it does not prohibit their production, development, and stockpiling, gaps covered by later treaties such as the 1972 Biological and Toxin Weapons Convention (BTWC) and the 1993 Chemical Weapons Convention (CWC). There is no verification mechanism contained within the Geneva Protocol and compliance is voluntary.

The Geneva Protocol, implicitly, does not cover internal or civil conflicts. Moreover, a sizeable fraction of its parties have reserved a right to retaliate in kind if chemical and/or biological weapons should ever be used against them by enemies or allies of enemies. This, and the contractual character of the Protocol, has rendered it a no-first-use agreement.

Background: The Geneva Protocol of 1925 was drawn up and signed at the Conference for the Supervision of the International Trade in Arms and Ammunition, which was held in Geneva under the auspices of the League of Nations from 4 May to 17 June 1925. The conference adopted a Convention for the Supervision of the International Trade in Arms, Munitions and Implements of War, which has not entered into force and, as a separate document, a Protocol on the use of gases. The earlier treaties prohibiting the use of gases to which the Protocol refers are in particular the Hague Declaration concerning asphyxiating gases of 1899 and the Treaty of Versailles of 1919.

Responding to the extensive use of chemical weapons between belligerents in the Iran-Iraq War and the increasing number of chemical weapon-capable states, a Conference on Chemical Weapons Use was held in Paris in January 1989. At the conference the States recognized the importance of the Geneva Protocol, reaffirmed the prohibitions as established in it, and called upon all States which had not yet done so to accede to the Protocol.

The Protocol provided the basis for the BTWC and the 1993 CWC as well as some regional arms control agreements.

Reservations: Upon ratification or accession to the Protocol, some States declared that the provisions of the Protocol would cease to be binding on them if their enemies, or the allies of their enemies, failed to respect the prohibitions of the Protocol. In recent years, however, many of the reservations have been withdrawn, especially following the entry into force of the BTWC and the CWC.

Countries that continue to hold reservations to the Protocol include: Algeria, Angola, Bahrain, Bangladesh, Cambodia, China, Fiji, India, Iraq, Israel, Jordan, Democratic People's Republic of Korea, Republic of Korea, Kuwait, Libya, Nigeria, Papua New Guinea, Serbia, Solomon Islands, Syria, Thailand, the United States, and Viet Nam.

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Space Arms Control

Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (Moon Agreement)

Opened for signature: 18 December 1979.

Entered into force: 11 July 1984.

Number of Parties: 10 States – (including) Australia, Austria, Chile, Kazakhstan, Mexico, Morocco, Netherlands, Pakistan, Philippines and Uruguay.

Number of Signatories: 5 States – France, Guatemala, India, Peru, and Romania.

Depositary: UN Secretary-General.

The Moon Agreement was signed in December 1979 following an initiative by the Soviet Union. On 5 December 1979, the UN General Assembly adopted the Agreement in resolution 34/68.

Treaty Obligations: The Moon Agreement supplements the Outer Space Treaty and confirmed the demilitarization of the Moon and other celestial bodies as provided for in that treaty. The Agreement also prohibits the use or threat of use of force, or any other hostile action or threat of hostile action on the Moon, which is reserved exclusively for peaceful activities. It prohibits the use of the Moon in order to commit any hostile act or to engage in any such threat in relation to the Earth, the Moon, spacecraft, the personnel of spacecraft, or man-made space objects. States Parties shall not place in orbit around or other trajectory to or around the Moon objects carrying nuclear weapons or any other kinds of weapons of mass destruction or place or use such weapons on or in the Moon.

The agreement forbids the establishment of military bases, installations and fortifications on the Moon and, the testing of any type of weapons, and the conduct of military maneuvers on the Moon. But the use of military personnel for scientific research or for any other peaceful purposes is not prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the Moon is not prohibited.

States Parties are committed to inform the UN Secretary-General as well as the public and the international scientific community, to the greatest extent feasible and practicable, of their activities concerned with the exploration and use of the Moon. Information on the time, purposes, locations, orbital parameters, and duration is to be given in respect of each mission to the Moon as soon as possible after launching, while information on the results of each mission, including scientific results, shall be furnished upon completion of the mission. In the case of a mission lasting more than 60 days, information on conduct of the mission, including any scientific results, is to be given periodically, at 30-day intervals. For missions lasting more than six months, only significant additions to such information need be reported thereafter.

As reflected in the provisions of this Agreement the Moon and its natural resources are the common heritage of mankind. The Moon is not subject to national appropriation by any claim of sovereignty, by means of use or occupation, or by any other means. Neither the surface nor the subsurface of the Moon, nor any part thereof or its natural resources, can become the property of any State, international intergovernmental or non-governmental organization, national organization or non-governmental entity, or of any natural person. The placement of personnel, space vehicles, equipment, facilities, stations and installations on or below the surface of the Moon, including structures connected with its surface or subsurface, shall not create a right of ownership over the surface or the subsurface of the Moon or any areas thereof.

Verification and Compliance:

Verification: Each State Party may assure itself that the activities of other States Parties in the exploration and use of the Moon are compatible with the provisions of this Agreement. To this end, all space vehicles, equipment, facilities, stations, and installations on the Moon shall be open to other States Parties. Such States Parties shall give reasonable advance notice of a projected visit, so that appropriate consultations may be held and maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited. Any State Party may act on its own behalf or with the full or partial assistance of any other State Party or through appropriate international procedures within the framework of the United Nations and in accordance with the UN Charter.

Compliance: A State Party which has reason to believe that another State Party is not fulfilling its obligations under this Agreement or that another State Party is interfering with the rights which the former State Party has under this Agreement may request consultations with that State Party. A State Party receiving such a request shall enter into such consultations without delay. Any other State Party that requests to do so shall be entitled to take part in the consultations. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The UN Secretary-General shall be informed of the results of the consultations and shall transmit the information received to all States Parties concerned.

Convention on the Registration of Objects Launched into Outer Space (Launch Registration Convention)

Opened for Signature: 14 January 1975.

Entered into Force: 15 September 1976.

Number of Parties: 43 States — Antigua and Barbuda, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Chile, China, Cuba, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, India, Indonesia, Japan, Liechtenstein, Mexico, Mongolia, Netherlands, Niger, Norway, Pakistan, Peru, Poland, Republic of Korea, Russia, Saint Vincent and the Grenadines, Seychelles, Slovakia, Spain, Sweden, Switzerland, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, and Yugoslavia.

Number of Signatories: 4 States — Burundi, Iran, Nicaragua, and Singapore. Two international intergovernmental organizations (European Space Agency and European Organization for the Exploitation of Meteorological Satellites) have declared their acceptance of the rights and obligations provided for in the Convention.

Background: A registry of launches has been maintained by the UN Secretariat since 1962, in accordance with UNGA Resolution 1721 B (XVI). Since the Convention's entry into force in 1976, another registry of launches has been established for information received from Member States and intergovernmental organizations that are Parties to the Convention. The Convention was adopted by the General Assembly in its resolution 3235 (XXIX).

The Convention also supplements the Outer Space Treaty, as well as the 1972 Convention on International Liability for Damage Caused by Space Objects and the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, both of which address technical and legal issues relating to international cooperation in the use and exploration of outer space exclusively for peaceful purposes.

Obligations: Under this Convention, all objects launched into earth orbit or beyond into outer space must be recorded with an appropriate national space agency. Information on the object launched into space, including the date and territory or location of the launch, essential orbital parameters, and the function or role of the object in space is to be communicated to the UN Secretary-General as soon as practicable.

Verification and Compliance: *Verification:* Whenever a space object launched into earth orbit or beyond is marked with a designator or registration number, the State of registry shall notify the UN Secretary-General of this fact when submitting the information regarding the space object. In such case, the Secretary-General shall record this notification in the Register. *Compliance:* There are no compliance measures included in the agreement.

Developments:

2002: Signature States of the International / Hague Code of Conduct Against Ballistic Missile Proliferation (ICOC / HCOC) (signed by more than 90 states in the Hague on 25 November 2002), resolved to, *inter alia*, "ratify, accede to or otherwise abide by" the Launch Registration Convention.

2000: At its 39th session, which lasted from 27 March to 6 April 2000, the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) started consideration of a new agenda item, "Review of the Concept of the Launching State." This three-year work plan focuses on improving application of the "launching State" concept, as used in the Launch Registration Convention and the Liability Convention of 1972, in light of recent trends towards international launches, increased privatization of space activities, and new developments in space transportation.

Treaty of Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (Outer Space Treaty

Opened for Signature: 27 January 1967.

Entered into Force: 10 October 1967.

Number of Parties: 99 States.

Number of Signatories: 90 States (26 States have signed but not ratified).

Depositaries: Russia, United Kingdom, and United States.

Background: The Outer Space Treaty was adopted by the UN General Assembly (UNGA) in resolution 2222 (XXI) after being considered by the Legal Subcommittee in 1966. The treaty added new provisions to the foundation provided by the Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, which had been adopted by the General Assembly in 1963 in resolution 1962 (XVIII).

Treaty Obligations: The treaty stipulates that exploration and use of outer space shall be carried out for the benefit and in the interest of all countries, and it shall be the province of mankind. Parties agree not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction; not to

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install such weapons on celestial bodies, or station them in outer space in any other manner; the Moon and other celestial bodies are to be used exclusively for peaceful purposes; establishment of military bases, installations and fortifications, the testing of any type of weapons, and the conduct of military maneuvers on celestial bodies shall be forbidden.

Verification and Compliance:

Verification: States Parties agree to inform the UN Secretary-General as well as the public and the international scientific community, to the greatest extent feasible and practicable, of the nature, conduct, locations, and results of activities covered in this Treaty. The Treaty sets forth that all stations, installations, equipment, and space vehicles on the Moon and other celestial bodies shall be open to representatives of other States Parties on a reciprocal basis; such representatives shall give reasonable advanced notice of their projected visit, so that appropriate consultations may be held, and so that maximum precautions may be taken to assure safety and to avoid interference with normal operations of the facility to be visited.

Compliance: When activities are carried on in outer space by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization. No specific measures for compliance are included in this Treaty.

Developments:

2008: On 20 February, the United States destroyed a non-functioning National Reconnaissance Office satellite using a modified tactical Standard Missile-3 (SM-3) launched from an AEGIS cruiser. Ambassador Christina Rocca addressed the issue on 15 February in the Conference on Disarmament, claiming that the action would be consistent with the Outer Space Treaty as the United States had notified foreign governments in advance in the interest of transparency and was carrying out the operation to prevent the possible loss of life.

2007: On 11 January, China conducted the first successful test of its anti-satellite (ASAT) system by successfully using a ground-based medium-range ballistic missile to destroy an old Chinese weather satellite. This move was in contradiction to years of Chinese statements calling for a ban on weapons in space at the Conference on Disarmament. In response, the United States lodged a formal diplomatic protest claiming, among other thing, that the test violated the intent and spirit of the Space Treaty but reiterated its position that there is no arms race in space and therefore, no reason to negotiate on PAROS or any new treaty with regards to the weaponization of space.

2006: In August 2006, US President George Bush authorized the new US Space Policy. In the document unveiled to the public on 6 October, Washington emphasized its right to "freedom of action in space" saying it will "deter others from either impeding those rights or developing capabilities intended to do so." The policy supports the use of nuclear power in space. The policy also asserts the right to "deny, if necessary, adversaries the use of space capabilities hostile to U.S. national interests."

At the 2006 First Committee Meeting, the "Prevention of an arms race in outer space" (Egypt, 61/58), as in years past, continued to express the hope that an ad hoc committee would be established within the Conference on Disarmament to reinvigorate the debate on the adoption of a legally binding document relating to the weaponization of outer space. The United States, however, was the only delegation to vote against and continues to oppose attempts to create such a document, arguing that the existing multilateral arms control regime is sufficient and that there is no need to address a "non-existent threat."

The "Transparency and confidence-building in outer space activities" (Russia, 61/75) resolution was adopted by an overwhelming majority of 167 yes votes, with only the United States voting against and Israel abstaining. The United States restated its standard position that there is no arms race in outer space or intent to weaponize outer space and, consequently, no need exists for a new instrument to address the issue.

2004: In the United Nations General Assembly, 178 countries voted in favor of the PAROS resolution A/RES/59/65 to reserve space for peaceful purposes. No countries voted against the resolution. Only four states—Israel, Haiti, Palau, and the United States—abstained from voting.

2003: The Resolution, "Prevention of an arms race in outer space" (Sri Lanka, 58/36), calls on all states to contribute actively to the objective of the peaceful use of outer space and to refrain from actions contrary to that objective. The CD is invited to establish an ad hoc committee on this issue as early as possible.

2002: At the 2002 session of the Conference on Disarmament (CD), the prevention of an arms race in outer space (PAROS) remained one of the controversial issues that kept the CD from agreeing on a program of work. The President of the Conference, Ambassador Reimaa of Finland, presented a draft program of work to the CD at the end of the first part of the 2002 session that envisaged the establishment, for the duration of one year, of four Ad Hoc Committees, including one on PAROS. China and Russia, together with other delegations, presented on 27 June 2002, a working paper on the possible elements of a treaty on PAROS. Establishing an Ad Hoc Committee on PAROS was part of a proposal on

a program of work presented by the former presidents of the CD in August 2002, but there was no consensus among the delegations on this item.

2001: During the 2001 CD session, Russia proposed the establishment of an Ad Hoc Committee on PAROS, to "negotiate with a view to reaching agreement on a regime capable of preventing an arms race in outer space." This regime could take the form of an internationally legally binding instrument. China also supported the Russian proposal and submitted a working paper outlining the basic provisions that the "Treaty on the Prevention of the Weaponization of Outer Space" should contain. China's ambassador mentioned that the weaponization of space was "by no means a remote issue"; instead, the "danger was imminent and the issue most urgent." The United States ambassador, on the other hand, made a few statements stressing that the United States "did not think outer space issues were ripe for negotiations" since, according to the United States, there is "no arms race" in outer space.

1997-2000: In 1997 the UNGA adopted a resolution on the prevention of an arms race in outer space (52/37), which reaffirmed the importance and urgency of preventing an international arms race in outer space and the readiness of all States to contribute to that common objective. The 1998 resolution (53/76) reiterated the former and emphasized the need for further measures, with verification, to prevent an arms race in outer space. The resolution stated that the CD has the primary role in negotiating multilateral agreements, including those on PAROS. It also called for the re-establishment of the Ad Hoc Committee of the CD. Furthermore, it urged States that conduct activities in outer space to keep the CD updated on any progress on bilateral or multilateral negotiations on the matter. The UNGA resolution of 1999 (54/53) reiterated the above objectives, while calling for the re-establishment of the Ad Hoc Committee of the CD in 2000.

1995-1996: The 1995 and 1996 regular sessions of the UNGA again affirmed the need to consolidate the regime, and requested that the CD re-establish an Ad Hoc Committee on the subject (50/69).

1994: The 1994 regular session of the UNGA reaffirmed that there is a need to consolidate and reinforce the legal regime applicable to outer space; emphasized the necessity of further measures with appropriate and effective provisions for verification; and requested the CD to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects (49/74).

1993: In 1993, a UN study on the application of confidence-building measures in outer space was concluded and submitted to the UNGA (48/305), pursuant to its resolution of December 1990. The group of governmental experts commissioned to prepare the study concluded that since the Outer Space Treaty was adopted in 1967, "legal norms may have to be developed further, whenever appropriate, to address new developments in space technology and increasing universal interest in its application." Thus, the need to formulate a framework for the enhancement of cooperation and confidence-building among States was identified. The 1993 regular session of the UNGA commended this study to the attention of all UN members (48/74B).

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Conventional Weapons

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (Inhumane Weapons Convention / Convention on Certain Conventional Weapons) (IWC/CCW)

Opened for Signature: 10 April 1981.
Entered into Force: 2 December 1983.
Depositary: United Nations Secretary-General.
Number of Parties: 109 States, 50 Signatories

Amended Article 1: 64 States have notified their consent to be bound by Article 1
Protocol I: 106
Protocol II: 92
Protocol II (Amended): 92
Protocol III: 101
Protocol IV: 94
Protocol V: 52

Purpose: The Convention's (CCW) primary purpose is to protect civilians from the effects of conventional weapons and to protect combatants from the infliction of suffering, which exceeds what is necessary for the achievement of a legitimate military objective. The Convention is a framework, to which are added individual Protocols governing the use of specific conventional weapons.

Obligations: Not to use conventional weapons, which create non-detectable fragments (Protocol I); not to use mines or booby traps against civilians or the civilian population; not to use indiscriminately (i.e., to place on or direct at only military objectives, employ only those means of delivery that can be directed at a military objective, and avoid placement that may cause incidental loss of civilian life or damage to civilian objects that is excessive in relation to the concrete and direct military advantage anticipated); not to use weapons in populated areas unless specific conditions are met; not to use booby-traps that are in the form of an apparently harmless, portable object or associated with specified categories of objects; to record their locations; to protect UN forces by providing information or escort; to cooperate in their removal after a conflict (Protocol II); not to use incendiary weapons against civilian populations; not to use air-delivered incendiary devices against military objectives located within concentrations of civilians (Protocol III); and to prohibit the use and transfer of laser weapons designed to cause permanent blindness (Protocol IV).

The Amended Protocol II, adopted by the Conference of State Parties in 1996 and entered into force on 3 December 1998, extended the restrictions on landmine use to internal conflicts; established reliability standards for remotely delivered mines, and prohibited the use of non-detectable fragments in anti-personnel landmines (APL). There is no verification or compliance mechanism in Amended Protocol II, and negotiations to amend Protocol II failed to produce a total ban on APL use. This gave rise to the movement that eventually produced the APL Ban Treaty. For those countries which do not yet support a total prohibition of anti-personnel landmines and therefore are not parties to the APL, the Amended Protocol provides a minimum standard for their use and transfer. These countries include China, India, Israel, Pakistan, the Russian Federation, South Korea, Turkey, and the United States. As of July 2004, 76 States have consented to be bound by the Protocol.

Application: The Convention and its annexed protocols apply in the situations referred to in Article 2 common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, including any situation described in paragraph 4 of Article 1 of Additional Protocol I to these Conventions.

An amendment to Article 1 of the convention extended the application of the treaty to include non-international armed conflicts. This amendment was adopted at the Second Review Conference in 2001 and entered into force in 18 May 2004.

Verification and Compliance: The Convention contains no verification or compliance provisions.

Review Conferences: Article 8.3(c) provides that if, after a period of 10 years following the entry into force of this Convention, no conference has been convened, any States Party may request the Depositary to convene a conference to review the scope and operation of the Convention and the Protocols. In accordance with this provision, on 22 December 1993, States Parties submitted a request to the Secretary General of the UN to convene a Review Conference. As a result, the First Review Conference took place from 25 September to 13 October 1995 in Vienna, and from 15 to 19 January and from 22 April to 3 May 1996 in Geneva.

The First Review Conference agreed that "future review conferences should be held more frequently, with consideration to be given to holding a review conference

every five years". As a result, the Second Review Conference was held from 11-21 December 2001. The Third Review Conference was held 1-17 November 2007.

Meetings of States Parties: The Second Review Conference decided to convene a meeting of States Parties to follow-up decisions arising from the Conference. According to this decision, the 2002 Meeting of States Parties was held from 12 to 13 December 2002. The attendees again decided that a meeting of States Parties should be held from 27 – 28 November 2003 in Geneva for follow-up work.

Annual Conferences of States Parties to the Amended Protocol II: Article 13 of the Amended Protocol provides for a Conference of the States Parties to that Protocol to be held annually for the purpose of consultations and cooperation on all the issues relating to the Protocol.

Meetings of the Group of Governmental Experts: The 2001 Second Review Conference of States Parties to the CCW decided to establish an open-ended Group of Governmental Experts with separate coordinators to (a) discuss ways and means to address the issue of explosive remnants of war (ERW), and (b) further explore the issue of mines other than anti-personnel mines (MOTAPM). From 2002-2006, meetings were held three times a year in Geneva: in the early spring, summer, and late fall. In 2007, one meeting was held from 19-22 June in Geneva. In 2008, five meetings were held in Geneva; the most recent occurred on 3-7 November.

Developments:

2008: The Meeting of High Contracting Parties to the CCW was held on 13-14 November in Geneva. Delegates were unable to reach agreement on a new protocol for cluster munitions. The protocol was supported by a group of countries including the United States, Russia, China, India, Pakistan, Israel, and Finland, countries that possess the vast majority of the world's cluster munitions stockpiles and will not sign the Convention on Cluster Munitions, which was adopted through the Oslo process. A group of 25 nations, strong supporters of the Oslo Convention, jointly opposed the protocol text, believing that it would legitimize the use of weapons that constitute an unacceptable threat to humanity.

Member States agreed to continue protocol negotiations in two meetings of the Group of Governmental Experts to be held in 2009.

2007: At the Third Review conference held in 2006 (see below), the States Parties decided to convene an intercessional meeting of the GGE to "consider further the application and implementation of existing international humanitarian law to specific munitions that may cause explosive remnants of war, with particular focus on cluster munitions, including the factors affecting their reliability and their technical and design characteristics, with a view to minimizing the humanitarian impact of the use of these munitions." The 2007 Session of the Group of Governmental Experts was held 19-22 June 2007.

The Meeting of High Contracting Parties to the CCW, chaired by Ambassador Francisco Verros of Greece, took place from 7-13 November 2007 in conjunction with the two meetings of the High Contracting Parties to Protocol V on 5 November and to Amended Protocol II on 6 November.

In addition to the general exchange of views and reports, two working papers were introduced. Most notably, Russia submitted a working paper in which it outlined its willingness to move towards negotiations on an instrument to address cluster munitions, a departure from their previously demonstrated position. The Russian delegation will engage on the issue, provided that such a document would not decrease defense military capability or economic impact and the restrictions focus on their use, and not design specifications of the weapons themselves.

The High States Parties heard reports from coordinator Ambassador Edvardas, on the work of the Programme's Steering Committee and the Sponsorship Program and Ambassador Janis Klarkins of Latvia on the activities of the Group of Governmental Experts.

2006: The Third Review Conference was held from 7-17 November. The designated president of the conference was François Rivasseau of France. The Conference resulted in six decisions which are laid out in the Third Review Conference Final Document and Final Declaration. The Israeli attacks on Lebanon created a new vibrant source of debate and discussion. The representatives from Austria, the Holy See, Ireland, Mexico, New Zealand, and Sweden presented a proposal to address cluster munitions. The proposal seeks to negotiate a new protocol. Though a total ban was not part of the proposal, it received strong opposition from the United States, Russia, and Israel.

Building on the entry into force of Protocol V, the EU sought measures to universalize Protocol V and to continue to work on munitions that may become ERW. The U.S. opposed this, believing that the entry into force of Protocol V was sufficient to address ERW concerns.

MOTAPM continued to be a difficult negotiation topic. The EU supported the creation of a protocol to include legally binding measures regarding detectability and active life. To address some states' concerns that such a protocol would affect a state's defense capability, the EU suggested permitting "the use of non-detectable and persistent mines within PMAs [perimeter marked areas], provided that a meaningful PMA definition is retained." Russia made an alternate proposal, which stated that "States shall endeavor to produce mines which shall, when their military necessity period expires, preserve

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features allowing to increase their defectability [sic]." And "to the extent permitted by their technical and financial capabilities to produce remotely-delivered MOTAPM with mechanisms (devices) that limit their life time." However, no legally binding mechanism was included in the proposal. The United States and Cuba rejected the Russian proposal saying that it did not add anything new to the existing provisions of Amended Protocol II. While several states, such as Switzerland, Australia, Canada, and Ukraine were in favor of a legally binding measure, Norway insisted that it would not agree to any treaty that did not include one. The Conference reserved two days of the 2007 Meeting of the High Contracting Parties for the issue of MOTAPM (Decision 2).

Germany and Switzerland submitted proposals to study laser weapons systems and their humanitarian effects so that changes to Protocol IV might be considered. This proposal was opposed by the United States and Russia.

Negotiations on mechanisms for compliance continued and a draft resolution was submitted by the president designate. The draft included several suggestions, including the creation of a pool of experts to help states in assessing compliance. While Russia's concerns that a compliance verification mechanism might be too intrusive and cumbersome, it was most troubled by the pool of experts suggestion, citing that the purpose and scope of the proposal was unclear. In the Decision Three of the Final Declaration the Parties agreed to "establish a Compliance mechanism applicable to the Convention."

On 8 November, an agreement was reached on a "Plan of action to Promote Universality for the CCW" The plan called on each state to:

- Review its participation in the CCW and consider acceding to protocols it has not yet ratified
- Encourage the six signatory states not yet party to the CCW to ratify it
- Try to promote universalization through contacts with states not party to the convention and cooperate with regional and international organizations
- Give priority attention to encouraging adherence to the CCW
- Specifically focus on areas of low acceptance
- Prevent and suppress violations of the CCW by persons on territory of their jurisdiction or control
- Increase involvement and cooperation in universalization efforts with the United Nations, international organizations, parliamentarians, NGOs, and citizens

Perhaps spurred by progress on an instrument addressing cluster munitions through the Oslo process, the Conference, Decision One of the final declaration mandated the GGE to "to convene, as a matter of urgency, an intersessional meeting of governmental experts: to consider further the application and implementation of existing international humanitarian law to specific munitions that may cause explosive remnants of war, with particular focus on cluster munitions, including the factors affecting their reliability and their technical and design characteristics, with a view to minimizing the humanitarian impact of the use of these munitions." In addition to this task, the GGE was tasked to consider the results of an upcoming experts meeting to be held by the ICRC regarding cluster munitions and to report on the events and progress achieved at the 2007 Meeting of High Contracting Parties.

The delegates also agreed to adopt a draft resolution to establish a sponsorship program (Decision 5). Accelerating the implementation of the CCW, promoting universality and observation of the norms and principles contained in the convention, and encouraging cooperation and the exchange of information by states on issues relating to the CCW are the goals set out in the draft proposal. The Conference recommended that the Secretary General and President of the conference work to achieve Universalization. The President of the Conference was requested to report to the 61st UN General Assembly on progress towards this goal (Decision 4)

The Conference also agreed on a the overall structure for CCW's work in 2007, including the appointment of Ambassador Jānis Kārkliņš of Latvia as Chair of the GGE and a representative of the Western Group to serve as Chairperson-designate of the Meeting of the High Contracting Parties.

A special plenary meeting was held on 13 November to mark the entry into force of "Protocol V on explosive remnants of war," which was adopted on 28 November 2003 by 92 states. Twenty-seven states agreed to abide by the protocol and called on the remaining states to voluntarily adhere. The protocol calls on states to take "measures to mark and clear, remove or destroy unexploded ordnance or abandoned explosive ordnance."

2004: The Sixth Annual Conference of States Parties to the Amended Protocol II occurred on November 17, 2004. Ambassador Carlos Antonio da Rocha Paranhos of Brazil presided over the one-day conference as the President selected by the Fifth Annual Conference last year. The

conference issued a strong appeal to promote wider adherence to the Amended Protocol II in their respective regions and for all States to accede to the Protocol. The universalization of the Protocol is an important topic for the conference.

Conference discussion also centered on the review of the operation and status of the Protocol in accordance with article 13 of the Amended Protocol II. In addition, the conference received national annual reports from 50 States Parties containing material on the dissemination of information on Amended Protocol II to armed forces and civilian populations; mine clearance and rehabilitation programs; steps taken to meet the technical requirements of the Protocol; legislation related to the Protocol; international cooperation and assistance, as well as other relevant matters.

Also at the one-day meeting, the conference confirmed the nomination of Ambassador Paranhos as President, as well as Ambassador Christian Faessler of Switzerland, Ambassador Hu Xiaodi of China and Ambassador Doru-Romulus Costea of Romania as Vice-Presidents.

The Meeting of the States Parties to the CCW took place November 18-19, 2004 in Geneva. The Meeting was chaired by Ambassador Gordan Markotic of Croatia. At the meeting, the States Parties confirmed their commitment to take action on the report of the CCW Group of Governmental Experts, established by the Second Review Conference of the States Parties to the Convention on December 21, 2001. Members also agreed to follow-up works for its two respective working groups on the issues of ERW and MOTAPM. They also agreed to follow-up work on a mandate on the issue of possible options to promote compliance with the convention and its annexed protocols.

The meeting also discussed the possibility of undertaking preparatory work for that 2006 Third Review Conference of the States Parties to the CCW and came to the conclusion that the chairman-designate would undertake consultations during the intercessional period on the matter and would report to the next meeting of the states parties. The meeting also decided to designate Ambassador Gordan Markotic of Croatia as chairman of the Meeting of the States Parties again in 2005. Additionally, the meeting reappointed Ambassador Jayant Prasad of India on ERW and Ambassador Markku Reimaa of Finland on MOTAPM as coordinators for the Group of Governmental Experts.

2003: The fifth annual Conference of the States Parties to the Amended Protocol II was held on 26 November. The conference reviewed the operation and statues of the Protocol, while emphasizing the necessity for universalization of the Protocol. During the session, the conference received national annual reports from 48 State Parties. It also considered a proposal introduced by Switzerland on the improvement of the reporting format to simplify and facilitate the submission of the national annual reports.

Meeting of States Parties to the Convention, which was held on 27-28 November, adopted a draft protocol on ERW. It will become Protocol V on ERW to be annexed to the convention. Under the new Protocol, States would have to clear areas they control, keep records of ordnance used, warn civilians of the dangers of ERW, and provide technical, material and financial help if they cannot clear the ordnance by themselves. Since the Protocol is not retroactive, there is no obligation to clean up the remnants of past conflicts. The Protocol will enter into force once it has been ratified by 20 member states.

Group of Governmental Experts

2008: The Group of Governmental Experts (GGE) held its first week of meetings of the 2008 session from 14 to 18 January 2008 in Geneva. Ambassador Bent Wigotski of Denmark presided as chair over the conference with the assistance of Maj. General Lars Fynbo (Denmark), who served as Chairman of the Military and Technical Experts.

The group was mandated by the States Parties in a decision annexed to the final report (see below) to negotiate a proposal to address cluster munitions. Delegations took part in a general exchange of views regarding the possible scope and structure of such a proposal and the military, humanitarian, legal and technical aspects of cluster munitions in light of the parallel Oslo process which has been moving along at rapid pace towards a strong and comprehensive instrument by the end of 2008. Many States strongly desire to preserve the relevance of the CCW for addressing conventional weapons issues multilaterally and view the Oslo process as an obstacle to this. Others, who are actively engaged in both processes, repeatedly stress their position that the two processes are mutually reinforcing rather than mutually exclusive. At the opening of the meeting it was unclear how the delegations would respond to the pressure of this added dimension to the negotiations. The Oslo process led to one significant difference from past meetings, the lack of participation from the NGO community. In the past, these organizations have been very active in CCW meetings.

While far from earth shattering in its accomplishments, the outcome of the meeting exceeded many expectations. The discussion was often chaotic and unfocused, but most participants spoke favorably about the tone and tenor of the discussions, with particular reference to negotiations conducted during the Working Group on Definitions. This resulted in engaged, targeted and substantive discussions during which a wide range of views were expressed and delegations appeared to make honest attempts at bridging differences. The United Kingdom,

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Ireland, France, Japan, Germany, Canada, United States, and Russia all put forward proposals. However, only those of France and Ireland were presented in the form of working papers. (CCW/GGE/2008-I/WP.1 and CCW/GGE/2008-I/WP.2) Following two informal meetings and several backdoor consultations, the Group was able to produce a draft working definition.

In the Plenary Meetings, the delegations heard presentations delivered by members of the U.S. and German delegation and the private firm, Textron Defense Systems. The presentations outlined technical advancements in cluster munitions technology which increase reliability and accuracy while minimizing the risk of unexploded remnants and the associated civilian hazards. The presentations also underscored the military utility of cluster munitions as flexible and efficient force multipliers which can help suppress artillery fire and seal breaches in defenses. Several States such the U.S., Russia, Brazil, South Korea and India argued that the appropriate use of cluster munitions, in accordance with international humanitarian law, should serve as the basis for a proposal, not a ban on all or some cluster munitions. Many of these States expressed support for a best practices guide, rather than a legally binding CCW protocol as the format and scope for the negotiated proposal.

Other States, predominantly those engaged fully in the Oslo process argued for a legally binding instrument prohibiting the production, use, stockpile and transfer of cluster munitions. Among this group, a second dividing line became apparent between those States who wanted to distinguish between the weapons which result in high amounts of ERW (and therefore are a source of humanitarian concern) and wanted only to prohibit weapons lacking certain design specifications and those states who favored a complete ban on cluster munitions of all types. This difference of opinion manifested itself in the discussions regarding the definition of cluster munitions, because any definition will be inexorably tied to the prohibitions set out in the following provisions of the protocol.

In the end, the final document contained only two decisions of the conference. First, the draft text of the working definition created by the Working Group on Definitions was attached to the final report with the agreement that it serve as a basis for future work. However, a note was also included that other proposals from the meeting and future proposals will also be considered. The draft definition, heavily punctuated with square brackets, was not entirely welcomed by all delegations but did represent the discussions that had taken place, as well as the desire of the participants to make progress and engage cooperatively. Ireland was the most displeased by the text and proposed its own definitions at the last session (CCW/GGE/2008-I/WP.2).

Second, pursuant to the mandate in Paragraph 37 of the 2007 Report on the Meeting of States Parties, it was decided that the GGE would gather from 7 to 11 April and shorten the scheduled July gathering by one week. This was seen by most as a necessary step to prevent a loss of momentum between sessions.

The second session met from 7-11 April. It discussed the implementation of International Humanitarian Law, cluster munitions, and aspects of how to implement the CCW. The third session met from 7-24 July. It discussed the protection of civilians and civilian objects, victim assistance, cooperation and assistance, definitions, and the CCW text. The fourth session met from 1-5 September. It discussed Articles 2,4,5, and 6 of the CCW. The fifth session met from 3-7 November, although the Chairman officially stopped the clock so that negotiations on a cluster munitions protocol could continue.

2007: In the course of seven plenary meetings, the GGE heard presentations on a wide variety of technical matters ranging from aspects of cluster munitions design to possible legal frameworks for their use in accordance with international humanitarian law, as well as their humanitarian impact. In total, there were ten working papers submitted covering definitions, principles and draft proposals. The United Kingdom and Germany both submitted very detailed proposals. Germany submitted a draft protocol (CCW/GGE/2007/WP.1/Add.1) and draft negotiating mandate (CCW/GGE/2007/WP.3). The United Kingdom submitted a draft proposal (CCW/GGE/2007/WP.10) on the legal framework for implementation for international humanitarian law as it relates to cluster munitions.

The GGE included in its Procedural Report (CCW/GGE/2007/3) a recommendation to be made to the 2007 Meetings of States Parties, "to decide how best to address the humanitarian impact of cluster munitions as a matter of urgency, including the possibility of a new instrument. Striking the right balance between military and humanitarian considerations should be part of the decision." Following the presentation of the GGE Report to the Meeting of High Contracting Parties, the GGE was mandated by paragraph 37 of the Final Report to "negotiate a proposal to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations. The work of the GGE should make every effort to negotiate this proposal as rapidly as possible and to report on the progress made to the next Meeting of High Contracting Parties in November 2008."

2006: The Group of Governmental Experts held three meetings largely focused on preparing for the Third Review Conference. The 13th session of the Group of Government Experts was held from 6-10 March. The working group meetings were chaired by Ambassador Edvardas Borisovas of Lithuania as coordinator on

explosive remnants of war, and Ambassador Carlos Antonio da Rocha Paranhos of Brazil as coordinator on mines other than anti-personnel mines. At the first plenary meeting, the states of Bulgaria, Croatia, Denmark, Finland, Germany, the Holy See, India, Liberia, Lithuania, Luxembourg, Netherlands, Nicaragua, Norway, Sierra Leone, Sweden, and Ukraine announced to the UN secretary-general their consent to be bound by Protocol V of the CCW. In the plenary meetings held on 6 and 10 of March, the group agreed on a provisional agenda and draft rules and procedures for the Third Review Conference and devoted considerable time to the issue of universalization of the CCW and its protocols. The group also discussed the possibility of a sponsorship program. Mr. Peter Kolarov, political affairs officer, Department for Disarmament Affairs, Geneva Branch, was nominated as provisional secretary-general of the Third Review Conference.

The Working Group on Explosive Remnants of War held two meetings in which they discussed international humanitarian law and the ways in which new designs and preemptive steps might be able to minimize humanitarian risk. In addition, one meeting of military experts was held, chaired by Ms. Vera Bohle of GICHD. The Working Group on Mines Other Than Anti-Personnel Mines held two meetings and discussed proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts. It also held one meeting of military experts, chaired by Brigadier-General Gerson Menandro Garcia de Freitas of Brazil.

The 14th session was held 19-23 June. Working groups of the Group of Governmental Experts were

chaired by the two coordinators: Ambassador Edvardas Borisovas of Lithuania as coordinator on explosive remnants of war and Ambassador Carlos Antonio da Rocha Paranhos of Brazil as coordinator on mines other than anti-personnel mines. The group held six plenary meetings. At the first of these, the group welcomed the states that consented to be bound by Protocol V a number that grew to 24 with the addition of Albania, Bulgaria, Croatia, Czech Republic, El Salvador, Liechtenstein, Slovakia, Switzerland, and Tajikistan. The group also took note that in accordance with Article 5 (3) of the convention, Protocol V will enter into force on 12 November 2006 during the Third Review Conference of the States Parties to the Convention.

The group held one expert meeting and two additional meetings to discuss proposals on mines other than anti-personnel mines. In other meetings. the group continued debate and discussion on the creation of a sponsorship program under the convention, reducing humanitarian risk through munitions design and the universalization of the CCW. A decision was made to recommend a plan of action to the Third Review Conference to promote the universality of the CCW.

The Fifteenth session was held from 28 August – 6 September. Working groups of the Group of Governmental Experts were chaired by the two Coordinators: Ambassador Edvardas Borisovas of Lithuania as coordinator on explosive remnants of war and Ambassador Carlos Antonio da Rocha Paranhos of Brazil as coordinator on mines other than anti-personnel mines. The group held eight plenary meetings. The main focus of the meetings was the preparation and consideration for the Third Review Conference, as well as continued debates and discussions on the issues of universality of the CCW, a sponsorship program under the CCW, ERW, and the reduction of humanitarian risk possible through preemptive measures and new munitions design. Experts also heard expert testimony on battle field laser weapons and loss of sight, given by ISIS's Gari Owen. In addition, Human Rights Watch gave a presentation on the use of cluster bombs in Israel's attacks on Lebanon. The Group of Governmental Experts decided to recommend to the Third Review Conference a Provisional Program of Work of Main Committees I and II. The Group also decided to recommend to the Third Review Conference the "Draft Final Document of the Third Review Conference," as well as the "Draft Decision on the Establishment of a Sponsorship Program under the Convention."

2005: The Tenth Conference of the Group of Governmental Experts, which took place March 7-11, was chaired by Ambassador Gordan Markotic of Croatia. Two coordinators chaired the meetings of the working groups of ERW and MOTAPM: Ambassador Jayant Prasad of India and Ambassador Markku Reimaa of Finland, respectively.

The group held two meetings at which it discussed the issue of ERW. An additional meeting of military and technical experts took place under the chairmanship of Mr. Roman Hunger of Switzerland. At these meetings, the group considered including participation of legal experts, the implementation of existing principles of international humanitarian law and further studied, on an open-ended basis with an emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions becoming explosive remnants of war.

The group held four meetings regarding MOTAPM. A fifth meeting of military experts chaired by Major General Ahti Vartiainen of Finland also occurred. The group considered all proposals on MOTAPM announced since the creation of the group, but focused specifically on a discussion paper presented by the coordinator, Ambassador Markku Reimaa of Finland. The discussion

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paper highlighted such topics as detectability; restrictions on the use of MOTAPM, fuse design and sensors; protection of civilians through warning and mine risk education; transfers, transparency, and other confidence-building measures; issues related to the irresponsible use of MOTAPM; and international cooperation and assistance with the aim of finding appropriate recommendations on MOTAPM for submission to the next meeting of the states parties.

The group held an additional meeting, chaired by Ambassador Markotic, to discuss options for the promotion of compliance with the convention and its annexed protocols. The group also met to consider preparation for the Third Review Conference of the States Parties to the Convention.

The group held its eleventh session from August 2-12, 2005, and its twelfth session from November 14-22, 2005.

2004: The seventh session of the Group of Governmental Experts convened from 8-12 March in Geneva. Ambassador Gordan Markotic, Chairman-designate of the November 2004 Meeting of States Parties to the Convention, opened the session. The Working Groups on ERW and on MOTAPM were chaired, respectively, by Indian Ambassador Jayant Prasad and Peter Kolarov, political affairs officer for the Department of Disarmament Affairs' Geneva Branch. In addition to the States Parties to the Convention and several observer States, the United Nations Mine Action Service and several other organizations participated during the session.

The Working Group on ERW met twice during the five-day session. Members discussed a working paper presented by the group coordinator, in which he recalled the mandate adopted in November 2003 to "consider the implementation of existing principles of International Humanitarian Law" and explore "possible preventive measures aimed at improving the design of certain specific types of munitions" through meetings with military and technical experts. The coordinator encouraged the group to discuss which existing humanitarian laws were applicable to the ERW, and consider the feasibility and effectiveness of possible preventive measures and their financial and technological consequences.

The Working Group on MOTAPM held three meetings; one of these, chaired by Ambassador Gordan Markotic, focused on means of promoting States' compliance with the Convention. The group discussed several working papers and proposals, including a proposal for a Protocol on Prohibitions or Restrictions on the Use and Transfer of MOTAPM, which would prohibit undetectable MOTAPM and remotely-delivered MOTAPM unless they contain self-destruction or self-neutralization devices. The Republic of Lithuania proposed, and the Working Group also considered, two new articles to the draft Protocol on MOTAPM

Among several presentations heard was one delivered by the United Nations Mine Action Service, in which it addressed the impact of MOTAPM on the provision of humanitarian and socio-economic developmental aide to civilian populations, and made several recommendations. The Working Groups on ERW and MOTAPM also held meetings of military experts chaired, respectively, by Lt. Colonel Bernard Jeanty of Switzerland and Chairman Colonel Juhani Kaariainen of Finland.

The eighth session of the Group of Governmental Experts was held from 5-16 July in Geneva. Ambassador Gordan Markotic of Croatia again served as chairman, with Jayant Prasad of India chairing the Working Group on ERW and Markku Reimaa of Finland chairing the Working Group on MOTAPM. In addition to the States Parties to the Convention, Signatory States Egypt, Iceland, Nigeria and Vietnam, along with several observer States and a representative of the UN Mine Action Service and other groups, also took part in the session. At a plenary meeting on 5 July, participants discussed the status of Protocol V on ERW, which was negotiated and adopted on 28 November 2003, noting Sweden's and the Lithuanian Parliament's ratification of it.

The Working Group on ERW held two general meetings devoted to addressing various aspects of international humanitarian law and potential efforts towards the improvement of munitions designs to prevent humanitarian risk. In addition, it convened two meetings of military experts under the direction of Switzerland's Lt. Col. Bernard Jeanty. During the course of the session, Group members heard a range of presentations from member States addressing the risks posed by ERW and possible preventive efforts.

An additional nine meetings were convened to address MOTAPM-related issues, and a second group of military experts also met twice, under Finland's Brig. Gen. Juha Kilpia. The Working Group on MOTAPM specifically sought to expand a set of recommendations to be discussed at the November Meeting of the States Parties. The Group's coordinator presented, and Group members addressed, a series of "Proposals and Ideas on MOTAPM in the GGE with the purpose to provide a basis for further work." The document included information, recommendations and discussion questions regarding preventive technical measures, limiting the active life of MOTAPM, handling sensitive fuses, anti-handling devices and MOTAPM outside marked and fenced areas. Other issues addressed were the significance of a civilian warning system and the illicit trafficking and use of MOTAPM by non-state actors. The document also stressed the importance of confidence-building measures and international collaboration in achieving success in this area, and recommended the establishment of an

effective accountability system. Other primary topics of discussion included the problems posed for humanitarian organizations by non-detectable mines and possible concerns regarding a MOTAPM Protocol to the Convention.

Finally, the Group of Governmental Experts also convened two meetings exclusively to address means of continuing to encourage States' compliance with the CCWC. Among other things, participants reviewed a "Discussion Paper on Compliance" issued by the chairman.

The ninth session of the Group of Governmental Experts of the States Parties to the CCW was held from November 8-16 in Geneva.

The group continued its discussion on issues related to ERW and MOTAPM. The group also addressed possible options to promote compliance with the convention and its annexed protocols.

Regarding ERW, the group discussed considerations such as the participation of legal experts, the implementation of existing principles of international humanitarian law and to further study, on an open-ended basis, possible preventative measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with the hopes of minimizing humanitarian risks of these munitions becoming explosive remnants of war. The group emphasized the need for meeting of military and technical experts, as well as an open exchange of information encouraging assistance and cooperation.

Regarding MOTAPM, the group will consider all proposals introduced since the establishment of the Group of Governmental Experts with the aim of elucidating appropriate recommendations on mines other than anti-personnel mines for submission to the next Meeting of the States Parties to the Convention. Discussion of MOTAPM will include meetings of military experts to obtain informed advice.

The Group of Governmental Experts held a session on March 7-11, and will hold two additional sessions on August 2-12, and November 14-22, 2005. The Seventh Annual Conference of the States Parties to Amended Protocol II is scheduled for November 23, which will be followed by the Meeting of the States Parties on November 24-25, 2005.

2003: The fourth session of the Group of Governmental Experts on ERW and MOTAPM was held from 10 -14 March in Geneva. The session was chaired by Ambassador Rakesh Sood of India.

The group began negotiations on an instrument which would reduce the risk of ERW according to the mandate developed by the Coordinator, Ambassador Chris Sanders of the Netherlands. The mandate provides, in one part, for negotiation of an instrument on post-conflict remedial measures of a generic nature, and, in another part, for further exploration of preventive generic measures for improving the reliability of munitions.

Regarding MOTAPM, the group continued to explore the issue under the guidance of the coordinator, Minister Counselor Peter Kolarov of Bulgaria. In addition, the Group also continued examination of the issue of compliance with the Convention and its Protocols.

The fifth session of the Group of Governmental Experts took place from 16-27 June in Geneva. The Group held two plenary meetings, chaired by Ambassador Rakesh Sood of India.

The Working Group on ERW held 11 meetings and discussed the "Draft Proposal for an Instrument on Explosive Remnants of War" presented by the Coordinator, Ambassador Chris Sanders. The Draft Proposal comprises 11 substantive articles and a technical annex, which was based on the outcome of the discussion of the Group at its previous session in March 2003. The main elements considered were: general provisions and scope; definitions; clearance, removal, and destruction of ERW; recording and use of information; provisions for the protection of civilian populations from the effects of ERW; provisions for the protection of humanitarian missions under the auspices of the UN from the effects of ERW; existing ERW; cooperation and assistance; preventive generic measures; consultations of High Contracting Parties; and compliance.

The Group examined the Draft Proposal article by article and negotiated the language contained therein. The nature of the instrument and the responsibility of the users of explosive ordinance remained controversial with fundamentally different positions among States Parties. Many States were in favor of or supported a legally binding instrument, while others opposed this.

On the issue of the user responsibility, some States insisted that users of explosive ordnance have stronger obligation to cooperate with the party in control of the territory. Users should provide technical assistance to facilitate clearance, removal, and destruction of ERW. Others argued that States who are in control of the territory should be preliminarily responsible for dealing with ERW.

The Working Group on MOTAPM discussed "Core Questions on MOTAPM," prepared by the Coordinator, Minister Counselor Peter Kolarov. The Working Group explored four issues: MOTAPM with sensitive fuses; the use of MOTAPM by non-state actors; mine clearance; and international cooperation and assistance. The positions on MOTAPM still remained wide apart among States Parties, and the differences on the necessity of a negotiating mandate persisted.

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Meetings of military experts were also convened. Col. Erwin Dahinden of Switzerland chaired the meeting on ERW, which mainly focused on addressing the contents of the Technical Annex of the Draft Proposal and Definitions (Article 2). Another military experts meeting on MOTAPM, chaired by Mr. Paul Ellis of the General International Centre for Humanitarian Demining (GICHD), discussed the issue of "operational use of mines" and "sensitive fuses."

One meeting was devoted to discussing the issue of compliance with the Convention and its four protocols. Throughout the deliberations, the Group continued to underscore the importance of striking a balance between the humanitarian problems caused by the irresponsible use of certain munitions, and the legitimate military requirements of States for enhancing national security.

During the course of the session, a demonstration on mine detectability took place on the UN premises in Geneva. The demonstration was co-organized by the United Nations Mine Action Service (UNMAS), GICHD, and the Swiss Army.

The sixth session of the Group of Governmental Experts took place from 17 -24 November in Geneva. The group reached agreement on a new protocol on ERW and agreed to recommend that the meeting of the States parties to the convention decide to adopt the text of the protocol. The group also agreed to continue its work in 2004 on the issues such as the implementation of existing principles of international humanitarian law. They also agreed to further study preventive measures aimed at improving the design of certain specific types of munitions with a view to minimize the humanitarian risk of those munitions becoming such remnants.

On the issue of MOTAPM, the group agreed to recommend to the meeting of the States parties that it would continue its work in 2004, with a mandate to consider all proposals on the MOTAPM, which has been put forward since the establishment of the Group. The work would aim to elaborate appropriate recommendations on MOTAPM for submission to the meeting of States Parties in 2004.

2002: The Group of Governmental Experts on ERW and MOTAPM held three sessions in Geneva in 2002: 21-24 May, 15-26 July, and 2-10 December.

The Group had a mandate to discuss ways and means to address the issue of explosive remnants of war (ERW). In this context, the Group at its first session considered the following points:

factors and types of munitions that could cause humanitarian problems after a conflict;

technical improvements and other measures for relevant types of munitions, including sub-munitions, which could reduce the risk of such munitions becoming ERW;

the adequacy of existing International Humanitarian Law in minimizing post-conflict risks of ERW, both to civilians and to the military;

warnings to the civilian population, in or close to, ERW-affected areas, clearance of ERW, the rapid provision of information to facilitate early and safe clearance of ERW, and associated issues and responsibilities; and assistance and cooperation.

The group also had a mandate to further explore the issue of mines other than anti-personnel mines.

At the group's second session on 15-26 July 2002, members submitted 22 working papers for discussion and, in accordance with the program of work, the Group discussed the following issues: (a) ERW (scope, adequacy of existing international humanitarian law, technical improvements and other measures, warning to civilian populations, clearance, rapid provision of information to facilitate clearance, and associated issues and responsibilities and post-conflict assistance and cooperation); and (b) MOTAPM (humanitarian aspects, legal aspects, technical and other measures, definitions and future work).

The group held two meetings of military experts during this session under the chairmanship of Col. Erwin Dahinden of Switzerland to deal with the issue of ERW, and two other meetings of military experts to deal with MOTAPM under the chairmanship of Mr. Paul Ellis of the Geneva International Center for Humanitarian Demining (GICHD).

The third session of the group met from 2-10 December 2002. The session adopted the report of the Group of Governmental Experts, which recommended a mandate for two respective working groups, namely on the issue of ERW, and the issue of MOTAPM.

On the issue of ERW, the meeting decided to begin negotiations on a legally binding instrument in 2003. The mandate provided contains, in one part, a negotiating mandate on post-conflict remedial measures, and, in another part, a mandate on further exploration of preventive measures. Meanwhile, on the issue of MOTAPM, the meeting decided to continue to further explore the issue in 2003. In addition, the meeting decided to continue examination of the issue of compliance with the Convention and its Protocols. Agreement was also achieved on the consideration of small-caliber weapons and ammunition. The meeting invited interested States parties to continue informal meetings at the expert level on that issue.

The meeting decided to re-designate Ambassador Rakesh Sood of India as Chairman of the Meeting of the States Parties in 2003, and reappointed Ambassador Chris

Sanders of the Netherlands as Coordinator on ERW and Peter Kolarov of Bulgaria as Coordinator on MOTAPM.

Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction (Mine Ban Treaty)

Opened for Signature: 3 December, 1997.
Entered into Force: 1 March, 1999.
Number of Parties: 156 (2 States have signed but have not deposited an instrument of acceptance)
Number of Signatories: 133

Depositary: UN Secretary-General

Background: A global mine ban has always been an issue of contention due to the strong opposition by many countries to such a ban. The 1995-96 Review Conference of the 1980 Convention on Certain Conventional Weapons (CCW) failed to agree to substantial restrictions on APL within its framework. However, by May 1996, some 40 countries had declared various degrees of unilateral bans or moratoria on the production of mines, as well as their use and transfer.

On 3-5 October, 1996, Canada hosted a conference on "Towards a Global Ban on Anti-Personnel Mines," held in Ottawa, which 71 countries attended (47 participating and 24 observer States). The "Ottawa Declaration," issued on 5 October, signed by 50 States urged a total APL ban to be concluded and signed by December 1997, and to enter into force in 2000. The Declaration also called for a follow-up conference to be hosted by Belgium in June 1997. In December 1996, 157 countries committed themselves to this goal in United Nations General Assembly Resolution 51/45S, which called upon all countries to conclude a new international agreement totally prohibiting anti-personnel mines on a high priority basis. No country opposed the resolution and only 10 abstained.

Austria took the lead in the development and circulation of a draft anti-personnel mine ban treaty text and hosted two expert meetings to discuss a possible treaty text. The first meeting was held on 12-14 February in Vienna and attended by 111 States, and the second in late May 1997. An expert's meeting was held in Bonn on 24-25 April to discuss possible verification measures to be included in the final product. The "Fourth International Conference on the International Campaign to Ban Landmines" was held in Maputo (Mozambique) on 25-28 February, 1997, and was attended by 60 countries.

The "Brussels International Conference for a Global Ban on Anti-Personnel Mines" was held in Brussels, on 24-27 June with the participation of 154 countries. One hundred-seven States committed to the achievement of a total ban within a year in the Brussels Declaration. The Declaration called for the convening of a conference in Oslo to negotiate such ban on the basis of the draft prepared by the Austrian government.

Norway consequently hosted a meeting in the fall of 1997 to continue negotiations on an APL treaty text. Ninety-one countries took part in the negotiations and 38 were present as observers, including the International Committee of the Red Cross (ICRC), the International Campaign to Ban Landmines (ICBL), and the United Nations (UN). On 18 September, the participating States succeeded in adopting a draft treaty text without a vote. In December, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction was opened for signature in Ottawa and thereafter at the UN headquarters in New York. The Mine Ban Treaty entered into force on 1 March 1999, only 15 months after it had been open for signature. By that day 133 States had signed the Convention, and 67 had ratified it.

In recognition of their contribution, the ICBL, a coalition of 1,000 non-governmental organizations in over 60 countries, received the Nobel Peace Prize in 1997.

Obligations: A State Party commits not to use, develop, produce, otherwise acquire, stockpile, retain, or transfer to anyone anti-personnel mines (Article 1). It also agrees to destroy or ensure the destruction of all stockpiled anti-personnel mines owned, possessed, or controlled by it within four years of the entry into force of the Convention for this State (Articles 1 and 4); and to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control within 10 years of the entry into force of the Convention for this State (Article 5) a State Party commits to take all appropriate legal, administrative, and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited under the Convention undertaken by persons or on territory under its jurisdiction or control (Article 9).

Verification of Compliance:

Verification: States Parties are required to report regularly to the UN Secretary-General on all stockpiled mines, mined areas, mines retained for training purposes, destruction of mines, national implementation measures, and measures taken to prevent civilians from entering mined areas (Article 7). If there are concerns about a State Party's compliance with the Convention, another State Party may seek clarification through the UN Secretary-General, and if necessary a special meeting of States Parties could be held for the review of the matter. This

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meeting may authorize the sending of a fact-finding mission consisting of up to nine experts to the requested State Party with a three to 14-day notice.

Compliance: On the basis of the mission's report, the meeting of the States Parties may propose corrective actions or legal measures in accordance with the UN Charter.

Distinction from the 1980 CCW: The Mine Ban Treaty prohibits anti-personnel mines only. It does not affect anti-tank or anti-vehicle mines, which are regulated by the 1980 CCW.

Review Conferences: According to Article 12 of the Convention, its Review Conference shall be convened by the UN Secretary-General five years after its entry into force. The first meeting of States Parties was held in Maputo, 3-7 May, 1999; the second meeting of States Parties was held in Geneva, 11-15 September, 2000; the third meeting of States Parties was held in Managua, 18-21 September, 2001; and the fourth meeting of States Parties was held in Geneva, 16-20 September, 2002.

Developments:

2008: The Ninth Meeting of States Parties was held from 24-28 November, and Ambassador Jürg Streuli of Switzerland was elected to preside over the Meeting.

The States Parties welcomed the Geneva Progress Report as a practical means to assess the implementation of the Nairobi Action Plan and to identify priority areas of work.

This Meeting was the first time that States Parties considered requests for extensions on Article V deadlines. 15 States submitted requests.

It was decided that the meetings of the Standing Committees should take place from 25-29 May 2009 and that the Second Review Conference will take place from 30 November-4 December 2009 with two preparatory meetings to be held on 29 May and 3-4 September. Ambassador Susan Eckey of Norway was designated President of the Second Review Conference, which will be held in Cartagena, Colombia.

2007: In accordance with Article 11 of the Convention and pursuant to decisions made at the 2004 First Review Conference and the Seventh Meeting of States Parties, the Eighth Meeting of States Parties to the Mine Ban Treaty was held from 18 to 22 November 2007 at the King Hussein Bin Talal Convention Center by the shores of the Dead Sea, Jordan. Taking place two months after the 10th anniversary of the Convention, representatives from the 156 States that have accepted the 1997 Mine Ban Convention attended the meeting. The meeting aimed to reinvigorate global interest in the Mine Ban Treaty, as well as highlight the importance of the Convention in the Middle East. Hosted by Jordan, a mine-affected state party, the meeting provided the opportunity to shed light on the reality of the challenges faced in implementation of the convention and creative and cost-effective measures to overcome these challenges. At the opening session, the meeting elected by acclamation His Royal Highness Prince Mired Raad Al-Hussein of Jordan as its president in accordance with rule five of the rules of procedure.

Since the Seventh Meeting of States Parties in 2006, Indonesia, Iraq, Kuwait, Montenegro, and Palau had deposited their instruments of ratification or accession. At that time, 156 States had deposited their instruments of ratification, acceptance, approval, accession, or succession, while the convention had entered into force for 153 of these countries. The Dead Sea Progress Report adopted at the meeting outlined practical means to measure progress on the Nairobi Action Plan since the last meeting of states parties. By the close of the meeting, states parties adopted a voluntary template for assisting states parties in requesting an extension under Article 5. The meeting also adopted amendments to the Article 7 reporting format to facilitate reporting on stockpiled anti-personnel mines discovered and destroyed after stockpile destruction deadlines have passed. The meeting noted the report by the director of the Geneva International Centre for Humanitarian Demining (GICHD), while states parties expressed appreciation to the GICHD for the manner in which the Implementation Support Unit has made positive contributions in supporting states parties' efforts to implement the convention.

Several events were held to mark the 10th Anniversary of the Mine Ban Convention. A meeting was held in Vienna in February 2007 highlighting the efforts to assist landmine survivors in the last decade, while the Conference on Disarmament commemorated the 8th anniversary of the Convention's entry into force in March 2007. On 9 May 2007, celebrations were held in Brussels that focused on creating new perspectives for a world free of mines. In Oslo on 18 September 2007, an event commemorated the 10th anniversary of the adoption of the Mine Ban Convention, while the 10th anniversary of the Convention's signing conference was celebrated in Ottawa from 30 November to 3 December 2007.

The United Nations General Assembly First Committee resolution on the convention received overwhelming support in 2007 with 154 votes in favor, zero opposed, and 18 abstentions.

2006: The Seventh Meeting of states parties to the Mine Ban Treaty was held from 18-22 September 2006 in Geneva, Switzerland. Under the presidency of Australian Ambassador Caroline Millar, the meeting unanimously adopted its agenda, rules of procedure, and programme of work at its first plenary session. Delegations of 19 states parties, five observer states, and four observer organizations made statements in a general exchange of views during the first one and a half plenary sessions. The meeting considered the general status and operation of the

convention, noting progress made and the challenges that remain in the convention's aims as well as the application of the Nairobi Action Plan 2005-2009. States parties also recognized the importance of the Coordinating Committee and the work of states parties through the Sponsorship Programme, which ensures widespread representation at meetings of the convention. States parties also discussed measures for the preparation, submission, and consideration of requests for extension to Article 5 deadlines.

At the final plenary session, the meeting adopted its draft report, or final report. While the first part of the final report outlined the organization and work of the meeting, the second part consisted of the Geneva Progress Report (GPR), which assesses progress made on achieving the goals set forth in the Nairobi Action Plan. Since the Sixth Meeting of States Parties, Ukraine, Haiti, the Cook Islands, and Brunei Darussalam had all deposited their instruments of ratification, bringing the number of ratifications to 151. It was noted that in 10 countries, non-state actors had made use of anti-personnel mines. The report also stated that destroying stockpiles of mines remained an issue for many states. States parties were also called on to identify mined areas in their jurisdiction and provide details on national demining plans. With regards to assisting land mine survivors, states parties were urged to strengthen involvement of healthcare, disability, and rehabilitation experts.

The president of the Seventh Meeting of states parties issued the Action Plan to Universalize and Implement the Mine Ban Convention. In October 2006, the president promoted the Action Plan at the United Nations General Assembly.

2005: The Sixth Meeting of States Parties to the Mine Ban Treaty was held from 28 November to 2 December in Zagreb, Croatia. The meeting offered states the first opportunity to assess progress in the implementation of the Nairobi Action Plan 2005-2009, which was adopted at the 2004 Nairobi Summit on a Mine-Free World. The state parties reaffirmed their commitments made at the 2004 summit and welcomed the Zagreb Progress Report as an instrument of measuring progress since the Nairobi summit. They also highlighted priority areas of work for the period between the Sixth and Seventh Meetings of States Parties. On the basis of a proposal introduced by Argentina and Chile, the state parties agreed to amend the Article 7 transparency reporting format to facilitate voluntary reporting on anti-personnel mines. The Sixth Meeting concluded with the adoption of a final report.

The Seventh Meeting of States Parties to the Mine Ban Treaty will be held in Geneva from 18-22 September 2006.

2004: The First Review Conference of the Treaty titled the "Nairobi Summit on a Mine-Free World" was held from 29 November to 3 December in Nairobi, Kenya. Under the presidency of Austrian Ambassador Wolfgang Petritsch, state parties examined a comprehensive review report that documented the operation and implementation of the convention since it entered into force in 1999. Member states adopted the Nairobi Action Plan 2005-2009 that outlined 70 specific actions they would undertake before the next review conference, to address important challenges that remained. These actions include universalizing the convention; destroying stockpiled anti-personnel mines; clearing mined areas; assisting victims; and other areas relating to transparency and information exchange, facilitating compliance, and implementation support. States further adopted the 2004 Nairobi Declaration as a symbol of their renewed commitment to achieving the goal of a world free of anti-personnel mines with no new victims. The conference also adopted an extensive final report.

The state parties agreed to hold the Second Review Conference during the second half of 2009.

2003: The Fifth Meeting of States Parties to the Mine Ban Treaty took place from 15-19 September 2003 in Bangkok, Thailand. Dr. Surakiart Sathirathai, Minister of Foreign Affairs of Thailand, chaired the meeting as President.

One hundred and eleven States participated in the meeting, including 80 States Parties and 18 Non-States Parties. China, the country which has the largest stockpile of landmines in the world, for the first time attended the meeting as an observer. Two hundred and eighty representatives from NGOs as well as mine victims and mine survivors also participated in the meeting. A message from the UN Secretary-General was delivered, in which he strongly encouraged "those states and other partners in a position to do so to provide adequate and sustained technical and financial assistance to states affected by mines."

After the general exchange of views, the meeting reviewed the general status and operation of the Convention. States Parties, observer States and observer organizations exchanged their views and provided updates on the following topics: the general status of implementation; universalization; mobilizing resources; intersessional work programme; coordinating committee; implementation support unit; sponsorship programme, matters pertaining to Article I, II, III, VII and IX; matters pertaining to compliance concerns; dialogue related to the facilitation and clarification of compliance; and the humanitarian impact of mines that may pose similar risks to civilian populations as anti-personnel mines.

States Parties held informal discussions on victim assistance and socio-economic reintegration, mine clearance, mine risk education and mine action technologies, and stockpile destruction.

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The States Parties adopted the "Bangkok Declaration" at the conclusion of the meeting. In the Declaration, the States Parties reaffirmed their commitment "to the total eradication of anti-personnel mines and to addressing the insidious and inhumane effects of these weapons."

The States Parties noted the importance of the upcoming First Review Conference in 2004. The meeting warmly welcomed the President's Action Programme as a practical means of focusing the collective efforts of the States Parties and other actors on achieving the humanitarian goal of the Convention in the period leading to the First Review Conference. The Action Programme, which was prepared by the then-President, Ambassador Jean Lint of Belgium and adopted at the fourth meeting of States Parties in 2002, identified objectives and actions to effectively make progress in the period leading to the fifth Meeting of the States Parties.

The States Parties agreed to hold the Convention's First Review Conference at UN facilities in Nairobi, Kenya from 29 November to 3 December 2004 and to hold Preparatory Meetings in the UN in Geneva on 13 February and 28-29 June 2004.

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The Program of Action of the First UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (POA)

Adopted: The Programme of Action was adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects from 9-20 July 2001.

Background: The issue of the proliferation of small arms and light weapons (SALW) was first raised in a United Nations forum in a 1995 UN General Assembly (UNGA) resolution (A/RES/50/70B). Following that, two expert groups, established by the Secretary-General, issued reports on the subject (A/52/298 (1997) and A/54/258 (1999)).

Multilateral cooperation in this area took a significant step forward when the United Nations Conference on the Illicit Traffic in Small Arms and Light Weapons in All Its Aspects was held from 9-20 July 2001 at UN Headquarters in New York. The participating States agreed to adopt a Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons, in All Its Aspects. This Programme of Action (PoA) includes a number of measures at the national, regional, and global levels, in the areas of legislation, destruction of weapons that were confiscated, seized, or collected, as well as international cooperation and assistance to strengthen the ability of States in identifying and tracing illicit arms and light weapons. The UNGA, in its resolution 56/24V, welcomed the adoption of the PoA and reiterated Member States' support for action to curb the illicit flow of small arms and light weapons.

Programme of Action Adopted at the July 2001 Conference: To prevent, combat, and eradicate the illicit trade in SALW, the State participants in the United Nations Conference on the Illicit Trade in Small Arms and Lights Weapons in All Its Aspects adopted a wide range of political undertakings at the national, regional, and global levels.

The preamble of the PoA recognizes that efforts to prevent, combat, and eradicate the illicit trade in SALW are without prejudice to the priorities accorded to nuclear disarmament, weapons of mass destruction (WMD), and conventional disarmament.

Among other actions, in July 2001 States undertook to:

At the national level:

- put in place, where they do not exist, adequate laws, regulations, and administrative procedures to exercise effective control over the production of SALW within their areas of jurisdiction, and over the export, import, transit, or retransfer of such weapons;
- identify groups and individuals engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit SALW, and take action under appropriate national law against such groups and individuals;

ensure that licensed manufacturers apply appropriate and reliable marking on each small arms and light weapon as an integral part of the production process;

ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding, and transfer of SALW under its jurisdiction,

ensure responsibility for all SALW held and issued by the State and effective measures for tracing such weapons;

put in place and implement adequate laws, regulations, and administrative procedures to ensure the effective control over the export and transit of SALW, including the use of authenticated end-user certificates;

make every effort, without prejudice to the right of States to re-export SALW that they have previously imported, to notify the original exporting State in accordance with their bilateral agreements before the retransfer of those weapons;

develop adequate national legislation or administrative procedures regulating the activities of those who engage in SALW brokering;

take appropriate measures against any activity that violates a United Nations Security Council arms embargo;

ensure confiscated, seized, or collected SALW are destroyed;

ensure that armed forces, police, and any other body authorized to hold SALW establish adequate and detailed standards and procedures relating to the management and security of their stocks of these weapons;

develop and implement, where possible, effective disarmament, demobilization, and reintegration program; and

address the special needs of children affected by armed conflict.

At the regional level:

encourage regional negotiations with the aim of concluding relevant legally binding instruments aimed at preventing, combating, and eradicating illicit trade in SALW, and where they do exist, to ratify and fully implement them;

encourage the strengthening and establishing of moratoria or similar initiatives in affected regions or subregions on the transfer and manufacture of SALW;

establish subregional or regional mechanisms, in particular trans-border customs, cooperation, and networks for information-sharing among law-enforcement, border, and customs control agencies; and

encourage regions to develop measures to enhance transparency to combat the illicit trade in SALW.

At the global level:

cooperate with the United Nations system to ensure the effective implementation of arms embargoes decided by the Security Council;

encourage disarmament and demobilization of ex-combatants and their reintegration into civilian life;

encourage States and the World Customs Organization to enhance cooperation with the International Criminal Police Organization (Interpol) to identify those groups and individuals engaged in illicit trade of SALW in all its aspects;

encourage international and regional organizations and States to facilitate the appropriate cooperation of civil society, including non-governmental organizations, in activities related to the prevention, combating and eradication of the illicit trade in SALW;

promote a dialogue and a culture of peace by encouraging education and public awareness programs on the problems of the illicit trade in SALW.

Developments:

2008: Over 130 States met from 14-18 July for the third Biennial Meeting of States (BMS) where progress on the implementation of the PoA was reviewed. The Meeting was chaired by Ambassador Dalius Cekuolis of Lithuania, and the program of work provided for interactive discussions on the following topics:

- International cooperation, assistance, and national capacity-building;
- Stockpile management and surplus disposal;
- Illicit brokering;
- Review of the International Tracing Instrument (ITI).

States were not able to reach consensus on a final outcome document, so the draft was put to a vote. The document was adopted by a vote of 134 to 0 with Iran and Zimbabwe abstaining. The Iranian delegation took issue with the fact that the final text was developed by facilitators, preferring a line-by-line negotiation of a consensus document.

2006: The Preparatory Committee (PrepCom) for the Review Conference was held from 9-20 January in New York with 48 states parties and several intergovernmental and nongovernmental organizations participating. The chairman of the committee was Sylvester Ekundayo Rowe (Sierra Leone).

During the general exchange of views, interactive thematic debates on six clusters were held. These clusters were: humanitarian, socio-economic issues; excessive accumulation, misuse and controlled spread, international cooperation and assistance, and communication.

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The PrepCom also endorsed the candidacy of Prasad Kariyawasam (Sri Lanka) for the presidency of the 2006 Review Conference and for the United Nations Secretariat to furnish the conference with background documents relating to previous meetings for the implementation of the Programme of Action. A draft provisional agenda for the Review Conference was recommended, along with other recommendations for the provisional rules of the conference and for the election of officials.

The United Nations Conference to Review Progress made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms was held In New York from 26 June-7 July. The conference was presided over by Prasad Kariyawasam (Sri Lanka). The conference began with a general exchange of views for the first week and heard statements from UN member states and from international and regional organizations such as Coordinating Action on Small Arms (CASA), Interpol, United Nations Office on Drugs and Crime, Inter-Parliamentary Union, Organization of American States, League of Arab States, Regional Centre on Small Arms, and the United Nations Children's Fund (UNICEF). Statements from nongovernmental organizations included those by the Defence Small Arms Advisory Committee, World Forum on the Future of Sport Shooting Activities, International, Congolese Action Network on Small Arms, Million Mom March, Oxfam, Permanent Peace Movement, Instituto Sou da Paz (Brazil), Centre for Democratic Empowerment (Liberia), Association of People with Disabilities, International Physicians for the Prevention of Nuclear War (El Salvador), Centre for Humanitarian Dialogue, and Council of Churches.

Thematic debates were held about the progress and problems in the implementation of the Programme of Action, with specific emphasis on international cooperation and assistance and best practice of small arms and light weapons.

At its 14th meeting, on 7 July, the conference was unable to agree on concluding a final document. The conference adopted a procedural report that will be forwarded to the 61st General Assembly session.

2005: The Second Biennial Meeting of States to Consider the Implementation of the Programme of Action was held in New York from 11-15 July 2005. The chairperson of the meeting was Ambassador Pasi Patokallio of Finland. The meeting held 10 plenary meetings to consider the national, regional, and global implementation of the Programme of Action, including international cooperation and assistance.

The meeting heard reports from international and regional organizations such as the representatives of the League of Arab States, the Regional Centre on Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, the Organization for Security and Cooperation in Europe, and the International Committee of the Red Cross, Colombia. Nongovernmental organizations like the representatives of the International Action Network on Small Arms and the World Forum on the Future of Sport Shooting Activities gave statements to the meeting.

Member states reaffirmed their commitment to the Programme of Action, welcomed the progress made in its implementation while recognizing the progress that was needed to be made to fulfill the commitments required. Some issues relevant to the illicit trade in small arms and light weapons in all its aspects, but not covered by the Programme of Action, were also raised.

The meeting considered the implementation of the Programme of Action in respect to the 13 themes: weapons collection and destruction; stockpile management; disarmament, demobilization and reintegration of former combatants; capacity -building; resource mobilization; institution building; marking and tracing; linkages (terrorism, organized crime, trafficking in drugs and precious minerals); import/export control; illicit brokering; human development; public awareness and culture of peace; and children, women, and the elderly. International cooperation and assistance was discussed as a cross-cutting theme relevant to all the themes.

In conclusion, the meeting noted that further follow-up to the implementation of the Programme of Action could benefit from being consolidated around future biennial meetings of states.

2003: The First Biennial Meeting of States to Consider the Implementation of the Programme of Action, held from 7-11 July 2003, concluded its week-long session at UN Headquarters in New York with the adoption of its report containing the Chairperson's summary of the meeting. The meeting was chaired by Ambassador Kuniko Inoguchi (Japan) and opened with general debate in which Member States summarized their National Reports submitted to the meeting, on the progress and challenges in implementing the Programme of Action on the national, regional, and international level. As of 11 July, 99 national reports were submitted.

Thematic discussions were held on 14 themes based on the issues dealt with in the national reports. These themes included: weapons collection and destruction; stockpile management; capacity building; resource mobilization; marking and tracing; linkages (terrorism, organized crime, trafficking in drugs and precious minerals); disarmament, demobilization and reintegration (DDR); human development; institution building; import/export control; illicit brokering; public awareness and culture of peace; children, women, and elderly; and others.

Non-governmental organizations presented statements during a specific session allocated for this purpose,

including statements coordinated by the International Action Network on Small Arms (IANSA) as well as statements coordinated by the World Forum on the Future of Shooting Activities (WFSA). One hundred and seventy-two NGOs were accredited to this meeting. Regional and international organizations also presented statements at the meeting, including a statement by the Coordinating Action on Small Arms (CASA), a mechanism of 17 United Nations agencies and departments based on cooperation on various small arms issues.

The meeting adopted a procedural report that contained in an annex, the Chairperson's summary of the meeting. Her summary highlighted the proceedings of the meeting. She noted that progress had been made worldwide within barely two years of adopting the Programme of Action in public disclosures about the origins, destinations, modus operandi, and profiling of groups engaged in illicit small arms trade. A key element in moving forward was new or amended national legislation, with over 90 countries now reporting that they had domestic laws to govern the illicit manufacture, possession, and trade in weapons. Regional and global cooperation was also growing, especially with respect to brokering, but States were called upon to agree on guidelines for authorizing exports, imports, and the transit of small arms and light weapons. The Chairperson also observed that the destruction of almost half of an estimated total of over 4 million weapons collected and disposed of during the last decade had taken place over the past two years. The diversion of legitimate stocks was assumed to be one of the main avenues for acquiring illicit weapons, and participants agreed that assistance was needed to improve the security of armories. The Chairperson also noted that the United Nations Group of Governmental Experts had been established and had completed its work on the feasibility of an international instrument on marking and tracing arms.

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Treaty on Conventional Armed Forces in Europe (CFE)

Signed: 19 November 1990.

Entered into Force: 9 November 1992.

Duration: Unlimited.

Depository: The Netherlands.

Number of States Parties: 30 — Armenia, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Kazakhstan, Luxembourg, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Russian Federation*, Slovakia, Spain, Turkey, Ukraine, United Kingdom, and United States.

*On 14 July 2007, Russia announced that it would suspend implementation of its Treaty obligations, effective after 150 days

Background: In 1973, the Mutual and Balanced Force Reduction Talks (MBFR) opened in Vienna between the United States, the USSR, and other NATO and Warsaw Pact members to reach an agreement on the reduction of troops and armaments in Central Europe, including the Benelux countries, East Germany, West Germany, Poland, and Czechoslovakia. The sides reached a preliminary agreement to reduce the number of ground troops to 700,000 on each side, and air force troops to 200,000. In the end, the talks did not come to fruition. In April-June 1986, the USSR and the Warsaw Pact called for Europe-wide reductions, after which in December 1986, NATO proposed to establish a new negotiating forum that would supersede the MBFR and discuss new Europe-wide reductions.

The Commission on Security and Cooperation in Europe (CSCE) meeting in Vienna (1986-1989) endorsed a mandate for negotiations on the level of conventional armed forces in Europe within the framework of the CSCE among the 23 participating States belonging to NATO and the Warsaw Treaty Organization (WTO). On 10 January 1989, NATO and the Warsaw Pact initialed a mandate on negotiations on conventional forces in Europe (CFE). On 2 February 1989, the MBFR talks were formally concluded, and on 9 March 1989, the CFE negotiations began. On 19 November 1990, the CFE Treaty was signed in Paris. The main objective of the Treaty was to reduce the possibility of a surprise armed attack and the triggering of major offensive operations in Europe.

On 15 May 1992, the States Parties signed the Tashkent Agreement on the Principles and Procedures for the Implementation of the Treaty on Conventional Armed Forces in Europe, which redistributed the former USSR's equipment and strength targets among the signatories.

Main Provisions: Article IV (paragraph 1) of the Treaty established equal limitations on major armaments for NATO and the Warsaw Pact, including:

- 20,000 battle tanks (no more than 16,500 in active units),
- 30,000 armored combat vehicles (no more than 27,300 in active units), of which no more than 18,000 shall be armored infantry fighting vehicles and heavy armament combat vehicles, of which no more than 1,500 shall be heavy armament combat vehicles,
- 20,000 artillery pieces (17,000 in active units),
- 6,800 combat aircrafts, and

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2,000 attack helicopters. (Article IV, Paragraph 1)

The CFE Treaty also provided for weapons systems not in active units to be placed in designated permanent storage sites (Article IV, paragraph 1). In addition, it required that no single State Party possess more than approximately one-third of the armaments within the area of application (Article VI), defined as "entire land territory of the States Parties in Europe from Atlantic Ocean to the Ural Mountains, including all the European island territories of the States Parties." Within this overall area of application, the Treaty established sub-areas where the permitted numbers of armaments were subject to specific limitations (Articles IV and V). Such sub-zones, located at the northern and southern extremes of the area of application, where the two blocks came into contact, were subject to specific flank limits in order to substantially reduce the possibility of an encircling maneuver.

Article VII of the Treaty obligated each State Party to provide, upon signature, notification to all other States Parties of the maximum levels of their holdings of armaments and equipment subject to the Treaty's limitations. Each State Party is entitled to change the maximum levels of such holdings with 90-day advance notice, provided that the total number of armaments and equipment assigned to the same "group of States Parties" (NATO or Warsaw Pact) does not exceed the limitations set by the Treaty.

Article VIII obligated the States Parties to achieve the Treaty limitations by means of reduction executed in three phases and completed no later than 40 months after entry into force of the Treaty In addition it required States to notify all other States Parties of the locations of its reduction sites. The reduction process includes destroying, converting for non-military purposes, placing on static display, using as ground targets, decommissioning, etc., and shall be subject to inspections, without right of refusal.

According to Article X, all armaments and equipment not in active units shall be kept in designated permanent storage sites. A State Party shall notify other States Parties about the location and content of such designated permanent storage sites.

Under Article VI, the Treaty established the Joint Consultative Group (JCG) in charge of dealing with the issues of compliance with the Treaty, including resolution of ambiguities and differences in interpretation, consideration of measures to enhance the viability and effectiveness of the Treaty, resolution of technical matters, and consideration of disputes arising out of the implementation of the Treaty.

Verification and Compliance:

Verification: To ensure verification of compliance with the provisions of the Treaty, Article XIII obligated the States Parties to provide notifications and exchange information in accordance with the Protocol on Information Exchange, as well as gave them the right to conduct inspections and obligation to accept such inspections, in accordance with the Protocol on Inspection. The purpose of such inspections is to verify States Parties' compliance with the Treaty's limitations and monitor the process of reduction. Inspections fall into three categories: passive inspection quotas (inspections, which a State Party is obliged to receive within a specified time period at declared inspection sites), active inspection quotas (the total number of inspections each State is entitled to conduct within a specified time period), and passive challenge inspection quotas (inspections carried out anywhere on the territory of a State Party within an area of application other than a site otherwise subject to inspection). In addition, according to Article XV, the States Parties are entitled to use national and multinational technical means (NTM and MTM) to ensure verification of compliance with the provisions of the Treaty. The use of concealment measures that impede verification by means of NTM and MTM is prohibited.

Compliance: The Joint Consultative Group, established by the Treaty, considers disputes arising out of the implementation of this Treaty, and is the body to which claims of non-compliance may be addressed.

Review Conference: The Treaty provides for the convening of a review conference 46 months after its entry into force and at five-year intervals thereafter.

CFE-1A Agreement:

In accordance with Article XVIII of the CFE Treaty, to continue the negotiations on conventional armed forces with the goal of building on the CFE Treaty, on 10 July 1992, in Helsinki, the States Parties to the CFE Treaty signed the "Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe" (CFE-1A Agreement).

The CFE-1A Agreement established limits on the level of military personnel, with the exception of sea-based naval forces, internal security forces, and forces under the UN command. The States Parties are entitled to reduce or increase their national personnel limits with prior notification to all other States Parties. In the case of an increase, the State Party must provide an explanation of the reasons for such a revision, while other States Parties are entitled to raise objections and request that an extraordinary conference be convened. As in the case of the CFE Treaty, the States Parties undertook to comply with the established targets within a time limit of 40 months after the entry into force of the Agreement.

Verification: The Agreement provided for exchanges of information with respect to personnel strength, notifications on increases or decreases in personnel

strength, and inspections to verify compliance with the agreed numerical limitations.

The CFE-1A Agreement came into force on 9 November 1992. Unlike the CFE Treaty, the CFE-1A Agreement is a politically binding instrument and, therefore, needed no ratification.

The Adapted CFE Treaty:

Following the disintegration of the Warsaw Pact and the emergence of new parties to the Treaty, it became necessary to revise the CFE Treaty. At the May 1996 Review Conference of the Treaty, the States Parties decided to improve the operation of the Treaty within the changing security environment.

The Agreement on the Adaptation of the CFE Treaty was signed in Istanbul on 19 November 1999. The Agreement established national and territorial ceilings on conventional armaments and equipment, instead of the original block limitations, and allowed States Parties to temporarily exceed the established limits in case of military exercises and temporary deployments. (The word "temporary" was not defined, but notification was required for exceeding the territorial ceilings.) The Agreement provided for the equality of the national and territorial ceilings for States Parties, i.e., requiring a State Party's own conventional armaments and equipment on its territory to be lower than its national ceilings if that State wanted to host foreign-stationed forces. The Agreement exempted conventional armaments and equipment present on the territory of a State Party for an operation in support of peace conducted under and consistent with a resolution or a decision of the United Nations Security Council (UNSC) or the Organization for Security and Cooperation in Europe (OSCE) from that State Party's territorial ceiling or territorial sub-ceiling.

The Russian Federation agreed among other things, to withdraw from Moldova and reduce troop and equipment levels in Georgia. These agreements became known as the "Istanbul Commitments" and are outlined in 14 Annexes to the 1999 CFE Final Act. The Adapted Treaty will allow for additional accessions, so that new NATO members such as the Baltic republics can eventually be incorporated into the regime after the Adapted Treaty enters into force.

The Adapted Treaty will enter into force when all 30 States Parties have ratified the Agreement. Only Belarus, Kazakhstan, and the Russian Federation have done so. Ukraine has ratified the Adapted Treaty but has not deposited its instrument with the Netherlands. On 14 July 2007, Russia suspended its implementation of the Treaty, effective after 150 days, in an effort to get the 26 holdout states to ratify the Adapted Treaty.

Verification: States Parties were required to allow inspections of 20 percent of their "objects of verification" (military units down to the regiment level, and storage, repair, and reduction sites), provide annual and quarterly reports on the locations of armaments and equipment, and provide notifications of changes in national holdings.

Review Conferences:

The First Review Conference of the Treaty was held in Vienna from 15-31 May 1996. The States Parties adopted a Flank Document, which among other things, changed sub-limits of armaments and equipment for flank zones in Russia and Ukraine. The Document shrank the flank zones, raised the limits, and extended the time limit for meeting the new limitations. The Flank Document entered into force on 15 May 1997.

The States Parties also decided to improve the operation of the Treaty within the new security environment. They eliminated block ceilings and introduced explicit national ceilings, including new equipment categories, lower ceilings, etc.

The Second Review Conference of the Treaty took place from 28 May-1 June 2001 in Vienna. The participants reaffirmed the Treaty's central role in European security and called on Russia to comply with the aspects of the Treaty related to the flank area, as well as to its commitments under the 1999 CFE Final Act.

The States Parties examined the operation of the Treaty to date, identified implementation concerns and areas for future work, and reaffirmed that the Treaty would remain fully in effect, except those provisions amended by the Adaptation Agreement upon its entry into force.

The Third Review Conference of the Treaty was held in Vienna from 30 May to 2 June 2006. Russia put forward a plan to bring the adapted treaty into force before the end of 2007. The proposal was, however, rejected by NATO members who insisted that Russia should end its military deployments in Georgia and Moldova prior to ratification of the Adaptation Agreement by all states. Barring consensus on this issue, the conference ended without agreement on a final document.

Developments:

2008: The future of the CFE Treaty is even more uncertain in the aftermath of the Russian-Georgian military conflict, which began on 7 August and ended with a ceasefire on 15 August. It will now be extremely difficult for either side to make the concessions necessary to bring the Adapted Treaty into force.

2007: A number of NATO members have refused to ratify the Adaptation Agreement until Russia completes its withdrawal from Moldova and Georgia, including the Transdniester region in Moldova and the Gudauta military

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base in the Georgian separatist region of Abkhazia. Russia rejects this linkage, referring to the Istanbul Commitments as "political commitments", and it calls on holdouts to ratify the Adaptation Agreement.

Russia requested an Extraordinary Conference to discuss these concerns, which was held from 12-15 June. On 14 July, Russia announced that it would suspend compliance with the original CFE Treaty effective after 150 days. The Duma approved the suspension plan, and in a statement on 12 December, Russia's Foreign Ministry announced that it would no longer provide treaty-related information or permit inspections of its treaty-limited equipment (TLE).

Treaty on Open Skies

Signed: 24 March 1990.

Entered into Force: 1 January 2002. Entry into force occurred 60 days after the deposit of the 20th instrument of ratification on 2 November 2001. The requisite instruments of ratification include those of the Depositaries, and those States Parties that are obligated to accept eight or more passive observation flights (Russia and Belarus–42, United States–42, Canada–12, France–12, Germany–12, Italy–12, Turkey–12, Ukraine–12, and the United Kingdom–12).

Duration: Unlimited.

Signatories: 35 (Belarus, Belgium, Bosnia-Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Kyrgyzstan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Russia, the Slovak Republic, Slovenia, Spain, Sweden, Turkey, Ukraine, the United Kingdom, and the United States).

Ratifications: 34 (Kyrgyzstan has not yet ratified).

Depositaries: Canada and Hungary.

Background: The idea of a regime of unarmed aerial observation flights to promote confidence, predictability, and stability was first suggested by US President Dwight Eisenhower in 1955. On 12 May 1989, US President George Bush proposed the creation of an Open Skies regime, which expanded on President Eisenhower's concept. Under this regime, the participants would voluntarily open their airspace on a reciprocal basis, permitting the overflight of their territory in order to strengthen confidence and transparency with respect to their military activities. In December 1989, the participants of the North Atlantic Council Meeting in Brussels issued the "Open Skies: Basic Elements" document calling for the establishment of an Open Skies regime for members of NATO and the Warsaw Pact to promote openness and transparency, build confidence, and facilitate verification of arms control and disarmament agreements.

During the meeting between NATO and the Warsaw Pact in Ottawa on 12 February 1990, Canada and Hungary launched a similar initiative. Further negotiations in Vienna supported by the Organization for Security and Cooperation in Europe (OSCE) Conference Services with the participation of the Member States of NATO and the Warsaw Pact were concluded on 24 March 1990 with the signature of the Treaty on Open Skies.

Treaty Provisions: The Treaty establishes the Open Skies regime for the conduct of short-notice, unarmed, observation flights by States Parties over the territories of other States Parties. The Treaty gives each State Party the right to conduct and the obligation to accept observation flights over their territory. The Treaty establishes a "passive quota" for each State Party, which is the total number of observation flights that each State Party is obliged to accept over its territory, and an "active quota," which is the number of observation flights that a State Party shall have the right to conduct over the territory of each of the other States Parties. A State Party's "active quota" cannot exceed its "passive quota," and a single State Party cannot request more than half of another State Party's "passive quota." Annex A details the specific numbers for both quotas. The Treaty entitled the States Parties to form groups and redistribute their "active quotas," and to have common total "active and passive quotas."

The Treaty obligates the States Parties to conduct observation flights using designated observation aircraft, which could belong to an observing State Party or be provided by the State Party under observation. To conduct an observation flight, an observing State Party must provide at least 72-hour notice to the State Party it wishes to observe. Receipt of the notification must be acknowledged within 24 hours. The observing State Party must provide a mission plan to the observed State Party at least 24 hours before the commencement of an observation flight. The mission plan may detail an observation flight that allows for the observation of any point on the entire territory of the observed Party. The observed State Party may propose changes to the submitted mission plan. Under certain conditions, deviations from the mission plan could be permitted. The observation mission must be completed within 96 hours of the observing State Party's arrival unless otherwise agreed.

The Treaty specifies four types of sensors with which observation aircrafts could be equipped, including optical panoramic and framing cameras, video cameras with real-time display, infra-red line-scanning devices, and sideways-looking synthetic aperture radar. A copy of all data collected by the observing State Party shall be supplied to the host country, while other States Parties

shall receive a mission report and have the option of purchasing the data collected by the observing State Party.

Verification and Compliance: The Treaty established an Open Skies Consultative Commission (OSCC) that conducts its work by consensus. The OSCC is in charge of the questions related to compliance with the Treaty, and seeks to resolve ambiguities and differences of interpretation should they occur, consider applications for accession to the Treaty, and take care of technical and administrative measures. The OSCC convenes in monthly plenary meetings at the headquarters of the Organization for Security and Cooperation in Europe (OSCE) in Vienna.

Review Conference: The Treaty provides for a periodic review conference to review the Treaty's implementation to be convened three years after the entry into force of the Treaty and at five-year intervals thereafter.

Developments:

2008: A Benelux flight over Bosnia and Herzegovina on 20 August with observers from Canada, Norway, and the Czech Republic on board marked the 500th flight conducted under the treaty.

2005: The first Treaty Review Conference was held from 14 to 16 February 2005 in Vienna, and reaffirmed the importance and effectiveness of the regime as a transparency and confidence-building measure.

Contact:

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Terrorism

International Convention for the Suppression of Acts of Nuclear Terrorism

Adopted: 13 April 2005
Opened for Signature: 14 September 2005
Entry into Force: 7 July 2007
Number of Signatories: 115
Number of State Parties: 51
Depository: UN Secretary-General.

Background: In 1996, the UN Secretary-General (UNSG) prepared a report pursuant to UN General Assembly Resolution 50/53, in which he reviewed existing international legal instruments relating to international terrorism and concluded that there was a need to elaborate international treaties or other kinds of instruments in areas not covered by existing treaties. Among the measures the UNSG proposed was preventing the use of weapons of mass destruction (WMD) by terrorists.

The draft convention was proposed by the Russian Federation, and considered by the Legal Committee of the UN General Assembly. UN General Assembly Resolution 51/210 of 17 December 1996 established an Ad Hoc Committee to elaborate the draft convention.

The Russian Federation, in its explanatory note on the draft convention, noted that the 1980 Convention on the Physical Protection of Nuclear Material (CPPNM) had a number of substantial gaps concerning countering acts of nuclear terrorism, particularly at the stage of stopping the terrorist act and eliminating its consequences. It claimed the CPPNM alone was not able to eliminate the danger of nuclear terrorism in all its manifestations, and therefore, the draft convention was aimed at combating new and dangerous manifestations of terrorism, stimulating the adoption of effective preventive measures in that sphere, and establishing a reliable international legal mechanism for cooperation at all stages of combating nuclear terrorism. The Russian Federation claimed that the draft convention was particularly significant in that it was the first international legal instrument in the area of anti-terrorist activities that was specially designed as a "pre-emptive instrument."

Several concerns delayed the adoption of the convention for many years. Foremost among these concerns related to Article IV. Many non-nuclear weapon states (NNWS), in particular the Non-Aligned Movement (NAM), opposed any language that could legitimize the use of nuclear weapons by military forces of nuclear weapon states (NWS). These concerns were addressed by the adoption of an amendment added to Article IV stipulating that the convention cannot be interpreted as addressing the "legality of the use or threat of use of nuclear weapons by States."

Other difficulties included lack of agreement on a definition of terrorism. Although the convention defines several related issues, it contains no definition of terrorism.

A number of delegations also preferred focusing on the draft Comprehensive Convention on International Terrorism, since progress on the definition of terrorism would have a positive impact on the draft Nuclear Terrorism Convention.

The 35th meeting of the Ad Hoc Committee on International Terrorism reached an agreement to offer the document for signature based on its ability to overcome the final obstacles to the committee's consensus approval. Committee members noted that the clarification of Article IV, as well as agreements by Cuba, Egypt, Iran, Pakistan, and the United States to withdraw certain amendments, allowed the convention to pass.

The General Assembly unanimously approved the International Convention for the Suppression of Acts of Nuclear Terrorism on 13 April 2005 during the 91st plenary meeting of the General Assembly by resolution A/RES/59/290., the first anti-terrorism treaty adopted since the 11 September 2001 attacks. The treaty, which places no new restrictions on the use of nuclear weapons by states, will become effective after it is ratified by 22 states. Subsequently, it opened for signature on 14 September 2005.

The nuclear terrorism convention will join the 12 existing universal anti-terrorism conventions, strengthening the international legal framework in connection with terrorist acts and further promoting the rule of law.

Key provisions of the convention include:

- A wider definition (than the Convention on the Protection of Nuclear Materials) on materials and facilities covering both military and peaceful applications
- The criminalization of those planning, threatening, or carrying out acts of nuclear terrorism; it also requires states to criminalize these offenses via national legislation and to establish penalties in line with the gravity of such crimes
- Conditions under which states may establish jurisdiction for offenses
- Guidelines for extradition and other measures of

punishment

- The requirement for states to take all practicable measures to prevent and counter preparations for offenses to take place inside or outside of their territories
- The distinction that the convention does not cover the activities of armed forces during an armed conflict or military exercise.

Presently, there are 115 signatories to the convention. 51 States have ratified the convention (Austria, Azerbaijan, Bangladesh, Belarus, Burundi, Central African Republic, Comoros, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Fiji, Finland, Gabon, Germany, Guinea-Bissau, Hungary, India, Japan, Kazakhstan Kenya, Kiribati, Kyrgyzstan, Latvia, Lebanon, Libya, Lithuania, Luxembourg, FYR Macedonia, Mauritania, Mexico, Mongolia, Niger, Panama, Paraguay, Moldova, Romania, Russia, Saudi Arabia, Serbia, Slovakia, South Africa, Spain, Sri Lanka, Switzerland, Turkmenistan, Ukraine, United Arab Emirates, and Uzbekistan).

Provisions: The convention defines the act of nuclear terrorism as the use or threat to use nuclear material, nuclear fuel, radioactive products or waste, or any other radioactive substances with toxic, explosive, or other dangerous properties. The definition includes the use or threat to use any nuclear installations, nuclear explosive, or radiation devices in order to kill or injure persons, damage property, or the environment or to compel persons, states, or international organizations to do or to refrain from doing any act. The unauthorized receipt through fraud, theft, or forcible seizure of any nuclear material, radioactive substances, nuclear installations, or nuclear explosive devices belonging to a State Party, or demands by the threat or use of force or by other forms of intimidation for the transfer of such material would also be regarded as acts of nuclear terrorism.

The convention applies exclusively to acts by individuals, and its scope would not include the issue of the nonproliferation of nuclear weapons or nuclear threats posed by states or intergovernmental organizations.

Compliance and Enforcement: The convention obligates the parties to cooperate in preventing or prosecuting acts of nuclear terrorism by, for instance, adopting necessary legislative and technical measures to protect nuclear material, installations and devices, and to forestall unauthorized access to them by third parties.

The convention does not affect international law provisions on states' competence to conduct investigations on vessels that were not flying their flags or in aircraft that were not registered in their territories. States Parties would help each other in prosecuting the relevant acts and, when the prosecution is completed, any nuclear material or devices would be returned to the State Party to which they belonged.

Developments:

2009: The following States became parties to the Convention in 2009: Finland (13 Jan), Azerbaijan (28 Jan), Paraguay (29 Jan).

2008: The following States became parties to the Convention in 2008: United Arab Emirates (10 Jan), Cyprus (28 Jan), Germany (8 Feb), Central African Republic (19 Feb), Turkmenistan (28 Mar), Moldova (18 Apr), Mauritania (28 Apr), Uzbekistan (29 Apr), Fiji (15 May), Dominican Republic (11 Jun), Niger (2 Jul), Kazakhstan (31 Jul), Guinea-Bissau (6 Aug), Burundi (24 Sep), Luxembourg (2 Oct), Switzerland (15 Oct), Libya (22 Dec).

2007: On 7 June 2007, Bangladesh became the 22nd country to ratify the international Convention for the Suppression of Acts of Nuclear Terrorism, allowing the treaty to enter into force thirty days later on 7 July 2007.

The following States deposited instruments of ratification or accession to the Convention in 2007: Romania (24 Jan), Russian Federation (29 Jan), Spain (22 Feb), Comoros (12 Mar), Belarus (13 Mar), FYR Macedonia (19 Mar), Denmark (20 Mar), Hungary (12 Apr), South Africa (9 May), Croatia (30 May), Bangladesh (7 Jun), Panama (21 Jun), Lithuania (19 Jul), Japan (3 Aug), Ukraine (25 Sep), Sri Lanka (27 Sep), Gabon (1 Oct), Kyrgyzstan (2 Oct), Saudi Arabia (7 Dec).

2006: The Ad Hoc Committee established by General Assembly Resolution 51/210 took place from 27 February to 3 March 2006 at United Nations Headquarters in New York. In its 10th session, on 3 March, the Ad Hoc Committee adopted its Report (A/61/37). The committee was chaired by Ambassador Rohan Perera (Sri Lanka) and vice-chaired by Carlos Fernando Díaz Paniagua (Costa Rica), Maria Telalian (Greece), and Sabelo Sivuyile Maqungo (South Africa). The chairman's report noted that during the committee meetings substantial effort was given to explore further whether there might be possible suggestions on which a compromise solution on the outstanding issues regarding the draft comprehensive convention on international terrorism could be based.

The following States deposited instruments of ratification in 2006: Slovakia (23 Mar), Kenya (13 Apr), Mexico (27 Jun), Czech Republic (25 Jul), Latvia (25 Jul), Austria (14 Sep), Serbia (26 Sep), Mongolia (6 Oct), Lebanon (13 Nov), El Salvador (27 Nov), India (1 Dec).

2005: The Ad Hoc Committee established by General Assembly Resolution 51/210 of 17 December 1996, entitled "Measures to eliminate international terrorism" completed seven years' drafting work by adopting the draft convention, by consensus, without amendment. In its

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ninth session from 28 March to 1 April 2005, the committee was chaired by Ambassador Rohan Perera (Sri Lanka). Carlos Fernando Diaz Paniagua (Costa Rica), Albert Hoffman (South Africa), and Maria Telalian (Greece) served as vice-chairs.

Distinct from prior years, the political will and momentum to conclude the draft texts of the convention existed, in part, due to the impetus of the December 2004 High Level Panel Report on *Threats, Challenges and Change* and the secretary-general's March 2005 report, *In Larger Freedom*. An agreement on the text was struck after it was assured that the treaty would not be used to impose a generic definition on terrorism, a highly controversial issue.

Informal consultations were conducted by the chair, during the course of which four new proposals were presented for amendments on behalf of Cuba (A/AC.252/2005/WP.2),Egypt (A/AC.252.2005/WP.3), the United States of America (A/AC.252.2005/WP.4), as well as the Islamic Republic of Iran (A/AC.252.2005/WP.5). The chair advised these delegates that the proposals did not enjoy great support, as evidenced through debate during consultation. He requested that the respective sponsors withdraw their proposals in the interest of finalizing the draft. All sponsor nations agreed to withdrawal their proposals. In addition, the Syrian proposal to remove paragraphs two and three from Article IV was not adopted.

With regard to Article IV, it was recognized that the final draft was "based on the International Convention for the Suppression of Terrorist Bombing and the International Convention for the Suppression of the Financing of Terrorism, and that it constituted a compromise text aimed at bridging the diverging views on the matter." As such, a large majority of delegations supported the current wording of Article IV (with the inclusion of subparagraph 4, adopted at a previous meeting), and it was accepted in the final adoption of the text.

The committee requested the secretary-general to adopt and open the convention for signature at UN headquarters from 14 September 2005 to 31 December 2006. The General Assembly subsequently unanimously approved the International Convention for the Suppression of Acts of Nuclear Terrorism on 13 April 2005 during the 91st plenary meeting of the General Assembly by resolution A/RES/59/290.

2004: The eighth session of the Ad Hoc Committee (established in 1996 with the mandate of developing a collection of conventions to supplement existing legal instruments against international terrorism in its various forms) was held from 28 June to 2 July at the United Nations Headquarters in New York. Coordinators' reports indicated that states continued to diverge in their views on several aspects of the draft convention, despite their agreement that terrorism constitutes a pressing issue and that the draft urgently needs to be finalized. Coordinator Albert Hoffman of South Africa reported that delegates differed over whether or not the committee should continue with negotiations.

Specifically, long-standing disagreement persisted regarding Article IV of the draft convention, which deals with possible exemptions to its terms and its applicability or lack thereof to states' own armed forces and their use of nuclear weapons. Many had expressed the view that the convention should not act as a "law enforcement instrument," which it might, some worried, if it addressed the issue of whether or not the use or threat of use of nuclear weapons is illegal for a state. Syria proposed an amendment to Article IV by deleting its second and third paragraphs, which make reference to the legality of states' use of nuclear weapons.

At a previous session in 2002, Mexico had offered an alternative revision of the article suggesting the addition of a paragraph stating that the convention did not seek to address "the issue of the legality of the use or threat of use of nuclear weapons by States," but some delegations expressed concern that it was insufficient.

Delegations also expressed differences of opinion regarding the definition of nuclear weapons as stated in Article I of the draft convention, and about a proposal to address the dumping of toxic waste. Costa Rica contended that the international fight against terrorism be universalized, perhaps through the establishment of a UN high commissioner against terrorism.

The committee's report included recommendations that the Sixth Committee of the UN General Assembly continue the process of negotiating the draft convention and also consider planning a high-level UN conference to address terrorism-related concerns.

2003: The Ad Hoc Committee met for its seventh annual session from 31 March to 2 April, under Chairman Rohan Perera (Sri Lanka). During general discussion at its plenary meeting on 31 March, some delegations described the adoption of an International Convention for the Suppression of Acts of Nuclear Terrorism as "a pressing and urgent need in view of the risk posed should certain terrorist groups gain access to weapons of mass destruction," and thus expressed support for the advancement of work on the draft text. However, in a report presented on the results of bilateral consultations held with delegations "to review the situation in relation to the outstanding issues and to ascertain if there was a possibility of resolving differences," the meeting's coordinator noted several problematic areas. The report noted concerns regarding Article IV of the draft convention; while some delegations reiterated that the current text should remain, others were dissatisfied with it

and suggested that the relationship between the draft convention and states' nuclear- or weapons-related actions be better defined. Mexico's proposal for an additional paragraph was also discussed, with some delegations expressing support for and others disagreeing with it. The coordinator concluded that "although views on the outstanding issues continue to be divergent, without any clear consensus emerging, it was also noted that the important progress achieved, which was reflected in the current text, should be retained."

Also during the session, the Ad Hoc Committee decided to recommend that the Sixth Committee, scheduled to meet in the fall, establish a Working Group to continue efforts toward the adoption of both a draft Comprehensive Convention on International Terrorism and the draft International Convention on the Suppression of Acts of Nuclear Terrorism.

On 6 October, the Sixth Committee convened and established a Working Group, to be open to all member states of the United Nations, the specialized agencies, or the International Atomic Energy Agency (IAEA). Rohan Perera (Sri Lanka) was elected as the group's chairman, and Albert Hoffman (South Africa) was appointed coordinator for the Draft International Convention for the Suppression of Acts of Nuclear Terrorism. Informal consultations were held on 7 October, with the second part of these focusing on the draft convention. In a summary issued following these consultations, the coordinator stated that delegations had primarily re-voiced their previous views regarding Article IV, and that many felt that inability to agree on the draft would hinder work toward adopting a Comprehensive Convention on International Terrorism and amending the Convention on the Physical Protection of Nuclear Material.

The Working Group decided to recommend to the Sixth Committee the continuation of work toward finalizing the draft convention's text, particularly in regards to Article IV.

On 9 December, following the meetings of the Sixth Committee, the United Nations General Assembly adopted Resolution 58/81 on measures to eliminate international terrorism. Among other recommendations, it decided that the Ad Hoc Committee should continue work on resolving the remaining issues surrounding the Draft International Convention for the Suppression of Acts of Nuclear Terrorism "as a means of further developing a comprehensive legal framework of conventions." The resolution also stated that the committee should aim to convene a high-level conference under the UN in order to produce a cooperative international response to terrorism. Further, it was decided that the Ad Hoc Committee would meet again from 28 June to 2 July 2004, and that, if the draft convention were completed, the committee should report to the General Assembly during its 58th session and report any progress on its implementation during the 59th session.

2002: During the 28 January to 1 February session of the Ad Hoc Committee, informal consultations focused on the outstanding issues pertaining to the draft International Convention for the Suppression of Acts of Nuclear Terrorism. In that regard, the representative of the IAEA briefed delegations on the Agency's measures aimed at combating acts of terrorism involving nuclear materials and other radioactive materials. In its report, the Committee recommended allocating appropriate time for the continued consideration of the outstanding issues on the nuclear terrorism convention.

Also during the session, Mexico submitted a proposal to amend Article IV of the draft convention, which addressed the relationship between the convention and the rights of states' armed forces to use nuclear weapons. It sought the addition of the following paragraph in order to clarify the convention's relationship to the rights of states' armed forces: "This convention does not address, nor can it be interpreted as addressing, in any way the issue of the legality of the use or threat of use of nuclear weapons by States."

On 7 October, at its 11th meeting, the Sixth Committee established a Working Group to continue to work on the elaboration of a comprehensive convention on international terrorism, and to allocate appropriate time for the continued consideration of the outstanding issues on the nuclear terrorism convention. At the same meeting, the Committee decided to open the Working Group to all States Members of the United Nations or members of the specialized agencies or of the IAEA.

The Working Group held two meetings on 15 and 16 October. At its first meeting on 15 October, the Working Group decided to proceed with discussions in informal consultations, which were held in two stages: the first focused on the draft comprehensive convention on international terrorism, and the second on the outstanding issues pertaining to the draft International Convention for the Suppression of Acts of Nuclear Terrorism. At the second meeting, on 16 October, the coordinator of the informal consultations presented an oral report on the results of discussions on both draft conventions. The Working Group decided to recommend to the Sixth Committee that work continue with the aim of finalizing the text of a draft comprehensive convention on international terrorism and the text of a draft international convention for the suppression of acts of nuclear terrorism, building upon the work accomplished during the meetings of the Working Group.

2001: At its February meetings, the Ad Hoc Committee delegations were unable to conduct substantive work on the draft convention. They agreed to continue consultations to resolve outstanding issues. Some

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delegations favored the inclusion of provisions dealing with the dumping of radioactive waste in the draft convention.

At the October debate on measures to eliminate international terrorism in the UNGA, views were expressed on the early completion of the draft convention.

The meeting of the Sixth Committee Working Group was scheduled to take place from 15 to 26 October. On 18 October, the Chairman of the Ad Hoc Committee noted that work on the draft convention had largely been completed. He noted that there remained only one outstanding issue regarding the scope of the draft convention and that this issue required resolution at the policy level.

2000: During the Ad Hoc Committee meeting in February, the states discussed the revised text of the draft convention prepared by the Friends of the Chair. The Australian representative, Ms. Cate Steains, reported that during the inter-sessional informal consultations, the states were unable to bridge differences concerning the scope of the draft convention and that consultations would continue on a bilateral basis. The inter-sessional consultations as well as bilateral consultations held during the meeting revealed the existence of several important problems:

- Some delegations wanted provisions of Article IV, Par. 2 regarding the protection of nuclear installations and devices to be deleted and noted that any proposals to the contrary would be unacceptable.
- Some delegations made it clear that they did not attach high priority to the adoption of the draft convention since much of its substance was covered by the existing conventions.
- Some delegations pointed out that the difference of opinion on the scope of the draft conventions were too fundamental to be bridged.
- Some delegations insisted that the scope of the draft convention should be extended to cover acts of State terrorism, including acts of State armed forces.
- Some advocated the inclusion of provisions related to the dumping of radioactive waste.
- Some delegations raised the question of the legality or illegality of the possession of nuclear weapons, while others claimed that this question had no bearing on the issues before the Committee and only distracted it from substantive work.

Several delegations urged the Committee to complete the draft convention expeditiously. The participants in the end decided to continue further inter-sessional consultations for the consideration of the Sixth Committee's Working Group in September-October.

At the September-October meetings of the Working Group and the November meeting of the Sixth Committee, it was concluded that the inter-sessional consultations had not led to successful resolution of outstanding problems and that further broader consultations might be required in the pursuit of a solution that would lead to the adoption of the draft convention. Several speakers favored the speedy completion of work on the draft convention as well as its adoption.

In its Resolution 55/158, the UNGA called on the Ad Hoc Committee to resolve the outstanding issues relating to the elaboration of the draft convention. The language of the resolution suggested that the consideration of the draft Comprehensive Convention on Terrorism should take priority over the resolution of outstanding differences over the draft convention.

1999: At the March meeting of the Ad Hoc Committee, Russia urged states to adopt the draft text as soon as possible and warned that failure to agree on the draft text would send the wrong signal to the terrorist groups. Some states supported the early agreement on the draft convention; however, a number of disagreements remained, including the scope of the draft convention, its relationship with other international legal instruments on international terrorism, the question of armed forces and armed conflicts, and the question of the legal definition of terrorism and its relationship to anti-colonial and liberation struggles.

At the September meeting of the Sixth Committee Working Group, states agreed that broader consultations were required to find an acceptable solution to the remaining issues concerning the scope of the convention. The Working Group was informed that while there appeared to be a willingness among delegations to continue work on the draft convention, it was determined that the time was not opportune for the convening of informal consultations during the Working Group. The Chairman appointed Ms. Cate Steains (Australia) to act as coordinator on the issue with a view to organizing open-ended informal consultations at the appropriate time.

There were neither formal nor informal discussions on the draft convention during the 1999 Ad Hoc Committee and Working Group meetings. Their work in 1999 was dedicated entirely to the negotiation of the Convention for the Suppression of the Financing of Terrorism.

At the November meetings of the UN Sixth Committee, some speakers favored the speedy completion of the work on the draft convention and its adoption. Concern was expressed regarding the limited progress achieved in the resolution of the outstanding issue of the scope of its application. A point was made that, taking into consideration the risks of nuclear terrorism, the outstanding issues related to the scope of the draft convention should be resolved as soon as possible; states were called upon to enhance efforts to overcome those

remaining issues. Support was expressed for the position of the Non-Aligned Movement (NAM) members in this regard, namely that the scope of the draft convention be expanded to include the activities of State militaries. A reference was made to the need for the treaty to encompass State terrorism as well. The view was also expressed that a distinction should be drawn between the draft convention, as well as the issues raised by the International Court of justice (ICJ) Advisory Opinion on Nuclear Weapons, and the use and possession of nuclear weapons by the NWS.

On 9 December, the UNGA adopted Resolution 54/100 entitled "Measures to Eliminate International Terrorism," which tasked the Ad Hoc Committee with further elaborating the draft convention, as well as commencing consideration of a comprehensive convention dealing with international terrorism.

1998: The Ad Hoc Committee turned to the discussion of the draft convention at its second meeting in February. Addressing the meeting, the Russian Federation said that the international community must establish effective measures to counter acts of nuclear terrorism, which could threaten global peace and security and cause irreparable damage to the environment. It said that depending on the circumstances of a criminal attack, it might fall under either the scope of the draft convention, the 1980 Physical Protection Convention, the 1997 Terrorist Bombing Convention, a combination of them, or all of them.

During the deliberations, the substance of the draft text received general support from the states, but there was uncertainty on some specific details. States pointed out the following shortcomings of the draft convention and concerns:

- Its definitions were too broad and, at the same time, too narrow in scope.
- Its definitions should be brought into line with the language used in established international instruments.
- The draft convention's relationship with existing legal instruments, i.e., the 1980 Physical Protection Convention, the 1996 CTBT, and the 1997 Terrorist Bombing Convention must also be examined in order to avoid possible overlap.
- The legal gaps should not necessarily be addressed by a new instrument, rather they could be better addressed by strengthening the existing legal instruments, e.g., by drafting a protocol to the 1980 Physical Protection Convention.
- Provisions regarding jurisdiction, extradition, and legal assistance, similar to those contained in the 1997 Terrorist Bombing Convention, should be incorporated into the draft convention.
- The Ad Hoc Committee of the UN Sixth Committee would not be the most appropriate forum for the discussion of the draft convention since the IAEA has the most competence on the issue of nuclear material.
- The draft convention should only deal with measures to counter terrorism and not encompass provisions on the physical protection of nuclear material.
- The scope of the draft convention should be expanded to stress counter-terrorism and punishment.
- Special attention should be given to the problems of State terrorism.
- The draft convention could undermine the legal use of nuclear material; therefore, the definitions should be revised to specify that the acts in question were intentional and unlawful crimes.
- The coverage of the draft convention should be extended to the broadest possible range of radioactive material, as well as nuclear facilities, explosives, and other devices, including measures to prevent unauthorized access to such material, to protect facilities from intrusion, and to develop more effective controls against illicit trafficking.

Speaking at the meeting, the IAEA Legal Advisor said that the draft convention's definitions of "nuclear material" should be based on definitions contained in the 1963 Vienna Convention on Civil Liability for Nuclear Damage, the 1980 Physical Protection Convention, and a Draft Safety Guide on "Preventing, Detecting and Responding to Illicit Trafficking in Radioactive Materials." Speaking on the overlap between the draft convention and the 1980 convention, the IAEA representative said that the overlap regarding the crimes covered, coupled with differing jurisdictional provisions, could complicate their implementation; could lead to a Party to both instruments' choosing which instrument to apply in a given case.

After the exchange of views, states identified three main points of discussion: definitions, relationship to existing instruments covering the same subject matter, and the scope of the draft convention. The Committee carried out a first reading of substantive elements of the draft text. Upon the closure of the February meeting of the Ad Hoc Committee, states did not reach agreement on whether to create a new convention on nuclear terrorism or amend the 1980 Physical Protection Convention. They also disagreed on the scope of the proposed convention. Some states proposed new articles that would safeguard the inalienable right of states to use nuclear energy for peaceful purposes and exempt the military activities of states in armed conflict or in exercise of their official duties from the scope of the draft convention. Regarding the issue of definitions, there was a general agreement that they should focus on combating terrorist acts. A number of delegations proposed additional paragraphs to the draft convention's preamble. According to those paragraphs, the preamble would recognize the importance of a universally agreed definition of international

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terrorism; recall UNGA resolutions on the importance of nuclear disarmament; emphasize the responsibility of a State for the establishment, implementation, and maintenance of a physical protection system for nuclear material, devices, and installations on its territory; stress the inherent right of all states to engage in research, production, and use of nuclear energy for peaceful purposes; and recall IAEA recommendations for physical protection of radioactive materials and facilities. Some speakers voiced concern about the difficulties that might arise if the return of stolen nuclear material was obligatory, because some states were legally precluded from returning nuclear components or products. Some delegations stressed the need to take into account the role that the IAEA could play, while others felt IAEA could have more of a limited role.

On 16 September, the UN Sixth Committee established a Working Group to follow up the work on elaborating the draft convention carried out by the Ad Hoc Committee at its February meeting. Between 28 September and 9 October, the Working Group conducted 13 meetings, during which the Group conducted informal consultations, reviewed proposals and amendments, and produced a revised text of the draft convention.

states noted that the revised text was generally acceptable, however disagreement on certain provisions still existed, including the scope of application (European Union), activities of armed forces in armed conflict (NAM), extradition and prosecution, inclusion of nuclear Non-Proliferation Treaty (NPT) obligations (Pakistan) in the draft convention, the number of required ratifications (22) for the entry into force (Pakistan), and the legal definition of terrorism and its relationship to anti-colonial and liberation struggles. Group discussions reflected the need to conduct considerably more work on the provisions that are specific to nuclear terrorism.

Some states expressed hope that the UNGA would be able to adopt the draft text by the end of 1998. However, others, including those belonging to the NAM, suggested that such action on the draft convention should be delayed pending further consultations. Some states questioned the very approach the Ad Hoc Committee and the Working Group used to fulfill their mandate to establish a comprehensive legal anti-terrorism regime. They developed separate conventions concerned with different subject matter rather than a comprehensive convention on terrorism as required to combat terrorism in all its forms and manifestations.

1997: The Ad Hoc Committee was primarily concerned with considering and adopting the text of the International Convention for the Suppression of Terrorist Bombing. On 19 November, after the UN Sixth Committee approved the draft text of this convention, it also reaffirmed, without a vote, the mandate of the Ad Hoc Committee to continue its work on the elaboration of an International Convention for the Suppression of Nuclear Terrorism with the participation of the representatives of the IAEA.

International Convention for the Suppression of the Financing of Terrorism

Adopted: 9 December 1999.
Opened for Signature: 10 January 2000.
Entered into Force: 10 April 2002.
Number of Signatories: 132
Number of Parties: 167
Depositary: UN Secretary-General.

Background: On 23 September 1998, at the UN General Assembly (UNGA), France proposed a convention for the suppression of terrorist financing in order to further fill in the gaps in the international law against terrorism.

On 8 December 1998, the UNGA, in its Resolution 53/108, empowered the Ad Hoc Committee to elaborate a draft International Convention for the Suppression of Terrorist Financing to supplement related existing international instruments.

The Convention was adopted by the UNGA in resolutions 54/109 of 9 December 1999.

Obligations: The Convention prohibits any person(s) from directly or indirectly, unlawfully, and willfully providing or collecting funds with the intention that they should be used, or in the knowledge that they are to be used, to carry out an act that constitutes an offense under one of the nine treaties listed in the annex.[1] It shall not be necessary that the funds were actually used to carry out an offense. It also prohibits any act intended to cause death or serious bodily injury to a civilian, or to any other person not actively involved in a situation of armed conflict, when the purpose of such act is to intimidate a population, or to compel a government or an international organization to either do, or to abstain from doing a specific act. Persons are prohibited from attempting, participating in, organizing, contributing to, having

[1] (1) These treaties are the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft; (2) The 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation; (3) The 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons; (4) The 1979 International Convention against the Taking of Hostages; (5) The 1980 Convention on the Physical Protection of Nuclear Material; (6) The 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation; (7) The 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation; (8) The 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf; and (9) The 1997 International Convention for the Suppression of Terrorist Bombings.

knowledge of, or directing others to commit such offenses.[2] Under no circumstances are the above offenses justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious, or other similar nature.

Compliance and Enforcement: The Convention obligates each State Party to establish the aforementioned offenses as criminal offenses under its domestic law, thus making them punishable by appropriate penalties, including prosecution or extradition. Each State Party shall take necessary measures to establish its jurisdiction over the offenses if such offenses are committed in the territory of that State, on board a vessel flying the flag of that State, an aircraft registered under the laws of that State or operated by the government of that State, by a national of that State, in the territory of or against a national of that State, against a government facility of that State abroad, in an attempt to compel that State to do or abstain from doing an act, by a stateless person who has his or her habitual residence in the territory of that state, or if an offender is within its territory and there are no other Parties whom have claimed jurisdiction.

The Parties commit to prohibiting illegal activities of persons and organizations that knowingly encourage, instigate, organize, or engage in the commission of such offences in their territories. The Parties also commit to requiring financial institutions and other professions involved in financial transactions to maintain, for at least five years, all necessary records on transactions, both domestic and international, utilizing the most efficient measures available for the identification and verification of customers' legal existence; reporting suspect or unusually large transactions; prohibiting the opening of accounts of which the holders or beneficiaries are unidentifiable; detecting and freezing, or seizing any funds used or allocated for the purpose of committing such offenses, as well as proceeds and/or forfeitures derived from such offenses. States agree to give consideration to concluding agreements on the sharing funds with other State Parties, as well as compensating the victims of offenses with funds derived from the forfeitures, and by maintaining and facilitating communication between the appropriate agencies. Parties also agree to supervise the licensing of all money-transmission agencies and monitor the physical cross-border transportation of cash and bearer negotiable instruments.

States agree to take their measures as may be necessary under its domestic law to investigate the facts regarding an offense, and must ensure that the person(s) who committed the offense are taken into custody to be prosecuted or extradited. In either case, the State shall notify the Secretary-General of the United Nations of its intent. The Convention provides for the inclusion of such offenses as extraditable offenses, and, in case there is no extradition treaty between the Parties, entitles them to consider the Convention as a legal basis for extradition with respect to the offenses. If a Party does not extradite the person(s), it is obliged, without exception whatsoever, to prosecute him or her. The Parties also commit to afford one another the greatest measure of assistance, and not to refuse a request for extradition or for mutual legal assistance on the sole ground that it concerns bank secrecy, a fiscal offense, or a political offense. The Parties are entitled to refuse to extradite a person or afford legal assistance required under the Convention if they have substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing a person on the grounds of race, religion, nationality, ethnic origin, or political opinion.

The Convention provides for all disputes between Parties that cannot be settled through negotiation within a reasonable time to be submitted to arbitration, and, if needed, to the International Court of Justice.

Developments:

2002: The International Convention for the Suppression of the Financing of Terrorism entered into force on 10 April, 30 days after the 22nd ratification was deposited with the Secretary-General of the United Nations.

2001: On 28 September, the UN Security Council adopted Resolution 1373, in which it decided that all States should prevent and suppress the financing of terrorism, as well as criminalize the willful provision or collection of funds for such acts. The Council decided that States should prohibit their nationals, persons, or entities in their territories from making funds, financial assets, economic resources, financial, or other related services available to persons who commit or attempt to commit, facilitate, or participate in the commission of terrorist acts. States should also refrain from providing any form of support to entities or persons involved in terrorist acts; take the necessary steps to prevent the commission of terrorist acts; deny safe haven to those who finance, plan, support, or commit terrorist acts, and provide safe havens as well. States should also ensure that anyone who has participated in the financing, planning, preparation, or perpetration of terrorist acts, or in supporting terrorist acts, is brought to justice. In addition, States should ensure that terrorist acts are established as serious criminal offenses in domestic laws and regulations and that the seriousness of such acts is duly reflected in sentences served.

1999: On 9 December, the Convention was adopted by the UNGA in resolution 54/109.

[2] The Convention does not apply to offenses that are committed within a single State, the alleged offender is a national of that State, when the alleged offender is present in the territory of that State and no other State has basis under certain provisions of the Convention to exercise jurisdiction.

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After the adoption of the Convention, the Ad Hoc Committee and the UN Sixth Committee continued their work on elaboration of a comprehensive legal regime to combat international terrorism. The UNGA Resolution 54/110 of 9 December extended the mandate of the Ad Hoc Committee to continue elaboration of the draft Convention for the Suppression of Act of Nuclear Terrorism, and begin consideration with a view to start negotiation of a Comprehensive International Convention for the Suppression of International Terrorism.

In March, the Ad Hoc Committee began substantive discussion of a draft text submitted by France. It noted that the existing international anti-terrorism instruments did not provide for the adequate response against those who finance or organize terrorist activities and that the main goal of the proposed convention was to fill in this gap. The draft text was largely based on the provisions of existing conventions, especially the 1997 Terrorist Bombings Convention, and its "prosecute or extradite" principle. States generally supported the draft text, but introduced a number of amendments. Some States voiced their concerns that the broad character of proposed definitions might criminalize innocent behavior; they were also concerned about overlaps with other anti-terrorism international legal instruments, and the difference between terrorism and legitimate anti-colonial and liberation activities.

Formal discussion and informal consultations continued during the September 1999 session of the UN Sixth Committee's Working Group and the November 1999 meeting of the UN Sixth Committee, during which general support was expressed for the adoption of the Convention at the UNGA. Although some reservations were expressed, most participants believed the draft represented a balanced text complementing existing instruments and its adoption would help cut the sources of financing for terrorism. Some of the limitations of the treaty were discussed, and a delegation expressed a strong preference for postponing consideration of the Convention until future discussions could allow its adoption by consensus.

Draft Comprehensive Convention on International Terrorism

Status: being negotiated in the UN Ad Hoc Committee

Background: During the 1990s, the UN adopted a number of fundamental documents intended to create comprehensive international standards to deal with international terrorism. The first of these, the 1994 Declaration on Measures to Eliminate International Terrorism, annexed to UNGA Resolution 49/60 encouraged Member States to urgently review the scope of the existing international legal provisions on the prevention, repression, and elimination of terrorism with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter. Under UN auspices, States negotiated and concluded the 1997 Terrorist Bombing Convention and the 1999 Terrorist Financing Convention, and the 2005 Acts of Nuclear Terrorism Convention. The UN Sixth (Legal) Committee and the Ad Hoc Committee established pursuant to the 1996 UNGA Resolution 51/210, are currently continuing their work to that end by negotiating the draft Comprehensive Convention on International Terrorism. The history of the negotiations of the above-mentioned anti-terrorism instruments has demonstrated that although States generally agree on the importance of eradicating international terrorism, there exist important disagreements on certain issues, which so far have prevented them from taking a comprehensive approach. Such differences include:

- the legal definition of terrorism;
- the relationship between terrorism and anti-colonial and national liberation movements; and
- the activities of States' armed forces in armed conflicts and in exercise of their official duties.

Obligations: The draft Convention obligates Parties to cooperate in the prevention and punishment of acts of terrorism. The act of terrorism, or offense, is currently defined* as a person's unlawfully and intentionally causing or threatening to cause violence by means of firearms, weapons, explosives, any lethal devices or dangerous substances, which results, or is likely to result, in death or serious bodily injury to a person, a group of persons or serious damage to property — whether for public use, a State or Government facility, a public transportation system or an infrastructure facility. Acts of terrorism also include such person's attempt to commit such an offense, participate as an accomplice in the commission of such an offense, or in organizing or directing others to commit such an offense, or in contributing to the commission of such an offense. A person also commits an offense if he/she commits any of the offenses defined in the following international instruments: the 1970 Convention for the Suppression of Unlawful Seizure of Aircraft, the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, the 1979 International Convention against the Taking of Hostages, the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed

* This definition is still being negotiated

Platforms Located on the Continental Shelf, the 1997 International Convention for the Suppression of Terrorist Bombings, as well as any Convention, global or regional, aimed at combating terrorism.

Compliance: The draft Convention requires the Parties to establish as criminal offenses under its domestic law the aforementioned offenses, which are of such a nature as to create terror, fear, or insecurity, and to make them punishable by appropriate penalties. Such offenses shall be under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious, or other similar nature and are punished by penalties consistent with their grave nature.

The draft Convention obligates Parties to refrain from organizing, instigating, facilitating, financing, assisting, or participating in the commission of terrorist offenses in the territories of other States, acquiescing in, encouraging, or tolerating activities within their territories directed towards the commission of such offenses; take practical measures to ensure that their respective territories are not used for terrorist installations and training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens; take appropriate measures, before granting asylum, to ensure that the asylum seeker has not engaged in terrorist activities; and cooperate in preventing and punishing terrorist acts by preventing and impeding the preparation in their respective territories of such acts by exchanging information and implementing relevant international Conventions, including the harmonization of their domestic legislation with those Conventions, and conclusion of mutual judicial assistance and extradition agreements.

The Convention requires States on whose territory a person has committed, or is alleged to have committed a terrorist act to investigate his or her involvement in the offense and, if appropriate, take such person into custody for the purpose of prosecution or extradition. The Convention provides for the inclusion of such offenses as extraditable offenses, and in case there is no extradition treaty between the Parties, entitles them to consider the Convention as a legal basis for extradition with respect to the offenses, which are its subject matter. If a Party does not extradite the person(s), it is obliged, without exception whatsoever, to prosecute him or her.

The Parties are required to establish their jurisdiction over such offenses if they are committed in their territory, on board a vessel flying their flag or aircraft registered under their laws at the time the offense is committed, if such offenses are committed by their nationals, or if the alleged offender is present in its territory and it does not extradite that person to any of the Parties that have established their jurisdiction. The Parties also may establish their jurisdiction over such offenses if they are committed against their nationals, which are committed by a stateless person residing in their territory, or which is committed in an attempt to compel them to do or to abstain from doing any act.

Developments:

2008: The twelfth session of the Ad Hoc Committee met on 25-26 February and 6 March. Delegations stressed that the first against international terrorism should be conducted in conformity with international law. The coordinator for the draft comprehensive convention, Ms. Maria Telalian (Greece) reported on all informal contacts that had taken place to refine and clarify the draft language in ways that would be acceptable to all delegations. She expressed her concerns regarding what she sensed to be a reluctance to seize the moment and move towards completion. She stressed that the solution on the table was a product of intense consultation ongoing since 1996 that had sufficiently overcome all of the legal hurdles. The Ad Hoc Committee once again recommended that a Sixth Committee working group convene during the 63rd UNGA to finalize the draft convention and to discuss the proposal for a high-level UN conference on terrorism.

2007: The eleventh session of the Ad Hoc Committee met on 5-6 and 15 February. It was noted that the finalization of the draft comprehensive convention remained the most important counter-terrorism initiative outstanding from the 2005 World Summit Outcome (resolution 60/1). The Committee decided once again to recommend that the Sixth Committee establish a working group with a view to finalizing the draft comprehensive convention and to discuss convening a high-level conference under the auspices of the United Nations.

The working group met on 11, 15, and 18 October. Between the meetings, Mr. Rohan Perera (Sri Lanka), chairman of the working group and Ms. Maria Telalian (Greece), coordinator of the draft comprehensive convention initiated bilateral meetings with interested delegations on the outstanding issues. Discussions focused primarily on draft article 18, with some members concerned that the use of ambiguous language would leave implementation open to abuse.

On 18 October, the Working Group considered the question of convening a high-level conference, following the proposal (54/110) to convene a special session of the UNGA to adopt an action plan for cooperation against terrorism. The representative of Egypt stressed the importance of sending a clear and strong message from the international community, especially in light of the increasing number of terrorist acts. Other delegations maintained that such a conference should take place after the adoption of the convention and that efforts should be focused on concluding negotiations. It was pointed out that more time and resources should be devoted to implementation rather than another conference.

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2006: The tenth session of the Ad Hoc Committee on Terrorism convened in New York from 27 February to 3 March. Although consensus on the convention is still to be reached, delegates expressed a strong commitment to continued negotiations. Discussions primarily revolved around the main outstanding issue contained in draft article 18, relating to the scope of application of the convention, in particular the activities of armed forces. Although no concrete proposals were submitted in respect to article 18, Argentina put forth a proposal suggesting amendments to the preamble. Delegates also addressed the convening of a high-level conference under the auspices of the United Nations, to formulate a joint organized response from the international community to terrorism in all its forms. Egypt submitted a working paper for discussion in this regard, stressing that the conference should focus on practical means of combating international terrorism to be taken by the United Nations and member states. It was emphasized that the conference would be a part of international efforts to combat terrorism, and would not preclude the priority that should be given to the conclusion of the comprehensive convention.

2005: The ninth session of the Ad Hoc Committee on Terrorism convened in New York from 28 March to 1 April. Delegates consulted on suggestions made in two recent reports: the report of the High-Level Panel on Threats, Challenges and Change entitled "A more secure world: our shared responsibility," as well as a report issued by the secretary-general on 21 March 2005 entitled "In larger freedom: towards development, security and human rights for all". Delegates noted that the committee had made substantial progress on a definition of terrorism; there was near consensus on what elements should be included under criminal offenses. It was stressed that the convention would be a criminal law instrument, designed to facilitate judicial cooperation, mutual assistance, and extradition. Article 18 of the draft remained a major point of difference. Delegates did not reach a consensus on whether the activities of "armed forces" proper—being governed by international humanitarian law—should be exempted from the scope of application of the convention, and whether the exemption should extend to armed resistance groups involved in struggles against colonial domination and foreign occupation. Further disagreement concerned activities of a state's military forces and the possibility of circumstances in which official actions could be considered acts of terrorism. The secretary-general called on the Ad Hoc Committee to conclude negotiations on the comprehensive convention by the 60th session of the General Assembly.

On 5 October, the coordinator of the Working Group of the Sixth Committee held informal consultations with delegates. The consultations focused primarily on article 18 of the draft convention, although comments were also made on articles 2 and 2 bis. The basic reference texts for article 18 were text circulated by the former coordinator as well as the text proposed by member states of the Organization of the Islamic Conference. No consensus on article 18 was reached in this session.

At the close of the 60th session, the General Assembly adopted a resolution on measures against international terrorism based on the report of the Sixth Committee. The report was an updated version of the previous year's resolution, with the addition of new elements such as the mention of the adoption and opening for signature of the International Convention for the Suppression of Acts of Nuclear Terrorism; the request to the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to enhance the Organization's capabilities in preventing terrorism; the Secretariat's publication of a volume on *National Laws and Regulations on the Prevention and Suppression of International Terrorism*; the request to the secretary-general to submit proposals to strengthen United Nations capacity to assist states in combating terrorism; and a note on the progress of the draft comprehensive convention on international terrorism. The report also contained a resolution calling on the Ad Hoc Committee to reconvene in February 2006, to resume its elaboration of the draft comprehensive convention against international terrorism and to notify the assembly at its current session on completion of a finalized text. Further, the committee was to continue deliberating the convening of a high-level conference under United Nations auspices, to formulate a joint organized response on all aspects of terrorism.

2004: The eighth session of the Ad Hoc Committee on Terrorism convened at the United Nations Headquarters in New York from 28 June to 2 July with Rohan Perera of Sri Lanka serving as chairman. It was observed that negotiations on the draft comprehensive convention were almost complete, and delegates were urged to show flexibility and compromise to expedite the resolution of outstanding issues, particularly in relation to articles 2 bis and 18. Delegates emphasized that the comprehensive convention should be regarded as a law enforcement instrument that would strengthen and complement the existing legal framework, thereby constituting an important tool in the fight against terrorism. At the close of the session, the Ad Hoc Committee recommended that the Sixth Committee consider establishing a working group to continue elaboration of a draft comprehensive convention on international terrorism as well as a draft international convention for the suppression of acts of nuclear terrorism, while also keeping on its agenda the convening of a high-level UN conference on the global response to terrorism.

2003: The Ad Hoc Committee met for its seventh session from 31 March to 2 April under the continued chairmanship of Rohan Perera. Committee members reiterated their hopes that a consensus could be reached

on the text of the draft comprehensive Convention on international terrorism and recognized that a successful conclusion to negotiations would provide a strong signal of the international community's unity in fighting terrorism. Towards this end, delegates urged one another to make compromises regarding sections of the draft still under debate in the Preamble and in Articles 1, 2, 2 bis, and 18.

Specific issues addressed included the need for a clear definition of terrorism as distinct from legitimate struggles against foreign occupation, the importance of addressing the root causes of terrorism, and the Convention's attention to State as well as other forms of terrorism. Furthermore, some delegations noted that, while a conclusion to the Convention was favorable, making too many concessions could compromise its "essential grounds" and thus render it less effective.

Several additional concerns were expressed during a series of consultations between the draft Convention coordinator and various delegates on 31 March and 1 April. During these bilateral meetings, States again stressed their commitment to concluding negotiations on the draft Convention, and some noted that reaching an agreement on the draft would complement the work of the Security Council Counter-Terrorism Committee established under resolution 1373. Others, however, expressed the belief that a convention with an unsatisfactory definition of terrorism would not be worthwhile.

The majority of discussion during the consultations focused on Articles 18 and 2 bis of the draft Convention. Delegates disagreed on which version of Article 18 they preferred. Some favored the text prepared by the coordinator following the October 2001 session of the working group, which in its second paragraph stated that "the activities of the armed forces during an armed conflict" that are governed by international law would not be governed by the Convention. Others supported an alternative text (proposed during a prior session) by the Member States of the Organization of the Islamic Conference, which did not refer to the "armed forces" but instead stated that "the activities of the parties during an armed conflict, including in situations of foreign occupation" that are governed by international law would not be governed by the Convention. Regarding the former text, some noted that the reference to "armed forces" was unnecessarily narrow in scope; to the contrary, others contended that the latter's reference to activities of "the parties" was too broad and might actually serve to sanction some forms of terrorism.

Delegates also discussed concerns over the technical nature of Article 2 bis, recognizing that it, too, had implications regarding the Convention's scope of application. Some noted that, if interpreted literally, it would be very restrictive and incompatible with the Vienna Convention on the Law of Treaties. It was argued that the draft Convention was intended only to fill in gaps of the existing legal anti-terrorism regime, and that it should be applicable in parallel with the existing sectoral conventions. States discussed the possibility of improving the language of the article to elaborate and make clear this question of when sectoral conventions would and would not apply. Delegates who were more satisfied with the current wording suggested that initiating any changes to it would be detrimental, and many added that their position regarding the wording of Article 2 bis was dependent on Article 18.

Article 2 was also discussed, and delegates mainly concurred that it offered an acceptable definition of terrorist acts and did not require revision. However, one party suggested that sections (b) and (c) of paragraph 1 be combined and that that reference to serious environmental damage be removed. Previous proposals on the article were awaiting the conclusion of Article 18 negotiations.

Finally, regarding the Preamble to the draft Convention, some expressed their belief that it was sufficient, while others again stressed the need to address the underlying causes of terrorism, as was done in the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.

In concluding their session, the Ad Hoc Committee recommended that the Sixth Committee establish a working group to further elaborate the draft comprehensive Convention, and that it consider convening a high-level UN conference to address international terrorism.

On 6 October, the Sixth Committee met and established a working group to be chaired by Rohan Perera and open to all Member States of the UN, the IAEA, and the specialized agencies. This working group met from 6-10 October, with Carlos Fernando Diaz Paniagua serving as coordinator for the draft comprehensive Convention. The Chairman encouraged the delegates to focus on resolution, not repetition. Both informal multilateral and bilateral consultations convened.

In a report on the results of informal consultations, the Coordinator stated, "although there was no major breakthrough, the consultations proceeded quite smoothly and in a constructive spirit." The focus of discussion during the session was again on draft Articles 18 and 2 bis. Views on Article 18 remained "divergent," as delegates continued to differ on which version of the text they favored. Concerns continued to focus on its second and third paragraphs; delegates disagreed over whether the Convention's scope should encompass cases of foreign occupation, and many supported the Coordinator's version of the text, noting that it contained more precise terms. Regarding paragraph three, some delegates stated that the text should be understood in the

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context of the whole draft article, and that the coordinator's text should be "perceived as a choice of law provision rather than a provision that sanctioned impunity for the military forces of a State." Others, supporting the OIC proposal, noted that activities of States' military forces should be carried out in accordance with international law, and that it was in fact acceptable for military activities not governed by international humanitarian law to be covered by the Convention.

On the subject of Article 2 bis, many noted that it was highly dependent on the outcome of Article 18 negotiations. Some delegates contended that the article was redundant, while others thought it was necessary to clarify the relationship between the draft Convention and other conventions. In addition, Guatemala submitted a proposal for the inclusion of a new Article 2 ter in the draft Convention that would specify the correct application of the draft Convention and of sectoral conventions in situations in which the involved States were not parties to the same Convention. Some delegates responded to the proposal by pointing out that its text was complicated, that it seemed an unnecessary provision, and that it required more time for review. Lastly, another topic addressed during the bilateral consultations was a possible merging of paragraphs in Article 1 or, as an alternative, the deletion of a reference to environmental damage contained in the article.

The Working Group decided to recommend that the Sixth Committee continue to work on finalizing the text of the Convention. Furthermore, in a resolution issued on 9 December, the UN General Assembly stated that the Ad Hoc Committee would continue to elaborate the draft comprehensive Convention at a meeting from 28 June – 2 July 2004.

2002: During the February session of the Ad Hoc Committee, delegations made rapid progress in negotiating the majority of the 27 articles of the draft Comprehensive Convention on International Terrorism and narrowed its focus to three particularly difficult articles, which constitute the traditional controversial issues at the UN—namely, the definition of terrorism and its relation to liberation movements, and possible exemptions for the activities of armed forces. The Committee discussed the report of its last session, which contains a summary of the Committee's work and organizational matters, as well as an annex detailing the amendments to the draft Convention and other proposals submitted by delegations throughout the session. It also reviewed the full report of the Working Group on measures to eliminate terrorism, which covers the Group's activities over the five meetings held in 2001.

The Committee began its work by adopting its program of work and decided to proceed with discussions in informal consultations. The informal consultations commenced with discussion on Article 18 of the Comprehensive Convention and were followed by consideration of the Preamble and Article 1 on a definition of phrases in the draft Convention.

Regarding the issue of convening a high-level conference, under the auspices of the UN, to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, the delegation of Egypt informed the Ad Hoc Committee that bilateral consultations were being conducted on that issue, the results of which would be reported to the Chairman of the Committee in the meantime.

The Committee recommended establishing a Working Group to continue work on the elaboration of a Comprehensive Convention, and to allocate appropriate time for the continued consideration of the outstanding issues on the nuclear terrorism Convention.

On 7 October, at its 11th meeting, the Sixth Committee established a Working Group and elected Mr. Rohan Perera (Sri Lanka) as its Chairman. At the same meeting, the Committee decided to open the Working Group to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency.

The Working Group held two meetings in October 2002. At its first meeting on 15 October, the Working Group decided to proceed with discussions in informal consultations, which were held in two stages: the first focused on the draft Comprehensive Convention, and the second on the outstanding issues pertaining to the draft International Convention for the Suppression of Acts of Nuclear Terrorism. At the second meeting, on 16 October, the Coordinator of the informal consultations presented an oral report on the results of discussions on both draft Conventions. The Working Group decided to recommend to the Sixth Committee that work should continue with the aim of finalizing the text of a draft Comprehensive Convention on International Terrorism and the text of a draft International Convention for the Suppression of Acts of Nuclear Terrorism, building upon the work accomplished during the meetings of the Working Group.

2001: During the meeting of the Ad Hoc Committee in February, delegations discussed a revised discussion paper prepared by the Committee's Bureau and the revised draft Convention submitted by India. The States were unable to bridge differences on the matter of a high-level conference on international terrorism. While some delegations favored the soonest convening of such a conference and expressed readiness to contribute to its preparation, others expressed preference for convening the conference after the adoption of the draft Comprehensive Convention in order to use this conference to promote its universal acceptance and implementation, together with sectoral conventions in this area.

The main debate in the Ad Hoc Committee focused on the draft Comprehensive Convention. The delegations generally noted that the revised text submitted by the sponsor delegation (India) was a good basis for discussions, although the same outstanding issues remained, namely the scope of the draft Comprehensive Convention, definitions, and its relationship to other international conventions on terrorism.

Regarding the issue of definitions, some States noted that the approach that defines the conduct of a terrorist had been successfully employed in the sectoral anti-terrorism conventions. Some delegations stressed that the definition of terrorism must clearly distinguish terrorist acts from the legitimate struggle in the exercise of the right to self-determination and independence of all peoples under foreign occupation. Other delegations made the point that the legal definition of terrorism should be centered on the usual purpose of terrorism, which is to produce fear in the population or to force a Government or an international organization to take or refrain from taking some action. The view was expressed that the definition of terrorism should extend to an attempt to commit terrorist acts and that terrorist acts should not be differentiated on the basis of their scale or damage.

Some delegations believed that the definition of terrorism must necessarily cover acts of State-sponsored terrorism as well as acts of State terrorism. Others, while acknowledging that acts of State-sponsored terrorism could fall under the draft Comprehensive Convention, acts of State terrorism, i.e., acts conducted by States, fell under different legal norms, namely the UN Charter.

On the issue of scope, the delegations discussed the proposal, in which the legitimate struggle against foreign occupation, aggression, colonialism, and hegemony aimed at liberation, self-determination, and independence in accordance with international law should not be considered a terrorist crime. Proponents of this proposal (Arab countries, and other members of the Non-aligned Movement) argued that this provision should be included in the draft text, inter alia, in order to balance it since the revised draft text included a provision concerning the exclusion of activities of the armed forces from the scope of the draft Comprehensive Convention. Opponents of the proposal stated that while recognizing the aforementioned as a right, they objected to the notion that such a right could be exercised by whatever means, including terrorist acts, and that it would violate provisions of certain existing international conventions, namely Protocol I to the 1949 Geneva Conventions, Article 51 of which prohibits attacks on civilian populations.

As for the relationship of the draft Comprehensive Convention with the existing sectoral conventions on international terrorism, some delegations underscored the importance of preserving sectoral conventions on specific forms of terrorism and the need for a comprehensive convention to be elaborated on the basis of a holistic and comprehensive approach in terms of its content and scope. Other delegations argued that the draft Comprehensive Convention should avoid creating legal overlaps with the existing body of anti-terrorism conventions and should represent an added value to the sectoral conventions by increasing their efficiency.

Two views were expressed: (1) the "last in time" rule should be applied and, therefore, the Comprehensive Convention would supersede previous conventions to the extent that it would overlap in substance with those conventions; (2) the existing sectoral conventions would be viewed as lex specialis and would therefore remain applicable in cases where the acts in question fell within their respective purviews. The second approach prevailed in the Committee, although there was a certain degree of dissent. Those who disagreed noted that having the same acts covered by the comprehensive and respective sectoral conventions would create a disincentive for States to ratify the sectoral treaties and it would be prudent to retain primacy of the sectoral conventions. They also argued that it would not be acceptable for a Comprehensive Convention to retroactively amend sectoral conventions, as such amendments would result in inconsistencies with existing national legislation.

The events of 11 September in the United States galvanized debate on international terrorism in the UN with the hope of capitalizing on the groundswell of international solidarity emanating from recent crises to strengthen dialogue against international terrorism. On 12 September, the UNSC adopted Resolution 1368, in which it condemned the terrorist attacks against the United States, called on the international community to redouble its efforts to prevent and suppress terrorist acts by increased cooperation and full implementation of relevant international anti-terrorist conventions and Security Council resolutions, and expressed readiness to take all necessary steps to combat terrorism in all forms.

On 19 September, the UNSC called on the international community to unite in the fight against terrorism and expressed hope that the UN would be able to adopt another anti-terrorism convention in the near future.

On 28 September, the UNSC adopted Resolution 1373, which provided that States should prevent and suppress the financing of terrorism, as well as criminalize the willful provision or collection of funds for such acts, prohibit their nationals or persons or entities in their territories from making funds, financial assets, economic resources, financial or other related services available to persons who commit or attempt to commit, facilitate, or participate in the commission of terrorist acts, refrain from providing any form of support to entities or persons involved in terrorist acts; take the necessary steps to prevent the commission of terrorist acts; deny safe haven to those who finance, plan, support, or commit terrorist

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acts and provide safe havens; ensure that anyone who has participated in the financing, planning, preparation, or perpetration of terrorist acts or in supporting terrorist acts is brought to justice; and ensure that terrorist acts are established as serious criminal offenses in domestic laws and regulations and that the seriousness of such acts is duly reflected in sentences served.

It also called on States to intensify and accelerate the exchange of information regarding terrorist actions or movements, cooperate to prevent and suppress terrorist acts and to take action against the perpetrators of such acts, become parties to, and fully implement as soon as possible, the relevant international conventions and protocols to combat terrorism, and enhance the coordination of national, subregional, regional, and international efforts to strengthen a global response to that threat to international security. On adopting the text of the Resolution, the UNSC invoked Chapter VII of the UN Charter, which allows for the use of force. The UNSC provided for the establishment of a committee "to work on implementing the resolution's binding provisions." The UK ambassador to the UN was appointed Chairman of the Committee, with three vice-chairmen representing Colombia, Mauritius, and the Russian Federation.

On 1 October, the UN opened a debate on measures to eliminate international terrorism. Numerous participants advocated adherence to existing UN anti-terrorism treaties as well as the elaboration of new legal instruments. Some delegations reiterated a proposal to convene an international conference on terrorism, emphasizing that this would be a great contribution to combating the scourge and calling on the UNGA to adopt a resolution setting in motion preparations for the event.

The delegations once again raised the question of the definition of terrorism. The Arab Group, Organization of Islamic Conference, Malaysia, Iran, and others reiterated that there should be a distinction between acts of terrorism and the legitimate struggle for self-determination, liberation, and independence. Others called for the comprehensive eradication of terrorism, "without compromise" and justification whatsoever. Pakistan noted that in order to defeat terrorism, countries should address its root causes, such as poverty, illiteracy, inequality, and injustice. As for State terrorism, some delegations, such as Iraq, called for the inclusion of this question in the comprehensive anti-terrorism instrument.

Some delegations said the situation was favorable for bridging the differences and inspired real hope that multilateral efforts to up-root the terrible growth of terrorism can make significant progress. Other delegations emphasized the need to examine all aspects of the problem, and cautioned against "looking at the trees where a forest existed," with priority to be given to achieving a comprehensive solution to the problem. A number of delegations favored strengthening the existing instruments.

The UNSC, as well as numerous delegations, urged States to forge agreement on a Comprehensive Convention against international terrorism that would provide for the level of cooperation and coordination recognized as essential for effective action by Member States to combat terrorism.

The debates demonstrated that although the need to combat international terrorism was recognized by all States, the usual problems and disagreements remained. Closing the five-day debate in the UNGA on measures to eliminate international terrorism, the UNGA President urged Member States to accelerate the work of the UNGA with a view to early conclusion of the pending conventions on international terrorism in order to enhance the capacity of the international community to combat terrorism and requested the UN Sixth Committee to expedite its work and submit its report to the General Assembly as early as possible, preferably by 15 November.

The Sixth Committee's Working Group meeting took place from 15-26 October, where delegates reached agreement on most of the articles. During this period, the Working Group held five meetings and continued its work on the elaboration of a draft comprehensive Convention on international terrorism on the basis of the text submitted by India. Through these meetings, the Working Group considered draft articles and those articles were subsequently reviewed in informal consultations. Following the informal consultations and written proposals by delegations, the Chairman of the Working Group prepared the texts for the revised articles. While the final text of the draft international Convention has been extensively debated, the question of the scope of its application remained to be resolved again. The Chairman of the Working Group, in that regard, called upon the delegations to bring the negotiation of the instrument to a successful conclusion at the current session of the Working Group.

At its first meeting, the Chairman of the Working group appointed Mr. Richard Rowe from Australia as the new coordinator for the draft Convention. The Chairman also brought the issue of convening a high-level conference under the auspices of the UN on measures to eliminate international terrorism to the attention of the delegations. At its fifth meeting held on 26 October, the report of the Working Group was considered and adopted by the Working group.

2000: During the February session of the Ad Hoc Committee, delegations generally spoke in favor of a sectoral approach in the work of the Committee, i.e., a step-by-step approach in adopting conventions concerning the specific types of terrorist acts and related activities,

although they noted that the work of the Committee would be incomplete without addressing the question of a Comprehensive Convention on international terrorism. India announced that it revised the text of the draft Convention (A/C.6/55/1) and circulated it among the delegations for comments. Some support was expressed for the elaboration of a Comprehensive Convention that should focus on subject matters that had not been addressed by the previous conventions.

Delegations highlighted the importance of international cooperation in combating international terrorism and noted that such cooperation should be based upon international law and the UN Charter and should focus on concrete, effective, and practical measures.

Some delegations expressed support for a high-level conference on terrorism to formulate a joint organized response of the international community to international terrorism in all its forms and manifestations. The delegations proposed that such a conference should serve to facilitate consensus among States on measures to combat terrorism, elaborate a legal definition of terrorism, focus on concrete measures to strengthen the existing framework of international cooperation, provide an opportunity to fill in any existing gaps in the legal framework in combating terrorism, enhance the implementation of relevant international instruments, and promote cooperation among the law enforcement authorities. Others said such a conference would just be an exercise in rhetoric and distract States from conducting practical work.

At the September-October meetings of the Sixth Committee's Working Group, and the November meeting of the UN Sixth Committee the States continued the discussion over a high-level conference on international terrorism and a Comprehensive Convention to combat international terrorism. Most of the delegations supported the idea of convening such a conference, but in order for it to be successful, the objectives and modalities of the conference should be carefully delineated. It was concluded that further consultations were required on the question of the conference. On the issue of the draft Convention, India introduced its revised text of the proposed draft Convention, on the basis of which the Working Group commenced it deliberations, both in formal and informal formats. Based on the discussions, India revised the text once again.

A number of delegations drew the Committee's attention to specific instances of State-sponsored terrorism. Several speakers also noted that globalization had given rise to new forms of terrorism, such as cyber-terrorism. States were urged to refrain from granting asylum to terrorists and not to allow their territories to be used as safe havens for terrorists. It was also underscored that measures aimed at combating terrorism should be conducted in conformity with the principles of the Charter of the United Nations and relevant norms and rules of international law, in particular international human rights and humanitarian law.

States expressed general support for the continuation of elaboration of the draft Convention. However, as during the previous meetings, there were problems that prevented the delegations from achieving consensus, namely problems related to the scope and definition of offenses, the relationship of the draft Convention with the existing conventions and the need for, and the content of, the annexes to the draft Convention. Some delegations stressed that the future Convention should complement and complete existing counter-terrorism conventions, primarily by filling gaps, rather than replacing, duplicating, or undercutting them. Others were of the view that the instrument should be comprehensive in scope, containing a definition of terrorism, making a clear distinction between terrorist acts and the legitimate struggle of peoples for national liberation from colonial and other forms of alien domination and foreign occupation, as well as covering all aspects of the problem of terrorism, including State terrorism and the activities of armed forces. However, there were concerns that such an approach was contrary to international law and existing UN resolutions. It was further suggested that the proposed draft Convention should cover terrorist attacks against private as well as public facilities.

In its Resolution 55/158 of 12 December, the UNGA extended the mandate of the Ad Hoc Group to elaborate a Comprehensive Convention on international terrorism in 2001 and authorize it to keep on the Committee's agenda the question of convening a high-level conference under the UN auspices to formulate a joint organized response to international terrorism in all its forms and manifestations. The language of the resolution suggested that the consideration of the draft comprehensive Convention should be prioritized over the resolution of outstanding differences over the draft Convention for the Suppression of Acts of Nuclear Terrorism.

1999: In June, the participants of the first Summit of the Heads of State and Government of Latin America and the Caribbean and the European Union, held in Rio de Janeiro, adopted a set of Priorities for Action, among which they committed themselves to intensify international cooperation to combat terrorism, based on the principles established in the UN framework, to advance the signing and ratification of the UN conventions and protocols, and to strengthen the international legal framework on the subject, supporting the elaboration of instruments to fight terrorism.

In July, the Heads of State and Government of the Member States of the Organization of African Unity adopted the Algiers Declaration, which called for effective and efficient international cooperation to combat terrorism through a speedy conclusion of a Global

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International Convention for the Prevention and Control of Terrorism in all its forms and the convening of an International Summit Conference under the auspices of the UN to consider this phenomenon and the means to combat it.

In October, the Foreign Ministers of the Commonwealth of Independent States (CIS) issued a statement, which called for "compliance with international conventions against terrorism and the continuation of work to strengthen the international legal system for combating terrorism."

In October, UNSC Resolution 1269 called upon all States, inter alia, to prevent and suppress terrorist acts; prevent and suppress preparation and financing of any acts of terrorism; deny those who plan, finance, or commit terrorist acts safe havens by ensuring their apprehension and prosecution or extradition; and exchange information and cooperate on administrative and judicial matters in order to prevent the commission of terrorist acts.

During the November meetings of the UN Sixth Committee, support was also expressed for the elaboration of a Comprehensive Convention on international terrorism, and for the text prepared by India, which was viewed as an adequate basis for such work. It was proposed by some that the Comprehensive Convention consider the question of a legal definition of terrorism. A point was made, however, that the draft text proposed by India contained many controversial issues and that the necessity and feasibility of elaborating such a convention should be studied carefully. The view was also expressed that the proposed instrument should avoid broad definitional questions and focus rather on its scope. Some speakers reiterated their position regarding the need to distinguish between terrorism and the legitimate struggle by national liberation movements for self-determination and independence, and called for the formulation of a universal legal definition of terrorism. At the same time, it was pointed out that reaching agreement on such a definition was difficult and that the United Nations had been more successful when focusing on treaties that criminalized specific manifestations of terrorism. Support was expressed for the convening of a high level conference in 2000 under the auspices of the United Nations to formulate a joint response to terrorism.

On 9 December, the UNGA adopted Resolution 54/110, entitled "Measures to Eliminate International Terrorism," in which it empowered the Ad Hoc Committee to address means of further developing a comprehensive legal framework of conventions dealing with international terrorism and begin consideration with a view to elaborate a Comprehensive Convention on international terrorism.

1998: India submitted a draft Convention on the Suppression of Terrorism, (A/C.6/51/6) which it circulated among the States during the 1998 Session of the UNGA.

Point of Contact:

Ad Hoc Committee established by Resolution 51/210

http://www.un.org/law/terrorism/

International Convention for the Suppression of Terrorist Bombings

Adopted: 15 December 1997.
Opened for Signature: 12 January 1998.
Entered into Force: 23 May 2001.
Number of Signatories: 58.
Number of Parties: 161
Depositary: UN Secretary-General.

Background: The UN Security Council (UNSC) first addressed the matter of international terrorism in general in January 1992. In 1994, the United Nations General Assembly (UNGA) adopted the Declaration on Measures to Eliminate International Terrorism. In 1996, the UNGA adopted the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, providing for the establishment of an Ad Hoc Committee to elaborate an international convention for the suppression of terrorist bombings, and an international convention for the suppression of acts of nuclear terrorism.

The Ad Hoc Committee, composed of all States, first met in February-March 1997. On 19 November 1997, the UNGA Sixth Committee unanimously adopted the draft Convention for the Suppression of Terrorist Bombing. On 15 December 1997, the Convention was adopted without a vote in UNGA Resolution 52/164.

Obligations: The Convention prohibits any person(s) from intentionally delivering, placing, discharging, or detonating an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system, or an infrastructure facility with the intent to cause death or serious bodily injury, or with the intent to cause extensive destruction of such a place, facility, or system, resulting in or likely to result in major economic loss. Any person(s) who commit or attempt to commit, participate in, have knowledge of, organize or direct others, or contribute to the commission, with the aim of furthering the general criminal activity, shall be either prosecuted or extradited.

Each State Party agrees to adopt necessary measures to establish the aforementioned offenses as criminal under its domestic law, and punishable by appropriate penalties.

When acts are intended to provoke a state of terror in the general public, in a group of persons or particular persons, such acts are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious, or other similar nature.

The Parties commit to cooperate in the prevention of such offenses by prohibiting in their territories illegal activities of persons, groups, and organizations that encourage, instigate, organize, knowingly finance, or engage in the perpetration of such offenses; and by exchanging accurate and verified information. They also commit to research and development regarding methods of detection of explosives, consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, exchange of information on preventive measures, cooperation, and transfer of technology, equipment, and related materials.

Compliance and Enforcement: Parties are required to establish their jurisdiction over such offenses if they are committed in their territory, or on board a vessel flying their flag or aircraft registered under their laws at the time the offense is committed. Parties must also assume jurisdiction if such offenses are committed by their nationals, are committed against their nationals, against their State or government facility abroad, on board an aircraft, which is operated by their government, committed in an attempt to compel that State to do or abstain from doing any act, which is committed by a stateless person residing in its territory, or if the alleged offender is present in its territory and it does not extradite that person to any of the Parties that have established their jurisdiction. States, on whose territory a person is present who has committed or is alleged to have committed such an offense, agree to investigate his or her involvement in the offense and, if appropriate, take such person into custody for the purpose of prosecution or extradition. The Convention provides for the inclusion of such offenses as extraditable offenses, and in case there is no extradition treaty between the Parties, entitles them to consider the Convention as a legal basis for extradition with respect to the offenses covered by the Convention. If a Party does not extradite the person, it is obliged, without exception whatsoever, to prosecute him or her.

The Parties are entitled to refuse to extradite a person or afford legal assistance required under the Convention if they have substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing a person on the grounds of race, religion, nationality, ethnic origin, or political opinion.

The Convention provides for all disputes between the Parties that cannot be settled through negotiation within a reasonable time to be submitted to arbitration, and further to the International Court of Justice.

Reservations and Interpretations: Several countries registered reservations on specific provisions of the Convention. Iran and Pakistan registered their reservations on the paragraph that exempted activities of armed forces during an armed conflict and activities undertaken by military forces of a State in the exercise of their official duties from the Convention's scope of application. These States believed that the Convention in its present form sanctified State terrorism. Jordan, Lebanon, and Libya stated that the Convention should not be interpreted in such a way as to justify illegal acts of States.

Pakistan also stated that the number of required ratifications for entry into force of the Convention – 22 – was not a fair number for an organization of 185 members. Pakistan entered its reservation on the provisions of the Convention requiring extradition of a terrorist regardless of political motives, saying that the Convention did not take into account situations of armed conflicts in which people were fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination.

A group of States, including New Zealand and Liechtenstein, stated that the partial exemption of military forces from the scope of the Convention did not grant them the right to violate international law or other conventions, that members of military forces may still be held individually responsible for their actions, and that exclusion of certain actions of the State did not remove members of military forces from legal jurisdiction to the extent that those activities were governed by other laws.

The Russian Federation stated that the provisions of Article 12 granting a State the right not to extradite an alleged offender if it had substantial grounds to believe that such request for extradition had been made for the purpose of prosecuting or punishing a person on account of race, religion, nationality, ethnic origin, or political opinion contradicted the Convention's basic principle of "prosecute or extradite" and called on the States to adhere to this principle.

Developments:

2002: The Crime Commission encouraged Member States to participate in a symposium on "Combating Terrorism: The Role of the UN," held in Vienna (3-4 June 2002). During the symposium, the chairman of the Counter-Terrorism Committee (CTC) noted the important role of the UN Office in Vienna in providing guidance to States in legislating and implementing anti-terrorism measures. The UN Office on Drugs and Crime (UNODC) was specifically requested by the Counter-Terrorism Committee to provide direct assistance to requesting States.

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The Global Program against Terrorism was launched in October 2002 as a framework for UNODC's operational activities in this field. It works through two technical assistance projects on Strengthening the Legal Regime against Terrorism.

2001: As a response to the terrorist attacks of 11 September 2001, the Security Council adopted Resolution 1373 on 28 September 2001, which declared that: "... acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations …". It called upon Member States to "become parties as soon as possible to the relevant international conventions and protocols" and "to increase cooperation and fully implement the relevant international conventions and protocols." Therefore, all States were bound by this resolution to ratify this convention, which entered into force 23 May of that year.

The Counter-Terrorism Committee of the Security Council (CTC) (established by Resolution 1373) became the UN's leading body to promote collective action against international terrorism. Its mandate is to bring Member States to an acceptable level of compliance with Resolution 1373 and the terrorism-related conventions and protocols.

In 2001, the Commission on Crime Prevention and Criminal Justice elaborated a Plan of Action against Terrorism, as part of the implementation of the Vienna Declaration. UNODC's role in providing technical assistance and advisory services in the counter-terrorism area was further confirmed by the General Assembly and the UN's Economic and Social Council (ECOSOC) in a number of resolutions.

2000: In December, the General Assembly endorsed the Vienna Declaration, adopted by the Tenth Congress on the Prevention of Crime and the Treatment of Offenders, in which Member States undertook to do their "utmost to foster universal adherence to the international instruments concerned with the fight against terrorism."

1998: The Convention opened for signature by all States on 12 January.

1997: On 15 December, the Convention was adopted without a vote in UNGA Resolution 52/164. In this resolution, the UNGA condemned all acts, methods, and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed. It also reiterated that criminal acts intended to provoke a state of terror in the general public, a group of persons, or particular persons for political purposes were unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious, or other nature that might be invoked to justify them. It called upon all States to implement specific measures, including consultations on improving the capability of governments to deal with terrorist attacks, research and development on the detection of explosives and other harmful substances, and measures to counter the financing of terrorists and terrorist organizations and urged them to consider, as a matter of priority, becoming parties to relevant instruments dealing with terrorism and to enact domestic legislation to implement those conventions and protocols.

At the adoption of the Convention, many agreed that although the text could be improved in certain aspects, it was the best possible compromise that could be achieved at that time. Some States expressed disappointment with the limited character of the final text of the Convention and its numerous shortcomings. Different States identified possible ways to further strengthen the international legal anti-terrorism regime that should include:

- consequences of terrorist activities;
- acts of armed forces of a State when those actions violate provisions of the UN Charter or international law of armed conflict;
- agreement on a definition of terrorism and terrorist acts and distinction between terrorism and struggle for independence; and
- measures dealing with WMD terrorism.

On 19 November, the UNGA Sixth Committee approved, without a vote, the draft Convention for the Suppression of Terrorist Bombing and urged all States to become parties to it.[3] It also reaffirmed the mandate of the Ad Hoc Committee, also without a vote, to continue its work on the elaboration of an International Convention for the Suppression of Nuclear Terrorism.

The Ad Hoc Committee, composed of all States, first met in February-March 1997. During the work of the Committee, France, on behalf of the G-7, whose Member States include the United States, France, the United Kingdom, Japan, Canada, Germany, Italy, and the Russian Federation, submitted a Draft Convention that became the basis for the negotiations. In the course of the deliberations, the draft text received wide support from other States, although they proposed a number of amendments.

1996: In its Resolution 51/210 of 17 December, the UNGA adopted the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism. In the declaration, the UNGA reaffirmed that States should take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that asylum-seekers have not participated in terrorist acts. The resolution provided for establishing an Ad Hoc Committee to elaborate an International Convention for

[3] China abstained from action on the draft on the grounds that it did not take into account concerns of many States.

the Suppression of Terrorist Bombings, and an International Convention for the Suppression of Acts of Nuclear Terrorism, to supplement related existing international instruments. The UNGA also decided that the Ad Hoc Committee would at a later stage address means of further developing a comprehensive legal framework of conventions dealing with international terrorism.

In September, the UN Secretary-General prepared a report pursuant to UNGA Resolution 50/53 related to the implementation of the 1994 Declaration, in which he reviewed existing international legal instruments relating to international terrorism and concluded that there was a need to elaborate international treaties or other kinds of instruments in areas or with respect to subjects not covered by existing treaties with the goal of developing a comprehensive legal framework of conventions for dealing with international terrorism. The Secretary-General noted that even though there were 13 global or regional treaties on international terrorism, many of them were not universal and international terrorism was, in many instances, associated with drug trafficking, arms trading, smuggling of modern materials, money laundering, and with groups with extremist ideologies. The proposed measures included treaties covering terrorist bombings, terrorist fund-raising, arms trafficking, money laundering, and preventing the use of WMD by terrorists, and the use of modern information technology for terrorist purposes.

During the June 1996 G-7 summit meeting in Lyon, France, the G-7 leaders proclaimed their commitment to fight terrorism by all legal means and asked other States to help them thwart terrorist acts. They called on all States to join international conventions against terrorism by the year 2000 and to develop an international convention on terrorist bombings. In Paris, a ministerial meeting met to recommend further action. The participants of the meeting adopted a draft International Convention for the Suppression of Terrorist Bombing, proposed by the United States, to be submitted to the UNGA for consideration.

The final communiqué of the meeting of the Damascus Declaration States (Bahrain, Egypt, Kuwait, Qatar, Saudi Arabia, Syria, and the United Arab Emirates) condemned all acts of terrorism, including the 1996 bombing of the Khobar Towers in Saudi Arabia. They condemned attempts to stigmatize legitimate national resistance as terrorism and upheld the inalienable right to resist occupation and aggression.

The leaders of the Non-Aligned Movement (NAM), at their September 1996 Ministerial Meeting, condemned terrorism and any political, diplomatic, moral, or material support for it. The NAM also reaffirmed its principled position under international law on the legitimacy of the struggle of peoples under colonial or alien domination and foreign occupation for national liberation and self-determination, which did not constitute terrorism. NAM leaders asked for the endorsement of the call for the definition of terrorism to differentiate between terrorism and the legitimate struggle of peoples for self-determination and national liberation.

1994: The UNGA adopted the Declaration on Measures to Eliminate International Terrorism, annexed to UNGA Resolution 49/60, in which it declared that terrorist acts were unjustifiable, regardless of their political, philosophical, ideological, racial, ethnic, religious, or any other considerations meant to justify them. It required Member States to refrain from organizing, instigating, assisting, or participating in terrorist acts in territories of other States or acquiescing in or encouraging activities within their territories directed towards the commission of such acts. It also obligated Member States to refrain from organizing, instigating, facilitating, financing, encouraging, or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories were not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens. The declaration encouraged Member States to urgently review the scope of the existing international legal provisions on the prevention, repression, and elimination of terrorism with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter.

1992: In January, in a statement issued on the occasion of the Security Council Summit of 31 January, the members of the Council expressed their deep concern over acts of international terrorism and emphasized the need for the international community to deal effectively with all such acts.

Convention for the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents

Opened for Signature: 14 December 1973.

Entered into Force: 20 February 1977.

Duration: The convention does not set any limits on its duration.

Number of Signatories: 25.

Number of Parties: 146.

Depository: United Nations Secretary-General.

Background: On 5 May 1970, the Permanent Representative of the Netherlands addressed a letter expressing concerns to the president of the United Nations Security Council (SC) about the increasing numbers of

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attacks on diplomats in various parts of the world. This letter was transmitted to the president of the International Court of Justice (ICJ) and the chair of the International Law Commission (ILC). The reply from the ILC chair drew attention to previous occasions on which the commission had taken up such questions, namely in connection with its draft articles on diplomatic intercourse and immunities that formed the basis of the 1961 Vienna Convention on Diplomatic Relations, and its draft articles on special missions which were the basis for the 1969 Convention on Special Missions. The chair noted that the ILC had the matter under consideration once again.

In 1971, the commission set up a working group to prepare a set of draft articles. The working group submitted three reports containing draft articles applying to crimes committed against diplomatic agents and other persons entitled to special protection under international law. In November 1972, the Sixth Committee of the UN General Assembly (UNGA) considered these articles and, in Resolution 2926, invited states, specialized agencies, and interested inter-governmental organizations to submit their written comments concerning the prevention and punishment of crimes against diplomatic agents and other protected persons.

On 14 December 1973, the UNGA adopted Resolution 3166 by consensus, thereby adopting the Convention on the Prevention of Crimes against Internationally Protected Persons, including diplomatic agents. The UNGA adopted the convention through the adoption of this resolution, rather than adopting the convention itself. In addition, there was a stipulation that the resolution would always be published and simultaneously voted on together with the convention.

Obligations: This convention defines an internationally protected person as a Head of State, a Head of Government or a Minister of Foreign Affairs, and accompanying family members—whenever in a foreign state. Also included are any representatives or officials of a state or international organization of an inter-governmental character who is entitled to special protection under international law.

States Parties are obligated to consider a number of offenses against internationally protected persons as crimes under their internal laws. These offenses are murder, kidnapping, or other attack on the person or his liberty; a violent attack on the official premises, private accommodation, or the means of transport; a threat to commit such attacks; an attempt to commit an attack; or participation as an accomplice to such an attack.

Compliance and Enforcement: States are called on to make these crimes punishable by appropriate penalties in light of their grave nature.

The jurisdiction of a State Party may be established when the crime is committed in the territory of that state or on board a ship or aircraft registered in that state; the alleged offender is a national of that state; the crime is committed against an internationally protected person representing that state; or where the alleged offender is present in its territory and it does not extradite him.

When such crimes are not listed as extraditable offenses in any extradition treaty existing between States Parties, they shall be deemed to be included as such. In addition, States Parties shall undertake to include those crimes as extraditable offenses in every future extradition treaty to be concluded between them.

States are further requested to afford one another the greatest measure of assistance in connection to criminal proceedings and to cooperate to prevent such offenses from occurring.

The provisions of this convention shall not affect the application of the Treaties on Asylum, in force at the date of the adoption of this convention; but a State Party may not invoke those treaties with respect to a State Party that is not a party to those treaties.

Reservations or Withdrawals: Under Article 13 paragraph 1, disputes between two or more states concerning the interpretation or application of the convention will be submitted to arbitration at the request of one of the states if the matter cannot be settled through negotiation. However, at the time of signing, ratification or accession, a state may make a reservation that it does not consider itself bound by this paragraph, in which case other States Parties shall not be bound to it with respect to any State Party that has made such a declaration.

In addition, States Parties may denounce this convention by written notification to the Secretary-General of the United Nations. In such a case, denunciation will take effect six months following the date on which notification is received.

Several States Parties, including Cuba, Algeria, Argentina, Belarus, Peru, Korea, Congo (DRC), Ecuador, El Salvador, Ghana, India, Iraq, Israel, Jamaica, Jordan, Kuwait, Malawi, Mongolia, Pakistan, Romania, Russia, Saint Vincent and the Grenadines, Syria, Trinidad and Tobago, Tunisia, Ukraine, and Yemen, have made reservations pursuant to Article 13.

Kuwait, Iraq, Syria, and Yemen made reservations against recognizing or entering into a treaty with Israel.

Iraq also submitted a reservation that representatives of the national liberation movements recognized by the League of Arab States or the Organization of African Unity shall also be considered internationally protected persons. This reservation met with objections from Germany, Israel, Italy, and the United Kingdom.

In regard to the provisions on extradition, Portugal submitted a reservation that it does not extradite anyone

for crimes subject to the death penalty or life imprisonment under the law of the requesting state, nor does it extradite anyone for violations that carry security measures for life. Also in this connection, Finland reserved the right to apply the provision of Article 8, paragraph 3 in such a way that extradition shall be restricted to offenses that under Finnish Law are punishable by a penalty more severe than imprisonment for one year, and provided also that other conditions in the Finnish legislation for extradition are fulfilled.

Developments:

2004: Since 1988, the Sixth Committee of the General Assembly has biannually adopted the resolution "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives."

2002: At its 57th session, the General Assembly requested the secretary-general to submit to the assembly at its 59th session a report containing (a) information on the state of ratification of, and accessions to, the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives; and (b) a summary of the reports on serious violations involving diplomatic and consular missions and representatives and actions taken against offenders, received from states, as well as of the views of states with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives (resolution 57/15).

1989: On 4 December, the UNGA adopted Resolution 44/29 on measures to prevent international terrorism and to convene a conference under UN auspices to define terrorism. The resolution recalled existing international conventions on terrorism relating to various aspects of the problem and urged the cooperation of states to bring an end to this global trend.

1988: The General Assembly considered the item "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" annually at its 36th to 43rd sessions.

The resolution strongly condemns acts of violence against diplomatic and consular missions and representatives as well as against missions and representatives to international intergovernmental organizations and officials of such organizations. The resolution also urges states to observe and to implement the principles and rules of international law governing diplomatic and consular relations.

1980: At the request of Denmark, Finland, Iceland, Norway, and Sweden, item "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" was included in the agenda of the 35th session of the General Assembly.

International Convention against the Taking of Hostages (Hostages Convention)

Adopted: 17 December 1979.
Opened for Signature: 18 December 1979.
Entered into Force: 3 June 1983.
Duration: The Convention does not set any limits on its duration.
Number of Signatories: 39.
Number of Parties: 164 (as of 19 November, 2006).
Depository: The Secretary-General of the United Nations.

Background: In the 1970s, the numbers of cases in which persons were taken hostage; or deprived of their personal liberty and threatened with death with a view to impelling others to do certain acts against their will had assumed frightening proportions all over the world. Incidents often ended with the deliberate killing of hostages.

By a letter of 28 September 1976, the Federal Republic of Germany asked the United Nations General Assembly (UNGA) to consider at its 1976 session the possibility of drafting and adopting a convention on international action against the taking of hostages.

The UNGA agreed to place the item on its agenda and allocated it to the Sixth (Legal) Committee. On 15 December 1976, on the Committee's recommendation, the UNGA adopted a resolution by which it decided to establish an Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages, to be composed of 35 Member States appointed by the President of the UNGA on the basis of equitable geographical distribution and representing the principal legal systems of the world.

The Ad Hoc Committee held a series of meetings in 1978 and 1979 in Geneva. On 17 December 1979, the General Assembly adopted by consensus Resolution 34/146, thereby adopting the International Convention against the Taking of Hostages, and opened it for signature and ratification or accession. The Convention was opened for signature on 18 December 1979.

As a measure to strengthen this Convention, on 9 December 1988, the General Assembly adopted the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment by Resolution 43/173.

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Obligations: The Convention applies to the offense of direct involvement or complicity in the seizure or detention of, and threat to kill, injure, or continue to detain a hostage, whether actual or attempted, in order to compel a State, an international intergovernmental organization, a person, or a group of persons to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage.

Each State Party is required to make this offense punishable by appropriate penalties. In situations where hostages are held in the territory of a State Party, the State Party is obligated to take all measures it considers appropriate to ease the situation of the hostages and secure their release. After the release of the hostages, States Parties are obligated to facilitate the departure of the hostages. Each State Party is obligated to take such actions as may be necessary to establish jurisdiction over the offense of taking of hostages.

Compliance and Enforcement: States Parties have obligations to establish their jurisdiction over the offenses described, make the offenses punishable by appropriate penalties, take alleged offenders into custody, prosecute or extradite alleged offenders, cooperate in preventive measures, and exchange information and evidence needed in related criminal proceedings. The offenses referred to in the Convention are deemed to be extraditable offenses between States Parties under existing extradition treaties, and under the Convention itself.

This Convention does not apply where the offense is committed within a single State, the hostage and the alleged offender are nationals of that State, and the alleged offender is found in the territory of that State.

Reservation and Withdrawal: Article 16 covers the question of disputes between States Parties arising from the interpretation or application of the Convention. Article 16 paragraph 1 deals with arbitration procedures, and includes the provision that the dispute, if unresolved after a period of time, should be submitted to the International Court of Justice. Paragraph 2 entitles each State, at the time of signature or ratification or accession to this Convention, to declare that it does not consider itself bound by paragraph 1 of this article. Paragraph 1 shall also not be binding on other States Parties, with respect to any State having made such a reservation. Paragraph 3 details that any State Party that has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

In accordance with Article 19, any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. The denunciation shall take effect one year following the date on which the Secretary-General of the United Nations receives notification.

A group of States, including Algeria, Belarus, China, El-Salvador, India, Kenya, Saudi Arabia, Tunisia, Turkey, and Venezuela, declared that they do not consider themselves bound by the provisions of paragraph 1 of Article 16.

Convention on Offenses and Certain Other Acts Committed On Board Aircraft (Tokyo Convention)

Opened for Signature: 14 September 1963.

Entered into Force: 4 December 1969.

Duration: The Convention does not set any limits on its duration.

Number of Signatories: 41.

Number of Parties: 182.

Depository: International Civil Aviation Organization (ICAO).

Background: The International Civil Aviation Organization was established in 1944 by the Chicago Convention to insure the safe and orderly growth of international civil aviation. The ICAO accomplishes this primarily through the development and promulgation of standards and recommended practices (SARPS). The ICAO has also developed a number of international conventions to address specific security concerns.

Although the first hijack attempt on a commercial aircraft occurred in 1931, the first real wave of hijackings began around 1958 when individuals hijacked aircraft as a means to divert them from Cuba to the United States. After 1961, the direction of the hijackings reversed and there was a wave of diversions of aircraft from the United States to Cuba. To prevent aircraft diversions, the Legal Committee of the ICAO met in Rome in 1962 to draft a convention on the subject of crimes committed on board an aircraft in international flight. This draft was submitted to the States of the world for comment and a diplomatic conference was convened in 1963 for final approval.

Provisions: This Convention applies to offenses against penal law and to acts which, whether offenses or not, affect in-flight safety of persons or property or jeopardize the discipline on board civilian aircraft. It covers offenses or acts committed on board any civilian aircraft registered in a State Party, while the aircraft is in flight or on the surface of the high seas or any other area outside the territory of any State. A State Party, other than the State of registration of the aircraft, may not exercise criminal jurisdiction except when the offense has a direct impact on its territory, citizens, or residents; security; flight rules and regulations; or when the exercise of jurisdiction is called for under a multilateral international agreement.

This Convention does not apply in strictly domestic cases and excludes acts or offenses committed in the airspace of the State where the aircraft is registered, unless the point of take-off or intended landing point is outside that State.

Compliance and Enforcement: The Convention authorizes the aircraft commander to impose reasonable measures, including restraint, on any person he or she has reason to believe has committed or is about to commit such an act, when necessary to protect the safety of the aircraft and for related reasons; requires contracting States to take custody of offenders and to return control of the aircraft to the lawful commander.

Reservation and Withdrawal: Article 24 paragraph 1 details the provisions for disputes between Contracting States concerning the interpretation or application of the Convention. Paragraph 2 entitles each State, at the time of signature or ratification, to declare that it does not consider itself bound by paragraph 1. With respect to any State having made such a reservation, paragraph 1 shall also not be binding to other Contracting States. Under Article 25, no other reservations may be made to this Convention.

Reservations have been made by China (which declared null and void the signature and ratification by Taiwan) and by Iraq, Kuwait, Oman, and the United Arab Emirates (which refuse to recognize and will not enter into a treaty relation with Israel).

In accordance with Article 23, any Contracting State may denounce this Convention by notification addressed to the ICAO. The denunciation shall take effect six months after the date of receipt by the ICAO.

Developments:

2004: During the 35th session of the ICAO Assembly, held from 28 September to 8 October, the Council presented proposals for carrying forward the Plan of Action into the 2005-2007 triennium and for updating the Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference

2002: On 20 February, Member States of the ICAO, in response to the 9/11 attacks, endorsed a global strategy for strengthening aviation security worldwide at the two-day high-level Ministerial Conference held at ICAO Headquarters in Montreal. A central element of the strategy is an ICAO "Aviation Security Plan of Action," which included regular, mandatory, systematic, and harmonized audits to enable evaluation of aviation security in place in all 187 Member States of ICAO. Among other elements, the Plan of Action included identification, analysis, and development of an effective global response to new and emerging threats.

2001: The ICAO Assembly met from 25 September-5 October in Montreal, adopting a resolution calling for a full review of international aviation security conventions and of Annex 17. Other measures proposed include special funding for urgent action by the ICAO in the field of aviation security and more stable funding through increases by States of their voluntary contributions to ICAO's aviation security mechanism. The applicability to domestic flights of international security standards contained in Annex 17 and the locking of cockpit doors will be given high priority by ICAO's aviation security (AVSEC) panel.

2000: The Aviation Security Panel of the ICAO conducted a comprehensive review of Annex 17 to adjust its structure and relevancy of Standards and Recommended Practices (SARPS). Draft Amendment 10 was developed based on the Panel's recommendations and will be considered in April 2001. The amendment will include provisions relating to code-sharing, the Standard Airline Security Program Template, preventive measures relating to cargo, pre-employment background checks, development of human factors, management of response to acts of unlawful interference, armed persons on board an aircraft, and penetration of security systems by the new media. To assess the implementation of Annex 17, States will be audited on a voluntary basis.

1998: The Convention on the Marking of Plastic Explosives for the Purpose of Detection entered into force on 21 June.

1997: The ICAO called attention to the still unresolved jurisdictional gap of the Tokyo Convention. Since the aircraft in flight are legally regarded as part of the territory of the State of registration of the aircraft, the State where the aircraft lands will treat offenses committed on board during the flight as committed on foreign territory. In most cases of minor offenses the State where the aircraft lands will not have the jurisdiction to investigate and prosecute since the Convention's provisions for jurisdiction only extends to crimes committed on board aircraft of that State's own nationality.

1988: The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Aviation was agreed upon at the International Conference on Air Law held in Montreal in February. This protocol is designed to supplement the 1971 Montreal Convention to extend the provisions to encompass terrorist acts at airports serving international civil aviation.

1980: Agreement on a revised text of specifications in Annex 17 of the Chicago Convention was presented to the ICAO Council as Amendment 4 to the Annex. This amendment addresses the subject of lease, charter, and interchange of aircraft in international operations with a

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view toward strengthening measures against acts of unlawful interference with civil aviation.

1978-1979: The program of work for the United Nations Legal Committee included the study of the lease, charter, and interchange of aircraft in international operations and problems with respect to the Tokyo Convention. The possible revision of the Convention would consider whether or not it should apply to offenses committed on board aircraft not registered in a contracting State but leased without a crew to a lessee whose principal place of business or permanent residence is in a contracting State.

1976: The ICAO Council tasked a special sub-committee of the Legal Committee with formulating a draft protocol for the amendment of the Tokyo Convention with the aim of solving the problems of the operation of an aircraft registered in one State by an operator belonging to another State.

1974: The ICAO's standards for the screening of passengers and carry-on luggage were established as Annex 17 of the Chicago Convention.

1972: On 8 June, the President of the International Federation of Air Line Pilots' Associations (IFALPA) addressed a telegram to the UN Secretary-General requesting a meeting of the Security Council to determine actions to implement various decisions of the UN and ICAO. Of particular concern were measures against States offering sanctuary and failing to prosecute hijackers and saboteurs.

1971: The ICAO published a security manual to assist States in taking measures to prevent acts of unlawful interference with civil aviation or to minimize the effect in the event of such acts.

1970: The UN Security Council passed Resolution 286 on 9 September calling on States to take all possible legal steps to prevent further hijackings.

The Hague Convention on the Suppression of Unlawful Seizure of Aircraft opened for signature on December 16. This convention required Parties to make hijackings punishable by severe penalties and required Parties that have custody of offenders to either extradite the offender or submit the case for prosecution.

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Website: http://www.undcp.org/

Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention)

Opened for Signature: 16 December 1970.

Entered into Force: 14 October 1971.

Duration: The Convention does not set any limits on its duration.

Number of Signatories: 77.

Number of Parties: 177.

Depository: International Civil Aviation Organization (ICAO).

Background: Despite the negotiation of the 1963 Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft, offenses against aircraft continued to occur with increasing violence. Although measures for restraining and taking custody of offenders were established in the 1963 Tokyo Convention, it did not include guidelines for punishment. The Hague Convention was thus developed to address the issue of the punishment of offenders to deter unlawful acts of seizure or exercise of control of aircraft in flight.

In December 1968, the ICAO Council implemented a request made by the 16th session of ICAO's Assembly and referred legal aspects of the problem of unlawful seizure of aircraft, or hijacking, to the Legal Committee and referred technical and other aspects of the problem to the Air Navigation Commission and the Air Transport Committee.

The ICAO Council created a special committee on 10 April 1969 to consider the studies commissioned in December 1968. In addition, a subcommittee of the Legal Committee met in February and from 23 September-3 October 1969. The subcommittee concluded that the basic objective of studying the problem of hijacking should be to formulate means of deterring acts of unlawful seizure and ensuring the prosecution and punishment of offenders. They discussed matters of jurisdiction, extradition, prosecution, and restoration of control of the aircraft to its lawful commander. The recommendations proposed by the subcommittee were incorporated in a draft convention; the subcommittee's report was circulated among States and international organizations

for their views on the subject, and was submitted to the Legal Committee for consideration at its meeting in early 1970.

At the request of 11 Member States, an extra-ordinary session of the ICAO Assembly was convened in Montreal, Canada from 16-30 June to take actions necessary to prevent unlawful interference with international civil aviation. The Assembly concentrated on three areas: the immediate organization and development of security responsibility and authority for international airports; preventive security measures for use against acts of unlawful seizure of civil aircraft, sabotage, and armed attacks against civil aviation and its facilities; and legal measures in the form of international treaties and national legislation to deal with unlawful interference. As a result of this session, the ICAO took a number of measures in the technical field aimed at reducing the number of acts of unlawful interference in the air and improving security at airports. The extraordinary session also adopted a number of resolutions on the legal aspects of the development of adequate security specifications and practices for application by ICAO States in international civil aviation to protect passengers, aviation personnel, and aircraft.

In two sessions held during the year, the Legal Committee completed work on the draft convention on unlawful seizure of aircraft and began work on the subjects covered by two Council resolutions. The resolutions called for consultation and joint action by States in certain cases related to unlawful seizure of aircraft, and a special clause to be incorporated in bilateral air transport agreements with the objective of providing for the enforcement of international legal obligations relating to unlawful interference with international civil aviation.

Also concerned about the continued threats to security in civil aviation and the scourge of terrorism, the UN Security Council passed Resolution 286 on 9 September 1970. This resolution called on States to take all possible legal steps to prevent further hijackings.

Provisions: Offenders are defined as any person on board a civilian aircraft in flight who unlawfully, by force, threat of force, or any other form of intimidation seizes or exercises control of the aircraft or who attempts such acts. Accomplices are also considered offenders according to this Convention.

The Convention applies, whether the aircraft is engaged in an international or domestic flight, only if the point of take-off or landing, actual or intended, is outside the territory of the State where the aircraft is registered; or if the offense is committed outside of the State of registration.

States Parties may establish jurisdiction in the following cases: when the State is the State of registration of the aircraft; the aircraft lands in the State's territory with the alleged offender still on board; or when the offense is committed against or on board an aircraft leased without crew to a lessee whose primary place of business or permanent residence is in that State. Criminal jurisdiction exercised in accordance with national law is not excluded by this Convention. In addition, States Parties that establish joint air transport operating agencies or international operating agencies shall designate among themselves which State shall exercise jurisdiction for each aircraft.

Compliance and Enforcement: Any State Party in the territory of which the offender or alleged offender is present shall take him into custody or take other measures to ensure his presence. The custody and other measures shall be provided in the law of that State, but may only be continued as long as it is necessary to enable any criminal or extradition proceedings. Such a State must make a preliminary enquiry into the facts and immediately notify the State of registration of the aircraft, the State of nationality of the detained person, and any other interested States as is deemed appropriate. States Parties are required to either extradite the offender or submit the case for prosecution. States Parties are also requested to assist each other in connection with criminal proceedings brought under the Convention. Furthermore, States Parties are called on to make the offense punishable by severe penalties.

When an act or offense has or is about to occur, States Parties should take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft. Any State Party in which the aircraft or its passengers or crews are present should make efforts to facilitate the continuation of the journey of the passengers and crew as soon as practicable and return the aircraft and its cargo to those entitled to its possession.

Reservations and Withdrawal: Under the first paragraph of Article 12, any dispute between two or more States Parties concerning the interpretation or application of this Convention shall be submitted to arbitration at the request of one State if the Parties involved cannot settle the dispute through negotiation within six months. States Parties may, at the time of signature or ratification, declare that they do not consider themselves bound by this provision. Any reservations may also be withdrawn at any time by notification to the Depositary Governments.

Reservations with respect to paragraph 1 of Article 12 have been made by Algeria, Bahrain, Belarus, Brazil, China, Egypt, Guatemala, India, Indonesia, Malawi, Oman, Papua New Guinea, Peru, Poland, Qatar, Romania, Russian Federation, Saudi Arabia, South Africa, Tunisia, Ukraine, and Vietnam. Morocco requested that recourse be made to the International Court of Justice (ICJ) on the basis of unanimous consent of the parties concerned. In

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addition, UAE, Kuwait, and Libya made reservations against the recognition of the State of Israel.

Under Article 14, any State Party may denounce this Convention by written notification to the Depositary Governments. Denunciation shall take effect six months after the date on which the notification is received by the Depositary Governments.

Developments:

2004: During the 35th session of the ICAO Assembly, held from 28 September to 8 October, the Council presented proposals for carrying forward the Plan of Action into the 2005-2007 triennium and for updating the Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference.

2002: Following the 9/11 terrorist attacks the ICAO called on its Member States to take various steps to strengthen the Convention: First, agree to cooperate fully in the investigation, apprehension, and prosecution of all those responsible for these acts of unprecedented savagery. Second, meet at a high level to reach agreement among States on how best to prevent and eradicate acts of terrorism against civil aviation. And, third, develop a detailed action plan to address the new forms of threat to civil aviation.

On 20 February, 2002, Member States of the ICAO endorsed a global strategy for strengthening aviation security worldwide at the two-day, high-level Ministerial Conference held at ICAO Headquarters in Montreal. A central element of the strategy is an ICAO "Aviation Security Plan of Action," which includes regular, mandatory, systematic, and harmonized audits to enable evaluation of aviation security in place in all 187 Member States of ICAO. Among other elements, the Plan of Action included identification, analysis, and development of an effective global response to new and emerging threats.

2001: The ICAO Assembly met from 25 September - 5 October in Montreal, where a resolution was adopted calling for a full review of international aviation security conventions and of Annex 17. Other measures proposed included special funding for urgent action by the ICAO in the field of aviation security and more stable funding through increases by States of their voluntary contributions to ICAO's aviation security mechanism. The applicability to domestic flights of international security standards contained in Annex 17 and the locking of cockpit doors were given high priority by ICAO's aviation security (AVSEC) panel.

2000: The Aviation Security Panel of the ICAO conducted a comprehensive review of Annex 17 to adjust its structure and relevancy of Standards and Recommended Practices (SARPS). Draft Amendment 10 was developed based on the Panel's recommendations and will be considered in April 2001. The amendment included provisions relating to code-sharing; the Standard Airline Security Program Template; preventive measures relating to cargo, pre-employment background checks, development of human factors; and management of responses to acts of unlawful interference, armed persons on board an aircraft, and penetration of security systems by the new media. To assess the implementation of Annex 17, States were to be audited on a voluntary basis.

1988: The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Aviation was agreed upon at the International Conference on Air Law held in Montreal in February. This protocol is designed to supplement the 1971 Montreal Convention to extend the provisions to encompass terrorist acts at airports serving international civil aviation.

1981: Proposals for the amendment of certain specifications in Annex 17 of the Chicago Convention were re-examined by the Committee on Unlawful Interference with International Civil Aviation in light of comments made by States Parties and interested international organizations. The amendment was adopted on 15 June.

1980: Agreement on a revised text of specifications in Annex 17 of the Chicago Convention was presented to the ICAO Council as Amendment 4 to the Annex. This amendment addressed the subject of lease, charter, and interchange of aircraft in international operations with a view toward strengthening measures against acts of unlawful interference with civil aviation.

1974: The ICAO's standards for the screening of passengers and carry-on luggage were established as Annex 17 of the Chicago Convention. This Annex contains primarily administrative guidance to direct States to develop and implement their own security programs. It urges coordination of security procedures among airlines, airports, and other involved parties and encourages States to adopt security clauses in any bilateral arrangements they negotiate with other countries. In addition, it mandated the screening of passengers and baggage.

1972: In December, the Sixth Committee approved a draft convention for the prevention and punishment of international terrorism that established an Ad Hoc Committee on International Terrorism to consider the observations of States and to submit a report to the UNGA in 1973.

On 8 June, the President of the International Federation of Air Line Pilots Associations (IFALPA) addressed a telegram to the UN Secretary-General requesting a meeting of the Security Council to determine actions to implement various decisions of the UN and the ICAO. Of particular concern were measures against States offering

sanctuary to hijackers and saboteurs and failing to prosecute them.

1971: The ICAO also published a security manual designed to assist States in taking measures to prevent acts of unlawful interference with civil aviation, or to minimize their effects.

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Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal Convention)

Opened for Signature: 23 September 1971.

Entered into Force: 26 January 1973.

Duration: The convention does not set any limits on its duration.

Number of Signatories: 60.

Number of Parties: 182.

Depository: International Civil Aviation Organization (ICAO).

Background: At its 18th session, held in Vienna in 1971 from 15 June-8 July, the ICAO Assembly adopted a resolution concerning additional technical measures to be taken for the protection of the security of international civil air transport. In addition, the assembly requested that the ICAO Council and the secretary general of the ICAO ensure that the subject of air transport security be given adequate attention and that suitable items addressing questions of security be included on the agenda of the appropriate meetings of the organization. Due to the ICAO's increasing concerns with meeting the growing threat of violence against international civil aviation, stemming in large part from the 1968 hijacking of an El Al flight, the 1969 hijacking of TWA flight 840, and five airliners hijacked in unison by five separate groups in 1970, it convened a diplomatic conference on air law from 8-23 September in Montreal, Canada. The conference adopted the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.

Also in 1971, the ICAO published a security manual designed to assist states in taking measures to prevent acts of unlawful interference with civil aviation, or to minimize their effects.

In December 1972, the Sixth Committee approved a Draft Convention for the Prevention and Punishment of International Terrorism, which established the Ad Hoc Committee on International Terrorism to consider the observations of states and submit a report to the UN General Assembly (UNGA) in 1973.

In 1981, the ICAO Council adopted Amendment 4 to Annex 17 of the Chicago Convention to introduce the concept of lease, charter, and interchange of aircraft in international operations, and it added a provision on the transportation of persons in custody.

Obligations: This convention defines the following as offenses: unlawfully and intentionally performing an act of violence against a person on board a civilian aircraft in flight if it is likely to endanger the safety of that aircraft; destroying an aircraft in service or causing damage to an aircraft that renders it incapable of flight or is likely to endanger its safety in flight; placing or causing to be placed devices or substances likely to destroy the aircraft, render it incapable of flight, or endanger its safety in flight; destroying or damaging air navigation facilities (only if these facilities are used in international air navigation) or interfering with their operation; and communicating false information that would endanger the safety of an aircraft in flight. In addition, it is also an offense to attempt to commit or to be an accomplice of a person who commits or attempts to commit these offenses.

The convention applies, whether the aircraft is engaged in an international or domestic flight, only if: the point of take-off or landing, actual or intended, is outside the territory of the state where the aircraft is registered; or if the offense is committed outside of the state of registration.

States Parties may establish jurisdiction in cases when the offense takes place in the territory of that state; the state is the state of registration of the aircraft; the aircraft lands in the state's territory with the alleged offender still on board; or when the offense is committed against or on board an aircraft leased without crew to a lessee whose primary place of business or permanent residence is in that state. Criminal jurisdiction exercised in accordance with national law is not excluded by this convention.

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Compliance and Enforcement: The convention requires states to make the offenses punishable by severe penalties, and it lays out guidelines for custody of suspects. States Parties are required to either extradite the offender or submit the case for prosecution. States Parties are also required to assist each other in connection with criminal proceedings brought under the convention.

Reservations and Withdrawal: Under Article 14, paragraph 1, disputes between two or more states concerning the interpretation or application of the convention will be submitted to arbitration at the request of one of the states if the matter cannot be settled through negotiation. However, a state may make a reservation that it does not consider itself bound by this paragraph at the time of signing, ratification, or accession. In such a case, other States Parties shall not be bound to this paragraph with respect to any State Party who has made such a declaration.

Several States Parties, including Afghanistan, Bahrain, Belarus, Brazil, China, Egypt, Ethiopia, France, Guatemala, Indonesia, Malawi, Mongolia, Oman, Papua New Guinea, Peru, Poland, Qatar, Romania, Russia, Saudi Arabia, South Africa, Syria, Tunisia, and Ukraine, made reservations with respect to Article 14 paragraph 1. In addition, Venezuela made reservations regarding Articles 4, 7, and 8 saying that it would consider clearly political motives and the circumstances under which offenses are committed, in refusing to extradite or prosecute an offender, unless financial extortion or injury to a person on board has occurred. Its reservation is based on the desire to protect its sovereignty in upholding the principle of asylum present in its constitution. Italy, the United States and the United Kingdom have objected to Venezuela's reservation.

Developments:

2004: During the 35th session of the ICAO Assembly, held from 28 September to 8 October, several resolutions were adopted that relate to the safety of civil aviation:

A35-7, "Unified strategy to resolve safety-related deficiencies," urges states to share and use critical safety information through regional and sub-regional cooperation.

A35-9, "Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference," urges states who have not done so to accede to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation.

A35-11, "Threat to civil aviation posed by man-portable air defense systems (MANPADS)," calls upon states to cooperate at the international, regional, and sub-regional levels with a view to enhancing and coordinating international efforts aimed at implementing countermeasures carefully chosen with regard to their effectiveness and cost, and to combating the threat posed by MANPADS.

2001-2002: Following the 11 September 2001 terrorist attacks on the United States, the ICAO called on its Member States to take various steps to strengthen the convention: first, agree to cooperate fully in the investigation, apprehension, and prosecution of all those responsible for these acts of unprecedented savagery; second, meet at a high level to reach agreement among states on how best to prevent and eradicate acts of terrorism against civil aviation; and third, develop a detailed action plan to address the new forms of threat to civil aviation.

On 20 February, 2002, Member States of the ICAO endorsed a global strategy for strengthening aviation security worldwide at the two-day, high-level, Ministerial Conference held at ICAO Headquarters in Montreal. A central element of the strategy is an ICAO "Aviation Security Plan of Action," which included regular, mandatory, systematic, and harmonized audits to enable evaluation of aviation security in place in all 187 Member States of ICAO. Among other elements, the Plan of Action included identification, analysis, and development of an effective global response to new and emerging threats.

1992: The Libyan case: Libya called for the implementation of Article 14 of the Montreal Convention in regard to charges by France, the United Kingdom, and the United States that nationals and possibly officials of Libya were involved in the 21 December 1988 bombing of Pan Am flight 103 over Lockerbie, Scotland and the 19 September 1989 crash of UTA flight 772 over Niger. Libya requested that the International Court of Justice (ICJ) declare that Libya had complied fully with all of its obligations under the Montreal Convention. Libya claimed that this convention is the only appropriate one in force between the parties. Furthermore, in observing the convention, Libya believed it was required to establish its own jurisdiction over alleged offenders present in its territory and submit the case to its authorities for prosecution, as there was no extradition treaty between it and the other parties. Libya claimed that the United States and United Kingdom were in breach of this convention by rejecting Libyan efforts to resolve the matter within the framework of international law and by placing pressure on it to surrender the two Libyan nationals for trial.

At the request of the Security Council, the UN Secretary-General endeavored to persuade the Libyan government to comply with resolutions for the purpose of establishing responsibility for the two terrorist acts involving aircraft. The Secretary-General dispatched six UN missions to Libya during this year; however, compliance with the resolutions was not achieved. In 1995, the United Kingdom and the United States filed preliminary

objections to the jurisdiction of the ICJ to entertain the applications of Libya. In 1997, the ICJ heard arguments from the United Kingdom and United States on jurisdiction.

The two Lockerbie suspects went on trial in May 2000 under Scottish law in the Netherlands. One was convicted of murder in January 2001 and sentenced to life imprisonment. The other was acquitted for lack of evidence and freed.

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Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation

Opened for Signature: 24 February 1988.

Entered into Force: 6 August 1989.

Duration: The Protocol does not set any limits on its duration.

Number of Signatories: 69.

Number of Parties: 148.

Depository: International Civil Aviation Organization (ICAO).

Background: The Protocol was designed to broaden the scope of existing measures against security threats to civil aviation by addressing unlawful acts at airports. As called for in 1986 by the ICAO Council, this Protocol was the focus of an International Conference on Air Law held in Montreal in February 1988.

Provisions: The Protocol supplements the Convention for the Suppression of Unlawful Acts Against Civil Aviation. It adds a new paragraph 1*bis,* under which the following acts at airports serving international civil aviation are considered offenses: the unlawful and intentional use of any device, substance, or weapon against a person, against the facilities of an airport or aircraft not in service on the premises of the airport, or the disruption of the services of the airport. Compliance and enforcement are identical to the Convention, in that the Protocol also calls on States Parties to make offenses punishable by severe penalties.

Reservations and Withdrawals: Under Article 8, any Party to this Protocol may denounce it by written notification addressed to the Depositaries. The denunciation shall take effect six months after the date on which the notification is received. The provision of Article 8 details that denunciation of the Protocol does not itself have the effect of denunciation of the Convention; however, denunciation of the Convention by a State Party to the Convention as supplemented by the Protocol will also have the effect of denunciation of the Protocol.

Convention for the Suppression of Unlawful Acts of Violence against the Safety of Maritime Navigation (SUA Convention)

Adopted: 10 March 1988.

Entered into Force: 1March 1992.

Duration: The Convention does not set any limits on its duration.

Number of Parties: 144 (n/i 2005 Protocols)

Depository: International Maritime Organization (IMO).

Background: Concern about unlawful acts that threaten the safety of ships and the security of their passengers and crews grew during the 1980s motivated states to negotiate and subsequently adopt this treaty. This concern stemmed from reports of crews being kidnapped, ships being hijacked, deliberately run aground, or blown up by explosives. Due to these developments, especially the 1985 hijacking of the *Achille Lauro*, the UN General Assembly adopted Resolution 40/61 in 1985, urging States to co-operate in contributing to the elimination of causes underlying terrorism and invited the IMO to study the problem of terrorism aboard or against ships with a view to making recommendations on appropriate measures.

In response to the *Achille Lauro* hijacking, the Governments of Austria, Egypt, and Italy made a proposal in November 1986 that the IMO prepare a convention on the subject of unlawful acts against the safety of maritime navigation.

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To supplement their efforts, the Maritime Safety Committee of the IMO issued a circular (MSC/Circ.443) on measures to prevent unlawful acts against passengers and crews on board ships. According to the circular, governments, port authorities, administrators, ship-owners, shipmasters, and crews should take appropriate measures to prevent unlawful acts that may threaten passengers and crews.

The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation was adopted in Rome in 1988

Provisions: The Convention defines "ship" as any type of vessel whatsoever that is not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or other floating craft. Warships, ships owned or operated by a State when being used as a naval auxiliary or for customs or police purposes, or ships that have been withdrawn from navigation or laid up are not included under the auspices of the Convention.

According to the provisions of the Convention, any person commits an offense if that person unlawfully and intentionally commits, attempts to commit, threatens to commit, or abets the seizure or exercise of control over a ship by force or threat of force or any form of intimidation; or commits any of the following acts if it endangers or is likely to endanger the safe navigation of that ship: an act of violence against a person on board; destroying a ship or damaging a ship or its cargo; placing or causing to be placed on a ship a device or substance likely to destroy the ship or cause damage to the ship or its cargo; destroying or seriously damaging maritime navigational facilities or seriously interfering with their operation; or communicating information he knows to be false. It is also an offense to injure or kill any person in connection with the commission or attempted commission of any of the previous offenses.

The Convention applies if the ship is navigating or is scheduled to navigate into, through, or from waters beyond the outer limit of the territorial sea of a single State, or the lateral limits of its territorial sea with adjacent States. In all other cases, the Convention also applies when the offender or alleged offender is found in the territory of a State Party other than the State in whose waters the offence occurred.

States Parties are required to make the offenses punishable by appropriate penalties that take into account the grave nature of those offenses.

Measures to establish jurisdiction over the offenses shall be taken when the offense is committed against or on board a ship flying the flag of the State at the time the offense is committed; in the territory of that State, including its territorial sea; by a national of that State; by a stateless person whose habitual residence is in that State; in an attempt to compel that State to do or abstain from doing any act; or when a national of that State is seized, threatened, injured, or killed during the commission of the offense.

Compliance and Enforcement: Once jurisdiction has been established, States shall take the offender into custody and immediately make a preliminary inquiry into the facts. States Parties are required to either extradite the offender in custody or submit the case for prosecution. States Parties are also required to assist each other in connection with criminal proceedings brought under the Convention. States Parties are also to cooperate in the prevention of offenses by taking all practicable measures to prevent preparations in their respective territories for the commission of those offenses within or outside their territories and by exchanging information in accordance with their national laws.

Reservations and Withdrawal: Under Article 16 paragraph 1, disputes between two or more States concerning the interpretation or application of the Convention will be submitted to arbitration at the request of one of the States if the matter cannot be settled through negotiation. However, at the time of signing, ratification, or accession, a State may make a reservation that it does not consider itself bound by this paragraph, in which case other States Parties shall not be bound to it with respect to any States Party that has made such a declaration.

Under Article 19, the Convention may be denounced by any State Party at any time after the expiry of one year from the date on which the Convention enters into force for that State. Denunciation shall be made by the deposit of an instrument of denunciation with the Secretary-General and will take effect one year, or such a longer period as may be specified in the instrument of denunciation, after the instrument is received by the Secretary-General.

Amendments: A conference for the purpose of revising or amending this Convention may be convened by the IMO. The Secretary-General shall convene such a conference of the States Parties to this Convention at the request of one-third of the States Parties, or 10 States Parties, whichever is the higher figure. Furthermore, any instrument of ratification, acceptance, approval, or accession deposited after the entry into force of an amendment will apply to the Convention as amended.

Developments:

2007: The 2005 Protocols to the SUA Convention were signed by 18 states. The Protocols were open for signature between 13 February 2006, and 13 February 2007. The signatures are subject to ratification.

2006: The 2005 Protocols opened for signature on February 13, 2006 and will enter into force 90 days after the twelfth country (three countries in the case of the Fixed Platforms Protocol) signs it or deposits an

instrument to that effect. The US signed the protocols on 17th February 2006. The protocols are yet to enter into force.

2005: The Diplomatic Conference on the Revision of the SUA Treaties, held in London from 10 – 14 October 2005, adopted new Protocols to the convention following three years of intensive negotiations. They are the 2005 Protocol to the SUA Convention and the 2005 Protocol to the 1988 SUA Protocol (the 1988 Protocol was related to fixed platforms). The new Protocols will, upon entry into force, provide the first international treaty framework for combating and prosecuting anyone who uses a nonmilitary ship as a weapon or as a means to carry out a terrorist attack, or who transports terrorists or cargo destined to support (WMD) programs by ship.

Most significantly, the 2005 Protocol to the SUA Convention includes in Article 3(bis) a variety of new offences related to the intentional and unlawful carriage, use or operation of biological, chemical and nuclear weapons (BCN weapons) aboard vessels or in the territorial waters of signatory states, with the intention to intimidate or compel a government, population or international organization to carry out or abstain from any act or policy against its wishes. The new offences extend to the use or carriage of radioactive or fissile material knowingly intended to be used in nuclear explosive activity, and to any equipment, materials or software or related technology that significantly contributes to the design, manufacture or delivery of a BCN weapon. The protocol also lists it as an offence to carry aboard persons known to have committed an offence by the SUA Convention, or any of the nine treaties listed in the Annex.

The new protocol further notes that the transportation of nuclear material is not considered an offence if such item or material is transported to or from the territory of, or is otherwise transported under the control of, a State Party to the Treaty on the Non Proliferation of Nuclear Weapons (Subject to conditions).

The new protocol also includes articles addressing boarding procedures. Article 8bis in the 2005 Protocol to the SUA Convention covers co-operation and procedures to be followed if a State Party desires to board a ship flying the flag of a State Party when the requesting Party has reasonable grounds to suspect that the ship or a person on board the ship is, has been, or is about to be involved in, the commission of an offence under the Convention. Additional articles (Art. 11bis) cover the rights of extradition under the treaty.

The 2005 Protocol to the 1988 SUA Protocol applies the same changes as above but in application to fixed platforms as opposed to moving vessels.

2004: During its 88th session, held from 19 to 23 of April, the IMO Legal Committee continued revising the SUA Convention, taking into consideration other conventions and protocols related to terrorism. Most delegations expressed support for the revision and strengthening of the SUA Convention in order to provide a response to the increasing risks posed to maritime navigation by terrorism. Nevertheless, several delegations drew attention to the need to ensure that the prospective SUA Protocols did not jeopardize the principle of freedom of navigation and the right of innocent passage as prescribed in UNCLOS nor the basic principles of international law and the operation of international commercial shipping.

The 89th session will be held from 25 to 29 October. The revision of the SUA Convention remains a central issue in the agenda. The objective is to have a draft text ready for consideration by a diplomatic conference in 2005.

2003: During its 86th and 87th sessions, the IMO Legal Committee continued to work on proposed amendments to the SUA Convention and its Protocol. The amendments would significantly broaden the range of offences included in the convention and make it more relevant to modern conditions.

2002: During its 85th session the IMO Legal Committee held a preliminary exchange of views regarding the text of draft proposed amendments to the 1988 Convention. Four of these new offenses concerned activities taking place on the ship or directed toward the ship that involve a terrorist purpose. One of the new offenses concerned the presence of tools or substances not usually used on a ship but useful in a weapon of mass destruction. Two of the new offenses concerned use of the ship for transport of substances to be used for mass destruction. Delegations expressed the need to carefully consider the proposals and to consider whether there was overlap with existing terrorism conventions. It was recognized that even with an expanded focus, SUA would remain a maritime convention under the competency of IMO, and it was important to ensure that the shipping industry does not become a soft target for terrorist activities.

2001: In November, the IMO Assembly adopted resolution A.924(22) calling for a review of measures and procedures to prevent acts of terrorism that threaten the security of passengers and crews and the safety of ships. The IMO Legal Committee (which consists of all member states of IMO) is in charge of the revision of the SUA Convention and its Protocol.

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Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (SUA Protocol)

Adopted: 10 March 1988.

Entered into Force: 1 March 1992.

Duration: The Protocol does not set any limits on its duration.

Number of Parties: 133

Depository: International Maritime Organization (IMO).

Background: The same concerns about unlawful acts that threaten the safety of ships also apply to fixed platforms. Of particular concern are offshore oil and gas platforms.

Provisions: This Protocol extends the IMO Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, to apply to offenses committed on board or against fixed platforms located on the continental shelf. For the purposes of the Protocol, "fixed platform" means an artificial island, installation, or structure permanently attached to the sea bed for the purpose of exploration or exploitation of resources or for other economic purposes.

The provisions for reservation, withdrawal, amendment, compliance, and enforcement are identical to those of the Convention; however, such instruments in regard to the Protocol are mutually exclusive and do not apply to the Convention and vice versa.

Convention on the Marking of Plastic Explosives for the Purpose of Detection

Opened for Signature: 1 March 1991.

Entered into Force: 21 June 1998.

Duration: The Convention does not set any limits on its duration.

Number of Signatories: 51

Number of Parties: 135

Depository: International Civil Aviation Organization (ICAO).

Background: In December 1988, Pan American flight 103 exploded over Lockerbie, Scotland. To prevent future explosions onboard aircraft, the ICAO Council passed a resolution urging its Member States to expedite current research and development on detection of explosives and on security equipment during its regular session meeting in February 1989.

Also deeply concerned about preventing terrorist bombing of aircraft, the UN Security Council (SC) met on 14 June 1989 to discuss the marking of plastic or sheet explosives for the purpose of detection. On the same day, the SC unanimously adopted Resolution 635 condemning all acts of unlawful interference against the security of civil aviation and calling on Member States to co-operate in devising and implementing measures to prevent all acts of terrorism, including those involving explosives. The SC urged the ICAO to intensify its work to prevent all acts of terrorism against international civil aviation, and in particular its work on devising an international regime for the marking of plastic or sheet explosives for the purpose of detection.

Also in June, the ICAO Council decided to include preparation of a new legal instrument regarding the marking of explosives for detectability as a priority in the general work program of the Legal Committee.

From 9-19 January 1990, the ICAO Sub-Committee for the Preparation of a New Legal Instrument Regarding the Marking of Plastic Explosives for Detectability met in Montreal, Canada and drafted a new international agreement to ensure that plastic explosives were marked with an additive to enhance their detectability.

The ICAO Legal Committee considered this draft during its 27th session, which met from 27 March-12 April. This meeting resulted in a final text of six articles for a draft convention.

From 12 February-1 March 1991, the International Conference on Air Law met in Montreal to consider the draft articles prepared by the ICAO Legal Committee in 1990. The Conference adopted the Convention by consensus and without a vote. By the end of the year, 45 States had signed the Convention and one State had submitted an instrument of approval.

Obligations: This Convention calls on States Parties to take the necessary and effective measures to prohibit and prevent the manufacture of unmarked explosives in their territories, to prevent the movement of such explosives into or out of their territory, to exercise strict control over the possession and transfer of unmarked explosives made or imported prior to the entry into force of the Convention, to ensure that all stocks not held by the military or police are destroyed or consumed, marked, or rendered permanently ineffective within three years of the Convention's entry into force, with respect to a State, and to ensure the timely destruction of any unmarked

explosives manufactured after the entry into force of the Convention for that State.

States Parties agree to mark plastic explosives with a chemical agent that can be detected by commercially available vapor or particle trace detectors and/or canines. There are four such chemical agents identified in the Convention.

Compliance and Enforcement: The Convention establishes an International Explosives Technical Commission composed of members appointed by the Council of the International Civil Aviation Organization (based on nominations of States Parties to the Convention). The parameters for membership allow between 15 and 19 experts with direct experience in matters relating to the manufacture, detection of, or research in explosives. Members will serve three-year renewable terms. Sessions of the Commission shall be convened at least once a year at the ICAO Headquarters or as directed or approved by the ICAO Council.

The Commission is tasked with evaluating technical developments relating to the manufacture, marking, and detection of explosives, reporting findings to the States Parties and international organizations involved, and making recommendations for amendments to the Technical Annex to the Convention.

Under Article 13, States are requested to declare whether they are producer States when depositing their instruments of ratification, acceptance, approval, or accession.

Amendments: The Council, on the recommendation of the Commission, may propose to States Parties amendments to the Technical Annex to the Convention. Within 90 days of the notification of a proposed amendment to the Technical Annex, States Parties may convey comments to the Council. The Commission will consider these views and make a report to the Council. Any proposed amendment that has not been objected to by five or more States Parties will be adopted. The Commission will give further consideration to any amendments objected to by five or more States Parties.

Reservations and Withdrawals: Under Article 11 paragraph 1, disputes between two or more States concerning the interpretation or application of the Convention will be submitted to arbitration at the request of one of the States if the matter cannot be settled through negotiation. However, at the time of signing, ratification, or accession, a State may make a reservation that it does not consider itself bound by this paragraph, in which case other States Parties shall not be bound to it with respect to any State Party that has made such a declaration.

In addition, States Parties may denounce this Convention by written notification to the Depository. In such a case, denunciation will take effect 180 days following the date on which notification is received.

Several States including Algeria, Brazil, Honduras, India, Peru, Turkey, and Saudi Arabia, have made reservations with respect to Article 11.

States that have declared their status as producer States under Article 13 include Argentina, Austria, Bulgaria, Canada, Czech Republic, France, Germany, Greece, India, Japan, Norway, Slovakia, Spain, Switzerland, United Kingdom, and the United States.

Developments:

2007: The 36th session of the ICAO Assembly was as held 18-28 September.

2004: During the 35th session of the ICAO Assembly, held from 28 September to 8 October, the Council presented proposals for carrying forward the Plan of Action into the 2005-2007 triennium and for updating the *Consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference.*

2002: The ICAO approved the International Explosives Technical Commission's (IETC) recommendation to amend the Technical Annex to the Convention on the Marking of Plastic Explosives for the Purpose of Detection by deleting ortho-Mononitrotoluene (o-MNT) from the list of detection agents. In accordance with Article 7, paragraph 3 of the Convention, the amendment was adopted on 27 September 2001 and entered into force on 27 March 2002.

As recommended by the high-level Ministerial Conference, which met 20 February 2002, the ICAO Legal Committee was requested to review the adequacy of the existing aviation security legal instruments and, if necessary, to develop an appropriate legal instrument addressing this issue.

2001: The ICAO Assembly met from 25 September-5 October in Montreal, Canada. Recognizing the critical need to enhance aviation security, following the tragic developments of 11 September 2001, States were urged to immediately review their aviation security measures and take additional appropriate steps to strengthen aviation security consistent with ICAO Annex 17. States were urged to ratify various Conventions related to civil aviation security, especially the Convention on the Marking of Plastic Explosives for the Purpose of Detection, which was signed at Montreal on 1 March 1991, as a matter of urgency. Specifically, resolution A33-2 requested the Council (the governing body of ICAO) to complete, in addition to the International Explosives Technical Commission (IETC) mandate as prescribed by the Convention on the Marking of Plastic Explosives for the Purpose of Detection, studies into

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methods of detecting explosives or explosive materials, especially into the marking of those explosives of concern, other than plastic explosives, with a view to the evolution, if needed, of an appropriate comprehensive legal regime.

2000: The Aviation Security Panel of the ICAO conducted a comprehensive review of Annex 17 to adjust its structure and relevancy of Standards and Recommended Practices (SARPS). Draft Amendment 10 was developed based on the Panel's recommendations and was to be considered in April 2001. The amendment included provisions relating to code-sharing, the Standard Airline Security Program Template, preventive measures relating to cargo, pre-employment background checks, development of human factors, management of response to acts of unlawful interference, armed persons on board an aircraft, and penetration of security systems by the news media. To assess the implementation of Annex 17, States will be audited on a voluntary basis.

1998: The Council of the ICAO considered proposals for the formation, composition, and mandate of the International Explosives Technical Commission established under Article 5 of the Convention.

1997: The 11th meeting of the Ad Hoc Group of Specialists on the Detection of Explosives was held at ICAO Headquarters from 3-7 November. The specialists reported on their work and findings since the last meeting. The group was mandated to maintain the technical annex to the Convention on the Marking of Plastic Explosives for the Purpose of Detection until such time as the Convention enters into force. At such time, the ICAO Council considered the formation of the International Explosives Technical Commission.

The ninth meeting of the Aviation Security Panel was held at ICAO Headquarters in Montreal from 8-12 September. The agenda included issues related to screening of checked baggage, the security regime of cargo, collaborative arrangements between operators, and the "one-stop" security concept.

1996: Immediately after the crash of TWA 800, a group of Ministers from the G-7 countries, with the Russian Federation, met in Lyon to address the issue of international terrorism. As a result of that meeting, the ICAO was asked to expedite its activities on explosive detection, as well as to intensify its work on screening of checked baggage. The Council subsequently convened an informal meeting of the Ad Hoc Group. The result of the Group's efforts was the publication of criteria for explosives detection, which was circulated to States. The Council also adopted an amendment to Annex 17 of the Chicago Convention, which contained recommendations to conduct background checks for security personnel, a standard to conduct a security survey to identify needs, a recommendation to ensure that catering supplies are subject to scrutiny, and a recommendation that operators carry only baggage authorized for carriage.

1992: At the 29th session of the ICAO Assembly, it adopted a resolution dealing with the implementation of the 1991 Convention on the Marking of Plastic Explosives.

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Appendix I: Selected Treaty Texts

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

Opened for signature: 1 July 1968.
Entered into force: 5 March 1970.

The States concluding this Treaty, hereinafter referred to as the Parties to the Treaty,

Considering the devastation that would be visited upon all mankind 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,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to co-operate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in co-operation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

Article I

Each nuclear-weapon State Party to the Treaty undertakes 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 State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes 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.

Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the

International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.
3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.
4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

Article IV

1. Nothing in this 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.
2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also 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 Party to the Treaty, with due consideration for the needs of the developing areas of the world.

Article V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

Article VI

Each of the Parties to the Treaty undertakes 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.

Article VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more

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of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.
3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

Article XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, the first day of July, one thousand nine hundred and sixty-eight.

Summary of the Comprehensive Nuclear-Test-Ban Treaty (CTBT)

Opened for Signature: 24 September 1996.
Duration: Unlimited.

PREAMBLE TO THE TREATY

"The States Parties to this Treaty (hereinafter referred to as 'the States Parties'),

Welcoming the international agreements and other positive measures of recent years in the field of nuclear disarmament, including reductions in arsenals of nuclear weapons, as well as in the field of the prevention of nuclear proliferation in all its aspects,

Underlining the importance of the full and prompt implementation of such agreements and measures,

Convinced that the present international situation provides an opportunity to take further effective measures towards nuclear disarmament and against the proliferation of nuclear weapons in all its aspects, and declaring their intention to take such measures,

Stressing therefore the need for continued systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and of general and complete disarmament under strict and effective international control,

Recognizing that the cessation of all nuclear weapon test explosions and all other nuclear explosions, by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects,

Further recognizing that an end to all such nuclear explosions will thus constitute a meaningful step in the realization of a systematic process to achieve nuclear disarmament,

Convinced that the most effective way to achieve an end to nuclear testing is through the conclusion of a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty, which has long been one of the highest priority objectives of the international community in the field of disarmament and non-proliferation,

Noting the aspirations expressed by the Parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Noting also the views expressed that this Treaty could contribute to the protection of the environment,

Affirming the purpose of attracting the adherence of all States to this Treaty and its objective to contribute effectively to the prevention of the proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament and therefore to the enhancement of international peace and security,

Have agreed as follows:.."

Under article 1 of the Comprehensive Nuclear-Test-Ban Treaty:

"1. Each State Party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control.
2. Each State party undertakes, furthermore, to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion."

Adoption and signature of the Treaty

Negotiations on a Comprehensive Nuclear-Test-Ban Treaty began at the Conference on Disarmament at Geneva in January 1994. The final draft, sponsored by 127 States, was submitted to the United Nations General Assembly two years later and adopted on 10 September 1996. The Treaty was opened for signature on 24 September 1996 at United Nations Headquarters in New York.

Arrangements until entry into force

At a meeting of States Signatories on 19 November 1996, a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization was established. The Preparatory Commission is an international organization financed by the States Signatories, which has been set up to establish the global verification regime of the Treaty and to prepare for its entry into force. The Preparatory Commission consists of two organs: a plenary body composed of all the States Signatories – also known as the Preparatory Commission – and the Provisional Technical Secretariat.

Preparatory Commission

The Preparatory Commission appointed Wolfgang Hoffmann of Germany as its Executive Secretary on 3 March 1997. The Executive Secretary is head of the Provisional Technical Secretariat, which started work at

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its offices in the Vienna International Centre on 17 March 1997.

The Preparatory Commission has three subsidiary bodies: Working Group A on administrative and budgetary matters, Working Group B on verification issues, and the Advisory Group on financial, budgetary and associated administrative issues. The working groups make proposals and recommendations for consideration and adoption by the Preparatory Commission at its plenary sessions.

Verification of the Treaty

The Treaty has a Protocol under which an International Monitoring System (IMS) and an International Data Centre (IDC) are being established as part of the global verification regime foreseen under article IV (Verification).

IMS will consist of a global network of 321 monitoring stations, as well as 16 laboratories, capable of detecting nuclear explosions worldwide. This network of 170 seismic, 80 radionuclide, 60 infrasound and 11 hydroacoustic stations, as well as 16 radionuclide laboratories - comprising a total of 337 facilities - will supply data for processing and analysis to IDC. Both

the raw and processed data will be available to all the States parties. If a suspicious occurrence cannot be resolved through consultation and clarification, each State party has the right to request an on-site inspection.

Entry into force of the Treaty

Under article XIV (Entry into force), the Treaty will not enter into force until it has been signed and ratified by the 44 States listed in annex 2 to the Treaty. This list comprises the States that formally participated in the 1996 session of the Conference on Disarmament, and that appear in table l of the December 1995 edition of "Nuclear Research Reactors in the World" and table l of the April 1996 edition of "Nuclear Power Reactors in the World", both compiled by the International Atomic Energy Agency.

If the Treaty has not entered into force "three years after the date of the anniversary of its opening for signature", a conference of those States that have already ratified it may be held to decide what measures may be taken to accelerate the ratification process and to facilitate the Treaty's entry into force.

History of the Treaty

The Treaty is the culmination of 40 years of efforts. In April 1954, almost 10 years after the first nuclear weapon test was conducted in July 1945, Prime Minister Jawaharlal Nehru of India proposed that nuclear weapon testing be suspended. His proposal was the first initiative of its kind.

The Partial Test Ban Treaty of 1963 prohibited all nuclear explosions in the atmosphere, in outer space and under water, but not underground. The Threshold Test Ban Treaty of 1974 limited the yield of underground nuclear weapon tests to 150 kilotons (the equivalent of the explosive force of approximately 150,000 tonnes of trinitrotoluene (TNT)).

Over 2,000 nuclear weapon test explosions were registered during the 51 years between the conduct of the first nuclear test and the opening for signature of the Treaty in September 1996.

SUMMARY OF THE TREATY

The Comprehensive Nuclear-Test-Ban Treaty consists of a preamble, 17 articles, two annexes and a Protocol. The Protocol describes verification procedures and contains two annexes. One annex lists the 337 facilities comprising the International Monitoring System (IMS) and the other annex describes parameters for standard event screening by the International Data Centre (IDC).

Scope

The preamble stresses the need for "continued systematic and progressive efforts to reduce nuclear weapons globally" with the ultimate goal of their elimination and of "general and complete disarmament under strict and effective international control". It recognizes that "the cessation of all nuclear weapon test explosions and all other nuclear explosions ... constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects".

Under article I (Basic Obligations): "1. Each State party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control. 2. Each State party undertakes, furthermore, to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion."

Implementing organization

Article II (The Organization) establishes the Comprehensive Nuclear-Test-Ban Treaty Organization to ensure the Treaty's implementation and provide a forum for consultation and cooperation. With its seat in Vienna, it will comprise three organs. The Conference of the States Parties will oversee the Treaty's implementation and the activities of the other two organs. The Executive Council, with a membership of 51 States parties, will be the principal decision-making body of the Organization and responsible for supervising its activities. The

Technical Secretariat, headed by a Director-General, will assist States parties to implement the Treaty and carry out verification and other functions. It will supervise and coordinate the operation of the International Monitoring System (IMS) and operate the International Data Centre (IDC) at Vienna.

Article III (National implementation measures) requires each State party to take any necessary measures to implement its obligations under the Treaty, including the establishment of a National Authority for liaison with the Organization and other States parties.

Verification and compliance

Article IV (Verification) and the Protocol establish the verification regime. Such a regime - consisting of IMS, IDC, consultation and clarification, on-site inspections and confidence-building measures - "shall be capable of meeting the verification requirements of the Treaty" at its entry into force.

Verification activities should be based on objective information, limited to the subject matter of the Treaty, and carried out on the basis of full respect for the sovereignty of States parties and in the least intrusive manner possible consistent with the effective and timely accomplishment of

their objectives. Each State party, however, "shall refrain from any abuse of the right of verification".

International Monitoring System.

The purpose of IMS is to detect and identify nuclear explosions prohibited under article I. As set out in annex 1 to the Protocol, IMS will consist of 50 primary and 120 auxiliary seismological stations equipped to detect seismic activity and distinguish between natural events - such as earthquakes - and nuclear explosions. It will also include 80 radionuclide stations - 40 of them capable of detecting noble gases - designed to identify radioactive particles released during a nuclear explosion. The radionuclide stations will be supported by 16 laboratories. In addition, 60 infrasound and 11 ydroacoustic stations will be designed to pick up the sound of a nuclear explosion in the atmosphere or under water, respectively.

International Date Centre.

The monitoring stations will transmit data to the International Data Centre (IDC) at Vienna. As set out in part I of the Protocol, IDC will produce integrated lists of all signals detected by IMS, as well as standard event lists and bulletins, and screened event bulletins that filter out events that appear to be of a non-nuclear nature. Both raw and processed information will be available to all States parties.

Consultation and clarification.

The consultation and clarification component of the verification regime encourages States parties to attempt to resolve, either among themselves or through the Organization, ambiguous events before requesting an on-site inspection. A State party must provide clarification of an ambiguous event within 48 hours of receiving such a request from another State party or the Executive Council.

On-site inspection.

If the matter cannot be resolved through consultation and clarification, each State party can request an on-site inspection. The procedures for on-site inspections, which "shall be carried out in the area where the event that triggered the on-site inspection request occurred" are established in part II of the Protocol.

Confidence-building measures.

To reduce the likelihood that verification data may be misinterpreted, each State party will voluntarily notify the Technical Secretariat of any single chemical explosion using 300 tonnes or more of TNT-equivalent blasting material on its territory. In order to calibrate the stations of IMS, each State party may liaise with the Technical Secretariat in carrying out chemical calibration explosions or providing information on chemical explosions planned for other purposes.

Article V (Measures to redress a situation and to ensure compliance, including sanctions) empowers the Conference inter alia to restrict or suspend a State Party's rights and privileges under the Treaty and to recommend to States parties collective measures in conformity with international law. The Conference, or alternatively, if the case is urgent, the Executive Council, may bring the issue to the attention of the United Nations.

Disputes

Article VI (Settlement of disputes) describes the mechanisms by which disputes concerning the application or interpretation of the Treaty may be settled. Subject to certain conditions, the International Court of Justice may be requested to give an advisory opinion.

Amendments and review

Article VII (Amendments) gives each State party the right to propose amendments to the Treaty, the Protocol or the annexes to the Protocol at any time after the Treaty's entry into force. The proposed amendment requires the approval of a majority of States parties at an amendment conference with no party casting a negative vote.

Article VIII (Review of the Treaty) stipulates that a conference to review the operation and effectiveness of

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the Treaty will be held 10 years after its entry into force, "unless otherwise decided by a majority of the States Parties". Such review would take into account "any new scientific and technological developments". Further review conferences may be held with the same objective at intervals of 10 years thereafter, or less, if the Conference so decides in the preceding year.

At the request of any State party, the conference may "consider the possibility of permitting the conduct of underground nuclear explosions for peaceful purposes". If it permits such explosions by consensus, then the review conference "shall commence work without delay, with a view to recommending to States Parties an appropriate amendment to this Treaty that shall preclude any military benefits of such nuclear explosions".

Duration and withdrawal

Article IX (Duration and withdrawal) states that the Treaty is of unlimited duration.

Other provisions

The next four articles (X, XI, XII and XIII) deal with the status of the Protocol and the annexes; signature; ratification; and accession.

Entry into force

Under article XIV (Entry into force), the Treaty will enter into force 180 days after the 44 States listed in annex 2 to the Treaty have deposited their instruments of ratification with the Secretary-General of the United Nations, "but in no case earlier than two years after its opening for signature". This list comprises the States that formally participated in the 1996 session of the Conference on Disarmament, and that appear in table 1 of the December 1995 edition of "Nuclear Research Reactors in the World" and table 1 of the April 1996 edition of "Nuclear Power Reactors in the World", both compiled by the International Atomic Energy Agency.

If the Treaty has not entered into force "three years after the date of the anniversary of its opening for signature", the Secretary-General of the United Nations, as Depositary of the Treaty, could, at the request of a majority of States that had ratified it, convene a conference to examine

the situation and to "decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process" in order to facilitate the Treaty's early entry into force.

Additional provisions

Article XV (Reservations) states that the Treaty's provisions are not subject to reservations.

Article XVI (Depositary) establishes the Secretary-General of the United Nations as the Treaty's Depositary.

Under article XVII (Authentic texts), the Treaty texts in Arabic, Chinese, English, French, Russian and Spanish are equally authentic.

Protocol

Part I describes the International Monitoring System (IMS) and outlines the functions of the International Data Centre (IDC). Part II sets up the procedures for on-site inspections. It specifies the process of designation of inspectors and inspection assistants, their privileges and immunities, points of entry, arrangements for use of non-scheduled aircraft, approved inspection equipment, on-site inspection requests, inspection mandate and notification of inspection. Pre-inspection activities and the conduct of inspections are described in detail. Part III deals with confidence-building measures under article IV (Verification) of the Treaty.

Further information can be obtained from: Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO PrepCom)

http://www.ctbto.org

The Antarctic Treaty

Signed at Washington: 1 December 1959
Entered into force: 23 June 1961
Depositary Government: United States of America

The Governments of Argentina, Australia Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America,

Recognizing that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord;

Acknowledging the substantial contributions to scientific knowledge resulting from international co-operation in scientific investigation in Antarctica;

Convinced that the establishment of a firm foundation for the continuation and development of such co-operation on the basis of freedom of scientific investigation in Antarctica as applied during the International Geophysical Year accords with the interests of science and the progress of all mankind;

Convinced also that a treaty ensuring the use of Antarctica for peaceful purposes only and the continuance of international harmony in Antarctica will further the purposes and principles embodied in the Charter of the United Nations;

Have agreed as follows:

Article I

1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any types of weapons.
2. The present Treaty shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purpose.

Article II

Freedom of scientific investigation in Antarctica and co-operation toward that end, as applied during the International Geophysical Year, shall continue, subject to the provisions of the present Treaty.

Article III

1. In order to promote international co-operation in scientific investigation in Antarctica, as provided for in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:
   a) information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy and efficiency of operations;
   b) scientific personnel shall be exchanged in Antarctica between expeditions and stations;
   c) scientific observations and results from Antarctica shall be exchanged and made freely available.
2. In implementing this Article, every encouragement shall be given to the establishment of co-operative working relations with those Specialized Agencies of the United Nations and other international organizations having a scientific or technical interest in Antarctica.

Article IV

1. Nothing contained in the present Treaty shall be interpreted as:
   a) a renunciation by any Contracting Party of previously asserted rights of or claims to territorial sovereignty in Antarctica;
   b) a renunciation or diminution by any Contracting Party of any basis of claim to territorial sovereignty in Antarctica which it may have whether as a result of its activities or those of its nationals in Antarctica, or otherwise;
   c) prejudicing the position of any Contracting Party as regards its recognition or non-recognition of any other State's right of or claim or basis of claim to territorial sovereignty in Antarctica.
2. No acts or activities taking place while the present Treaty is in force shall constitute a basis for asserting, supporting or denying a claim to territorial sovereignty in Antarctica or create any rights of sovereignty in Antarctica. No new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the present Treaty is in force.

Article V

1. Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.
2. In the event of the conclusion of international agreements concerning the use of nuclear energy, including nuclear explosions and the disposal of radioactive waste material, to which all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under

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Article IX are parties, the rules established under such agreements shall apply in Antarctica.

Article VI

The provisions of the present Treaty shall apply to the area south of 60o South Latitude, including all ice shelves, but nothing in the present Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to the high seas within that area.

Article VII

1. In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party whose representatives are entitled to participate in the meetings referred to in Article IX of the Treaty shall have the right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of observers shall be communicated to every other Contracting Party having the right to designate observers, and like notice shall be given of the termination of their appointment.
2. Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to any or all areas of Antarctica.
3. All areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in Antarctica, shall be open at all times to inspection by any observers designated in accordance with paragraph 1 of this article.
4. Aerial observation may be carried out at any time over any or all areas of Antarctica by any of the Contracting Parties having the right to designate observers.
5. Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance, of
   a) all expeditions to and within Antarctica, on the part of its ships or nationals, and all expeditions to Antarctica organized in or proceeding from its territory;
   b) all stations in Antarctica occupied by its nationals; and
   c) any military personnel or equipment intended to be introduced by it into Antarctica subject to the conditions prescribed in paragraph 2 of Article I of the present Treaty.

Article VIII

1. In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under subparagraph 1 (b) of Article III of the Treaty, and members of the staffs accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals in respect of all acts or omissions occurring while they are in Antarctica for the purpose of exercising their functions.
2. Without prejudice to the provisions of paragraph 1 of this Article, and pending the adoption of measures in pursuance of subparagraph 1 (e) of Article IX, the Contracting Parties concerned in any case of dispute with regard to the exercise of jurisdiction in Antarctica shall immediately consult together with a view to reaching a mutually acceptable solution.

Article IX

1. Representatives of the Contracting Parties named in the preamble to the present Treaty shall meet at the City of Canberra within two months after the date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty, including measures regarding:
   a) use of Antarctica for peaceful purposes only;
   b) facilitation of scientific research in Antarctica;
   c) facilitation of international scientific cooperation in Antarctica;
   d) facilitation of the exercise of the rights of inspection provided for in Article VII of the Treaty;
   e) questions relating to the exercise of jurisdiction in Antarctica;
   f) preservation and conservation of living resources in Antarctica.
2. Each Contracting Party which has become a party to the present Treaty by accession under Article XIII shall be entitled to appoint representatives to participate in the meetings referred to in paragraph 1 of the present Article, during such time as that Contracting Party demonstrates its interest in Antarctica by conducting substantial scientific research activity there, such as the establishment of a

scientific station or the despatch of a scientific expedition.

3. Reports from the observers referred to in Article VII of the present Treaty shall be transmitted to the representatives of the Contracting Parties participating in the meetings referred to in paragraph 1 of the present Article.
4. The measures referred to in paragraph 1 of this Article shall become effective when approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider those measures.
5. Any or all of the rights established in the present Treaty may be exercised as from the date of entry into force of the Treaty whether or not any measures facilitating the exercise of such rights have been proposed, considered or approved as provided in this Article.

Article X

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in Antarctica contrary to the principles or purposes of the present Treaty.

Article XI

1. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.
2. Any dispute of this character not so resolved shall, with the consent, in each case, of all parties to the dispute, be referred to the International Court of Justice for settlement; but failure to reach agreement on reference to the International Court shall not absolve parties to the dispute from the responsibility of continuing to seek to resolve it by any of the various peaceful means referred to in paragraph 1 of this Article.

Article XII

1. a) The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meeting provided for under Article IX. Any such modification or amendment shall enter into force when the depositary Government has received notice from all such contracting Parties that they have ratified it.

   b) Such modification or amendment shall thereafter enter into force as to any other Contracting Policy when notice of ratification by it has been received by the depositary Government. Any such Contracting Party from which no notice of ratification is received within a period of two years from the date of entry into force of the modification or amendment in accordance with the provisions of subparagraph 1(a) of this Article shall be deemed to have withdrawn from the present Treaty on the date of the expiration of such period.

2. a) If after the expiration of thirty years from the date of entry into force of the present Treaty, any of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX so requests by a communication addressed to the depositary Government, a Conference of all the Contracting Parties shall be held as soon as practicable to review the operation of the Treaty.

   b) Any modification or amendment to the present Treaty which is approved at such a Conference by a majority of the Contracting Parties there represented, including a majority of those whose representatives are entitled to participate in the meetings provided for under Article IX, shall be communicated by the depositary Government to all the Contracting Parties immediately after the termination of the Conference and shall enter into force in accordance with the provisions of paragraph 1 of the present Article.

   c) If any such modification or amendment has not entered into force in accordance with the provisions of subparagraph 1 (a) of this Article within a period of two years after the date of its communication to all the Contracting Parties, any Contracting Party may at any time after the expiration of that period give notice to the depositary Government of its withdrawal from the present Treaty; and such withdrawal shall take effect two years after the receipt of the notice by the depositary Government.

Article XIII

1. The present Treaty shall be subject to ratification by the signatory States. It shall be open for accession by any State which is a Member of the United Nations, or by any other State which may be invited to accede to the Treaty with the consent of all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX of the Treaty.
2. Ratification of or accession to the present Treaty shall be effected by each State in accordance with its constitutional processes.

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3. Instruments of ratification and instruments of accession shall be deposited with the Government of the United States of America, hereby designated as the depositary Government.
4. The depositary Government shall inform all signatory and acceding States of the date of each deposit of an instrument of ratification or accession, and the date of entry into force of the Treaty and of any modification or amendment thereto.
5. Upon the deposit of instruments of ratification by all the signatory States, the present Treaty shall enter into force for these States and for States which have deposited instruments of accession. Thereafter the Treaty shall enter into force for any acceding State upon the deposit of its instruments of accession.
6. The present Treaty shall be registered by the depositary Government pursuant to Article 102 of the Charter of the United Nations.

Article XIV

The present Treaty, done in the English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited in the archives of the

Government of the United States of America, which shall transmit duly certified copies thereof to the Governments of the signatory and acceding States.

In witness whereof, the undersigned Plenipotentiaries, duly authorized, have signed the present Treaty.

Done at Washington this first day of December, one thousand nine hundred and fifty-nine.

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof (Seabed Treaty)

Opened for signature at London (L), Moscow (M) and Washington (W): 11 February 1971.

Entered into force: 18 May 1972.

Depositary Governments: Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America.

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the sea-bed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reduces international tensions and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race,

Convinced that this Treaty constitutes a step towards a treaty on general and complete disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a sea-bed zone, as defined in article II, any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.
2. The undertakings of paragraph 1 of this article shall also apply to the sea-bed zone referred to in the same paragraph, except that within such sea-bed zone, they shall not apply either to the coastal State or to the sea-bed beneath its territorial waters.
3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to carry out activities referred to in paragraph 1 of this article and not to participate in any other way in such actions.

Article II

For the purpose of this Treaty, the outer limit of the sea-bed zone referred to in article I shall be coterminous with the twelve-mile outer limit of the zone referred to in part II of the Convention on the Territorial Sea and the Contiguous Zone, signed at Geneva on April 29, 1958, and shall be measured in accordance with the provisions of part I, section II, of that Convention and in accordance with international law.

Article III

1. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty shall have the right to verify through observations the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the zone referred to in article I, provided that observation does not interfere with such activities.
2. If after such observation reasonable doubts remain concerning the fulfillment of the obligations assumed under the Treaty, the State Party having such doubts and the State Party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts. If the doubts persist, the State Party having such doubts shall notify the other States Parties, and the Parties concerned shall cooperate on such further procedures for verification as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in article I. The Parties in the region of the activities, including any coastal State, and any other Party so requesting, shall be entitled to participate in such consultation and cooperation. After completion of the further procedures for verification, an appropriate report shall be circulated to other Parties by the Party that initiated such procedures.
3. If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State Party having such doubts shall notify and make appropriate inquiries of States Parties in the region of the activities and of any other State Party. If it is ascertained through these inquiries that a particular State Party is responsible for the activities, that State Party shall consult and cooperate with other Parties as provided in paragraph 2 of this article. If the identity of the State responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State Party, which shall invite the participation of the Parties in the region of the activities, including any coastal State, and of any other Party desiring to cooperate.
4. If consultation and cooperation pursuant to paragraphs 2 and 3 of this article have not removed the doubts concerning the activities and there remains a serious question concerning fulfillment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.
5. Verification pursuant to this article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.
6. Verification activities pursuant to this Treaty shall not interfere with activities of other States Parties and shall be conducted with due regard for rights recognized under international law, including the freedoms of the high seas and the rights of coastal States with respect to the exploration and exploitation of their continental shelves.

Article IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, including, inter alia, territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves.

Article V

The Parties to this Treaty undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

Article VI

Any State Party may propose amendments to this Treaty. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and, thereafter, for each remaining State Party on the date of acceptance by it.

Article VII

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held at Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine, in accordance with the views of a majority of those Parties attending, whether and when an additional review conference shall be convened.

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Article VIII

Each State Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject-matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

Article IX

The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

Article X

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.
4. For states whose instruments of ratification or accession are deposited after the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform the Governments of all signatory and acceding States of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XI

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Treaty.
DONE in triplicate, at the cities of London, Moscow and Washington, this seventh day of February, one thousand nine hundred seventy.

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (Outer Space Treaty)

Opened for signature at London (L), Moscow (M) and Washington (W): 27 January 1967.

Entered into force: 10 October 1967.

Depositary Governments: Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America.

The States Parties to this Treaty,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as the legal aspects of the exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between States and peoples,

Recalling resolution 1962 (XVIII), entitled "Declaration of Legal Principles Governing the Activities of States in the exploration and Use of Outer Space," which was adopted unanimously by the United Nations General Assembly on 13 December 1963,

Recalling resolution 1884 (XVIII), calling upon States to refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or from installing such weapons on

celestial bodies, which was adopted unanimously by the United Nations General Assembly on 17 October 1963,

Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Convinced that a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, will further the Purposes and Principles of the Charter of the United Nations,

Have agreed on the following:

Article I

The exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

Outer space, including the Moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies.

There shall be freedom of scientific investigation in outer space, including the Moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

Article II

Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

Article III

States Parties to the Treaty shall carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

Article IV

States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.

The Moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration of the moon and other celestial bodies shall also not be prohibited.

Article V

States Parties to the Treaty shall regard astronauts as envoys of mankind in outer space and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of another State Party or on the high seas. When astronauts make such a landing, they shall be safely and promptly returned to the State of registry of their space vehicle.

In carrying on activities in outer space and on celestial bodies, the astronauts of one State Party shall render all possible assistance to the astronauts of other States Parties.

States Parties to the Treaty shall immediately inform the other States Parties to the Treaty or the Secretary-General of the United Nations of any phenomena they discover in outer space, including the Moon and other celestial bodies, which could constitute a danger to the life or health of astronauts.

Article VI

States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the Moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of non-governmental entities in outer space, including the Moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. When activities are carried on in outer space, including the Moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization.

Article VII

Each State Party to the Treaty that launches or procures the launching of an object into outer space, including the Moon and other celestial bodies, and each State Party

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from whose territory or facility an object is launched, is internationally liable for damage to another State Party to the Treaty or to its natural or juridical persons by such object or its component parts on the Earth, in air space or in outer space, including the Moon and other celestial bodies.

Article VIII

A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and over any personnel thereof, while in outer space or on a celestial body. Ownership of objects launched into outer space, including objects landed or constructed on a celestial body, and of their component parts, is not affected by their presence in outer space or on a celestial body or by their return to the Earth. Such objects or component parts found beyond the limits of the State Party to the Treaty on whose registry they are carried shall be returned to that State Party, which shall, upon request, furnish identifying data prior to their return.

Article IX

In the exploration and use of outer space, including the Moon and other celestial bodies, States Parties to the Treaty shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space, including the Moon and other celestial bodies, with due regard to the corresponding interests of all other States Parties to the Treaty. States Parties to the Treaty shall pursue studies of outer space, including the Moon and other celestial bodies, and conduct exploration of them so as to avoid their harmful contamination and also adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter and, where necessary, shall adopt appropriate measures for this purpose. If a State Party to the Treaty has reason to believe that an activity or experiment planned by it or its nationals in outer space, including the Moon and other celestial bodies, would cause potentially harmful interference with activities of other States Parties in the peaceful exploration and use of outer space, including the Moon and other celestial bodies, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State Party to the Treaty which has reason to believe that an activity or experiment planned by another State Party in outer space, including the Moon and other celestial bodies, would cause potentially harmful interference with activities in the peaceful exploration and use of outer space, including the Moon and other celestial bodies, may request consultation concerning the activity or experiment.

Article X

In order to promote international co-operation in the exploration and use of outer space, including the Moon and other celestial bodies, in conformity with the purposes of this Treaty, the States Parties to the Treaty shall consider on a basis of equality any requests by other States Parties to the Treaty to be afforded an opportunity to observe the flight of space objects launched by those States.

The nature of such an opportunity for observation and the conditions under which it could be afforded shall be determined by agreement between the States concerned.

Article XI

In order to promote international co-operation in the peaceful exploration and use of outer space, States Parties to the Treaty conducting activities in outer space, including the Moon and other celestial bodies, agree to inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of the nature, conduct, locations and results of such activities. On receiving the said information, the Secretary-General of the United Nations should be prepared to disseminate it immediately and effectively.

Article XII

All stations, installations, equipment and space vehicles on the Moon and other celestial bodies shall be open to representatives of other States Parties to the Treaty on a basis of reciprocity. Such representatives shall give reasonable advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited.

Article XIII

The provisions of this Treaty shall apply to the activities of States Parties to the Treaty in the exploration and use of outer space, including the Moon and other celestial bodies, whether such activities are carried on by a single State Party to the Treaty or jointly with other States, including cases where they are carried on within the framework of international intergovernmental organizations.

Any practical questions arising in connection with activities carried on by international inter-governmental organizations in the exploration and use of outer space, including the Moon and other celestial bodies, shall be resolved by the States Parties to the Treaty either with the appropriate international organization or with one or more States members of that international organization, which are Parties to this Treaty.

Article XIV

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force and other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

Article XVI

Any State Party to the Treaty may give notice of its withdrawal from the Treaty one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

Article XVII

This Treaty, of which the English, Russian, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of Washington, London and Moscow, this twenty-seventh day of January one thousand nine hundred sixty-seven.

Treaty for the Prohibition of Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

Opened for signature at Mexico City: 14 February 1967.

Entered into force: For each Government individually.

Depositary Government: Mexico.

Preamble

In the name of their peoples and faithfully interpreting their desires and aspirations, the Governments of the States which sign the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on the sovereign equality of States, mutual respect and good neighbourliness,

Recalling that the United Nations General Assembly, in its Resolution 808 (IX), adopted unanimously as one of the three points of a coordinated programme of disarmament "the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type,"

Recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling United Nations General Assembly Resolution 1911 (XVIII), which established that the measures that should be agreed upon for the denuclearization of Latin America should be taken "in the light of the principles of the Charter of the United Nations and of regional agreements,"

Recalling United Nations General Assembly Resolution 2028 (XX), which established the principle of an acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers, and

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Recalling that the Charter of the Organization of American States proclaims that it is an essential purpose of the Organization to strengthen the peace and security of the hemisphere,

Convinced:

That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly observed in practice if the survival of civilization and of mankind itself is to be assured,

That nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radioactivity they release, an attack on the integrity of the human species and ultimately may even render the whole earth uninhabitable,

That general and complete disarmament under effective international control is a vital matter which all the peoples of the world equally demand,

That the proliferation of nuclear weapons, which seems inevitable unless States, in the exercise of their sovereign rights, impose restrictions on themselves in order to prevent it, would make any agreement on disarmament enormously difficult and would increase the danger of the outbreak of a nuclear conflagration,

That the establishment of militarily denuclearized zones is closely linked with the maintenance of peace and security in the respective regions,

That the military denuclearization of vast geographical zones, adopted by the sovereign decision of the States comprised therein, will exercise a beneficial influence on other regions where similar conditions exist,

That the privileged situation of the signatory States, whose territories are wholly free from nuclear weapons, imposes upon them the inescapable duty of preserving that situation both in their own interest and for the good of mankind,

That the existence of nuclear weapons in any country of Latin America would make it a target for possible nuclear attacks and would inevitably set off, throughout the region, a ruinous race in nuclear weapons which would involve the unjustifiable diversion, for warlike purposes, of the limited resources required for economic and social development,

That the foregoing reasons, together with the traditional peace-loving outlook of Latin America, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples,

Convinced finally:

That the military denuclearization of Latin America — being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons — will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament, and

That Latin America, faithful to its tradition of universality, must not only endeavour to banish from its homelands the scourge of a nuclear war, but must also strive to promote the well-being and advancement of its peoples, at the same time co-operating in the fulfillment of the ideals of mankind, that is to say, in the consolidation of a permanent peace based on equal rights, economic fairness and social justice for all, in accordance with the principles and purposes set forth in the Charter of the United Nations and in the Charter of the Organization of American States.

Have agreed as follows:

Obligations
Article 1

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories:
   (a) The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and
   (b) The receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way.
2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

Definition of the Contracting Parties
Article 2

For the purposes of this Treaty, the Contracting Parties are those for whom the Treaty is in force.

Definition of territory
Article 3

For the purposes of this Treaty, the term "territory" shall include the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation.

Zone of application
Article 4

1. The zone of application of this Treaty is the whole of the territories for which the Treaty is in force.
2. Upon fulfillment of the requirements of article 28, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits (except the continental part of the territory of the United States of America and its territorial waters): starting at a point located at 35° north latitude, 75° west longitude; from this point directly southward to a point at 30° north latitude, 75° west longitude; from there, directly eastward to a point at 30° north latitude, 50° west longitude; from there, along a loxodromic line to a point at 5° north latitude, 20° west longitude; from there directly southward to a point 60° south latitude, 20° west longitude; from there, directly westward to a point at 60° south latitude, 115° west longitude; from there, directly northward to a point at 0 latitude, 115° west longitude; from there, along a loxodromic line to a point at 35° north latitude, 150° west longitude; from there, directly eastward to a point at 35° north latitude, 75° west longitude.

Definition of nuclear weapons
Article 5

For the purposes of this Treaty, a nuclear weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes. An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof.

Meeting of signatories
Article 6

At the request of any of the signatory States or if the Agency established by article 7 should so decide, a meeting of all the signatories may be convoked to consider in common questions which may affect the very essence of this instrument, including possible amendments to it. In either case, the meeting will be convoked by the General Secretary.

Organization
Article 7

1. In order to ensure compliance with the obligations of this Treaty, the Contracting Parties hereby establish an international organization to be known as the "Agency for the Prohibition of Nuclear Weapons in Latin America," hereinafter referred to as "the Agency." Only the Contracting Parties shall be affected by its decisions.
2. The Agency shall be responsible for the holding of periodic or extraordinary consultations among Member States on matters relating to the purposes, measures and procedures set forth in this Treaty and to the supervision of compliance with the obligations arising therefrom.
3. The Contracting Parties agree to extend to the Agency full and prompt cooperation in accordance with the provisions of this Treaty, of any agreements they may conclude with the Agency and of any agreements the Agency may conclude with any other international organization or body.
4. The headquarters of the Agency shall be in Mexico City.

Organs
Article 8

1. There are hereby established as principal organs of the Agency a General Conference, a Council and a Secretariat.
2. Such subsidiary organs as are considered necessary by the General Conference may be established within the purview of this Treaty.

The General Conference
Article 9

1. The General Conference, the supreme organ of the Agency, shall be composed of all the Contracting Parties; it shall hold regular sessions every two years, and may also hold special sessions whenever this Treaty so provides or, in the opinion of the Council, the circumstances so require.
2. The General Conference:
   (a) May consider and decide on any matters or questions covered by this Treaty, within the limits thereof, including those referring to powers and functions of any organ provided for in this Treaty.
   (b) Shall establish procedures for the control system to ensure observance of this Treaty in accordance with its provisions.
   (c) Shall elect the Members of the Council and the General Secretary.
   (d) May remove the General Secretary from office if the proper functioning of the Agency so requires.

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(e) Shall receive and consider the biennial and special reports submitted by the Council and the General Secretary.

(f) Shall initiate and consider studies designed to facilitate the optimum fulfillment of the aims of this Treaty, without prejudice to the power of the General Secretary independently to carry out similar studies for submission to and consideration by the Conference.

(g) Shall be the organ competent to authorize the conclusion of agreements with Governments and other international organizations and bodies.

3. The General Conference shall adopt the Agency's budget and fix the scale of financial contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.
4. The General Conference shall elect its officers for each session and may establish such subsidiary organs as it deems necessary for the performance of its functions.
5. Each Member of the Agency shall have one vote. The decisions of the General Conference shall be taken by a two-thirds majority of the Members present and voting in the case of matters relating to the control system and measures referred to in article 20, the admission of new Members, the election or removal of the General Secretary, adoption of the budget and matters related thereto. Decisions on other matters, as well as procedural questions and also determination of which questions must be decided by a two-thirds majority, shall be taken by a simple majority of the Members present and voting.
6. The General Conference shall adopt its own rules of procedure.

The Council
Article 10

1. The Council shall be composed of five Members of the Agency elected by the General Conference from among the Contracting Parties, due account being taken of equitable geographic distribution.
2. The Members of the Council shall be elected for a term of four years. However, in the first election three will be elected for two years. Outgoing Members may not be reelected for the following period unless the limited number of States for which the Treaty is in force so requires.
3. Each Member of the Council shall have one representative.
4. The Council shall be so organized as to be able to function continuously.
5. In addition to the functions conferred upon it by this Treaty and to those which may be assigned to it by the General Conference, the Council shall, through the General Secretary, ensure the proper operation of the control system in accordance with the provisions of this Treaty and with the decisions adopted by the General Conference.
6. The Council shall submit an annual report on its work to the General Conference as well as such special reports as it deems necessary or which the General Conference requests of it.
7. The Council shall elect its officers for each session.
8. The decisions of the Council shall be taken by a simple majority of its Members present and voting.
9. The Council shall adopt its own rules of procedure.

The Secretariat
Article 11

1. The Secretariat shall consist of a General Secretary, who shall be the chief administrative officer of the Agency, and of such staff as the Agency may require. The term of office of the General Secretary shall be four years and he may be re-elected for a single additional term. The General Secretary may not be a national of the country in which the Agency has its headquarters. In case the office of General Secretary becomes vacant, a new election shall be held to fill the office for the remainder of the term.
2. The staff of the Secretariat shall be appointed by the General Secretary, in accordance with rules laid down by the General Conference.
3. In addition to the functions conferred upon him by this Treaty and to those which may be assigned to him by the General Conference, the General Secretary shall ensure, as provided by article 10, paragraph 5, the proper operation of the control system established by this Treaty, in accordance with the provisions of the Treaty and the decisions taken by the General Conference.
4. The General Secretary shall act in that capacity in all meetings of the General Conference and of the Council and shall make an annual report to both bodies on the work of the Agency and any special reports requested by the General Conference or the Council or which the General Secretary may deem desirable.
5. The General Secretary shall establish the procedures for distributing to all Contracting Parties information received by the Agency from governmental sources and such information from non-governmental sources as may be of interest to the Agency.
6. In the performance of their duties the General Secretary and the staff shall not seek or receive instructions from any Government or from any other authority external to the Agency and shall refrain from any action which might reflect on their position as

international officials responsible only to the Agency; subject to their responsibility to the Agency, they shall not disclose any industrial secrets or other confidential information coming to their knowledge by reason of their official duties in the Agency.

7. Each of the Contracting Parties undertakes to respect the exclusively international character of the responsibilities of the General Secretary and the staff and not to seek to influence them in the discharge of their responsibilities.

Control system
Article 12

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties in accordance with article 1, a control system shall be established which shall be put into effect in accordance with the provisions of articles 13-18 of this Treaty.
2. The control system shall be used in particular for the purpose of verifying:
   (a) That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons,
   (b) That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and
   (c) That explosions for peaceful purposes are compatible with article 18 of this Treaty.

IAEA safeguards
Article 13

Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for each Party, not later than eighteen months after the date of the initiation of such negotiations except in case of unforeseen circumstances or force majeure.

Reports of the Parties
Article 14

1. The Contracting Parties shall submit to the Agency and to the International Atomic Energy Agency, for their information, semi-annual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.
2. The Contracting Parties shall simultaneously transmit to the Agency a copy of any report they may submit to the International Atomic Energy Agency which relates to matters that are the subject of this Treaty and to the application of safeguards.
3. The Contracting Parties shall also transmit to the Organization of American States, for its information, any reports that may be of interest to it, in accordance with the obligations established by the Inter-American System.

Special reports requested by the General Secretary
Article 15

1. With the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any event or circumstance connected with compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the General Secretary.
2. The General Secretary shall inform the Council and the Contracting Parties forthwith of such requests and of the respective replies.

Special inspections
Article 16

1. The International Atomic Energy Agency and the Council established by this Treaty have the power of carrying out special inspections in the following cases:
   (a) In the case of the International Atomic Energy Agency, in accordance with the agreements referred to in article 13 of this Treaty;
   (b) In the case of the Council:
      (i) When so requested, the reasons for the request being stated, by any Party which suspects that some activity prohibited by this Treaty has been carried out or is about to be carried out, either in the territory of any other Party or in any other place on such latter Partys behalf, the Council shall immediately arrange for such an inspection in accordance with article 10, paragraph 5.
      (ii) When requested by any Party which has been suspected of or charged with having violated this Treaty, the Council shall immediately arrange for the special inspection requested in accordance with article 10, paragraph 5. The above requests will be made to the Council through the General Secretary.
2. The costs and expenses of any special inspection carried out under paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article shall be borne by the requesting Party or Parties, except where the Council concludes on the basis of the report on the special

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inspection that, in view of the circumstances existing in the case, such costs and expenses should be borne by the agency.

3. The General Conference shall formulate the procedures for the organization and execution of the special inspections carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.
4. The Contracting Parties undertake to grant the inspectors carrying out such special inspections full and free access to all places and all information which may be necessary for the performance of their duties and which are directly and intimately connected with the suspicion of violation of this Treaty. If so requested by the authorities of the Contracting Party in whose territory the inspection is carried out, the inspectors designated by the General Conference shall be accompanied by representatives of said authorities, provided that this does not in any way delay or hinder the work of the inspectors.
5. The Council shall immediately transmit to all the Parties, through the General Secretary, a copy of any report resulting from special inspections.
6. Similarly, the Council shall send through the General Secretary to the Secretary-General of the United Nations, for transmission to the United Nations Security Council and General Assembly, and to the Council of the Organization of American States, for its information, a copy of any report resulting from any special inspection carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.
7. The Council may decide, or any Contracting Party may request, the convening of a special session of the General Conference for the purpose of considering the reports resulting from any special inspection. In such a case, the General Secretary shall take immediate steps to convene the special session requested.
8. The General Conference, convened in special session under this article, may make recommendations to the Contracting Parties and submit reports to the Secretary-General of the United Nations to be transmitted to the United Nations Security Council and the General Assembly. Use of nuclear energy for peaceful purposes

Article 17

Nothing in the provisions of this Treaty shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress.

Explosions for peaceful purposes
Article 18

1. The Contracting Parties may carry out explosions of nuclear devices for peaceful purposes — including explosions which involve devices similar to those used in nuclear weapons — or collaborate with third parties for the same purpose, provided that they do so in accordance with the provisions of this article and the other articles of the Treaty, particularly articles 1 and 5.
2. Contracting Parties intending to carry out, or to cooperate in carrying out, such an explosion shall notify the Agency and the International Atomic Energy Agency, as far in advance as the circumstances require, of the date of the explosion and shall at the same time provide the following information:
   (a) The nature of the nuclear device and the source from which it was obtained,
   (b) The place and purpose of the planned explosion,
   (c) The procedures which will be followed in order to comply with paragraph 3 of this article,
   (d) The expected force of the device, and
   (e) The fullest possible information on any possible radioactive fall-out that may result from the explosion or explosions, and measures which will be taken to avoid danger to the population, flora, fauna and territories of any other Party or Parties.
3. The General Secretary and the technical personnel designated by the Council and the International Atomic Energy Agency may observe all the preparations, including the explosion of the device, and shall have unrestricted access to any area in the vicinity of the site of the explosion in order to ascertain whether the device and the procedures followed during the explosion are in conformity with the information supplied under paragraph 2 of this article and the other provisions of this Treaty.
4. The Contracting Parties may accept the collaboration of third parties for the purposes set forth in paragraph 1 of the present article, in accordance with paragraphs 2 and 3 thereof.

Relations with other international organizations
Article 19

1. The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established by this Treaty.
2. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise

disarmament or measures for the control of armaments in any part of the world.

3. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.

Measures in the event of violation of the Treaty
Article 20

1. The General Conference shall take note of all cases in which, in its opinion, any Contracting Party is not complying fully with its obligations under this Treaty and shall draw the matter to the attention of the Party concerned, making such recommendations as it deems appropriate.
2. If, in its opinion, such non-compliance constitutes a violation of this Treaty which might endanger peace and security, the General Conference shall report thereon simultaneously to the United Nations Security Council and the General Assembly through the Secretary-General of the United Nations, and to the Council of the Organization of American States. The General Conference shall likewise report to the International Atomic Energy Agency for such purposes as are relevant in accordance with its Statute.

United Nations and Organization of American States
Article 21

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the Parties under the Charter of the United Nations or, in the case of States Members of the Organization of American States, under existing regional treaties.

Privileges and immunities
Article 22

1. The Agency shall enjoy in the territory of each of the Contracting Parties such legal capacity and such privileges and immunities as may be necessary for the exercise of its functions and the fulfillment of its purposes.
2. Representatives of the Contracting Parties accredited to the Agency and officials of the Agency shall similarly enjoy such privileges and immunities as are necessary for the performance of their functions.
3. The Agency may conclude agreements with the Contracting Parties with a view to determining the details of the application of paragraphs 1 and 2 of this article.

Notification of other agreements
Article 23

Once this Treaty has entered into force, the Secretariat shall be notified immediately of any international agreement concluded by any of the Contracting Parties on matters with which this Treaty is concerned; the Secretariat shall register it and notify the other Contracting Parties.

Settlement of disputes
Article 24

Unless the Parties concerned agree on another mode of peaceful settlement, any question or dispute concerning the interpretation or application of this Treaty which is not settled shall be referred to the International Court of Justice with the prior consent of the Parties to the controversy.

Signature
Article 25

1. This Treaty shall be open indefinitely for signature by:
   (a) All the Latin American Republics, and
   (b) All other sovereign States situated in their entirety south of latitude 35o north in the western hemisphere; and, except as provided in paragraph 2 of this article, all such States which become sovereign, when they have been admitted by the General Conference.
2. The General Conference shall not take any decision regarding the admission of a political entity part or all of whose territory is the subject, prior to the date when this Treaty is opened for signature, of a dispute or claim between an extra-continental country and one or more Latin American States, so long as the dispute has not been settled by peaceful means.

Ratification and deposit
Article 26

1. This Treaty shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.
2. This Treaty and the instruments of ratification shall be deposited with the Government of the Mexican United States, which is hereby designated the Depositary Government.
3. The Depositary Government shall send certified copies of this Treaty to the Governments of signatory States and shall notify them of the deposit of each instrument of ratification.

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Reservations
Article 27

This Treaty shall not be subject to reservations.

Entry into force
Article 28

1. Subject to the provisions of paragraph 2 of this article, this Treaty shall enter into force among the States that have ratified it as soon as the following requirements have been met:
   (a) Deposit of the instruments of ratification of this Treaty with the Depositary Government by the Governments of the States mentioned in article 25 which are in existence on the date when this Treaty is opened for signature and which are not affected by the provisions of article 25, paragraph 2;
   (b) Signature and ratification of Additional Protocol I annexed to this Treaty by all extra-continental or continental States having de jure or de facto international responsibility for territories situated in the zone of application of the Treaty;
   (c) Signature and ratification of the Additional Protocol II annexed to this Treaty by all powers possessing nuclear weapons;
   (d) Conclusion of bilateral or multilateral agreements on the application of Safeguards System of the International Atomic Energy Agency in accordance with article 13 of this Treaty.
2. All signatory States shall have the imprescriptible right to waive, wholly or in part, the requirements laid down in the preceding paragraph. They may do so by means of a declaration which shall be annexed to their respective instrument of ratification and which may be formulated at the time of deposit of the instrument or subsequently. For those States which exercise this right, this Treaty shall enter into force upon deposit of the declaration, or as soon as those requirements have been met which have not been expressly waived.
3. As soon as this Treaty has entered into force in accordance with the provisions of paragraph 2 for eleven States, the Depositary Government shall convene a preliminary meeting of those States in order that the Agency may be set up and commence its work.
4. After the entry into force of this Treaty for all the countries of the zone, the rise of a new power possessing nuclear weapons shall have the effect of suspending the execution of this Treaty for those countries which have ratified it without waiving requirements of paragraph 1, sub-paragraph (c) of this article, and which request such suspension; the Treaty shall remain suspended until the new power, on its own initiative or upon request by the General Conference, ratifies the annexed Additional Protocol II.

Amendments
Article 29

1. Any Contracting Party may propose amendments to this Treaty and shall submit its proposals to the Council through the General Secretary, who shall transmit them to all the other Contracting Parties and, in addition, to all other signatories in accordance with article 6. The Council, through the General Secretary, shall immediately following the meeting of signatories convene a special session of the General Conference to examine the proposals made, for the adoption of which a two-thirds majority of the Contracting Parties present and voting shall be required.
2. Amendments adopted shall enter into force as soon as the requirements set forth in article 28 of this Treaty have been complied with.

Duration and denunciation
Article 30

1. This Treaty shall be of a permanent nature and shall remain in force indefinitely, but any Party may denounce it by notifying the General Secretary of the Agency if, in the opinion of the denouncing State, there have arisen or may arise circumstances connected with the content of this Treaty or of the annexed Additional Protocols I and II which affect its supreme interests or the peace and security of one or more Contracting Parties.
2. The denunciation shall take effect three months after the delivery to the General Secretary of the Agency of the notification by the Government of the signatory State concerned. The General Secretary shall immediately communicate such notification to the other Contracting Parties and to the Secretary-General of the United Nations for the information of the United Nations Security Council and the General Assembly. He shall also communicate it to the Secretary-General of the Organization of American States.

Authentic texts and registration
Article 31

This Treaty, of which the Spanish, Chinese, English, French, Portuguese and Russian texts are equally authentic, shall be registered by the Depositary Government in accordance with article 102 of the United Nations Charter. The Depositary Government shall notify the Secretary-General of the United Nations of the signatures, ratification and amendments relating to this Treaty and shall communicate them to the Secretary-General of the Organization of American States for its information.

Transitional Article

Denunciation of the declaration referred to article 28, paragraph 2, shall be subject to the same procedures as the denunciation of this Treaty, except that it will take effect on the date of delivery of the respective notification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Treaty on behalf of their respective Governments.

DONE at Mexico, Distrito Federal, on the Fourteenth day of February, one thousand nine hundred and sixty-seven.

ADDITIONAL PROTOCOL I

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1

To undertake to apply the statute of denuclearization in respect of warlike purposes as defined in articles 1, 3, 5 and 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America in territories for which, de jure or de facto, they are internationally responsible and which lie within the limits of the geographical zone established in that Treaty.

Article 2

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the provisions regarding ratification and denunciation contained in the Treaty shall be applicable to it.

Article 3

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Protocol on behalf of their respective Governments.

ADDITIONAL PROTOCOL II

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards promoting and strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1

The statute of denuclearization of Latin America in respect or warlike purposes, as defined, delimited and set forth in the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

Article 2

The Governments represented by the undersigned Plenipotentiaries undertake, therefore, not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies in accordance with article 4 thereof.

Article 3

The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the

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Treaty for the Prohibition of Nuclear Weapons in Latin America.

Article 4

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the definitions of territory and nuclear weapons set forth in articles 3 and 5 of the Treaty shall be applicable to this Protocol, as well as the provisions regarding ratification, reservations, denunciation, authentic texts and registration contained in articles 26, 27, 30 and 31 of the Treaty.

Article 5

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Additional Protocol on behalf of their respective Governments.

Amendment to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean pursuant to resolution 268 (XII)*

(* Resolution 268 (XII) was adopted by the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean at Mexico City on 10 May 1991.)

Article 25, paragraph 2, of the Treaty should be replaced by the following text:

"The status of State Party to the Treaty of Tlatelolco shall be restricted to the independent States within the zone of application of the Treaty, in accordance with article 4 thereof and with paragraph 1 of this article, which on 10 December 1985 were Members of the United Nations, and to the Non-Self-Governing Territories specified in document OEA/CER.P.AG/doc.1939/85 of 5 November 1985, when they attain their independence."

Amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean pursuant to resolution 290 (VII)*

(* Resolution 290 (VII) was adopted by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean at Mexico City on 26 August 1992.)

Article 14

2. The Contracting Parties shall simultaneously forward to the Agency copies of the reports submitted to the International Atomic Energy Agency with regard to matters that are subject of this Treaty that are relevant to the work of the Agency.
3. The information furnished by the Contracting Parties cannot be, totally or partially, disclosed or transmitted to third parties, by the recipients of the reports, except when the Contracting Parties give their express consent.

Article 15

1. At the request of any of the Parties and with the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any extraordinary event or circumstance which may affect compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to cooperate promptly and fully with the General Secretary.
2. The General Secretary shall immediately inform the Council and the Contracting Parties of such requests and the respective replies.

Current article 16 shall be replaced by the following text:

Article 16

1. The International Atomic Energy Agency has the power of carrying out special inspections, subject to article 12 and to the agreements referred to in article 13 of this Treaty.
2. At the request of any of the Contracting Parties in accordance with the procedures established in article 15 of this Treaty, the Council shall submit for consideration by the International Atomic Energy Agency a request that the necessary mechanisms be put into operation to carry out a special inspection.
3. The General Secretary shall request the Director General of the International Atomic Energy Agency opportunely to transmit to him the information forwarded for the knowledge of the Board of Governors of the International Atomic Energy Agency with regard to the conclusion of the special inspection. The General Secretary shall promptly make this information known to the Council.
4. The Council, through the General Secretary, shall transmit said information to all the Contracting Parties.

Article 19

The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established in the present Treaty.

And the remaining articles, from article 20 onwards, shall be renumbered:

Article 20

1. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.
2. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.

South Pacific Nuclear-Free Zone (Treaty of Rarotonga)

Signed at Rarotonga: 6 August 1985.
Entered into force: 11 December 1986.
Depositary: Director of the South Pacific Bureau For Economic Cooperation.

PREAMBLE

The Parties to this Treaty,

United in their commitment to a world at peace;

Gravely concerned that the continuing nuclear arms race presents the risk of nuclear war which would have devastating consequences for all people;

Convinced that all countries have an obligation to make every effort to achieve the goal of eliminating nuclear weapons, the terror which they hold for humankind and the threat which they pose to life on earth;

Believing that regional arms control measures can contribute to global efforts to reverse the nuclear arms race and promote the national security of each country in the region and the common security of all;

Determined to ensure, so far as lies within their power, that the bounty and beauty of the land and sea in their region shall remain the heritage of their peoples and their descendants in perpetuity to be enjoyed by all in peace;

Reaffirming the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in preventing the proliferation of nuclear weapons and in contributing to world security;

Noting, in particular, that Article VII of the NPT recognizes the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories;

Noting that the prohibitions of emplantation and emplacement of nuclear weapons on the seabed and the ocean floor and in the subsoil thereof contained in the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof apply in the South Pacific;

Noting also that the prohibition of testing of nuclear weapons in the atmosphere or under water, including territorial waters or high seas, contained in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water applies in the South Pacific;

Determined to keep the region free of environmental pollution by radioactive wastes and other radioactive matter;

Guided by the decision of the Fifteenth South Pacific Forum at Tuvalu that a nuclear free zone should be established in the region at the earliest possible opportunity in accordance with the principles set out in the communiqué of that meeting;

Agreed as follows:

Article 1
USAGE OF TERMS

For the purposes of this Treaty and its Protocols:

(a) "South Pacific Nuclear Free Zone" means the areas described in Annex 1 as illustrated by the map attached to that Annex;

(b) "territory" means internal waters, territorial sea and archipelagic waters, the seabed and subsoil beneath, the land territory and the airspace above them;

(c) "nuclear explosive device" means any nuclear weapon or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it;

(d) "stationing" means emplantation, emplacement, transportation on land or inland waters, stockpiling, storage, installation and deployment.

Article 2
APPLICATION OF THE TREATY

1. Except where otherwise specified, this Treaty and its Protocols shall apply to territory within the South Pacific Nuclear Free Zone.
2. Nothing in this Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any

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State under international law with regard to freedom of the seas.

Article 3
RENUNCIATION OF NUCLEAR EXPLOSIVE DEVICES

Each Party undertakes:

(a) not to manufacture or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere inside or outside the South Pacific Nuclear Free Zone;

(b) not to seek or receive any assistance in the manufacture or acquisition of any nuclear explosive device;

(c) not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any State.

Article 4
PEACEFUL NUCLEAR ACTIVITIES

Each Party undertakes:

(a) not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes to:

(i) any non-nuclear-weapon State unless subject to the safeguards required by Article III.1 of the NPT, or

(ii) any nuclear-weapon State unless subject to applicable safeguards agreements with the International Atomic Energy Agency (IAEA). Any such provision shall be in accordance with strict non-proliferation measures to provide assurance of exclusively peaceful non-explosive use;

(b) to support the continued effectiveness of the international non-proliferation system based on the NPT and the IAEA safeguards system.

Article 5
PREVENTION OF STATIONING OF NUCLEAR EXPLOSIVE DEVICES

1. Each Party undertakes to prevent in its territory the stationing of any nuclear explosive device.
2. Each Party in the exercise of its sovereign rights remains free to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters in a manner not covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits.

Article 6
PREVENTION OF TESTING OF NUCLEAR EXPLOSIVE DEVICES

Each Party undertakes:

(a) to prevent in its territory the testing of any nuclear explosive device;

(b) not to take any action to assist or encourage the testing of any nuclear explosive device by any State.

Article 7
PREVENTION OF DUMPING

1. Each Party undertakes:
   (a) not to dump radioactive wastes and other radioactive matter at sea anywhere within the South Pacific Nuclear Free Zone.
   (b) to prevent the dumping of radioactive wastes and other radioactive matter by anyone in its territorial sea;
   (c) not to take any action to assist or encourage the dumping by anyone of radioactive wastes and other radioactive matter at sea anywhere within the South Pacific Nuclear Free Zone;
   (d) to support the conclusion as soon as possible of the proposed Convention relating to the protection of the natural resources and environment of the South Pacific region and its Protocol for the prevention of pollution of the South Pacific region by dumping, with the aim of precluding dumping at sea of radioactive wastes and other radioactive matter by anyone anywhere in the region.
2. Paragraphs l(a) and l(b) of this Article shall not apply to areas of the South Pacific Nuclear Free Zone in respect of which such a Convention and Protocol have entered into force.

Article 8
CONTROL SYSTEM

1. The Parties hereby establish a control system for the purpose of verifying compliance with their obligations under this Treaty.
2. The control system shall comprise:
   (a) reports and exchange of information as provided for in Article 9;
   (b) consultations as provided for in Article 10 and Annex 4 (1);
   (c) the application to peaceful nuclear activities of safeguards by the IAEA as provided for in Annex 2;
   (d) a complaints procedure as provided for in Annex 4.

Article 9
REPORTS AND EXCHANGES OF INFORMATION

1. Each Party shall report to the Director of the South Pacific Bureau for Economic Co-operation (the Director) as soon as possible any significant event within its jurisdiction affecting the implementation of this Treaty. The Director shall circulate such reports promptly to all Parties.
2. The Parties shall endeavour to keep each other informed on matters arising under or in relation to this Treaty. They may exchange information by communicating it to the Director, who shall circulate it to all Parties.
3. The Director shall report annually to the South Pacific Forum on the status of this Treaty and matters arising under or in relation to it, incorporating reports and communications made under paragraphs 1 and 2 of this Article and matters arising under Articles 8(2)(d) and 10 and Annex 2(4).

Article 10
CONSULTATIONS AND REVIEW

Without prejudice to the conduct of consultations among Parties by other means, the Director, at the request of any Party, shall convene a meeting of the Consultative Committee established by Annex 3 for consultation and co-operation on any matter arising in relation to this Treaty or for reviewing its operation.

Article 11
AMENDMENT

The Consultative Committee shall consider proposals for amendment of the provisions of this Treaty proposed by any Party and circulated by the Director to all Parties not less than three months prior to the convening of the Consultative Committee for this purpose. Any proposal agreed upon by consensus by the Consultative Committee shall be communicated to the Director who shall circulate it for acceptance to all Parties. An amendment shall enter into force thirty days after receipt by the depositary of acceptances from all Parties.

Article 12
SIGNATURE AND RATIFICATION

1. This Treaty shall be open for signature by any Member of the South Pacific Forum.
2. This Treaty shall be subject to ratification. Instruments of ratification shall be deposited with the Director who is hereby designated depositary of this Treaty and its Protocols.
3. If a Member of the South Pacific Forum whose territory is outside the South Pacific Nuclear Free Zone becomes a Party to this Treaty, Annex 1 shall be deemed to be amended so far as is required to enclose at least the territory of that Party within the boundaries of the South Pacific Nuclear Free Zone. The delineation of any area added pursuant to this paragraph shall be approved by the South Pacific Forum.

Article 13
WITHDRAWAL

1. This Treaty is of a permanent nature and shall remain in force indefinitely, provided that in the event of a violation by any Party of a provision of this Treaty essential to the achievement of the objectives of the Treaty or of the spirit of the Treaty, every other Party shall have the right to withdraw from the Treaty.
2. Withdrawal shall be effected by giving notice twelve months in advance to the Director who shall circulate such notice to all other Parties.

Article 14
RESERVATIONS

This Treaty shall not be subject to reservations.

Article 15
ENTRY INTO FORCE

1. This Treaty shall enter into force on the date of deposit of the eighth instrument of ratification.
2. For a signatory which ratifies this Treaty after the date of deposit of the eighth instrument of ratification, the Treaty shall enter into force on the date of deposit of its instrument of ratification.

Article 16
DEPOSITARY FUNCTIONS

The depositary shall register this Treaty and its Protocols pursuant to Article 102 of the Charter of the United Nations and shall transmit certified copies of the Treaty and its Protocols to all Members of the South Pacific Forum and all States eligible to become Party to the Protocols to the Treaty and shall notify them of signatures and ratifications of the Treaty and its Protocols.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Treaty.

DONE at Rarotonga, this sixth day of August, One thousand nine hundred and eighty-five, in a single original in the English language.

ANNEX 1
South Pacific Nuclear Free Zone

A. The area bounded by a line:

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(1) commencing at the point of intersection of the Equator by the maritime boundary between Indonesia and Papua New Guinea;

(2) running thence northerly along that maritime boundary to its intersection by the outer limit of the exclusive economic zone of Papua New Guinea;

(3) thence generally north-easterly, easterly and south-easterly along that outer limit to its intersection by the Equator;

(4) thence east along the Equator to its intersection by the meridian of Longitude 163 degrees East;

(5) thence north along that meridian to its intersection by the parallel of Latitude 3 degrees North;

(6) thence east along that parallel to its intersection by the meridian of Longitude 171 degrees East;

(7) thence north along that meridian to its intersection by the parallel of Latitude 4 degrees North;

(8) thence east along that parallel to its intersection by the meridian of Longitude 180 degrees East;

(9) thence south along that meridian to its intersection by the Equator;

(10) thence east along the Equator to its intersection by the meridian of Longitude 165 degrees West;

(11) thence north along that meridian to its intersection by the parallel of Latitude 5 degrees 30 minutes North;

(12) thence east along that parallel to its intersection by the meridian of Longitude 154 degrees West;

(13) thence south along that meridian to its intersection by the Equator;

(14) thence east along the Equator to its intersection by the meridian of Longitude 115 degrees West;

(15) thence south along that meridian to its intersection by the parallel of Latitude 60 degrees South;

(16) thence west along that parallel to its intersection by the meridian of Longitude 115 degrees East;

(17) thence north along that meridian to its southernmost intersection by the outer limit of the territorial sea of Australia;

(18) thence generally northerly and easterly along the outer limit of the territorial sea of Australia to its intersection by the meridian of Longitude 136 degrees 45 minutes East;

(19) thence north-easterly along the geodesic to the point of Latitude 10 degrees 50 minutes South, Longitude 139 degrees 12 minutes East;

(20) thence north-easterly along the maritime boundary between Indonesia and Papua New Guinea to where it joins the land border between those two countries;

(21) thence generally northerly along that land border to where it joins the maritime boundary between Indonesia and Papua New Guinea, on the northern coastline of Papua New Guinea; and

(22) thence generally northerly along that boundary to the point of commencement.

B. The areas within the outer limits of the territorial seas of all Australian islands lying westward of the area described in paragraph A and north of Latitude 60 degrees South, provided that any such areas shall cease to be part of the South Pacific Nuclear Free Zone upon receipt by the depositary of written notice from the Government of Australia stating that the areas have become subject to another treaty having an object and purpose substantially the same as that of this Treaty.

(illustrative map not included)

ANNEX 2
IAEA Safeguards

1. The safeguards referred to in Article 8 shall in respect of each Party be applied by the IAEA as set forth in an agreement negotiated and concluded with the IAEA on all source or special fissionable material in all peaceful nuclear activities within the territory of the Party, under its jurisdiction or carried out under its control anywhere.
2. The agreement referred to in paragraph 1 shall be, or shall be equivalent in its scope and effect to, an agreement required in connection with the NPT on the basis of the material reproduced in document INFCIRC/153 (Corrected) of the IAEA. Each Party shall take all appropriate steps to ensure that such an agreement is in force for it not later than 18 months after the date of entry into force for that Party of this Treaty.
3. For the purposes of this Treaty, the safeguards referred to in paragraph 1 shall have as their purpose the verification of the non-diversion of nuclear material from peaceful nuclear activities to nuclear explosive devices.
4. Each Party agrees upon the request of any other Party to transmit to that Party and to the Director for the information of all Parties a copy of the overall conclusions of the most recent report by the IAEA on its inspection activities in the territory of the Party concerned, and to advise the Director promptly of any subsequent findings of the Board of Governors of the IAEA in relation to those conclusions for the information of all Parties.

ANNEX 3
Consultative Committee

1. There is hereby established a Consultative Committee which shall be convened by the Director from time to time pursuant to Articles 10 and 11 and Annex 4 (2).

The Consultative Committee shall be constituted of representatives of the Parties, each Party being entitled to appoint one representative who may be accompanied by advisers. Unless otherwise agreed, the Consultative Committee shall be chaired at any given meeting by the representative of the Party which last hosted the meeting of Heads of Government of Members of the South Pacific Forum. A quorum shall be constituted by representatives of half the Parties. Subject to the provisions of Article 11, decisions of the Consultative Committee shall be taken by consensus or, failing consensus, by a two-thirds majority of those present and voting. The Consultative Committee shall adopt such other rules of procedure as it sees fit.

2. The costs of the Consultative Committee, including the costs of special inspections pursuant to Annex 4, shall be borne by the South Pacific Bureau for Economic Co-operation. It may seek special funding should this be required.

Annex 4
Complaints Procedure

1. A Party which considers that there are grounds for a complaint that another Party is in breach of its obligations under this Treaty shall, before bringing such a complaint to the Director, bring the subject matter of the complaint to the attention of the Party complained of and shall allow the latter reasonable opportunity to provide it with an explanation and to resolve the matter.
2. If the matter is not so resolved, the complainant Party may bring the complaint to the Director with a request that the Consultative Committee be convened to consider it. Complaints shall be supported by an account of evidence of breach of obligations known to the complainant Party. Upon receipt of a complaint the Director shall convene the Consultative Committee as quickly as possible to consider it.
3. The Consultative Committee, taking account of efforts made under paragraph 1, shall afford the Party complained of a reasonable opportunity to provide it with an explanation of the matter.
4. If, after considering any explanation given to it by the representatives of the Party complained of, the Consultative Committee decides that there is sufficient substance in the complaint to warrant a special inspection in the territory of that Party or elsewhere, the Consultative Committee shall direct that such special inspection be made as quickly as possible by a special inspection team of three suitably qualified special inspectors appointed by the Consultative Committee in consultation with the complained of and complainant Parties, provided that no national of either Party shall serve on the special inspection team. If so requested by the Party complained of, the special inspection team shall be accompanied by representatives of that Party. Neither the right of consultation on the appointment of special inspectors, nor the right to accompany special inspectors, shall delay the work of the special inspection team.
5. In making a special inspection, special inspectors shall be subject to the direction only of the Consultative Committee and shall comply with such directives concerning tasks, objectives, confidentiality and procedures as may be decided upon by it. Directives shall take account of the legitimate interests of the Party complained of in complying with its other international obligations and commitments and shall not duplicate safeguards procedures to be undertaken by the IAEA pursuant to agreements referred to in Annex 2 (1). The special inspectors shall discharge their duties with due respect for the laws of the Party complained of.
6. Each Party shall give to special inspectors full and free access to all information and places within its territory which may be relevant to enable the special inspectors to implement the directives given to them by the Consultative Committee.
7. The Party complained of shall take all appropriate steps to facilitate the special inspection, and shall grant to special inspectors privileges and immunities necessary for the performance of their functions, including inviolability for all papers and documents and immunity from arrest, detention and legal process for acts done and words spoken and written, for the purpose of the special inspection.
8. The special inspectors shall report in writing as quickly as possible to the Consultative Committee, outlining their activities, setting out relevant facts and information as ascertained by them, with supporting evidence and documentation as appropriate, and stating their conclusions. The Consultative Committee shall report fully to all Members of the South Pacific Forum, giving its decision as to whether the Party complained of is in breach of its obligations under this Treaty.
9. If the Consultative Committee has decided that the Party complained of is in breach of its obligations under this Treaty, or that the above provisions have not been complied with, or at any time at the request of either the complainant or complained of Party, the Parties shall meet promptly at a meeting of the South Pacific Forum.

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Protocol 1

The Parties to this Protocol

Noting the South Pacific Nuclear Free Zone Treaty (the Treaty)

Have agreed as follows:

Article 1

Each Party undertakes to apply, in respect of the territories for which it is internationally responsible situated within the South Pacific Nuclear Free Zone, the prohibitions contained in Articles 3, 5 and 6, in so far as they relate to the manufacture, stationing and testing of any nuclear explosive device within those territories, and the safeguards specified in Article 8(2)(c) and Annex 2 of the Treaty.

Article 2

Each Party may, by written notification to the depositary, indicate its acceptance from the date of such notification of any alteration to its obligation under this Protocol brought about by the entry into force of an amendment to the Treaty pursuant to Article 11 of the Treaty.

Article 3

This Protocol shall be open for signature by the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 4

This Protocol shall be subject to ratification.

Article 5

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the depositary three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article 6

This Protocol shall enter into force for each State on the date of its deposit with the depositary of its instrument of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Suva, this Eighth day of August, One thousand nine hundred and eighty-six, in a single original in the English language.

Protocol 2

The Parties to this Protocol

Noting the South Pacific Nuclear Free Zone Treaty (the Treaty)

Have agreed as follows:

Article 1

Each Party undertakes not to use or threaten to use any nuclear explosive device against:

(a) Parties to the Treaty; or

(b) any territory within the South Pacific Nuclear Free Zone for which a State that has become a Party to Protocol 1 is internationally responsible.

Article 2

Each Party undertakes not to contribute to any act of a Party to the Treaty which constitutes a violation of the Treaty, or to any act of another Party to a Protocol which constitutes a violation of a Protocol.

Article 3

Each Party may, by written notification to the depositary, indicate its acceptance from the date of such notification of any alteration to its obligation under this Protocol brought about by the entry into force of an amendment to the Treaty pursuant to Article 11 of the Treaty or by the extension of the South Pacific Nuclear Free Zone pursuant to Article 12(3) of the Treaty.

Article 4

This Protocol shall be open for signature by the French Republic, the People's Republic of China, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 5

This Protocol shall be subject to ratification.

Article 6

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the depositary three

months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article 7

This Protocol shall enter into force for each State on the date of its deposit with the depositary of its instrument of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Suva, this Eighth day of August, One thousand nine hundred and eighty-six, in a single original in the

English language.

Protocol 3

The Parties to this Protocol

Noting the South Pacific Nuclear Free Zone Treaty (the Treaty)

Have agreed as follows:

Article 1

Each Party undertakes not to test any nuclear explosive device anywhere within the South Pacific Nuclear Free Zone.

Article 2

Each Party may, by written notification to the depositary, indicate its acceptance from the date of such notification of any alteration to its obligation under this Protocol brought about by the entry into force of an amendment to the Treaty pursuant to Article 11 of the Treaty or by the extension of the South Pacific Nuclear Free Zone pursuant to Article 12(3) of the Treaty.

Article 3

This Protocol shall be open for signature by the French Republic, the People's Republic of China, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 4

This Protocol shall be subject to ratification.

Article 5

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the depositary three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article 6

This Protocol shall enter into force for each State on the date of its deposit with the depositary of its instrument of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)

Opened for signature in Bangkok: 15 December 1995
Entered into force: 27 March 1997
Depositary Government: Thailand

Preamble

The States Parties to this Treaty:

Desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations;

Determined to take concrete action which will contribute to the progress towards general and complete disarmament of nuclear weapons, and to the promotion of international peace and security;

Reaffirming the desire of the Southeast Asian States to maintain peace and stability in the region in the spirit of peaceful coexistence and mutual understanding and cooperation as enunciated in various communiqués, declarations and other legal instruments;

Recalling the Declaration on the Zone of Peace, Freedom and Neutrality (ZOPFAN) signed in Kuala Lumpur on 27 November 1971 and the Programme of Action on ZOPFAN adopted at the 26th ASEAN Ministerial Meeting in Singapore in July 1993;

Convinced that the establishment of a Southeast Asia Nuclear Weapon-Free Zone, as an essential component of the ZOPFAN, will contribute towards strengthening the security of States within the Zone and towards enhancing international peace and security as a whole;

Reaffirming the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in preventing the

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proliferation of nuclear weapons and in contributing towards international peace and security;

Recalling Article VII of the NPT which recognizes the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories;

Recalling the Final Document of the Tenth Special Session of the United Nations General Assembly which encourages the establishment of nuclear-weapon-free zones;

Recalling the Principles and Objectives for Nuclear Non-Proliferation and Disarmament, adopted at the 1995 Review and Extension Conference of the

Parties to the NPT, that the cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is important for the maximum effectiveness of this nuclear weapon-free zone treaty and its relevant protocols.

Determined to protect the region from environmental pollution and the hazards posed by radioactive wastes and other radioactive material;

Have agreed as follows:

Article 1
USE OF TERMS

For the purposes of this Treaty and its Protocol:

(a) "Southeast Asia Nuclear Weapon-Free Zone", hereinafter referred to as the "Zone", means the area comprising the territories of all States in Southeast Asia, namely, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam, and their respective continental shelves and Exclusive Economic Zones (EEZ);

(b) "territory" means the land territory, internal waters, territorial sea, archipelagic waters, the seabed and the subsoil thereof and the airspace above them;

(c) "nuclear weapon" means any explosive device capable of releasing nuclear energy in an uncontrolled manner but does not include the means of transport or delivery of such device if separable from and not an indivisible part thereof;

(d) "station" means to deploy, emplace, implant, install, stockpile or store;

(e) "radioactive material" means material that contains radionuclides above clearance or exemption levels recommended by the International Atomic Energy Agency (IAEA);

(f) "radioactive wastes" means material that contains or is contaminated with radionuclides at concentrations or activities greater than clearance levels recommended by the IAEA and for which no use is foreseen; and

(g) "dumping" means

(i) any deliberate disposal at sea, including seabed and subsoil insertion, of radioactive wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea, and

(ii) any deliberate disposal at sea, including seabed and subsoil insertion, of vessels, aircraft, platforms or other man-made structures at sea, containing radioactive material, but does not include the disposal of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures.

Article 2
APPLICATION OF THE TREATY

1. This Treaty and its Protocol shall apply to the territories, continental shelves, and EEZ of the States Parties within the Zone in which this Treaty is in force.
2. Nothing in this Treaty shall prejudice the rights or the exercise of these rights by any State under the provisions of the United Nations Convention on the Law of the Sea of 1982, in particular with regard to freedom of the high seas, rights of innocent passage, archipelagic sea lanes passage or transit passage of ships and aircraft, and consistent with the Charter of the United Nations.

Article 3
BASIC UNDERTAKINGS

1. Each State Party undertakes not to, anywhere inside or outside the Zone:
   (a) develop, manufacture or otherwise acquire, possess or have control over nuclear weapons;
   (b) station or transport nuclear weapons by any means; or
   (c) test or use nuclear weapons.
2. Each State Party also undertakes not to allow, in its territory, any other State to:
   (a) develop, manufacture or otherwise acquire, possess or have control over nuclear weapons;
   (b) station nuclear weapons; or
   (c) test or use nuclear weapons.
3. Each State Party also undertakes not to:

(a) dump at sea or discharge into the atmosphere anywhere within the Zone any radioactive material or wastes;

(b) dispose radioactive material or wastes on land in the territory of or under the jurisdiction of other States except as stipulated in Paragraph 2 (e) of Article 4; or

(c) allow, within its territory, any other State to dump at sea or discharge into the atmosphere any radioactive material or wastes.

4. Each State Party undertakes not to:

(a) seek or receive any assistance in the commission of any act in violation of the provisions of Paragraphs 1, 2 and 3 of this Article; or

(b) take any action to assist or encourage the commission of any act in violation of the provisions of paragraphs 1, 2 and 3 of this Article.

Article 4
USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES

1. Nothing in this Treaty shall prejudice the right of the States Parties to use nuclear energy, in particular for their economic development and social progress.
2. Each State Party therefore undertakes:

(a) to use exclusively for peaceful purposes nuclear material and facilities which are within its territory and areas under its jurisdiction and control;

(b) prior to embarking on its peaceful nuclear energy programme, to subject its programme to rigorous nuclear safety assessment conforming to guidelines and standards recommended by the IAEA for the protection of health and minimization of danger to life and property in accordance with Paragraph 6 of Article III of the Statute of the IAEA;

(c) upon request, to make available to another State Party the assessment except information relating to personal data, information protected by intellectual property rights or by industrial or commercial confidentiality, and information relating to national security;

(d) to support the continued effectiveness of the international non-proliferation system based on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the IAEA safeguards system; and

(e) to dispose radioactive wastes and other radioactive material in accordance with IAEA standards and procedures on land within its territory or on land within the territory of another State which has consented to such disposal.

3. Each State Party further undertakes not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to:

(a) any non-nuclear-weapon State except under conditions subject to the safeguards required by Paragraph l of Article III of the NPT; or

(b) any nuclear-weapon State except in conformity with applicable safeguards agreements with the IAEA.

Article 5
IAEA SAFEGUARDS

Each State Party which has not done so shall conclude an agreement with the IAEA for the application of full scope safeguards to its peaceful nuclear activities not later than eighteen months after the entry into force for that State Party of this Treaty.

Article 6
EARLY NOTIFICATION OF A NUCLEAR ACCIDENT

Each State Party which has not acceded to the Convention on Early Notification of a Nuclear Accident shall endeavour to do so.

Article 7
FOREIGN SHIPS AND AIRCRAFT

Each State Party, on being notified, may decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships through its territorial sea or archipelagic waters and overflight of foreign aircraft above those waters in a manner not governed by the rights of innocent passage, archipelagic sea lanes passage or transit passage.

Article 8
ESTABLISHMENT OF THE COMMISSION FOR THE SOUTHEAST ASIA NUCLEAR WEAPON-FREE ZONE

l. There is hereby established a Commission for the Southeast Asia Nuclear Weapon-Free Zone, hereinafter referred to as the “Commission”.
2. All States Parties are ipso facto members of the Commission. Each State Party shall be represented by its Foreign Minister or his representative accompanied by alternates and advisers.
3. The function of the Commission shall be to oversee the implementation of this Treaty and ensure compliance with its provisions.
4. The Commission shall meet as and when necessary in accordance with the provisions of this Treaty including upon the request of any State Party. As far

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as possible, the Commission shall meet in conjunction with the ASEAN Ministerial Meeting.

5. At the beginning of each meeting, the Commission shall elect its Chairman and such other officers as may be required. They shall hold office until a new Chairman and other officers are elected at the next meeting.
6. Unless otherwise provided for in this Treaty, two-thirds of the members of the Commission shall be present to constitute a quorum.
7. Each member of the Commission shall have one vote.
8. Except as provided for in this Treaty, decisions of the Commission shall be taken by consensus or, failing consensus, by a two-thirds majority of the members present and voting.
9. The Commission shall, by consensus, agree upon and adopt rules of procedure for itself as well as financial rules governing its funding and that of its subsidiary organs.

Article 9
THE EXECUTIVE COMMITTEE

l. There is hereby established, as a subsidiary organ of the Commission, the Executive Committee.

2. The Executive Committee shall be composed of all States Parties to this Treaty. Each State Party shall be represented by one senior official as its representative, who may be accompanied by alternates and advisers.

3. The functions of the Executive Committee shall be to:
   (a) ensure the proper operation of verification measures in accordance with the provisions on the Control System as stipulated in Article 10;
   (b) consider and decide on requests for clarification and for a fact-finding mission;
   (c) set up a fact-finding mission in accordance with the Annex of this Treaty;
   (d) consider and decide on the findings of a fact-finding mission and report to the Commission;
   (e) request the Commission to convene a meeting when appropriate and necessary;
   (f) conclude such agreements with the IAEA or other international organizations as referred to in Article 18 on behalf of the Commission after being duly authorized to do so by the Commission; and
   (g) carry out such other tasks as may, from time to time, be assigned by the Commission.

4. The Executive Committee shall meet as and when necessary for the efficient exercise of its functions. As far as possible, the Executive Committee shall meet in conjunction with the ASEAN Senior Officials Meeting.

5. The Chairman of the Executive Committee shall be the representative of the Chairman of the Commission. Any submission or communication made by a State Party to the Chairman of the Executive Committee shall be disseminated to the other members of the Executive Committee.

6. Two-thirds of the members of the Executive Committee shall be present to constitute a quorum.

7. Each member of the Executive Committee shall have one vote.

8. Decisions of the Executive Committee shall be taken by consensus or, failing consensus, by a two-thirds majority of the members present and voting.

Article 10
CONTROL SYSTEM

1. There is hereby established a control system for the purpose of verifying compliance with the obligations of the States parties under this Treaty.

2. The Control System shall comprise:
   (a) the IAEA safeguards system as provided for in Article 5;
   (b) report and exchange of information as provided for in Article 11;
   (c) request for clarification as provided for in Article 12; and
   (d) request and procedures for a fact-finding mission as provided for in Article 13.

Article 11
REPORT AND EXCHANGE OF INFORMATION

l. Each State Party shall submit reports to the Executive Committee on any significant event within its territory and areas under its jurisdiction and control affecting the implementation of this Treaty.

2. The States Parties may exchange information on matters arising under or in relation to this Treaty.

Article 12
REQUEST FOR CLARIFICATION

1. Each State Party shall have the right to request another State Party for clarification concerning any situation which may be considered ambiguous or which may give rise to doubts about the compliance of that State Party with this Treaty. It shall inform the Executive Committee of such a request. The requested State Party shall duly respond by providing without delay the necessary information and inform the Executive Committee of its reply to the requesting State Party.

2. Each State Party shall have the right to request the Executive Committee to seek clarification from another State Party concerning any situation which may be considered ambiguous or which may give rise to doubts about compliance of that State Party with this Treaty. Upon receipt of such a request, the

Executive Committee shall consult the State Party from which clarification is sought for the purpose of obtaining the clarification requested.

Article 13
REQUEST FOR A FACT-FINDING MISSION

A State Party shall have the right to request the Executive Committee to send a fact-finding mission to another State Party in order to clarify and resolve a situation which may be considered ambiguous or which may give rise to doubts about compliance with the provisions of this Treaty, in accordance with the procedure contained in the Annex to this Treaty.

Article 14
REMEDIAL MEASURES

l. In case the Executive Committee decides in accordance with the Annex that there is a breach of this Treaty by a State Party, that State Party shall, within a reasonable time, take all steps necessary to bring itself in full compliance with this Treaty and shall promptly inform the Executive Committee of the action taken or proposed to be taken by it.

2. Where a State Party fails or refuses to comply with the provisions of Paragraph 1 of this Article, the Executive Committee shall request the Commission to convene a meeting in accordance with the provisions of Paragraph 3 (e) of Article 9.

3. At the meeting convened pursuant to Paragraph 2 of this Article, the Commission shall consider the emergent situation and shall decide on any measure it deems appropriate to cope with the situation, including the submission of the matter to the IAEA and, where the situation might endanger international peace and security, the Security Council and the General Assembly of the United Nations.

4. In the event of breach of the Protocol attached to this Treaty by a State Party to the Protocol, the Executive Committee shall convene a special meeting of the Commission to decide on appropriate measures to be taken.

Article 15
SIGNATURE, RATIFICATION, ACCESSION, DEPOSIT AND REGISTRATION

1. This Treaty shall be open for signature by all States in Southeast Asia, namely, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam.

2. This Treaty shall be subject to ratification in accordance with the constitutional procedure of the signatory States. The instruments of ratification shall be deposited with the Government of the Kingdom of Thailand which is hereby designated as the Depositary State.

3. This Treaty shall be open for accession. The instruments of accession shall be deposited with the Depositary State.

4. The Depositary State shall inform the other States Parties to this Treaty on the deposit of instruments of ratification or accession.

5. The Depositary State shall register this Treaty and its Protocol pursuant to Article 102 of the Charter of the United Nations.

Article 16
ENTRY INTO FORCE

l. This Treaty shall enter into force on the date of the deposit of the seventh instrument of ratification and/or accession.

2. For States which ratify or accede to this Treaty after the date of this seventh instrument of ratification or accession, this Treaty shall enter into force on the date of deposit of its instrument of ratification or accession.

Article 17
RESERVATIONS

This Treaty shall not be subject to reservations.

Article 18
RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS

The Commission may conclude such agreements with the IAEA or other international organizations as it considers likely to facilitate the efficient operation of the Control System established by this Treaty.

Article 19
AMENDMENTS

l. Any State Party may propose amendments to this Treaty and its Protocol and shall submit its proposals to the Executive Committee, which shall transmit them to all the other States Parties. The Executive Committee shall immediately request the Commission to convene a meeting to examine the proposed amendments. The quorum required for such a meeting shall be all the members of the Commission. Any amendment shall be adopted by a consensus decision of the Commission.

2. Amendments adopted shall enter into force 30 days after the receipt by the Depositary State of the seventh instrument of acceptance from the States Parties.

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Article 20
REVIEW

Ten years after this Treaty enters into force, a meeting of the Commission shall be convened for the purpose of reviewing the operation of this Treaty. A meeting of the Commission for the same purpose may also be convened at anytime thereafter if there is consensus among all its members.

Article 21
SETTLEMENT OF DISPUTES

Any dispute arising from the interpretation of the provision of this Treaty shall be settled by peaceful means as may be agreed upon by the States Parties to the dispute. If within one month, the parties to the dispute are unable to achieve a peaceful settlement of the dispute by negotiation, mediation, enquiry or conciliation, any of the parties concerned shall, with the prior consent of the other parties concerned, refer the dispute to arbitration or to the International Court of Justice.

Article 22
DURATION AND WITHDRAWAL

l. This Treaty shall remain in force indefinitely.

2. In the event of a breach by any State Party of this Treaty essential to the achievement of the objectives of this Treaty, every other State Party shall have the right to withdraw from this Treaty.

3. Withdrawal under Paragraph 2 of Article 22, shall be effected by giving notice twelve months in advance to the members of the Commission.

IN WITNESS WHERE0F, the undersigned have signed this Treaty.

DONE at Bangkok, this fifteenth day of December, thousand nine hundred and ninety-five, in one original in the English language.

ANNEX

Procedure for a Fact-Finding Mission

l. The State Party requesting a fact-finding mission as provided in Article 13, hereinafter referred to as the "requesting State", shall submit the request to the Executive Committee specifying the following:
   (a) the doubts or concerns and the reasons for such doubts or concerns;
   (b) the location in which the situation which gives rise to doubts has allegedly occurred;
   (c) the relevant provisions of this Treaty about which doubts of compliance have arisen; and
   (d) any other relevant information.

2. Upon receipt of a request for a fact-finding mission, the Executive Committee shall:
   (a) immediately inform the State Party to which the fact-finding mission is requested to be sent, hereinafter referred to as the "receiving State", about the receipt of the request; and
   (b) not later than 3 weeks after receiving the request, decide if the request complies with the provisions of Paragraph l and whether or not it is frivolous, abusive or clearly beyond the scope of this Treaty. Neither the requesting nor receiving State Party shall participate in such decisions.

3. In case the Executive Committee decides that the request does not comply with the provisions of Paragraph l, or that it is frivolous, abusive or clearly beyond the scope of this Treaty, it shall take no further action on the request and inform the requesting State and the receiving State accordingly.

4. In the event that the Executive Committee decides that the request complies with the provisions of Paragraph l, and that it is not frivolous, abusive or clearly beyond the scope of this Treaty, it shall immediately forward the request for a fact-finding mission to the receiving State, indicating, inter alia, the proposed date for sending the mission. The proposed date shall not be later than 3 weeks from the time the receiving State receives the request for a fact-finding mission. The Executive Committee shall also immediately set up a fact-finding mission consisting of 3 inspectors from the IAEA who are neither nationals of the requesting nor receiving State.

5. The receiving State shall comply with the request for a fact-finding mission referred to in Paragraph 4. It shall cooperate with the Executive Committee in order to facilitate the effective functioning of the fact-finding mission, inter alia, by promptly providing unimpeded access of the fact-finding mission to the location in question. The receiving State shall accord to the members of the fact-finding mission such privileges and immunities as are necessary for them to exercise their functions effectively, including inviolability of all papers and documents and immunity from arrest, detention and legal process for acts done and words spoken for the purpose of the mission.

6. The receiving State shall have the right to take measures to protect sensitive installations and to prevent disclosures of confidential information and data not related to this Treaty.

7. The fact-finding mission, in the discharge of its functions, shall:
   (a) respect the laws and regulations of the receiving State;
   (b) refrain from activities inconsistent with the objectives and purposes of this Treaty;

(c) submit preliminary or interim reports to the Executive Committee; and

(d) complete its task without undue delay and shall submit its final report to the Executive Committee within a reasonable time upon completion of its work.

8. The Executive Committee shall:

(a) consider the reports submitted by the fact-finding mission and reach a decision on whether or not there is a breach of this Treaty;

(b) immediately communicate its decision to the requesting State and the receiving State; and

(c) present a full report on its decision to the Commission.

9. In the event that the receiving State refuses to comply with the request for a fact-finding mission in accordance with Paragraph 4, the requesting State through the Executive Committee shall have the right to request for a meeting of the Commission. The Executive Committee shall immediately request the Commission to convene a meeting in accordance with Paragraph 3(e) of Article 9.

Protocol to the Treaty on Southeast Asia Nuclear Weapon-Free Zone

The States Parties to this Protocol,

Desiring to contribute to efforts towards achieving general and complete disarmament of nuclear weapons, and thereby ensuring international peace and

security, including in Southeast Asia;

Noting the Treaty on the Southeast Asia Nuclear Weapon-Free Zone, signed at Bangkok on the fifteenth day of December, one thousand nine hundred and ninety-five;

Have agreed as follows:

Article 1

Each State Party undertakes to respect the Treaty on the Southeast Asia Nuclear Weapon-Free Zone, hereinafter referred to as the "Treaty", and not to contribute to any act which constitutes a violation of the Treaty or its Protocol by States Parties to them.

Article 2

Each State Party undertakes not to use or threaten to use nuclear weapons against any State Party to the Treaty. It further undertakes not to use or threaten to use nuclear weapons within the Southeast Asia Nuclear Weapon-Free Zone.

Article 3

This Protocol shall be open for signature by the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 4

Each State Party undertakes, by written notification to the Depositary State, to indicate its acceptance or otherwise of any alteration to its obligation under this

Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to Article 19 thereof.

Article 5

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme national interests. It shall give notice of such withdrawal to the Depositary State twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme national interests.

Article 6

This Protocol shall be subject to ratification.

Article 7

This Protocol shall enter into force for each State Party on the date of its deposit of its instrument of ratification with the Depositary State. The Depositary

State shall inform the other States Parties to she Treaty and to this Protocol on the deposit of instruments of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Protocol.

DONE at Bangkok this fifteenth day of December, one thousand nine hundred and ninety-five, in one original in the English language.

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African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty)

Signed at Cairo: 11 April 1996.

Not yet in force [The Treaty shall enter into force on the date of deposit of the twenty-eighth instrument of ratification.]

Depositary: Secretary-General of the Organization of African Unity.

The Parties to this Treaty,

Guided by the Declaration on the Denuclearization of Africa, adopted by the Assembly of Heads of State and Government of the Organization of African Unity (hereinafter referred to as OAU) at its first ordinary session, held at Cairo from 17 to 21 July 1964 (AHG/Res.11(l)), in which they solemnly declared their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of nuclear weapons,

Guided also, by the resolutions of the fifty-fourth and fifty-sixth ordinary sessions of the Council of Ministers of OAU, held at Abuja from 27 May to 1

June 1991 and at Dakar from 22 to 28 June 1992 respectively (CM/Res.1342 (LIV) and CM/Res.1395 (LVI)), which affirmed that the evolution of the international situation was conducive to the implementation of the Cairo Declaration, as well as the relevant provisions of the 1986 OAU Declaration on Security, Disarmament and Development,

Recalling United Nations General Assembly resolution 3472 B (XXX) of 11 December 1975, in which it considered nuclear-weapon-free zones one of the most effective means for preventing the proliferation, both horizontal and vertical, of nuclear weapons,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons, as well as of the obligations of all States to contribute to this end,

Convinced also that the African nuclear-weapon-free zone will constitute an important step towards strengthening the non-proliferation regime, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament and enhancing regional and international peace and security.

Aware that regional disarmament measures contribute to global disarmament efforts,

Believing that the African nuclear-weapon-free zone will protect African States against possible nuclear attacks on their territories,

Noting with satisfaction existing NWFZs and recognizing that the establishment of other NWFZs, especially in the Middle East, would enhance the security of States Parties to the African NWFZ,

Reaffirming the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the NPT) and the need for the implementation of all its provisions,

Desirous of taking advantage of article IV of the NPT, which recognizes the inalienable right of all States Parties to develop research on, production and use of nuclear energy for peaceful purposes without discrimination and to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for such purposes,

Determined to promote regional cooperation for the development and practical application of nuclear energy for peaceful purposes in the interest of sustainable social and economic development of the African continent,

Determined to keep Africa free of environmental pollution by radioactive wastes and other radioactive matter,

Welcoming the cooperation of all States and governmental and non-governmental organizations for the attainment of these objectives,

Have decided by this treaty to establish the African NWFZ and hereby agree as follows:

Article 1
Definition/Usage of terms

For the purpose of this Treaty and its Protocols:

(a) "African nuclear-weapon-free zone" means the territory of the continent of Africa, islands States members of OAU and all islands considered by the Organization of African Unity in its resolutions to be part of Africa;

(b) "Territory" means the land territory, internal waters, territorial seas and archipelagic waters and the airspace above them as well as the sea bed and subsoil beneath;

(c) "Nuclear explosive device" means any nuclear weapon or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it;

(d) "Stationing" means implantation, emplacement, transport on land or inland waters, stockpiling, storage, installation and deployment;

(e) "Nuclear installation" means a nuclear-power reactor, a nuclear research reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant, a separate storage installation and any other installation or location in or at which fresh or irradiated nuclear material or significant quantities of radioactive materials are present.

(f) "Nuclear material" means any source material or special fissionable material as defined in Article XX of the Statute of the International Atomic Energy Agency (IAEA) and as amended from time to time by the IAEA.

Article 2
Application of the Treaty

1. Except where otherwise specified, this Treaty and its Protocols shall apply to the territory within the African nuclear-weapon-free zone, as illustrated in the map in annex I.
2. Nothing in this Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regards to freedom of the seas.

Article 3
Renunciation of nuclear explosive devices

Each Party undertakes:

(a) Not to conduct research on, develop, manufacture, stockpile or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere;

(b) Not to seek or receive any assistance in the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device;

(c) Not to take any action to assist or encourage the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device.

Article 4
Prevention of stationing of nuclear explosive devices

1. Each Party undertakes to prohibit, in its territory, the stationing of any nuclear explosive device.
2. Without prejudice to the purposes and objectives of the treaty, each Party in the exercise of its sovereign rights remains free to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters in a manner not covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits.

Article 5
Prohibition of testing of nuclear explosive devices

Each Party undertakes:

(a) Not to test any nuclear explosive device;

(b) To prohibit in its territory the testing of any nuclear explosive device;

(c) Not to assist or encourage the testing of any nuclear explosive device by any State anywhere.

Article 6
Declaration, dismantling, destruction or conversion of nuclear explosive devices and the facilities for their manufacture

Each Party undertakes:

(a) To declare any capability for the manufacture of nuclear explosive devices;

(b) To dismantle and destroy any nuclear explosive device that it has manufactured prior to the coming into force of this Treaty;

(c) To destroy facilities for the manufacture of nuclear explosive devices or, where possible, to convert them to peaceful uses;

(d) To permit the International Atomic Energy Agency (hereinafter referred to as IAEA) and the Commission established in article 12 to verify the processes of dismantling and destruction of the nuclear explosive devices, as well as the destruction or conversion of the facilities for their production.

Article 7
Prohibition of dumping of radioactive wastes

Each Party undertakes:

(a) To effectively implement or to use as guidelines the measures contained in the Bamako Convention on the Ban of the Import into Africa and Control of Transboundary Movement and Management of Hazardous Wastes within Africa in so far as it is relevant to radioactive waste;

(b) Not to take any action to assist or encourage the dumping of radioactive wastes and other radioactive matter anywhere within the African nuclear-weapon-free zone.

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Article 8
Peaceful nuclear activities

1. Nothing in this Treaty shall be interpreted as to prevent the use of nuclear science and technology for peaceful purposes.
2. As part of their efforts to strengthen their security, stability and development, the Parties undertake to promote individually and collectively the use of nuclear science and technology for economic and social development. To this end they undertake to establish and strengthen mechanisms for cooperation at the bilateral, subregional and regional levels.
3. Parties are encouraged to make use of the programme of assistance available in IAEA and, in this connection, to strengthen cooperation under the African Regional Cooperation Agreement for Research, Training and Development Related to Nuclear Science and Technology (hereinafter referred to as AFRA).

Article 9
Verification of Peaceful Uses

Each Party undertakes:

(a) To conduct all activities for the peaceful use of nuclear energy under strict non-proliferation measures to provide assurance of exclusively peaceful uses;

(b) To conclude a comprehensive safeguards agreement with IAEA for the purpose of verifying compliance with the undertakings in subparagraph (a) of this article;

(c) Not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes to any non-nuclear-weapon State unless subject to a comprehensive safeguards agreement concluded with IAEA.

Article 10
Physical protection of nuclear materials and facilities

Each Party undertakes to maintain the highest standards of security and effective physical protection of nuclear materials, facilities and equipment to prevent theft or unauthorized use and handling. To that end each Party, inter alia, undertakes to apply measures of physical protection equivalent to those provided for in the Convention on Physical Protection of Nuclear Material and in recommendations and guidelines developed by IAEA for that purpose.

Article 11
Prohibition of armed attack on nuclear installations

Each Party undertakes not to take, or assist, or encourage any action aimed at an armed attack by conventional or other means against nuclear installations in the African nuclear-weapon-free zone.

Article 12
Mechanism for compliance

1. For the purpose of ensuring compliance with their undertakings under this Treaty, the Parties agree to establish the African Commission on Nuclear Energy (hereafter referred to as the Commission) as set out in annex III.
2. The Commission shall be responsible inter alia for:
   (a) Collating the reports and the exchange of information as provided for in article 13;
   (b) Arranging consultations as provided for in annex IV, as well as convening conferences of Parties on the concurrence of simple majority of States Parties on any matter arising from the implementation of the Treaty;
   (c) Reviewing the application to peaceful nuclear activities of safeguards by IAEA as elaborated in annex II;
   (d) Bringing into effect the complaints procedure elaborated in annex IV;
   (e) Encouraging regional and sub-regional programmes for cooperation in the peaceful uses of nuclear science and technology;
   (f) Promoting international cooperation with extra-zonal States for the peaceful uses of nuclear science and technology.
3. The Commission shall meet in ordinary session once a year, and may meet in extraordinary session as may be required by the complaints and settlement of disputes procedure in annex IV.

Article 13
Report and exchanges of information

1. Each Party shall submit an annual report to the Commission on its nuclear activities as well as other matters relating to the Treaty, in accordance with the format for reporting to be developed by the Commission.
2. Each Party shall promptly report to the Commission any significant event affecting the implementation of the Treaty.
3. The Commission shall request the IAEA to provide it with an annual report on the activities of AFRA.

Article 14
Conference of Parties

1. A Conference of all Parties to the Treaty shall be convened by the Depositary as soon as possible after the entry into force of the Treaty to, inter alia, elect members of the Commission and determine its headquarters. Further conferences of States Parties shall be held as necessary and at least every two years, and convened in accordance with paragraph 2 (b) of article 12.
2. The Conference of all Parties to the Treaty shall adopt the Commission's budget and a scale of assessment to be paid by the States Parties.

Article 15
Interpretation of the Treaty

Any dispute arising out of the interpretation of the Treaty shall be settled by negotiation, by recourse to the Commission or another procedure agreed to by the Parties, which may include recourse to an arbitral panel or to the International Court of Justice.

Article 16
Reservations

This Treaty shall not be subject to reservations.

Article 17
Duration

This Treaty shall be of unlimited duration and shall remain in force indefinitely.

Article 18
Signature, ratification and entry into force

1. This Treaty shall be open for signature by any State in the African nuclear-weapon-free zone. It shall be subject to ratification.
2. It shall enter into force on the date of deposit of the twenty-eighth instrument of ratification.
3. For a signatory that ratifies this Treaty after the date of the deposit of the twenty-eighth instrument of ratification, it shall enter into force for that signatory on the date of deposit of its instrument of ratification.

Article 19
Amendments

1. Any amendments to the Treaty proposed by a Party shall be submitted to the Commission, which shall circulate it to all Parties.
2. Decision on the adoption of such an amendment shall be taken by a two-thirds majority of the Parties either through written communication to the Commission or through a conference of Parties convened upon the concurrence of a simple majority.
3. An amendment so adopted shall enter into force for all parties after receipt by the Depositary of the instrument of ratification by the majority of Parties.

Article 20
Withdrawal

1. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject-matter of this Treaty, have jeopardized its supreme interests.
2. Withdrawal shall be effected by a Party giving notice, which includes a statement of the extraordinary events it regards as having jeopardized its supreme interest, twelve months in advance to the Depositary. The Depositary shall circulate such notice to all other parties.

Article 21
Depositary functions

1. This Treaty, of which the Arabic, English, French and Portuguese texts are equally authentic, shall be deposited with the Secretary-General of OAU, who is hereby designated as Depositary of the Treaty.
2. The Depositary shall:
   (a) Receive instruments of ratification;
   (b) Register this Treaty and its Protocols pursuant to Article 102 of the Charter of the United Nations;
   (c) Transmit certified copies of the Treaty and its Protocols to all States in the African nuclear-weapon-free zone and to all States eligible to become party to the Protocols to the Treaty, and shall notify them of signatures and ratification of the Treaty and its Protocols.

Article 22
Status of the annexes

The annexes form an integral part of this Treaty. Any reference to this Treaty includes the annexes.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Treaty.

Annex II

Safeguards of the International Atomic Energy Agency

1. The safeguards referred to in subparagraph (b) of the article 9 shall in respect of each Party be applied by the International Atomic Energy Agency as set forth in

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an agreement negotiated and concluded with the Agency on all source or special fissionable material in all nuclear activities within the territory of the Party, under its jurisdiction or carried out under its control anywhere.

2. The Agreement referred to in paragraph 1 above shall be, or shall be equivalent in its scope and effect to, the agreement required in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/l53 corrected). A party that has already entered into a safeguards agreement with the IAEA is deemed to have already complied with the requirement. Each Party shall take all appropriate steps to ensure that the Agreement referred to in paragraph 1 is in force for it not later than eighteen months after the date of entry into force for that Party of this Treaty.
3. For the purpose of this Treaty, the safeguards referred to in paragraph 1 above shall have as their purpose the verification of the non-diversion of nuclear material from peaceful nuclear activities to nuclear explosive devices or for purposes unknown.
4. Each Party shall include in its annual report to the Commission, in conformity with article 13, for its information and review, a copy of the overall conclusions of the most recent report by the International Atomic Energy Agency on its inspection activities in the territory of the Party concerned, and advise the Commission promptly of any change in those conclusions. The information furnished by a Party shall not be, totally or partially, disclosed or transmitted to third parties, by the addressees of the reports, except when that Party gives its express consent.

Annex III

African Commission on Nuclear Energy

1. The Commission established in article 12 shall be composed of twelve Members elected by Parties to the Treaty for a three-year period, bearing in mind the need for equitable geographical distribution as well as to include Members with advanced nuclear programmes. Each Member shall have one representative nominated with particular regard for his/her expertise in the subject of the Treaty.
2. The Commission shall have a Bureau consisting of the Chairman, the Vice-Chairman and the Executive Secretary. It shall elect its Chairman and Vice-Chairman. The Secretary-General of the Organization of African Unity, at the request of Parties to the Treaty and in consultation with the Chairman, shall designate the Executive Secretary of the Commission. For the first meeting a quorum shall be constituted by representatives of two thirds of the Members of the Commission. For that meeting decisions of the Commission shall be taken as far as possible by consensus or otherwise by a two-thirds majority of the Members of the Commission. The Commission shall adopt its rules of procedure at that meeting.
3. The Commission shall develop a format for reporting by States as required under articles 12 and 13.
4. (a) The budget of the Commission, including the costs of inspections pursuant to annex IV to this Treaty, shall be borne by the Parties to the Treaty in accordance with a scale of assessment to be determined by the Parties;

   (b) The Commission may also accept additional funds from other sources provided such donations are consistent with the purposes and objectives of the Treaty;

Annex VI

Complaints procedure and settlement of disputes

1. A Party which considers that there are grounds for a complaint that another Party or a Party to Protocol III is in breach of its obligations under this Treaty shall bring the subject-matter of the complaint to the attention of the Party complained of and shall allow the latter thirty days to provide it with an explanation and to resolve the matter. This may include technical visits agreed upon between the Parties.
2. If the matter is not so resolved, the complainant Party may bring this complaint to the Commission.
3. The Commission, taking account of efforts made under paragraph 1 above, shall afford the Party complained of forty-five days to provide it with an explanation of the matter.
4. If, after considering any explanation given to it by the representatives of the Party complained of, the Commission considers that there is sufficient substance in the complaint to warrant an inspection in the territory of that Party or territory of a party to Protocol III, the Commission may request the International Atomic Energy Agency to conduct such inspection as soon as possible. The Commission may also designate its representatives to accompany the Agency's inspection team.

   (a) The request shall indicate the tasks and objectives of such inspection, as well as any confidentiality requirements;

   (b) If the Party complained of so requests, the inspection team shall be accompanied by representatives of that Party provided that the inspectors shall not be thereby delayed or otherwise impeded in the exercise of their functions;

(c) Each Party shall give the inspection team full and free access to all information and places within each territory that may be deemed relevant by the inspectors to the implementation of the inspection;

(d) The Party complained of shall take all appropriate steps to facilitate the work of the inspection team, and shall accord them the same privileges and immunities as those set forth in the relevant provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency;

(e) The International Atomic Energy Agency shall report its findings in writing as quickly as possible to the Commission, outlining its activities, setting out relevant facts and information as ascertained by it, with supporting evidence and documentation as appropriate, and stating its conclusions. The Commission shall report fully to all States Parties to the Treaty giving its decision as to whether the Party complained of is in breach of its obligations under this Treaty;

(f) If the Commission considers that the Party complained of is in breach of its obligations under this Treaty, or that the above provisions have not been complied with, States Parties to the Treaty shall meet in extraordinary session to discuss the matter;

(g) The States Parties convened in extraordinary session may as necessary, make recommendations to the Party held to be in breach of its obligations and to the Organization of African Unity. The Organization of African Unity may, if necessary, refer the matter to the United Nations Security Council;

(h) The costs involved in the procedure outlined above shall be borne by the Commission. In the case of abuse, the Commission shall decide whether the requesting State Party should bear any of the financial implications.

5. The Commission may also establish its own inspection mechanisms.

Protocol I

The Parties to this Protocol,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons as well as the obligations of all States to contribute to this end,

Convinced also that the African Nuclear-Weapon-Free Zone Treaty, negotiated and signed in accordance with the Declaration on the Denuclearization of Africa (AHG/Res.11(1)) of 1964, resolutions CM/Res.1342 (LIV) of 1991 and CM/Res.1395(LVI) Rev.1 of 1992 of the Council of Ministers of the Organization of African Unity and United Nations General Assembly Resolution 48/86 of 16 December 1993, constitutes an important measure towards ensuring the non-proliferation of nuclear weapons, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

Desirous of contributing in all appropriate manners to the effectiveness of the Treaty,

Have agreed as follows:

Article 1

Each Protocol Party undertakes not to use or threaten to use a nuclear explosive device against:

(a) Any Party to the Treaty; or

(b) Any territory within the African nuclear-weapon-free zone for which a State that has become a Party to Protocol III is internationally responsible as defined in annex 1.

Article 2

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

Article 3

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alteration to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 19 of the Treaty.

Article 4

This Protocol shall be open for signature by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 5

This Protocol shall be subject to ratification.

Article 6

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject–matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement

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of the extraordinary events it regards as having jeopardized its supreme interests.

Article 7

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Protocol.

Protocol II

The Parties to this Protocol,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons as well as the obligations of all States to contribute to this end,

Convinced also that the African Nuclear-Weapon-Free Zone Treaty, negotiated and signed in accordance with the Declaration on the Denuclearization of Africa (AHG/Res.11(1)) of 1964, resolutions CM/Res.1342 (LIV) of 1991 and CM/Res.1395(LVI)/Rev.1 of 1992 of the Council of Ministers of the Organization of African Unity and United Nations General Assembly resolution 48/86 of 16 December 1993, constitutes an important measure towards ensuring the non–proliferation of nuclear weapons, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

Desirous of contributing in all appropriate manners to the effectiveness of the Treaty,

Bearing in mind the objective of concluding a treaty banning all nuclear tests,

Have agreed as follows:

Article 1

Each Protocol Party undertakes not to test or assist or encourage the testing of any nuclear explosive device anywhere within the African nuclear-weapon-free zone.

Article 2

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

Article 3

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alteration to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 19 of the Treaty.

Article 4

This Protocol shall be open for signature by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 5

This Protocol shall be subject to ratification.

Article 6

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject–matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article 7

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

In witness whereof the undersigned, being duly authorized by their Governments, have signed this Protocol.

Protocol III

The Parties to this Protocol,

Convinced of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons as well as the obligations of all States to contribute to this end,

Convinced also that the African Nuclear-Weapon-Free Zone Treaty,. negotiated and signed in accordance with the Declaration on the Denuclearization of Africa (AHG/Res.11(1)) of 1964, resolutions CM/Res.1342 (LIV) of 1991 and CM/Res.1395 (LVI)/Rev.1 of 1992 of the Council of Ministers of the Organization of African Unity and United Nations General Assembly resolution 48/86 of 16 December 1993, constitutes an important measure towards ensuring the non-proliferation of nuclear weapons, promoting cooperation in the peaceful uses of nuclear energy, promoting general and complete

disarmament, and enhancing regional and international peace and security,

Desirous of contributing in all appropriate manners to the effectiveness of the Treaty,

Have agreed as follows:

Article 1

Each Protocol Party undertakes to apply, in respect of the territories for which it is de jure or de facto internationally responsible situated within the African nuclear-weapon-free zone, the provisions contained in articles 3, 4, 5, 6, 7, 8, 9 and 10 of the Treaty and to ensure the application of safeguards specified in annex II of the Treaty.

Article 2

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

Article 3

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alterations to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 19 of the Treaty.

Article 4

This Protocol shall be open for signature by France and Spain.

Article 5

This Protocol shall be subject to ratification.

Article 6

This Protocol is of a permanent nature and shall remain in force indefinitely provided that each Party shall, in exercising its national sovereignty have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article 7

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol)

Signed at Geneva: 17 June 1925.
Entered into force: for each signatory as from the date of deposit of its ratification; accessions take effect on the date of the notification by the depositary Government.
Depositary Government: France.

The Undersigned Plenipotentiaries, in the name of their respective Governments:

Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world; and

Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

Declare:

That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration.

The High Contracting Parties will exert every effort to induce other States to accede to the present Protocol. Such accession will be notified to the Government of the French Republic, and by the latter to all signatory and acceding Powers, and will take effect on the date of the notification by the Government of the French Republic.

The present Protocol, of which the English and French texts are both authentic, shall be ratified as soon as possible. It shall bear to-day's date.

The ratifications of the present Protocol shall be addressed to the Government of the French Republic, which will at once notify the deposit of such ratification to each of the signatory and acceding Powers.

The instruments of ratification of and accession to the present Protocol will remain deposited in the archives of the Government of the French Republic.

The present Protocol will come into force for each signatory Power as from the date of deposit of its

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ratification, and, from that moment, each Power will be bound as regards other Powers which have already deposited their ratifications.

In witness whereof the Plenipotentiaries have signed the present Protocol.

Done at Geneva in a single copy, the seventeenth day of June, One Thousand Nine Hundred and Twenty-Five.

Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC)

Opened for signature at London (L), Moscow (M) and Washington (W): 10 April 1972.

Entered into force: 26 March 1975.

Depositary Governments: Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America.

The States Parties to this Convention,

Determine to act with a view to achieving effective progress toward general and complete disarmament, including the prohibition and elimination of all types of weapons of mass destruction, and convinced that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective control,

Recognizing the important significance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925, and conscious also of the contribution which the said Protocol has already made and continues to make, to mitigating the horrors of war,

Reaffirming their adherence to the principles and objectives of that Protocol and calling upon all States to comply strictly with them,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the principles and objectives of the Geneva Protocol of June 17, 1925,

Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

Desiring also to contribute to the realization of the purposes and principles of the Charter of the United Nations,

Convinced of the importance and urgency of eliminating from the arsenals of States, through effective measures, such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

Recognizing that an agreement on the prohibition of bacteriological (biological) and toxin weapons represents a first possible step towards the achievement of agreement on effective measures also for the prohibition of the development, production and stockpiling of chemical weapons, and determined to continue negotiations to that end,

Determined, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Have agreed as follows:

ARTICLE I

Each State Party to this Convention undertakes never in any circumstance to develop, produce, stockpile or otherwise acquire or retain:

Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

ARTICLE II

Each State Party to this Convention undertakes to destroy, or to divert to peaceful purposes, as soon as possible but not later than nine months after the entry into force of the Convention, all agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, which are in its possession or under its jurisdiction or control. In implementing the provisions of this article all necessary safety precautions shall be observed to protect populations and the environment.

ARTICLE III

Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents,

toxins, weapons, equipment or means of delivery specified in article I of the Convention.

ARTICLE IV

Each State Party to this Convention shall, in accordance with its constitutional processes, takes any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in article I of the Convention, within the territory of such State, under its jurisdiction or under its control anywhere.

ARTICLE V

The States Parties to this Convention undertake to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention.

Consultation and cooperation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

ARTICLE VI

(1) Any State Party to this Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council.

(2) Each State Party to this Convention undertakes to cooperate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

ARTICLE VII

Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

ARTICLE VIII

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925.

ARTICLE IX

Each State Party to this Convention affirms the recognized objective of effective prohibition of chemical weapons and, to this end, undertakes to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes.

ARTICLE X

(1) The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also cooperate in contributing individually or together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for prevention of disease, or for other peaceful purposes.

(2) This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international cooperation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

ARTICLE XI

Any State Party may propose amendments to this Convention. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party on the date of acceptance by it.

ARTICLE XII

Five years after the entry into force of this Convention, or earlier if it is requested by a majority of the Parties to the Convention by submitting a proposal to this effect to the Depositary Governments, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, to review the operation of the Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, are being

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realized. Such review shall take into account any new scientific and technological developments relevant to the Convention.

ARTICLE XIII

(1) This Convention shall be of unlimited duration.

(2) Each State Party to this Convention shall in exercising its natural sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject matter of the Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE XIV

(1) This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph (3) of this Article may accede to it at any time.

(2) This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

(3) This Convention shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositaries of the Convention.

(4) For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force on the date of the deposit of their instrument of ratification or accession.

(5) The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession and the date of the entry into force of this Convention, and of the receipt of other notices.

(6) This Convention shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE XV

This Convention, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of the Convention shall be transmitted by the Depositary Governments of the signatory and acceding States.

Excerpts from the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention / CWC)

(Corrected version in accordance with Depositary Notification C.N.246.1994.TREATIES-5 and the corresponding Procès-Verbal of Rectification of the Original of the Convention, issued on 8 August 1994.)

Opened for Signature: 13 January 1993.
Entered into Force: 29 April 1997.
Duration: Unlimited.
Depositary: UN Secretary-General.

PREAMBLE

The States Parties to this Convention,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction,

Desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 (the Geneva Protocol of 1925),

Recognizing that this Convention reaffirms principles and objectives of and obligations assumed under the Geneva Protocol of 1925, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction signed at London, Moscow and Washington on 10 April 1972,

Bearing in mind the objective contained in Article IX of the Convention on the Prohibition of the Development,

Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction,

Determined for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons, through the implementation of the provisions of this Convention, thereby complementing the obligations assumed under the Geneva Protocol of 1925,

Recognizing the prohibition, embodied in the pertinent agreements and relevant principles of international law, of the use of herbicides as a method of warfare,

Considering that achievements in the field of chemistry should be used exclusively for the benefit of mankind,

Desiring to promote free trade in chemicals as well as international cooperation and exchange of scientific and technical information in the field of chemical activities for purposes not prohibited under this Convention in order to enhance the economic and technological development of all States Parties,

Convinced that the complete and effective prohibition of the development, production, acquisition, stockpiling, retention, transfer and use of chemical weapons, and their destruction, represent a necessary step towards the achievement of these common objectives,

Have agreed as follows:

ARTICLE I
GENERAL OBLIGATIONS

1. Each State Party to this Convention undertakes never under any circumstances:
   (a) To develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone;
   (b) To use chemical weapons;
   (c) To engage in any military preparations to use chemical weapons;
   (d) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy chemical weapons it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.
3. Each State Party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party, in accordance with the provisions of this Convention.
4. Each State Party undertakes to destroy any chemical weapons production facilities it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of this Convention.
5. Each State Party undertakes not to use riot control agents as a method of warfare.

ARTICLE II
DEFINITIONS AND CRITERIA

For the purposes of this Convention:

1 "Chemical Weapons" means the following, together or separately:
   (a) Toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes;
   (b) Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (a), which would be released as a result of the employment of such munitions and devices;
   (c) Any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (b).
2. "Toxic Chemical" means:
   Any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals. This includes all such chemicals, regardless of their origin or of their method of production, and regardless of whether they are produced in facilities, in munitions or elsewhere.
   (For the purpose of implementing this Convention, toxic chemicals which have been identified for the application of verification measures are listed in Schedules contained in the Annex on Chemicals.)
3. "Precursor" means:
   Any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical. This includes any key component of a binary or multicomponent chemical system.
   (For the purpose of implementing this Convention, precursors which have been identified for the application of verification measures are listed in Schedules contained in the Annex on Chemicals.)
4. "Key Component of Binary or Multicomponent Chemical Systems" (hereinafter referred to as "key component") means:
   The precursor which plays the most important role in determining the toxic properties of the final product and reacts rapidly with other chemicals in the binary or multicomponent system.
5. "Old Chemical Weapons" means:
   (a) Chemical weapons which were produced before 1925; or

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(b) Chemical weapons produced in the period between 1925 and 1946 that have deteriorated to such extent that they can no longer be used as chemical weapons.

6. "Abandoned Chemical Weapons" means:
Chemical weapons, including old chemical weapons, abandoned by a State after 1 January 1925 on the territory of another State without the consent of the latter.

7. "Riot Control Agent" means:
Any chemical not listed in a Schedule, which can produce rapidly in humans sensory irritation or disabling physical effects which disappear within a short time following termination of exposure.

8. "Chemical Weapons Production Facility":

(a) Means any equipment, as well as any building housing such equipment, that was designed, constructed or used at any time since 1 January 1946:

(i) As part of the stage in the production of chemicals ("final technological stage") where the material flows would contain, when the equipment is in operation: (1) Any chemical listed in Schedule 1 in the Annex on Chemicals; or (2) Any other chemical that has no use, above 1 tonne per year on the territory of a State Party or in any other place under the jurisdiction or control of a State Party, for purposes not prohibited under this Convention, but can be used for chemical weapons purposes; or (ii) For filling chemical weapons, including, inter alia, the filling of chemicals listed in Schedule 1 into munitions, devices or bulk storage containers; the filling of chemicals into containers that form part of assembled binary munitions and devices or into chemical submunitions that form part of assembled unitary munitions and devices, and the loading of the containers and chemical submunitions into the respective munitions and devices;

(b) Does not mean:

(i) Any facility having a production capacity for synthesis of chemicals specified in subparagraph (a) (i) that is less than 1 tonne;

(ii) Any facility in which a chemical specified in subparagraph (a) (i) is or was produced as an unavoidable by-product of activities for purposes not prohibited under this Convention, provided that the chemical does not exceed 3 per cent of the total product and that the facility is subject to declaration and inspection under the Annex on Implementation and Verification (hereinafter referred to as "Verification Annex"); or

(iii) The single small-scale facility for production of chemicals listed in Schedule 1 for purposes not prohibited under this Convention as referred to in Part VI of the Verification Annex.

9. "Purposes Not Prohibited Under this Convention" means:

(a) Industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;

(b) Protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

(c) Military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare;

(d) Law enforcement including domestic riot control purposes.

10. "Production Capacity" means:
The annual quantitative potential for manufacturing a specific chemical based on the technological process actually used or, if the process is not yet operational, planned to be used at the relevant facility. It shall be deemed to be equal to the nameplate capacity or, if the nameplate capacity is not available, to the design capacity. The nameplate capacity is the product output under conditions optimized for maximum quantity for the production facility, as demonstrated by one or more test-runs. The design capacity is the corresponding theoretically calculated product output.

11. "Organization" means the Organization for the Prohibition of Chemical Weapons established pursuant to Article VIII of this Convention.

12. For the purposes of Article VI:

(a) "Production" of a chemical means its formation through chemical reaction;

(b) "Processing" of a chemical means a physical process, such as formulation, extraction and purification, in which a chemical is not converted into another chemical;

(c) "Consumption" of a chemical means its conversion into another chemical via a chemical reaction.

ARTICLE III
DECLARATIONS

1. Each State Party shall submit to the Organization, not later than 30 days after this Convention enters into force for it, the following declarations, in which it shall:

(a) With respect to chemical weapons:

(i) Declare whether it owns or possesses any chemical weapons, or whether there are any chemical weapons located in any place under its jurisdiction or control;

(ii) Specify the precise location, aggregate quantity and detailed inventory of chemical weapons it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with Part IV (A), paragraphs 1 to 3, of the Verification Annex, except for those chemical weapons referred to in sub-subparagraph (iii);

(iii) Report any chemical weapons on its territory that are owned and possessed by another State and located in any place under the jurisdiction or control of another State, in accordance with Part IV (A), paragraph 4, of the Verification Annex;

(iv) Declare whether it has transferred or received, directly or indirectly, any chemical weapons since 1 January, 1946 and specify the transfer or receipt of such weapons, in accordance with Part IV (A), paragraph 5, of the Verification Annex;

(v) Provide its general plan for destruction of chemical weapons that it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with Part IV (A), paragraph 6, of the Verification Annex;

(b) With respect to old chemical weapons and abandoned chemical weapons:

(i) Declare whether it has on its territory old chemical weapons and provide all available information in accordance with Part IV (B), paragraph 3, of the Verification Annex;

(ii) Declare whether there are abandoned chemical weapons on its territory and provide all available information in accordance with Part IV (B), paragraph 8, of the Verification Annex;

(iii) Declare whether it has abandoned chemical weapons on the territory of other States and provide all available information in accordance with Part IV (B), paragraph 10, of the Verification Annex;

(c) With respect to chemical weapons production facilities:

(i) Declare whether it has or has had any chemical weapons production facility under its ownership or possession, or that is or has been located in any place under its jurisdiction or control at any time since 1 January 1946;

(ii) Specify any chemical weapons production facility it has or has had under its ownership or possession or that is or has been located in any place under its jurisdiction or control at any time since 1 January 1946, in accordance with Part V, paragraph 1, of the Verification Annex, except for those facilities referred to in sub-subparagraph (iii);

(iii) Report any chemical weapons production facility on its territory that another State has or has had under its ownership and possession and that is or has been located in any place under the jurisdiction or control of another State at any time since 1 January 1946, in accordance with Part V, paragraph 2, of the Verification Annex;

(iv) Declare whether it has transferred or received, directly or indirectly, any equipment for the production of chemical weapons since 1 January 1946 and specify the transfer or receipt of such equipment, in accordance with Part V, paragraphs 3 to 5, of the Verification Annex;

(v) Provide its general plan for destruction of any chemical weapons production facility it owns or possesses, or that is located in any place under its jurisdiction or control, in accordance with Part V, paragraph 6, of the Verification Annex;

(vi) Specify actions to be taken for closure of any chemical weapons production facility it owns or possesses, or that is located in any place under its jurisdiction or control, in accordance with Part V, paragraph 1 (i), of the Verification Annex;

(vii) Provide its general plan for any temporary conversion of any chemical weapons production facility it owns or possesses, or that is located in any place under its jurisdiction or control, into a chemical weapons destruction facility, in accordance with Part V, paragraph 7, of the Verification Annex;

(d) With respect to other facilities:
Specify the precise location, nature and general scope of activities of any facility or establishment under its ownership or possession, or located in any place under its jurisdiction or control, and that has been designed, constructed or used since 1 January 1946 primarily for development of chemical weapons. Such declaration shall include, inter alia, laboratories and test and evaluation sites;

(e) With respect to riot control agents: Specify the chemical name, structural formula and Chemical

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Abstracts Service (CAS) registry number, if assigned, of each chemical it holds for riot control purposes. This declaration shall be updated not later than 30 days after any change becomes effective.

2. The provisions of this Article and the relevant provisions of Part IV of the Verification Annex shall not, at the discretion of a State Party, apply to chemical weapons buried on its territory before 1 January 1977 and which remain buried, or which had been dumped at sea before 1 January 1985.

ARTICLE IV
CHEMICAL WEAPONS

1. The provisions of this Article and the detailed procedures for its implementation shall apply to all chemical weapons owned or possessed by a State Party, or that are located in any place under its jurisdiction or control, except old chemical weapons and abandoned chemical weapons to which Part IV (B) of the Verification Annex applies.
2. Detailed procedures for the implementation of this Article are set forth in the Verification Annex.
3. All locations at which chemical weapons specified in paragraph 1 are stored or destroyed shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments, in accordance with Part IV (A) of the Verification Annex.
4. Each State Party shall, immediately after the declaration under Article III, paragraph 1 (a), has been submitted, provide access to chemical weapons specified in paragraph 1 for the purpose of systematic verification of the declaration through on-site inspection. Thereafter, each State Party shall not remove any of these chemical weapons, except to a chemical weapons destruction facility. It shall provide access to such chemical weapons, for the purpose of systematic on-site verification.
5. Each State Party shall provide access to any chemical weapons destruction facilities and their storage areas, that it owns or possesses, or that are located in any place under its jurisdiction or control, for the purpose of systematic verification through on-site inspection and monitoring with on-site instruments.
6. Each State Party shall destroy all chemical weapons specified in paragraph 1 pursuant to the Verification Annex and in accordance with the agreed rate and sequence of destruction (hereinafter referred to as "order of destruction"). Such destruction shall begin not later than two years after this Convention enters into force for it and shall finish not later than 10 years after entry into force of this Convention. A State Party is not precluded from destroying such chemical weapons at a faster rate.
7. Each State Party shall:
   (a) Submit detailed plans for the destruction of chemical weapons specified in paragraph 1 not later than 60 days before each annual destruction period begins, in accordance with Part IV (A), paragraph 29, of the Verification Annex; the detailed plans shall encompass all stocks to be destroyed during the next annual destruction period;
   (b) Submit declarations annually regarding the implementation of its plans for destruction of chemical weapons specified in paragraph 1, not later than 60 days after the end of each annual destruction period; and
   (c) Certify, not later than 30 days after the destruction process has been completed, that all chemical weapons specified in paragraph 1 have been destroyed.
8. If a State ratifies or accedes to this Convention after the 10-year period for destruction set forth in paragraph 6, it shall destroy chemical weapons specified in paragraph 1 as soon as possible. The order of destruction and procedures for stringent verification for such a State Party shall be determined by the Executive Council.
9. Any chemical weapons discovered by a State Party after the initial declaration of chemical weapons shall be reported, secured and destroyed in accordance with Part IV (A) of the Verification Annex.
10. Each State Party, during transportation, sampling, storage and destruction of chemical weapons, shall assign the highest priority to ensuring the safety of people and to protecting the environment. Each State Party shall transport, sample, store and destroy chemical weapons in accordance with its national standards for safety and emissions.
11. Any State Party which has on its territory chemical weapons that are owned or possessed by another State, or that are located in any place under the jurisdiction or control of another State, shall make the fullest efforts to ensure that these chemical weapons are removed from its territory not later than one year after this Convention enters into force for it. If they are not removed within one year, the State Party may request the Organization and other States Parties to provide assistance in the destruction of these chemical weapons.
12. Each State Party undertakes to cooperate with other States Parties that request information or assistance on a bilateral basis or through the Technical Secretariat regarding methods and technologies for the safe and efficient destruction of chemical weapons.
13. In carrying out verification activities pursuant to this Article and Part IV (A) of the Verification Annex, the Organization shall consider measures to avoid unnecessary duplication of bilateral or multilateral

agreements on verification of chemical weapons storage and their destruction among States Parties. To this end, the Executive Council shall decide to limit verification to measures complementary to those undertaken pursuant to such a bilateral or multilateral agreement, if it considers that:

(a) Verification provisions of such an agreement are consistent with the verification provisions of this Article and Part IV (A) of the Verification Annex;

(b) Implementation of such an agreement provides for sufficient assurance of compliance with the relevant provisions of this Convention; and

(c) Parties to the bilateral or multilateral agreement keep the Organization fully informed about their verification activities.

14. If the Executive Council takes a decision pursuant to paragraph 13, the Organization shall have the right to monitor the implementation of the bilateral or multilateral agreement.
15. Nothing in paragraphs 13 and 14 shall affect the obligation of a State Party to provide declarations pursuant to Article III, this Article and Part IV (A) of the Verification Annex.
16. Each State Party shall meet the costs of destruction of chemical weapons it is obliged to destroy. It shall also meet the costs of verification of storage and destruction of these chemical weapons unless the Executive Council decides otherwise. If the Executive Council decides to limit verification measures of the Organization pursuant to paragraph 13, the costs of complementary verification and monitoring by the Organization shall be paid in accordance with the United Nations scale of assessment, as specified in Article VIII, paragraph 7.
17. The provisions of this Article and the relevant provisions of Part IV of the Verification Annex shall not, at the discretion of a State Party, apply to chemical weapons buried on its territory before 1 January 1977 and which remain buried, or which had been dumped at sea before 1 January 1985.

ARTICLE V
CHEMICAL WEAPONS PRODUCTION FACILITIES

1. The provisions of this Article and the detailed procedures for its implementation shall apply to any and all chemical weapons production facilities owned or possessed by a State Party, or that are located in any place under its jurisdiction or control.
2. Detailed procedures for the implementation of this Article are set forth in the Verification Annex.
3. All chemical weapons production facilities specified in paragraph 1 shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments in accordance with Part V of the Verification Annex.
4. Each State Party shall cease immediately all activity at chemical weapons production facilities specified in paragraph 1, except activity required for closure.
5. No State Party shall construct any new chemical weapons production facilities or modify any existing facilities for the purpose of chemical weapons production or for any other activity prohibited under this Convention.
6. Each State Party shall, immediately after the declaration under Article III, paragraph 1 (c), has been submitted, provide access to chemical weapons production facilities specified in paragraph 1, for the purpose of systematic verification of the declaration through on-site inspection.
7. Each State Party shall:
   (a) Close, not later than 90 days after this Convention enters into force for it, all chemical weapons production facilities specified in paragraph 1, in accordance with Part V of the Verification Annex, and give notice thereof; and
   (b) Provide access to chemical weapons production facilities specified in paragraph 1, subsequent to closure, for the purpose of systematic verification through on-site inspection and monitoring with on-site instruments in order to ensure that the facility remains closed and is subsequently destroyed.
8. Each State Party shall destroy all chemical weapons production facilities specified in paragraph 1 and related facilities and equipment, pursuant to the Verification Annex and in accordance with an agreed rate and sequence of destruction (hereinafter referred to as "order of destruction"). Such destruction shall begin not later than one year after this Convention enters into force for it, and shall finish not later than 10 years after entry into force of this Convention. A State Party is not precluded from destroying such facilities at a faster rate.
9. Each State Party shall:
   (a) Submit detailed plans for destruction of chemical weapons production facilities specified in paragraph 1, not later than 180 days before the destruction of each facility begins;
   (b) Submit declarations annually regarding the implementation of its plans for the destruction of all chemical weapons production facilities specified in paragraph 1, not later than 90 days after the end of each annual destruction period; and
   (c) Certify, not later than 30 days after the destruction process has been completed, that all chemical weapons production facilities specified in paragraph 1 have been destroyed.

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10. If a State ratifies or accedes to this Convention after the 10-year period for destruction set forth in paragraph 8, it shall destroy chemical weapons production facilities specified in paragraph 1 as soon as possible. The order of destruction and procedures for stringent verification for such a State Party shall be determined by the Executive Council.
11. Each State Party, during the destruction of chemical weapons production facilities, shall assign the highest priority to ensuring the safety of people and to protecting the environment. Each State Party shall destroy chemical weapons production facilities in accordance with its national standards for safety and emissions.
12. Chemical weapons production facilities specified in paragraph 1 may be temporarily converted for destruction of chemical weapons in accordance with Part V, paragraphs 18 to 25, of the Verification Annex. Such a converted facility must be destroyed as soon as it is no longer in use for destruction of chemical weapons but, in any case, not later than 10 years after entry into force of this Convention.
13. A State Party may request, in exceptional cases of compelling need, permission to use a chemical weapons production facility specified in paragraph 1 for purposes not prohibited under this Convention. Upon the recommendation of the Executive Council, the Conference of the States Parties shall decide whether or not to approve the request and shall establish the conditions upon which approval is contingent in accordance with Part V, Section D, of the Verification Annex.
14. The chemical weapons production facility shall be converted in such a manner that the converted facility is not more capable of being reconverted into a chemical weapons production facility than any other facility used for industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes not involving chemicals listed in Schedule 1.
15. All converted facilities shall be subject to systematic verification through on-site inspection and monitoring with on-site instruments in accordance with Part V, Section D, of the Verification Annex.
16. In carrying out verification activities pursuant to this Article and Part V of the Verification Annex, the Organization shall consider measures to avoid unnecessary duplication of bilateral or multilateral agreements on verification of chemical weapons production facilities and their destruction among States Parties. To this end, the Executive Council shall decide to limit the verification to measures complementary to those undertaken pursuant to such a bilateral or multilateral agreement, if it considers that:
    (a) Verification provisions of such an agreement are consistent with the verification provisions of this Article and Part V of the Verification Annex;
    (b) Implementation of the agreement provides for sufficient assurance of compliance with the relevant provisions of this Convention; and
    (c) Parties to the bilateral or multilateral agreement keep the Organization fully informed about their verification activities.
17. If the Executive Council takes a decision pursuant to paragraph 16, the Organization shall have the right to monitor the implementation of the bilateral or multilateral agreement.
18. Nothing in paragraphs 16 and 17 shall affect the obligation of a State Party to make declarations pursuant to Article III, this Article and Part V of the Verification Annex.
19. Each State Party shall meet the costs of destruction of chemical weapons production facilities it is obliged to destroy. It shall also meet the costs of verification under this Article unless the Executive Council decides otherwise. If the Executive Council decides to limit verification measures of the Organization pursuant to paragraph 16, the costs of complementary verification and monitoring by the Organization shall be paid in accordance with the United Nations scale of assessment, as specified in Article VIII, paragraph 7.

ARTICLE VI
ACTIVITIES NOT PROHIBITED UNDER THIS CONVENTION

1. Each State Party has the right, subject to the provisions of this Convention, to develop, produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for purposes not prohibited under this Convention.
2. Each State Party shall adopt the necessary measures to ensure that toxic chemicals and their precursors are only developed, produced, otherwise acquired, retained, transferred, or used within its territory or in any other place under its jurisdiction or control for purposes not prohibited under this Convention. To this end, and in order to verify that activities are in accordance with obligations under this Convention, each State Party shall subject toxic chemicals and their precursors listed in Schedules 1, 2 and 3 of the Annex on Chemicals, facilities related to such chemicals, and other facilities as specified in the Verification Annex, that are located on its territory or in any other place under its jurisdiction or control, to verification measures as provided in the Verification Annex.
3. Each State Party shall subject chemicals listed in Schedule 1 (hereinafter referred to as “Schedule 1 chemicals”) to the prohibitions on production,

acquisition, retention, transfer and use as specified in Part VI of the Verification Annex. It shall subject Schedule 1 chemicals and facilities specified in Part VI of the Verification Annex to systematic verification through on-site inspection and monitoring with on-site instruments in accordance with that Part of the Verification Annex.

4. Each State Party shall subject chemicals listed in Schedule 2 (hereinafter referred to as "Schedule 2 chemicals") and facilities specified in Part VII of the Verification Annex to data monitoring and on-site verification in accordance with that Part of the Verification Annex.
5. Each State Party shall subject chemicals listed in Schedule 3 (hereinafter referred to as "Schedule 3 chemicals") and facilities specified in Part VIII of the Verification Annex to data monitoring and on-site verification in accordance with that Part of the Verification Annex.
6. Each State Party shall subject facilities specified in Part IX of the Verification Annex to data monitoring and eventual on-site verification in accordance with that Part of the Verification Annex unless decided otherwise by the Conference of the States Parties pursuant to Part IX, paragraph 22, of the Verification Annex.
7. Not later than 30 days after this Convention enters into force for it, each State Party shall make an initial declaration on relevant chemicals and facilities in accordance with the Verification Annex.
8. Each State Party shall make annual declarations regarding the relevant chemicals and facilities in accordance with the Verification Annex.
9. For the purpose of on-site verification, each State Party shall grant to the inspectors access to facilities as required in the Verification Annex.
10. In conducting verification activities, the Technical Secretariat shall avoid undue intrusion into the State Party's chemical activities for purposes not prohibited under this Convention and, in particular, abide by the provisions set forth in the Annex on the Protection of Confidential Information (hereinafter referred to as "Confidentiality Annex").
11. The provisions of this Article shall be implemented in a manner which avoids hampering the economic or technological development of States Parties, and international cooperation in the field of chemical activities for purposes not prohibited under this Convention including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under this Convention.

ARTICLE VII
NATIONAL IMPLEMENTATION MEASURES

General undertakings

1. Each State Party shall, in accordance with its constitutional processes, adopt the necessary measures to implement its obligations under this Convention. In particular, it shall:
   (a) Prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction as recognized by international law from undertaking any activity prohibited to a State Party under this Convention, including enacting penal legislation with respect to such activity;
   (b) Not permit in any place under its control any activity prohibited to a State Party under this Convention; and
   (c) Extend its penal legislation enacted under subparagraph (a) to any activity prohibited to a State Party under this Convention undertaken anywhere by natural persons, possessing its nationality, in conformity with international law.
2. Each State Party shall cooperate with other States Parties and afford the appropriate form of legal assistance to facilitate the implementation of the obligations under paragraph 1.
3. Each State Party, during the implementation of its obligations under this Convention, shall assign the highest priority to ensuring the safety of people and to protecting the environment, and shall cooperate as appropriate with other States Parties in this regard.

Relations between the State Party and the Organization

4. In order to fulfil its obligations under this Convention, each State Party shall designate or establish a National Authority to serve as the national focal point for effective liaison with the Organization and other States Parties. Each State Party shall notify the Organization of its National Authority at the time that this Convention enters into force for it.
5. Each State Party shall inform the Organization of the legislative and administrative measures taken to implement this Convention.
6. Each State Party shall treat as confidential and afford special handling to information and data that it receives in confidence from the Organization in connection with the implementation of this Convention. It shall treat such information and data exclusively in connection with its rights and obligations under this Convention and in accordance with the provisions set forth in the Confidentiality Annex.
7. Each State Party undertakes to cooperate with the Organization in the exercise of all its functions and in

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particular to provide assistance to the Technical Secretariat.

ARTICLE VIII
THE ORGANIZATION

A. GENERAL PROVISIONS

1. The States Parties to this Convention hereby establish the Organization for the Prohibition of Chemical Weapons to achieve the object and purpose of this Convention, to ensure the implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States Parties.
2. All States Parties to this Convention shall be members of the Organization. A State Party shall not be deprived of its membership in the Organization.
3. The seat of the Headquarters of the Organization shall be The Hague, Kingdom of the Netherlands.
4. There are hereby established as the organs of the Organization: the Conference of the States Parties, the Executive Council, and the Technical Secretariat.
5. The Organization shall conduct its verification activities provided for under this Convention in the least intrusive manner possible consistent with the timely and efficient accomplishment of their objectives. It shall request only the information and data necessary to fulfil its responsibilities under this Convention. It shall take every precaution to protect the confidentiality of information on civil and military activities and facilities coming to its knowledge in the implementation of this Convention and, in particular, shall abide by the provisions set forth in the Confidentiality Annex.
6. In undertaking its verification activities the Organization shall consider measures to make use of advances in science and technology.
7. The costs of the Organization's activities shall be paid by States Parties in accordance with the United Nations scale of assessment adjusted to take into account differences in membership between the United Nations and this Organization, and subject to the provisions of Articles IV and V. Financial contributions of States Parties to the Preparatory Commission shall be deducted in an appropriate way from their contributions to the regular budget. The budget of the Organization shall comprise two separate chapters, one relating to administrative and other costs, and one relating to verification costs.
8. A member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote in the Organization if the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two full years. The Conference of the States Parties may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

B. THE CONFERENCE OF THE STATES PARTIES
Composition, procedures and decision-making

9. The Conference of the States Parties (hereinafter referred to as "the Conference") shall be composed of all members of this Organization. Each member shall have one representative in the Conference, who may be accompanied by alternates and advisers.
10. The first session of the Conference shall be convened by the depositary not later than 30 days after the entry into force of this Convention.
11. The Conference shall meet in regular sessions which shall be held annually unless it decides otherwise.
12. Special sessions of the Conference shall be convened:
    (a) When decided by the Conference;
    (b) When requested by the Executive Council;
    (c) When requested by any member and supported by one third of the members; or
    (d) In accordance with paragraph 22 to undertake reviews of the operation of this Convention. Except in the case of subparagraph (d), the special session shall be convened not later than 30 days after receipt of the request by the Director-General of the Technical Secretariat, unless specified otherwise in the request.
13. The Conference shall also be convened in the form of an Amendment Conference in accordance with Article XV, paragraph 2.
14. Sessions of the Conference shall take place at the seat of the Organization unless the Conference decides otherwise.
15. The Conference shall adopt its rules of procedure. At the beginning of each regular session, it shall elect its Chairman and such other officers as may be required. They shall hold office until a new Chairman and other officers are elected at the next regular session.
16. A majority of the members of the Organization shall constitute a quorum for the Conference.
17. Each member of the Organization shall have one vote in the Conference.
18. The Conference shall take decisions on questions of procedure by a simple majority of the members present and voting. Decisions on matters of substance should be taken as far as possible by consensus. If consensus is not attainable when an issue comes up for decision, the Chairman shall defer any vote for 24 hours and during this period of deferment shall make every effort to facilitate achievement of consensus, and shall report to the Conference before the end of this period. If consensus is not possible at the end of

24 hours, the Conference shall take the decision by a two-thirds majority of members present and voting unless specified otherwise in this Convention. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the Conference by the majority required for decisions on matters of substance.

Powers and functions

19. The Conference shall be the principal organ of the Organization. It shall consider any questions, matters or issues within the scope of this Convention, including those relating to the powers and functions of the Executive Council and the Technical Secretariat. It may make recommendations and take decisions on any questions, matters or issues related to this Convention raised by a State Party or brought to its attention by the Executive Council.
20. The Conference shall oversee the implementation of this Convention, and act in order to promote its object and purpose. The Conference shall review compliance with this Convention. It shall also oversee the activities of the Executive Council and the Technical Secretariat and may issue guidelines in accordance with this Convention to either of them in the exercise of their functions.
21. The Conference shall:
    (a) Consider and adopt at its regular sessions the report, programme and budget of the Organization, submitted by the Executive Council, as well as consider other reports;
    (b) Decide on the scale of financial contributions to be paid by States Parties in accordance with paragraph 7;
    (c) Elect the members of the Executive Council;
    (d) Appoint the Director-General of the Technical Secretariat (hereinafter referred to as "the Director-General");
    (e) Approve the rules of procedure of the Executive Council submitted by the latter;
    (f) Establish such subsidiary organs as it finds necessary for the exercise of its functions in accordance with this Convention;
    (g) Foster international cooperation for peaceful purposes in the field of chemical activities;
    (h) Review scientific and technological developments that could affect the operation of this Convention and, in this context, direct the Director-General to establish a Scientific Advisory Board to enable him, in the performance of his functions, to render specialized advice in areas of science and technology relevant to this Convention, to the Conference, the Executive Council or States Parties. The Scientific Advisory Board shall be composed of independent experts appointed in accordance with terms of reference adopted by the Conference;
    (i) Consider and approve at its first session any draft agreements, provisions and guidelines developed by the Preparatory Commission;
    (j) Establish at its first session the voluntary fund for assistance in accordance with Article X;
    (k) Take the necessary measures to ensure compliance with this Convention and to redress and remedy any situation which contravenes the provisions of this Convention, in accordance with Article XII.
22. The Conference shall not later than one year after the expiry of the fifth and the tenth year after the entry into force of this Convention, and at such other times within that time period as may be decided upon, convene in special sessions to undertake reviews of the operation of this Convention. Such reviews shall take into account any relevant scientific and technological developments. At intervals of five years thereafter, unless otherwise decided upon, further sessions of the Conference shall be convened with the same objective.

C. THE EXECUTIVE COUNCIL

Composition, procedure and decision-making

23. The Executive Council shall consist of 41 members. Each State Party shall have the right, in accordance with the principle of rotation, to serve on the Executive Council. The members of the Executive Council shall be elected by the Conference for a term of two years. In order to ensure the effective functioning of this Convention, due regard being specially paid to equitable geographical distribution, to the importance of chemical industry, as well as to political and security interests, the Executive Council shall be composed as follows:
    (a) Nine States Parties from Africa to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these nine States Parties, three members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these three members;
    (b) Nine States Parties from Asia to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these nine States Parties, four members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall

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agree also to take into account other regional factors in designating these four members;

(c) Five States Parties from Eastern Europe to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these five States Parties, one member shall, as a rule, be the State Party with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating this one member;

(d) Seven States Parties from Latin America and the Caribbean to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these seven States Parties, three members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these three members;

(e) Ten States Parties from among Western European and other States to be designated by States Parties located in this region. As a basis for this designation it is understood that, out of these 10 States Parties, 5 members shall, as a rule, be the States Parties with the most significant national chemical industry in the region as determined by internationally reported and published data; in addition, the regional group shall agree also to take into account other regional factors in designating these five members;

(f) One further State Party to be designated consecutively by States Parties located in the regions of Asia and Latin America and the Caribbean. As a basis for this designation it is understood that this State Party shall be a rotating member from these regions.

24. For the first election of the Executive Council 20 members shall be elected for a term of one year, due regard being paid to the established numerical proportions as described in paragraph 23.

25. After the full implementation of Articles IV and V the Conference may, upon the request of a majority of the members of the Executive Council, review the composition of the Executive Council taking into account developments related to the principles specified in paragraph 23 that are governing its composition.

26. The Executive Council shall elaborate its rules of procedure and submit them to the Conference for approval.

27. The Executive Council shall elect its Chairman from among its members.

28. The Executive Council shall meet for regular sessions. Between regular sessions it shall meet as often as may be required for the fulfilment of its powers and functions.

29. Each member of the Executive Council shall have one vote. Unless otherwise specified in this Convention, the Executive Council shall take decisions on matters of substance by a two-thirds majority of all its members. The Executive Council shall take decisions on questions of procedure by a simple majority of all its members. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the Executive Council by the majority required for decisions on matters of substance.

Powers and functions

30. The Executive Council shall be the executive organ of the Organization. It shall be responsible to the Conference. The Executive Council shall carry out the powers and functions entrusted to it under this Convention, as well as those functions delegated to it by the Conference. In so doing, it shall act in conformity with the recommendations, decisions and guidelines of the Conference and assure their proper and continuous implementation.

31. The Executive Council shall promote the effective implementation of, and compliance with, this Convention. It shall supervise the activities of the Technical Secretariat, cooperate with the National Authority of each State Party and facilitate consultations and cooperation among States Parties at their request.

32. The Executive Council shall:

(a) Consider and submit to the Conference the draft programme and budget of the Organization;

(b) Consider and submit to the Conference the draft report of the Organization on the implementation of this Convention, the report on the performance of its own activities and such special reports as it deems necessary or which the Conference may request;

(c) Make arrangements for the sessions of the Conference including the preparation of the draft agenda.

33. The Executive Council may request the convening of a special session of the Conference.

34. The Executive Council shall:

(a) Conclude agreements or arrangements with States and international organizations on behalf of the Organization, subject to prior approval by the Conference;

(b) Conclude agreements with States Parties on behalf of the Organization in connection with Article X and supervise the voluntary fund referred to in Article X;

(c) Approve agreements or arrangements relating to the implementation of verification activities, negotiated by the Technical Secretariat with States Parties.

35. The Executive Council shall consider any issue or matter within its competence affecting this Convention and its implementation, including concerns regarding compliance, and cases of non-compliance, and, as appropriate, inform States Parties and bring the issue or matter to the attention of the Conference.

36. In its consideration of doubts or concerns regarding compliance and cases of non-compliance, including, inter alia, abuse of the rights provided for under this Convention, the Executive Council shall consult with the States Parties involved and, as appropriate, request the State Party to take measures to redress the situation within a specified time. To the extent that the Executive Council considers further action to be necessary, it shall take, inter alia, one or more of the following measures:

(a) Inform all States Parties of the issue or matter;

(b) Bring the issue or matter to the attention of the Conference;

(c) Make recommendations to the Conference regarding measures to redress the situation and to ensure compliance. The Executive Council shall, in cases of particular gravity and urgency, bring the issue or matter, including relevant information and conclusions, directly to the attention of the United Nations General Assembly and the United Nations Security Council. It shall at the same time inform all States Parties of this step.

D. THE TECHNICAL SECRETARIAT

37. The Technical Secretariat shall assist the Conference and the Executive Council in the performance of their functions. The Technical Secretariat shall carry out the verification measures provided for in this Convention. It shall carry out the other functions entrusted to it under this Convention as well as those functions delegated to it by the Conference and the Executive Council.

38. The Technical Secretariat shall:

(a) Prepare and submit to the Executive Council the draft programme and budget of the Organization;

(b) Prepare and submit to the Executive Council the draft report of the Organization on the implementation of this Convention and such other reports as the Conference or the Executive Council may request;

(c) Provide administrative and technical support to the Conference, the Executive Council and subsidiary organs;

(d) Address and receive communications on behalf of the Organization to and from States Parties on matters pertaining to the implementation of this Convention;

(e) Provide technical assistance and technical evaluation to States Parties in the implementation of the provisions of this Convention, including evaluation of scheduled and unscheduled chemicals.

39. The Technical Secretariat shall:

(a) Negotiate agreements or arrangements relating to the implementation of verification activities with States Parties, subject to approval by the Executive Council;

(b) Not later than 180 days after entry into force of this Convention, coordinate the establishment and maintenance of permanent stockpiles of emergency and humanitarian assistance by States Parties in accordance with Article X, paragraphs 7 (b) and (c). The Technical Secretariat may inspect the items maintained for serviceability. Lists of items to be stockpiled shall be considered and approved by the Conference pursuant to paragraph 21 (i) above;

(c) Administer the voluntary fund referred to in Article X, compile declarations made by the States Parties and register, when requested, bilateral agreements concluded between States Parties or between a State Party and the Organization for the purposes of Article X.

40. The Technical Secretariat shall inform the Executive Council of any problem that has arisen with regard to the discharge of its functions, including doubts, ambiguities or uncertainties about compliance with this Convention that have come to its notice in the performance of its verification activities and that it has been unable to resolve or clarify through its consultations with the State Party concerned.

41. The Technical Secretariat shall comprise a Director-General, who shall be its head and chief administrative officer, inspectors and such scientific, technical and other personnel as may be required.

42. The Inspectorate shall be a unit of the Technical Secretariat and shall act under the supervision of the Director-General.

43. The Director-General shall be appointed by the Conference upon the recommendation of the Executive Council for a term of four years, renewable for one further term, but not thereafter.

44. The Director-General shall be responsible to the Conference and the Executive Council for the appointment of the staff and the organization and

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functioning of the Technical Secretariat. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Only citizens of States Parties shall serve as the Director-General, as inspectors or as other members of the professional and clerical staff. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible. Recruitment shall be guided by the principle that the staff shall be kept to a minimum necessary for the proper discharge of the responsibilities of the Technical Secretariat.

45. The Director-General shall be responsible for the organization and functioning of the Scientific Advisory Board referred to in paragraph 21 (h). The Director-General shall, in consultation with States Parties, appoint members of the Scientific Advisory Board, who shall serve in their individual capacity. The members of the Board shall be appointed on the basis of their expertise in the particular scientific fields relevant to the implementation of this Convention. The Director-General may also, as appropriate, in consultation with members of the Board, establish temporary working groups of scientific experts to provide recommendations on specific issues. In regard to the above, States Parties may submit lists of experts to the Director-General.
46. In the performance of their duties, the Director-General, the inspectors and the other members of the staff shall not seek or receive instructions from any Government or from any other source external to the Organization. They shall refrain from any action that might reflect on their positions as international officers responsible only to the Conference and the Executive Council.
47. Each State Party shall respect the exclusively international character of the responsibilities of the Director-General, the inspectors and the other members of the staff and not seek to influence them in the discharge of their responsibilities.

E. PRIVILEGES AND IMMUNITIES

48. The Organization shall enjoy on the territory and in any other place under the jurisdiction or control of a State Party such legal capacity and such privileges and immunities as are necessary for the exercise of its functions.
49. Delegates of States Parties, together with their alternates and advisers, representatives appointed to the Executive Council together with their alternates and advisers, the Director-General and the staff of the Organization shall enjoy such privileges and immunities as are necessary in the independent exercise of their functions in connection with the Organization.
50. The legal capacity, privileges, and immunities referred to in this Article shall be defined in agreements between the Organization and the States Parties as well as in an agreement between the Organization and the State in which the headquarters of the Organization is seated. These agreements shall be considered and approved by the Conference pursuant to paragraph 21 (i).
51. Notwithstanding paragraphs 48 and 49, the privileges and immunities enjoyed by the Director-General and the staff of the Technical Secretariat during the conduct of verification activities shall be those set forth in Part II, Section B, of the Verification Annex.

ARTICLE IX
CONSULTATIONS, COOPERATION AND FACT-FINDING

1. States Parties shall consult and cooperate, directly among themselves, or through the Organization or other appropriate international procedures, including procedures within the framework of the United Nations and in accordance with its Charter, on any matter which may be raised relating to the object and purpose, or the implementation of the provisions, of this Convention.
2. Without prejudice to the right of any State Party to request a challenge inspection, States Parties should, whenever possible, first make every effort to clarify and resolve, through exchange of information and consultations among themselves, any matter which may cause doubt about compliance with this Convention, or which gives rise to concerns about a related matter which may be considered ambiguous. A State Party which receives a request from another State Party for clarification of any matter which the requesting State Party believes causes such a doubt or concern shall provide the requesting State Party as soon as possible, but in any case not later than 10 days after the request, with information sufficient to answer the doubt or concern raised along with an explanation of how the information provided resolves the matter. Nothing in this Convention shall affect the right of any two or more States Parties to arrange by mutual consent for inspections or any other procedures among themselves to clarify and resolve any matter which may cause doubt about compliance or gives rise to a concern about a related matter which may be considered ambiguous. Such arrangements shall not affect the rights and obligations of any State Party under other provisions of this Convention.

Procedure for requesting clarification

3. A State Party shall have the right to request the Executive Council to assist in clarifying any situation which may be considered ambiguous or which gives

rise to a concern about the possible non-compliance of another State Party with this Convention. The Executive Council shall provide appropriate information in its possession relevant to such a concern.

4. A State Party shall have the right to request the Executive Council to obtain clarification from another State Party on any situation which may be considered ambiguous or which gives rise to a concern about its possible non-compliance with this Convention. In such a case, the following shall apply:
   (a) The Executive Council shall forward the request for clarification to the State Party concerned through the Director-General not later than 24 hours after its receipt;
   (b) The requested State Party shall provide the clarification to the Executive Council as soon as possible, but in any case not later than 10 days after the receipt of the request;
   (c) The Executive Council shall take note of the clarification and forward it to the requesting State Party not later than 24 hours after its receipt;
   (d) If the requesting State Party deems the clarification to be inadequate, it shall have the right to request the Executive Council to obtain from the requested State Party further clarification;
   (e) For the purpose of obtaining further clarification requested under subparagraph (d), the Executive Council may call on the Director-General to establish a group of experts from the Technical Secretariat, or if appropriate staff are not available in the Technical Secretariat, from elsewhere, to examine all available information and data relevant to the situation causing the concern. The group of experts shall submit a factual report to the Executive Council on its findings;
   (f) If the requesting State Party considers the clarification obtained under subparagraphs (d) and (e) to be unsatisfactory, it shall have the right to request a special session of the Executive Council in which States Parties involved that are not members of the Executive Council shall be entitled to take part. In such a special session, the Executive Council shall consider the matter and may recommend any measure it deems appropriate to resolve the situation.
5. A State Party shall also have the right to request the Executive Council to clarify any situation which has been considered ambiguous or has given rise to a concern about its possible non-compliance with this Convention. The Executive Council shall respond by providing such assistance as appropriate.
6. The Executive Council shall inform the States Parties about any request for clarification provided in this Article.
7. If the doubt or concern of a State Party about a possible non-compliance has not been resolved within 60 days after the submission of the request for clarification to the Executive Council, or it believes its doubts warrant urgent consideration, notwithstanding its right to request a challenge inspection, it may request a special session of the Conference in accordance with Article VIII, paragraph 12 (c). At such a special session, the Conference shall consider the matter and may recommend any measure it deems appropriate to resolve the situation.

Procedures for challenge inspections

8. Each State Party has the right to request an on-site challenge inspection of any facility or location in the territory or in any other place under the jurisdiction or control of any other State Party for the sole purpose of clarifying and resolving any questions concerning possible non-compliance with the provisions of this Convention, and to have this inspection conducted anywhere without delay by an inspection team designated by the Director-General and in accordance with the Verification Annex.
9. Each State Party is under the obligation to keep the inspection request within the scope of this Convention and to provide in the inspection request all appropriate information on the basis of which a concern has arisen regarding possible non-compliance with this Convention as specified in the Verification Annex. Each State Party shall refrain from unfounded inspection requests, care being taken to avoid abuse. The challenge inspection shall be carried out for the sole purpose of determining facts relating to the possible non-compliance.
10. For the purpose of verifying compliance with the provisions of this Convention, each State Party shall permit the Technical Secretariat to conduct the on-site challenge inspection pursuant to paragraph 8.
11. Pursuant to a request for a challenge inspection of a facility or location, and in accordance with the procedures provided for in the Verification Annex, the inspected State Party shall have:
    (a) The right and the obligation to make every reasonable effort to demonstrate its compliance with this Convention and, to this end, to enable the inspection team to fulfil its mandate;
    (b) The obligation to provide access within the requested site for the sole purpose of establishing facts relevant to the concern regarding possible non-compliance; and
    (c) The right to take measures to protect sensitive installations, and to prevent disclosure of confidential information and data, not related to this Convention.
12. With regard to an observer, the following shall apply:

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(a) The requesting State Party may, subject to the agreement of the inspected State Party, send a representative who may be a national either of the requesting State Party or of a third State Party, to observe the conduct of the challenge inspection.

(b) The inspected State Party shall then grant access to the observer in accordance with the Verification Annex.

(c) The inspected State Party shall, as a rule, accept the proposed observer, but if the inspected State Party exercises a refusal, that fact shall be recorded in the final report.

13. The requesting State Party shall present an inspection request for an on-site challenge inspection to the Executive Council and at the same time to the Director-General for immediate processing.

14. The Director-General shall immediately ascertain that the inspection request meets the requirements specified in Part X, paragraph 4, of the Verification Annex, and, if necessary, assist the requesting State Party in filing the inspection request accordingly. When the inspection request fulfils the requirements, preparations for the challenge inspection shall begin.

15. The Director-General shall transmit the inspection request to the inspected State Party not less than 12 hours before the planned arrival of the inspection team at the point of entry.

16. After having received the inspection request, the Executive Council shall take cognizance of the Director-General's actions on the request and shall keep the case under its consideration throughout the inspection procedure. However, its deliberations shall not delay the inspection process.

17. The Executive Council may, not later than 12 hours after having received the inspection request, decide by a three-quarter majority of all its members against carrying out the challenge inspection, if it considers the inspection request to be frivolous, abusive or clearly beyond the scope of this Convention as described in paragraph 8. Neither the requesting nor the inspected State Party shall participate in such a decision. If the Executive Council decides against the challenge inspection, preparations shall be stopped, no further action on the inspection request shall be taken, and the States Parties concerned shall be informed accordingly.

18. The Director-General shall issue an inspection mandate for the conduct of the challenge inspection. The inspection mandate shall be the inspection request referred to in paragraphs 8 and 9 put into operational terms, and shall conform with the inspection request.

19. The challenge inspection shall be conducted in accordance with Part X or, in the case of alleged use, in accordance with Part XI of the Verification Annex. The inspection team shall be guided by the principle of conducting the challenge inspection in the least intrusive manner possible, consistent with the effective and timely accomplishment of its mission.

20. The inspected State Party shall assist the inspection team throughout the challenge inspection and facilitate its task. If the inspected State Party proposes, pursuant to Part X, Section C, of the Verification Annex, arrangements to demonstrate compliance with this Convention, alternative to full and comprehensive access, it shall make every reasonable effort, through consultations with the inspection team, to reach agreement on the modalities for establishing the facts with the aim of demonstrating its compliance.

21. The final report shall contain the factual findings as well as an assessment by the inspection team of the degree and nature of access and cooperation granted for the satisfactory implementation of the challenge inspection. The Director-General shall promptly transmit the final report of the inspection team to the requesting State Party, to the inspected State Party, to the Executive Council and to all other States Parties. The Director-General shall further transmit promptly to the Executive Council the assessments of the requesting and of the inspected States Parties, as well as the views of other States Parties which may be conveyed to the Director-General for that purpose, and then provide them to all States Parties.

22. The Executive Council shall, in accordance with its powers and functions, review the final report of the inspection team as soon as it is presented, and address any concerns as to:

(a) Whether any non-compliance has occurred;

(b) Whether the request had been within the scope of this Convention; and

(c) Whether the right to request a challenge inspection had been abused.

23. If the Executive Council reaches the conclusion, in keeping with its powers and functions, that further action may be necessary with regard to paragraph 22, it shall take the appropriate measures to redress the situation and to ensure compliance with this Convention, including specific recommendations to the Conference. In the case of abuse, the Executive Council shall examine whether the requesting State Party should bear any of the financial implications of the challenge inspection.

24. The requesting State Party and the inspected State Party shall have the right to participate in the review process. The Executive Council shall inform the States Parties and the next session of the Conference of the outcome of the process.

25. If the Executive Council has made specific recommendations to the Conference, the Conference shall consider action in accordance with Article XII.

ARTICLE X
ASSISTANCE AND PROTECTION AGAINST CHEMICAL WEAPONS

1. For the purposes of this Article, "Assistance" means the coordination and delivery to States Parties of protection against chemical weapons, including, inter alia, the following: detection equipment and alarm systems; protective equipment; decontamination equipment and decontaminants; medical antidotes and treatments; and advice on any of these protective measures.
2. Nothing in this Convention shall be interpreted as impeding the right of any State Party to conduct research into, develop, produce, acquire, transfer or use means of protection against chemical weapons, for purposes not prohibited under this Convention.
3. Each State Party undertakes to facilitate, and shall have the right to participate in, the fullest possible exchange of equipment, material and scientific and technological information concerning means of protection against chemical weapons.
4. For the purposes of increasing the transparency of national programmes related to protective purposes, each State Party shall provide annually to the Technical Secretariat information on its programme, in accordance with procedures to be considered and approved by the Conference pursuant to Article VIII, paragraph 21 (i).
5. The Technical Secretariat shall establish, not later than 180 days after entry into force of this Convention and maintain, for the use of any requesting State Party, a data bank containing freely available information concerning various means of protection against chemical weapons as well as such information as may be provided by States Parties. The Technical Secretariat shall also, within the resources available to it, and at the request of a State Party, provide expert advice and assist the State Party in identifying how its programmes for the development and improvement of a protective capacity against chemical weapons could be implemented.
6. Nothing in this Convention shall be interpreted as impeding the right of States Parties to request and provide assistance bilaterally and to conclude individual agreements with other States Parties concerning the emergency procurement of assistance.
7. Each State Party undertakes to provide assistance through the Organization and to this end to elect to take one or more of the following measures:
   (a) To contribute to the voluntary fund for assistance to be established by the Conference at its first session;
   (b) To conclude, if possible not later than 180 days after this Convention enters into force for it, agreements with the Organization concerning the procurement, upon demand, of assistance;
   (c) To declare, not later than 180 days after this Convention enters into force for it, the kind of assistance it might provide in response to an appeal by the Organization. If, however, a State Party subsequently is unable to provide the assistance envisaged in its declaration, it is still under the obligation to provide assistance in accordance with this paragraph.
8. Each State Party has the right to request and, subject to the procedures set forth in paragraphs 9, 10 and 11, to receive assistance and protection against the use or threat of use of chemical weapons if it considers that:
   (a) Chemical weapons have been used against it;
   (b) Riot control agents have been used against it as a method of warfare; or
   (c) It is threatened by actions or activities of any State that are prohibited for States Parties by Article I.
9. The request, substantiated by relevant information, shall be submitted to the Director-General, who shall transmit it immediately to the Executive Council and to all States Parties. The Director-General shall immediately forward the request to States Parties which have volunteered, in accordance with paragraphs 7 (b) and (c), to dispatch emergency assistance in case of use of chemical weapons or use of riot control agents as a method of warfare, or humanitarian assistance in case of serious threat of use of chemical weapons or serious threat of use of riot control agents as a method of warfare to the State Party concerned not later than 12 hours after receipt of the request. The Director-General shall initiate, not later than 24 hours after receipt of the request, an investigation in order to provide foundation for further action. He shall complete the investigation within 72 hours and forward a report to the Executive Council. If additional time is required for completion of the investigation, an interim report shall be submitted within the same time-frame. The additional time required for investigation shall not exceed 72 hours. It may, however, be further extended by similar periods. Reports at the end of each additional period shall be submitted to the Executive Council. The investigation shall, as appropriate and in conformity with the request and the information accompanying the request, establish relevant facts related to the request as well as the type and scope of supplementary assistance and protection needed.
10. The Executive Council shall meet not later than 24 hours after receiving an investigation report to consider the situation and shall take a decision by simple majority within the following 24 hours on whether to instruct the Technical Secretariat to provide supplementary assistance. The Technical Secretariat

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shall immediately transmit to all States Parties and relevant international organizations the investigation report and the decision taken by the Executive Council. When so decided by the Executive Council, the Director-General shall provide assistance immediately. For this purpose, the Director-General may cooperate with the requesting State Party, other States Parties and relevant international organizations. The States Parties shall make the fullest possible efforts to provide assistance.

11. If the information available from the ongoing investigation or other reliable sources would give sufficient proof that there are victims of use of chemical weapons and immediate action is indispensable, the Director-General shall notify all States Parties and shall take emergency measures of assistance, using the resources the Conference has placed at his disposal for such contingencies. The Director-General shall keep the Executive Council informed of actions undertaken pursuant to this paragraph.

ARTICLE XI
ECONOMIC AND TECHNOLOGICAL DEVELOPMENT

1. The provisions of this Convention shall be implemented in a manner which avoids hampering the economic or technological development of States Parties, and international cooperation in the field of chemical activities for purposes not prohibited under this Convention including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under this Convention.
2. Subject to the provisions of this Convention and without prejudice to the principles and applicable rules of international law, the States Parties shall:
   (a) Have the right, individually or collectively, to conduct research with, to develop, produce, acquire, retain, transfer, and use chemicals;
   (b) Undertake to facilitate, and have the right to participate in, the fullest possible exchange of chemicals, equipment and scientific and technical information relating to the development and application of chemistry for purposes not prohibited under this Convention;
   (c) Not maintain among themselves any restrictions, including those in any international agreements, incompatible with the obligations undertaken under this Convention, which would restrict or impede trade and the development and promotion of scientific and technological knowledge in the field of chemistry for industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
   (d) Not use this Convention as grounds for applying any measures other than those provided for, or permitted, under this Convention nor use any other international agreement for pursuing an objective inconsistent with this Convention;
   (e) Undertake to review their existing national regulations in the field of trade in chemicals in order to render them consistent with the object and purpose of this Convention.

ARTICLE XII
MEASURES TO REDRESS A SITUATION AND TO ENSURE COMPLIANCE, INCLUDING SANCTIONS

1. The Conference shall take the necessary measures, as set forth in paragraphs 2, 3 and 4, to ensure compliance with this Convention and to redress and remedy any situation which contravenes the provisions of this Convention. In considering action pursuant to this paragraph, the Conference shall take into account all information and recommendations on the issues submitted by the Executive Council.
2. In cases where a State Party has been requested by the Executive Council to take measures to redress a situation raising problems with regard to its compliance, and where the State Party fails to fulfil the request within the specified time, the Conference may, inter alia, upon the recommendation of the Executive Council, restrict or suspend the State Party's rights and privileges under this Convention until it undertakes the necessary action to conform with its obligations under this Convention.
3. In cases where serious damage to the object and purpose of this Convention may result from activities prohibited under this Convention, in particular by Article I, the Conference may recommend collective measures to States Parties in conformity with international law.
4. The Conference shall, in cases of particular gravity, bring the issue, including relevant information and conclusions, to the attention of the United Nations General Assembly and the United Nations Security Council.

ARTICLE XIII
RELATION TO OTHER INTERNATIONAL AGREEMENTS

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at

Geneva on 17 June 1925, and under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed at London, Moscow and Washington on 10 April 1972.

ARTICLE XIV
SETTLEMENT OF DISPUTES

1. Disputes that may arise concerning the application or the interpretation of this Convention shall be settled in accordance with the relevant provisions of this Convention and in conformity with the provisions of the Charter of the United Nations.
2. When a dispute arises between two or more States Parties, or between one or more States Parties and the Organization, relating to the interpretation or application of this Convention, the parties concerned shall consult together with a view to the expeditious settlement of the dispute by negotiation or by other peaceful means of the parties' choice, including recourse to appropriate organs of this Convention and, by mutual consent, referral to the International Court of Justice in conformity with the Statute of the Court. The States Parties involved shall keep the Executive Council informed of actions being taken.
3. The Executive Council may contribute to the settlement of a dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States Parties to a dispute to start the settlement process of their choice and recommending a time-limit for any agreed procedure.
4. The Conference shall consider questions related to disputes raised by States Parties or brought to its attention by the Executive Council. The Conference shall, as it finds necessary, establish or entrust organs with tasks related to the settlement of these disputes in conformity with Article VIII, paragraph 21 (f).
5. The Conference and the Executive Council are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the activities of the Organization. An agreement between the Organization and the United Nations shall be concluded for this purpose in accordance with Article VIII, paragraph 34 (a).
6. This Article is without prejudice to Article IX or to the provisions on measures to redress a situation and to ensure compliance, including sanctions.

ARTICLE XV
AMENDMENTS

1. Any State Party may propose amendments to this Convention. Any State Party may also propose changes, as specified in paragraph 4, to the Annexes of this Convention. Proposals for amendments shall be subject to the procedures in paragraphs 2 and 3. Proposals for changes, as specified in paragraph 4, shall be subject to the procedures in paragraph 5.
2. The text of a proposed amendment shall be submitted to the Director-General for circulation to all States Parties and to the Depositary. The proposed amendment shall be considered only by an Amendment Conference. Such an Amendment Conference shall be convened if one third or more of the States Parties notify the Director-General not later than 30 days after its circulation that they support further consideration of the proposal. The Amendment Conference shall be held immediately following a regular session of the Conference unless the requesting States Parties ask for an earlier meeting. In no case shall an Amendment Conference be held less than 60 days after the circulation of the proposed amendment.
3. Amendments shall enter into force for all States Parties 30 days after deposit of the instruments of ratification or acceptance by all the States Parties referred to under subparagraph (b) below:
   (a) When adopted by the Amendment Conference by a positive vote of a majority of all States Parties with no State Party casting a negative vote; and
   (b) Ratified or accepted by all those States Parties casting a positive vote at the Amendment Conference.
4. In order to ensure the viability and the effectiveness of this Convention, provisions in the Annexes shall be subject to changes in accordance with paragraph 5, if proposed changes are related only to matters of an administrative or technical nature. All changes to the Annex on Chemicals shall be made in accordance with paragraph 5. Sections A and C of the Confidentiality Annex, Part X of the Verification Annex, and those definitions in Part I of the Verification Annex which relate exclusively to challenge inspections, shall not be subject to changes in accordance with paragraph 5.
5. Proposed changes referred to in paragraph 4 shall be made in accordance with the following procedures:
   (a) The text of the proposed changes shall be transmitted together with the necessary information to the Director-General. Additional information for the evaluation of the proposal may be provided by any State Party and the Director-General. The Director-General shall promptly communicate any such proposals and information to all States Parties, the Executive Council and the Depositary;
   (b) Not later than 60 days after its receipt, the Director-General shall evaluate the proposal to determine all its possible consequences for the provisions of this Convention and its implementation and shall communicate any such

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information to all States Parties and the Executive Council;

(c) The Executive Council shall examine the proposal in the light of all information available to it, including whether the proposal fulfils the requirements of paragraph 4. Not later than 90 days after its receipt, the Executive Council shall notify its recommendation, with appropriate explanations, to all States Parties for consideration. States Parties shall acknowledge receipt within 10 days;

(d) If the Executive Council recommends to all States Parties that the proposal be adopted, it shall be considered approved if no State Party objects to it within 90 days after receipt of the recommendation. If the Executive Council recommends that the proposal be rejected, it shall be considered rejected if no State Party objects to the rejection within 90 days after receipt of the recommendation;

(e) If a recommendation of the Executive Council does not meet with the acceptance required under subparagraph (d), a decision on the proposal, including whether it fulfills the requirements of paragraph 4, shall be taken as a matter of substance by the Conference at its next session;

(f) The Director-General shall notify all States Parties and the Depositary of any decision under this paragraph;

(g) Changes approved under this procedure shall enter into force for all States Parties 180 days after the date of notification by the Director-General of their approval unless another time period is recommended by the Executive Council or decided by the Conference.

ARTICLE XVI
DURATION AND WITHDRAWAL

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention if it decides that extraordinary events, related to the subject-matter of this Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal 90 days in advance to all other States Parties, the Executive Council, the Depositary and the United Nations Security Council. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
3. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law, particularly the Geneva Protocol of 1925.

ARTICLE XVII
STATUS OF THE ANNEXES

The Annexes form an integral part of this Convention. Any reference to this Convention includes the Annexes.

ARTICLE XVIII
SIGNATURE

This Convention shall be open for signature for all States before its entry into force.

ARTICLE XIX
RATIFICATION

This Convention shall be subject to ratification by States Signatories according to their respective constitutional processes.

ARTICLE XX
ACCESSION

Any State which does not sign this Convention before its entry into force may accede to it at any time thereafter.

ARTICLE XXI
ENTRY INTO FORCE

1. This Convention shall enter into force 180 days after the date of the deposit of the 65th instrument of ratification, but in no case earlier than two years after its opening for signature.
2. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force on the 30th day following the date of deposit of their instrument of ratification or accession.

ARTICLE XXII
RESERVATIONS

The Articles of this Convention shall not be subject to reservations. The Annexes of this Convention shall not be subject to reservations incompatible with its object and purpose.

ARTICLE XXIII
DEPOSITARY

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention and shall, inter alia:

(a) Promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention, and of the receipt of other notices;

(b) Transmit duly certified copies of this Convention to the Governments of all signatory and acceding States; and

(c) Register this Convention pursuant to Article 102 of the Charter of the United Nations.

ARTICLE XXIV
AUTHENTIC TEXTS

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Convention.

Done at Paris on the thirteenth day of January, one thousand nine hundred and ninety-three.

Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction (Mine Ban Treaty / APL)

Opened for signature at Ottawa: 3-4 December 1997
Depositary: Secretary-General of the United Nations
Entered into force: 1 March 1999.

Preamble

The States Parties,

Determined to put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do their utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims,

Recognizing that a total ban of anti-personnel mines would also be an important confidence-building measure, Welcoming the adoption of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and calling for the early ratification of this Protocol by all States which have not yet done so,

Welcoming also United Nations General Assembly Resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally-binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines,

Welcoming furthermore the measures taken over the past years, both unilaterally and multilaterally, aiming at prohibiting, restricting or suspending the use, stockpiling, production and transfer of anti-personnel mines,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total

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ban of anti-personnel mines and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996 and the Brussels Declaration of 27 June 1997 urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalization in all relevant fora including, *inter alia*, the United Nations, the Conference on Disarmament, regional organizations, and groupings, and review conferences of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Basing themselves on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Have agreed as follows:

Article 1
General obligations

1. Each State Party undertakes never under any circumstances:
   a) To use anti-personnel mines;
   b) To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines;
   c) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention.

Article 2
Definitions

1. "Anti-personnel mine" means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons. Mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.
2. "Mine" means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.
3. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.
4. "Transfer" involves, in addition to the physical movement of anti-personnel mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced anti-personnel mines.
5. "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.

Article 3
Exceptions

1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.
2. The transfer of anti-personnel mines for the purpose of destruction is permitted. Article 4 Destruction of stockpiled anti-personnel mines

Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.

Article 5
Destruction of anti-personnel mines in mined areas

1. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.
2. Each State Party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked,

monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

3. If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines referred to in paragraph 1 within that time period, it may submit a request to a Meeting of the States Parties or a Review Conference for an extension of the deadline for completing the destruction of such anti-personnel mines, for a period of up to ten years.
4. Each request shall contain:
   a) The duration of the proposed extension;
   b) A detailed explanation of the reasons for the proposed extension, including:
      (i) The preparation and status of work conducted under national demining programs;
      (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
      (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
   c) The humanitarian, social, economic, and environmental implications of the extension; and d) Any other information relevant to the request for the proposed extension.
5. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.
6. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 3, 4 and 5 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

Article 6
International cooperation and assistance

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.
2. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
3. Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs. Such assistance may be provided, *inter alia*, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis.
4. Each State Party in a position to do so shall provide assistance for mine clearance and related activities. Such assistance may be provided, *inter alia*, through the United Nations system, international or regional organizations or institutions, non-governmental organizations or institutions, or on a bilateral basis, or by contributing to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, or other regional funds that deal with demining.
5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.
6. Each State Party undertakes to provide information to the database on mine clearance established within the United Nations system, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.
7. States Parties may request the United Nations, regional organizations, other States Parties or other competent intergovernmental or non-governmental fora to assist its authorities in the elaboration of a national demining program to determine, *inter alia:*
   a) The extent and scope of the anti-personnel mine problem;
   b) The financial, technological and human resources that are required for the implementation of the program;
   c) The estimated number of years necessary to destroy all anti-personnel mines in mined areas under the jurisdiction or control of the concerned State Party;
   d) Mine awareness activities to reduce the incidence of mine-related injuries or deaths;

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e) Assistance to mine victims;

f) The relationship between the Government of the concerned State Party and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the program.

8. Each State Party giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.

Article 7
Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:
   a) The national implementation measures referred to in Article 9;
   b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
   c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced;
   d) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3;
   e) The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities;
   f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
   g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4;
   h) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and
   i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.
2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.
3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

Article 8
Facilitation and clarification of compliance

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.
2. If one or more States Parties wish to clarify and seek to resolve questions relating to compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information which would assist in clarifying this matter.
3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all

appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.

4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.
5. The requesting State Party may propose through the Secretary-General of the United Nations the convening of a Special Meeting of the States Parties to consider the matter. The Secretary-General of the United Nations shall thereupon communicate this proposal and all information submitted by the States Parties concerned, to all States Parties with a request that they indicate whether they favour a Special Meeting of the States Parties, for the purpose of considering the matter. In the event that within 14 days from the date of such communication, at least one-third of the States Parties favours such a Special Meeting, the Secretary-General of the United Nations shall convene this Special Meeting of the States Parties within a further 14 days. A quorum for this Meeting shall consist of a majority of States Parties.
6. The Meeting of the States Parties or the Special Meeting of the States Parties, as the case may be, shall first determine whether to consider the matter further, taking into account all information submitted by the States Parties concerned. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach a decision by consensus. If despite all efforts to that end no agreement has been reached, it shall take this decision by a majority of States Parties present and voting.
7. All States Parties shall cooperate fully with the Meeting of the States Parties or the Special Meeting of the States Parties in the fulfilment of its review of the matter, including any fact-finding missions that are authorized in accordance with paragraph 8.
8. If further clarification is required, the Meeting of the States Parties or the Special Meeting of the States Parties shall authorize a fact-finding mission and decide on its mandate by a majority of States Parties present and voting. At any time the requested State Party may invite a fact-finding mission to its territory. Such a mission shall take place without a decision by a Meeting of the States Parties or a Special Meeting of the States Parties to authorize such a mission. The mission, consisting of up to 9 experts, designated and approved in accordance with paragraphs 9 and 10, may collect additional information on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of the requested State Party.
9. The Secretary-General of the United Nations shall prepare and update a list of the names, nationalities and other relevant data of qualified experts provided by States Parties and communicate it to all States Parties. Any expert included on this list shall be regarded as designated for all fact-finding missions unless a State Party declares its non-acceptance in writing. In the event of non-acceptance, the expert shall not participate in fact-finding missions on the territory or any other place under the jurisdiction or control of the objecting State Party, if the non-acceptance was declared prior to the appointment of the expert to such missions.
10. Upon receiving a request from the Meeting of the States Parties or a Special Meeting of the States Parties, the Secretary-General of the United Nations shall, after consultations with the requested State Party, appoint the members of the mission, including its leader. Nationals of States Parties requesting the fact-finding mission or directly affected by it shall not be appointed to the mission. The members of the fact-finding mission shall enjoy privileges and immunities under Article VI of the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946.
11. Upon at least 72 hours notice, the members of the fact-finding mission shall arrive in the territory of the requested State Party at the earliest opportunity. The requested State Party shall take the necessary administrative measures to receive, transport and accommodate the mission, and shall be responsible for ensuring the security of the mission to the maximum extent possible while they are on territory under its control.
12. Without prejudice to the sovereignty of the requested State Party, the fact-finding mission may bring into the territory of the requested State Party the necessary equipment which shall be used exclusively for gathering information on the alleged compliance issue. Prior to its arrival, the mission will advise the requested State Party of the equipment that it intends to utilize in the course of its fact-finding mission.
13. The requested State Party shall make all efforts to ensure that the fact-finding mission is given the opportunity to speak with all relevant persons who may be able to provide information related to the alleged compliance issue.
14. The requested State Party shall grant access for the fact-finding mission to all areas and installations under its control where facts relevant to the compliance issue could be expected to be collected. This shall be subject to any arrangements that the requested State Party considers necessary for:
    a) The protection of sensitive equipment, information and areas;

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b) The protection of any constitutional obligations the requested State Party may have with regard to proprietary rights, searches and seizures, or other constitutional rights; or

c) The physical protection and safety of the members of the fact-finding mission. In the event that the requested State Party makes such arrangements, it shall make every reasonable effort to demonstrate through alternative means its compliance with this Convention.

15. The fact-finding mission may remain in the territory of the State Party concerned for no more than 14 days, and at any particular site no more than 7 days, unless otherwise agreed.
16. All information provided in confidence and not related to the subject matter of the fact-finding mission shall be treated on a confidential basis.
17. The fact-finding mission shall report, through the Secretary-General of the United Nations, to the Meeting of the States Parties or the Special Meeting of the States Parties the results of its findings.
18. The Meeting of the States Parties or the Special Meeting of the States Parties shall consider all relevant information, including the report submitted by the fact-finding mission, and may request the requested State Party to take measures to address the compliance issue within a specified period of time. The requested State Party shall report on all measures taken in response to this request.
19. The Meeting of the States Parties or the Special Meeting of the States Parties may suggest to the States Parties concerned ways and means to further clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties or the Special Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6.
20. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach its decisions referred to in paragraphs 18 and 19 by consensus, otherwise by a two-thirds majority of States Parties present and voting. Article 9 National implementation measures

Article 9
National implementation measures

Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

Article 10
Settlement of disputes

1. The States Parties shall consult and cooperate with each other to settle any dispute that may arise with regard to the application or the interpretation of this Convention. Each State Party may bring any such dispute before the Meeting of the States Parties.
2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States parties to a dispute to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.
3. This Article is without prejudice to the provisions of this Convention on facilitation and clarification of compliance.

Article 11
Meetings of the States Parties

1. The States Parties shall meet regularly in order to consider any matter with regard to the application or implementation of this Convention, including:
   a) The operation and status of this Convention;
   b) Matters arising from the reports submitted under the provisions of this Convention;
   c) International cooperation and assistance in accordance with Article 6;
   d) The development of technologies to clear anti-personnel mines;
   e) Submissions of States Parties under Article 8; and
   f) Decisions relating to submissions of States Parties as provided for in Article 5.
2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year after the entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.
3. Under the conditions set out in Article 8, the Secretary-General of the United Nations shall convene a Special Meeting of the States Parties.
4. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.

Article 12
Review Conferences

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.
2. The purpose of the Review Conference shall be:
   a) To review the operation and status of this Convention;
   b) To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11;
   c) To take decisions on submissions of States Parties as provided for in Article 5; and
   d) To adopt, if necessary, in its final report conclusions related to the implementation of this Convention.
3. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

Article 13
Amendments

1. At any time after the entry into force of this Convention any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Depositary no later than 30 days after its circulation that they support further consideration of the proposal, the Depositary shall convene an Amendment Conference to which all States Parties shall be invited.
2. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.
3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.
4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.
5. An amendment to this Convention shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article 14
Costs

1. The costs of the Meetings of the States Parties, the Special Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.
2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 and the costs of any fact-finding mission shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

Article 15
Signature

This Convention, done at Oslo, Norway, on 18 September 1997, shall be open for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and at the United Nations Headquarters in New York from 5 December 1997 until its entry into force.

Article 16
Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval of the Signatories.
2. It shall be open for accession by any State which has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

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Article 17
Entry into force

1. This Convention shall enter into force on the first day of the sixth month after the month in which the 40th instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

Article 18
Provisional application

Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally paragraph 1 of Article 1 of this Convention pending its entry into force.

Article 19
Reservations

The Articles of this Convention shall not be subject to reservations.

Article 20
Duration and withdrawal

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating this withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.
4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.

Article 21
Depositary

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

Article 22
Authentic texts

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

Appendix II: Organization Memberships

United Nations and Conference on Disarmament

COUNTRY	UN	CD
Afghanistan	19 Nov 46	
Albania	14 Dec 55	
Algeria	08 Oct 62	◆
Andorra	28 Jul 93	
Angola	01 Dec 76	
Antigua and Barbuda	11 Nov 81	
Argentina	24 Oct 45	◆
Armenia	02 Mar 92	
Australia	01 Nov 45	◆
Austria	14 Dec 55	◆
Azerbaijan	02 Mar 92	O
Bahamas	18 Sep 73	
Bahrain	21 Sep 71	
Bangladesh	17 Sep 74	◆
Barbados	09 Dec 66	
Belarus	24 Oct 45	◆
Belgium	27 Dec 45	◆
Belize	25 Sep 81	
Benin	20 Sep 60	
Bhutan	21 Sep 71	
Bolivia	14 Nov 45	
Bosnia and Herzegovina	22 May 92	O
Botswana	17 Oct 66	
Brazil	24 Oct 45	◆
Brunei Darussalam	21 Sep 84	
Bulgaria	14 Dec 55	◆
Burkina Faso	20 Sep 60	
Burundi	18 Sep 62	
Cambodia	14 Dec 55	
Cameroon	20 Sep 60	◆
Canada	09 Nov 45	◆
Cape Verde	16 Sep 75	
Central African Republic	20 Sep 60	
Chad	20 Sep 60	
Chile	24 Oct 45	◆
China	24 Oct 45	◆
Colombia	05 Nov 45	◆
Comoros	12 Nov 75	
Congo (Republic of the)	20 Sep 60	
Congo (Democratic Republic of)	20 Sep 60	◆
Costa Rica	02 Nov 45	O
Cote d'Ivoire	20 Sep 60	

COUNTRY	UN	CD
Croatia	22 May 92	O
Cuba	24 Oct 45	◆
Cyprus	20 Sep 60	O
Czech Republic	19 Jan 93	O
Denmark	24 Oct 45	O
Djibouti	20 Sep 77	
Dominica	18 Dec 78	
Dominican Republic	24 Oct 45	
Ecuador	21 Dec 45	◆
Egypt	24 Oct 45	◆
El Salvador	24 Oct 45	
Equatorial Guinea	12 Nov 68	
Eritrea	28 May 93	
Estonia	17 Sep 91	O
Ethiopia	13 Nov 45	◆
Fiji	13 Oct 70	
Finland	14 Dec 55	◆
France	24 Oct 45	◆
Gabon	20 Sep 60	
Gambia	21 Sep 65	
Georgia	31 Jul 92	O
Germany	18 Sep 73	◆
Ghana	08 Mar 57	O
Greece	25 Oct 45	O
Grenada	17 Sep 74	
Guatemala	21 Nov 45	
Guinea	12 Dec 58	O
Guinea-Bissau	17 Sep 74	
Guyana	20 Sep 66	
Haiti	24 Oct 45	
Holy See	O	O
Honduras	17 Dec 45	
Hungary	14 Dec 55	◆
Iceland	19 Nov 46	
India	30 Oct 45	◆
Indonesia	28 Sep 50	◆
Iran (Islamic Republic of)	24 Oct 45	◆
Iraq	21 Dec 45	◆
Ireland	14 Dec 55	◆
Israel	11 May 49	◆
Italy	14 Dec 55	◆
Jamaica	18 Sep 62	
Japan	18 Dec 56	◆
Jordan	14 Dec 55	O
Kazakhstan	02 Mar 92	◆
Kenya	16 Dec 63	◆
Kiribati	14 Sep 99	
Korea (Democratic People's Republic of)	17 Sep 91	◆
Korea (Republic of)	17 Sep 91	◆
Kuwait	14 May 63	O
Kyrgyzstan	02 Mar 92	

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COUNTRY	UN	CD
Laos (People's Democratic Republic)	14 Dec 55	
Latvia	17 Sep 91	O
Lebanon	24 Oct 45	O
Lesotho	17 Oct 66	
Liberia	02 Nov 45	
Libyan Arab Jamahiriya	14 Dec 55	O
Liechtenstein	18 Sep 90	
Lithuania	17 Sep 91	O
Luxembourg	24 Oct 45	O
Macedonia (The Former Yugoslav Republic of)	08 Apr 93	O
Madagascar	20 Dec 60	O
Malawi	01 Dec 64	
Malaysia	17 Sep 57	◆
Maldives	21 Sep 65	
Mali	28 Sep 60	
Malta	01 Dec 64	O
Marshall Islands	17 Sep 91	
Mauritania	27 Oct 91	
Mauritius	24 Apr 68	
Mexico	07 Nov 45	◆
Micronesia (Federated States of)	17 Sep 91	
Moldova (Republic of)	02 Mar 92	
Monaco	28 May 93	O
Mongolia	27 Oct 61	◆
Montenegro	28 Jun 06	
Morocco	12 Nov 56	◆
Mozambique	16 Sep 75	
Myanmar	19 Apr 48	◆
Namibia	23 Apr 90	
Nauru	14 Sep 99	
Nepal	14 Dec 55	O
Netherlands	10 Dec 45	◆
New Zealand	24 Oct 45	◆
Nicaragua	24 Oct 45	
Niger	20 Sep 60	
Nigeria	07 Oct 60	◆
Norway	27 Nov 45	◆
Oman	07 Oct 71	O
Pakistan	30 Sep 47	◆
Palau	15 Dec 94	
Panama	13 Nov 45	
Papua New Guinea	10 Oct 75	
Paraguay	24 Oct 45	
Peru	31 Oct 45	◆
Philippines	24 Oct 45	O
Poland	24 Oct 45	◆
Portugal	14 Dec 55	O
Qatar	21 Sep 71	O
Romania	14 Dec 55	◆
Russian Federation	24 Oct 45	◆

COUNTRY	UN	CD
Rwanda	18 Sep 62	
Saint Kitts and Nevis	23 Sep 83	
Saint Lucia	18 Sep 79	
Saint Vincent and the Grenadines	16 Sep 80	
Samoa	15 Dec 76	
San Marino	02 Mar 92	O
Sao Tome and Principe	16 Sep 75	
Saudi Arabia	24 Oct45	O
Senegal	28 Sep 60	◆
Serbia and Montenegro	19 Oct 45	O
Seychelles	21 Sep 76	
Sierra Leone	27 Sep 61	
Singapore	21 Sep 65	O
Slovakia	19 Jan 93	◆
Slovenia	22 May 92	O
Solomon Islands	19 Sep 78	
Somalia	20 Sep 60	
South Africa	07 Nov 45	◆
Spain	14 Dec 55	◆
Sri Lanka	14 Dec 55	◆
Sudan	12 Nov 56	O
Suriname	04 Dec 75	
Swaziland	24 Sep 68	
Sweden	19 Nov 46	◆
Switzerland	10 Sep 02	◆
Syrian Arab Republic	24 Oct 45	◆
Tajikistan	02 Mar 92	
Thailand	16 Dec 46	O
Timor-Leste	27 Sep 02	
Togo	20 Sep 60	
Tonga	14 Sep 99	
Trinidad and Tobago	18 Sep 62	
Tunisia	12 Nov 56	◆
Turkey	24 Oct 45	◆
Turkmenistan	02 Mar 92	
Tuvalu	05 Sep 00	
Uganda	25 Oct 62	
Ukraine	24 Oct 45	◆
United Arab Emirates	09 Dec 71	
United Kingdom	24 Oct 45	◆
United Republic of Tanzania	14 Dec 61	
United States of America	24 Oct 45	◆
Uruguay	18 Dec 45	O
Uzbekistan	02 Mar 92	
Venezuela	15 Nov 45	◆
Vanuatu	15 Sep 81	
Viet Nam	20 Sep 77	◆
Yemen	30 Sep 47	O
Zambia	01 Dec 64	

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COUNTRY	UN	CD
Zimbabwe	25 Aug 80	◆
Membership Total:	**192**	**65**
		(O - 37)
O - observer		

IAEA Membership, Safeguards Agreements, and Additional Protocols

Country	IAEA Membership	Safeguards Agreement, INFCIRC and date Entered Into Force	Additional Protocol	
			Signed	In Force
Afghanistan	31 May 57	INFCIRC 257, 20 Feb 78	19 Jul 05	19 Jul 05
Albania	23 Aug 57	INFCIRC 359, 28 Nov 02	2 Dec 04	
Algeria	24 Dec 63	INFCIRC 531, 07 Jan 97	14 Sept 04 (App)	
Andorra		09 Jan 01 (S)	09 Jan 01	
Angola	9 Nov 99			
Antigua and Barbuda		INFCIRC 528, 09 Sep 96		
Argentina	3 Oct 57	INFCIRC 435, 04 Mar 94		
Armenia	27 Sep 93	INFCIRC 455, 05 May 94	29 Sep 97	28 Jun 04
Australia	29 Jul 57	INFCIRC 217, 10 Jul 74	23 Sep 97	12 Dec 97
Austria	13 Apr 61	INFCIRC 193, 31 Jul 96 (Acc)[1]	22 Sep 98	30 Apr 04
Azerbaijan	30 May 01	INFCIRC 580, 29 Apr 99	05 Jul 00	29 Nov 00
Bahamas		INFCIRC 544, 12 Sep 97		
Bahrain		19 Sept 2007 (S)		
Bangladesh	27 Sep 72	INFCIRC 301, 11 Jun 82	30 Mar 01	30 Mar 01
Barbados		INFCIRC 527, 14 Aug 96		
Belarus	8 Apr 57	INFCIRC 495, 02 Aug 95	15 Nov 05	
Belgium	29 Apr 58	INFCIRC 193, 21 Feb 77	22 Sep 98	30 Apr 04
Belize	31 Mar 06	INFCIRC 532, 21 Jan 97		
Benin	26 May 99	07 Jun 05 (S)	7 June 05	
Bhutan		INFCIRC 371, 24 Oct 89		
Bolivia	15 Mar 63	INFCIRC 465, 06 Feb 95		
Bosnia and Herzegovina	19 Sep 95	INFCIRC 204, 28 Dec 73		
Botswana	20 Mar 02	INFCIRC 694, 24 Aug 06		24 Aug 06
Brazil	29 Jul 57	INFCIRC 435, 04 Mar 94		
Brunei Darussalam		INFCIRC 365, 04 Nov 87		
Bulgaria	17 Aug 57	INFCIRC 178, 29 Feb 72	24 Sep 98	10 Oct 00
Burkina Faso	14 Sept 98	INFCIRC 618, 17 Apr 03	17 Apr 03	17 Apr 03
Burundi		INFCIRC 719, 27 Sep 2007		27 Sep 07
Cambodia[2]	6 Feb 58	INFCIRC 586,17 Dec 99		
Cameroon	13 Jul 64	21 May 92 (S)	16 Dec 04	
Canada	29 Jul 57	INFCIRC 164, 21 Feb 72	24 Sep 98	8 Sep 00

[1] Austria's safeguards agreement under INFCIRC 156, which had been in force since July 1972, was suspended in July 1996; at that time, INFCIRC 193, the agreement between EURATOM and the IAEA (of 5 April 1973) entered into force for Austria.

[2] On 26 March 2003, Cambodia, which had been a member of the IAEA since 1958, announced its withdrawal from the Agency.

Country	IAEA Membership	Safeguards Agreement, INFCIRC and date Entered Into Force	Additional Protocol	
			Signed	In Force
Cape Verde		28 Jun 05 (S)	28 Jun 05	
Central African Republic	5 Jan 01	7 Mar 06 (App)	7 Mar 06 (App)	
Chad	2 Nov 05	22 Nov 2007 (App)	22 Nov 07 (App)	
Chile	19 Sep 66	INFCIRC 476, 05 Apr 95	19 Sep 02	3 Nov 03
China	1 Jan 84	INFCIRC 369, 18 Sep 89	31 Dec 98	28 Mar 02
Colombia	30 Sep 60	INFCIRC 306, 22 Dec 82	11 May 05	
Comoros		13 Dec 05 (S)	13 Dec 05	
Congo				
Congo (Democratic Republic of)	10 Oct 61	INFCIRC 183, 09 Nov 72	9 Apr 03	9 Apr 03
Cook Islands				
Costa Rica	25 Mar 65	INFCIRC 278, 22 Nov 79	12 Dec 01	
Cote d'Ivoire	19 Nov 63	INFCIRC 309, 08 Sep 83		
Croatia	12 Feb 93	INFCIRC 463, 19 Jan 95	22 Sep 98	6 Jul 00
Cuba	1 Oct 57	18 Sep 03 (S)[3] (281, 05 May 80, 311, 07 Oct 83)	18 Sep 03[2] (15 Oct 99)	3 Jun 04
Cyprus	07 Jun 65	INFCIRC 189, 26 Jan 73	29 Jul 99	19 Feb 03
Czech Republic	27 Sep 93	INFCIRC 541, 11 Sep 97	28 Sep 99	1 Jul 02
Denmark	16 Jul 57	INFCIRC 193, 21 Feb 77	22 Sep 98	30 Apr 04
Djibouti				
Dominica		INFCIRC 513, 03 May 96		
Dominican Republic	11 Jul 57	INFCIRC 201, 11 Oct 73	20 Sep 07	
Ecuador	3 Mar 58	INFCIRC 231, 10 Mar 75	1 Oct 99	24 Oct 01
Egypt	4 Sep 57	INFCIRC 302, 30 Jun 82		
El Salvador	22 Nov 58	INFCIRC 232, 22 Apr 75	5 Sep 03	24 May 04
Equatorial Guinea		13 Jun 86 (App)		
Eritrea	**20 Dec 02**			
Estonia	31 Jan 92	INFCIRC 547, 24 Nov 97	13 April 00	1 Dec 05
Ethiopia	30 Sep 57	INFCIRC 261, 02 Dec 77		
Fiji		INFCIRC 192, 22 Mar 73		14 Jul 06
Finland	7 Jan 58	INFCIRC 193, 01 Oct 95 (Acc)[4]	22 Sep 98	30 Apr 04
France	29 Jul 57	INFCIRC 290, 12 Sep 81	22 Sep 98	30 Apr 04
		INFCIRC 718, 26 Oct 07		
Gabon	21 Jan 64	03 Dec 79 (S)	8 June 05	
Gambia		INFCIRC 277, 08 Aug 78		
Georgia	23 Feb 96	INFCIRC 617, 03 Jun 03	29 Sep 97	3 Jun 03
Germany	1 Oct 57	INFCIRC 193, 21 Feb 77	22 Sep 98	30 Apr 04
Ghana	28 Sep 60	INFCIRC 226, 17 Feb 75	12 Jun 98	**11 Jun 04**
Greece	30 Sep 57	INFCIRC 193, 17 Dec 81(Acc)[5]	22 Sep 98	30 Apr 04

[3] Cuba acceded to the NPT on 4 November 2002. By doing so, it was required to conclude with the IAEA a comprehensive Safeguards Agreement pursuant to Article III of the NPT. On 18 September 2003, Cuba signed its Safeguards Agreement and the Additional Protocol. Upon entry into force, the Safeguards Agreement and Additional Protocol will supersede Cuba's INFCIRC 66 safeguards agreements currently in force.

[4] Finland's safeguards agreement, INFCIRC 155, which had been in force since 1972, was suspended in October 1995; at that time, INFCIRC 193, the agreement between EURATOM and the IAEA (of 5 April 1973) entered into force for Finland.

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Country	IAEA Membership	Safeguards Agreement, INFCIRC and date Entered Into Force	Additional Protocol	
			Signed	In Force
Grenada		INFCIRC 525, 23 Jul 96		
Guatemala	29 Mar 57	INFCIRC 299, 01 Feb 82	14 Dec 01	
Guinea				
Guinea-Bissau				
Guyana		INFCIRC 543, 23 May 97		
Haiti	7 Oct 57	INFCIRC 681, 9 Mar 06	10 Jul 02	9 Mar 06
Holy See	20 Aug 57	INFCIRC 187, 01 Aug 72	24 Sep 98	24 Sep 98
Honduras	24 Feb 03	INFCIRC 235, 18 Apr 75	7 Jul 05	
Hungary	8 Aug 57	INFCIRC 193, 1 Jul 07 (Acc)[6]	1 Jul 07 (Acc)	
Iceland	06 Aug 57	INFCIRC 215, 16 Oct 74	12 Sep 03	12 Sep 03
India	16 Jul 57	INFCIRC 211, 260, 360, 374, 433		
Indonesia	7 Aug 57	INFCIRC 283, 14 Jul 80	29 Sep 99	29 Sep 99
Iran (Islamic Republic of)	16 Sep 59	INFCIRC 214, 15 May 74	18 Dec 03	*
Iraq	4 Mar 59	INFCIRC 172, 29 Feb 72		
Ireland	6 Jan 70	INFCIRC 193, 21 Feb 77	22 Sep 98	30 Apr 04
Israel	12 Jul 57	INFCIRC 249/Add.1, 04 Apr 75		
Italy	30 Sep 57	INFCIRC 193, 21 Feb 77	22 Sep 98	30 Apr 04
Jamaica	29 Dec 65	INFCIRC 265, 06 Nov 78	19 Mar 03	19 Mar 03
Japan	16 Jul 57	INFCIRC 255, 02 Dec 77	4 Dec 98	16 Dec 99
Jordan	18 Apr 66	INFCIRC 258, 21 Feb 78	28 Jul 98	28 Jul 98
Kazakhstan	14 Feb 94	INFCIRC 504, 11 Aug 95	6 Feb 04	9 May 07
Kenya	12 Jul 65			
Kiribati		INFCIRC 390, 19 Dec 90	9 Nov 04	
Korea (Democratic People's Republic of)[7]	18 Sep 74	INFCIRC 403, 10 Apr 92		
Korea (Republic of)	8 Aug 57	INFCIRC 236, 14 Nov 75	21 Jun 99	19 Feb 04
Kuwait	1 Dec 64	INFCIRC 607, 07 Mar 02	19 Jun 02	2 Jun 03
Kyrgyzstan	10 Sep 2003	INFCIRC 629, 3 Feb 2004	29 Jan 07	
Lao (People's Democratic Republic)		INFCIRC 599, 05 Apr 01		
Latvia	10 Apr 97	INFCIRC 434, 21 Dec 93	12 Jul 01	12 Jul 01
Lebanon	29 Jun 61	INFCIRC 191, 05 Mar 73		
Lesotho		INFCIRC 199, 12 Jun 73		
Liberia	5 Oct 62			
Libyan Arab Jamahiriya	9 Sep 63	INFCIRC 282, 08 Jul 80	10 Mar 04	11 Aug 06

[5] Greece's safeguards agreement, INFCIRC 166, which has been in effect since March 1972, was suspended in December 1981, when Greece acceded to INFCIRC 193, the safeguards agreement between EURATOM and the IAEA.

[6] The application of safeguards in Hungary under the bilateral NPT safeguards agreement INFCIRC/174, in force since 30 March 1972, was suspended on 1 July 2007, on which date the agreement of 5 April 1973 between the nonnuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Hungary had acceded, entered into force for Hungary.

[7] On 13 June 1994, the DPRK, which had been an IAEA Member State since 1974, announced its withdrawal from the Agency. Although the withdrawal did not affect the DPRK obligations under its Safeguards Agreement, which in the Agency's view remains binding and in force, the DPRK took the position that it was in a special position with regard to the Safeguards Agreement and that it was no longer obliged to allow the inspectors to carry out their work under the Safeguards Agreement.

Country	IAEA Membership	Safeguards Agreement, INFCIRC and date Entered Into Force	Additional Protocol	
			Signed	In Force
Liechtenstein	13 Dec 68	INFCIRC 275, 04 Oct 79		
Lithuania	18 Nov 93	INFCIRC 193, 1 Jan 2008 (Acc)[8]	1 Jan 08 (Acc)	
Luxembourg	29 Jan 58	INFCIRC 193, 21 Feb 77	22 Sep 98	30 Apr 04
Macedonia (Former Yugoslav Republic of)	25 Feb 94	INFCIRC 610, 16 Apr 02	12 Jul 05	11 May 07
Madagascar	22 Mar 65	INFCIRC 200, 14 Jun 73	18 Sep 03	18 Sep 03
Malawi	2 Oct 06	INFCIRC 409, 03 Aug 92		
Malaysia	15 Jan 69	INFCIRC 182, 29 Feb 72	22 Nov 05	
Maldives		INFCIRC 253, 02 Oct 77		
Mali	10 Aug 61	INFCIRC 615, 12 Sep 02	12 Sep 02	12 Sep 02
Malta	29 Sep 77	INFCIRC 193, 1 July 07 (Acc)[9]	1 Jul 07 (Acc)	
Marshall Islands	26 Jan 94	3 May 05	3 May 05	3 May 05
Mauritania	23 Nov 2004	02 Jun 03 (S)	2 Jun 03	
Mauritius	31 Dec 74	INFCIRC 190, 31 Jan 73	9 Dec 04	17 Dec 07
Mexico	7 Apr 58	INFCIRC 197, 14 Sep 73	29 Mar 04	
Micronesia (Federated States of)				
Moldova	24 Sep 97	INFCIRC 690, 17 May 06	13 Sep 06 (App)	
Monaco	17 Sep 57	INFCIRC 524, 13 Jun 96	30 Sep 99	30 Sep 99
Mongolia	20 Sep 73	INFCIRC 188, 05 Sep 72	5 Dec 01	12 May 03
Montenegro	13 June 07	26 May 08	26 May 08	
Morocco	17 Sep 57	INFCIRC 288, 18 Feb 75	22 Sep 04	
Mozambique	18 Sept 06	22 Nov 07 (App)	22 Nov 07 (App)	
Myanmar	18 Oct 57	INFCIRC 477, 20 Apr 95		
Namibia	17 Feb 83	INFCIRC 551, 15 Apr 98	22 Mar 00	
Nauru		INFCIRC 317, 13 Apr 84		
Nepal		INFCIRC 186, 22 Jun 72		
Netherlands	30 Jul 57	INFCIRC 229, 05 Jun 75, 193, 21 Feb 77	22 Sep 98	30 Apr 04
New Zealand	13 Sep 57	INFCIRC 185, 29 Feb 72	24 Sep 98	24 Sep 98
Nicaragua	17 Sep 57	INFCIRC 246, 29 Dec 76	18 Jul 02	18 Feb 05
Niger	27 Mar 68	INFCIRC 664, 16 Feb 05	11 Jun 04	2 May 07
Nigeria	27 Mar 68	INFCIRC 358, 29 Feb 88	20 Sep 01	4 Apr 07
Norway	10 Jun 57	INFCIRC 177, 01 Mar 72	29 Sep 99	16 May 00
Oman		28 Jun 01 (S)		
Pakistan	2 May 57	INFCIRC 34, 116, 135, 239, 248, 393, 418, 705		

[8] The application of safeguards in Lithuania under the bilateral NPT safeguards agreement INFCIRC/413, in force since 15 October 1992, was suspended on 1 January 2008, on which date the agreement of 5 April 1973 between the nonnuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Lithuania had acceded, entered into force for Lithuania.

[9] The application of safeguards in Malta under the bilateral NPT safeguards agreement INFCIRC/387, in force since 13 November 1990, was suspended on 1 July 2007, on which date the agreement of 5 April 1973 between the nonnuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Malta had acceded, entered into force for Malta.

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Country	IAEA Membership	Safeguards Agreement, INFCIRC and date Entered Into Force	Additional Protocol	
			Signed	In Force
Palau	2 Mar 07		13 May 05	13 May 05
Panama	2 Mar 66	INFCIRC 316, 23 Mar 84	11 Dec 01	11 Dec 01
Papua New Guinea		INFCIRC 312, 13 Oct 83		
Paraguay	30 Sep 57	INFCIRC 279, 20 Mar 79	24 Mar 03	14 Sep 04
Peru	30 Sep 57	INFCIRC 273, 01 Aug 79	22 Mar 00	23 Jul 01
Philippines	02 Sep 58	INFCIRC 216, 16 Oct 74	30 Sep 97	
Poland	31 Jul 57	INFCIRC 193, 1 Mar 07 (Acc)[10]	30 Sep 97	5 May 00
Portugal	12 Jul 57	INFCIRC 193, 01 Jul 86 (Acc)[11]	22 Sep 98	30 Apr 04
Qatar	27 Feb 76			
Romania	12 Apr 57	INFCIRC 180, 27 Oct 72	11 Jun 99	7 Jul 00
Russian Federation	8 Apr 57	INFCIRC 327, 10 Jun 85	22 Mar 00	16 Oct 07
Rwanda				
Saint Kitts and Nevis		INFCIRC 514, 07 May 96		
Saint Lucia		INFCIRC 379, 02 Feb 90		
Saint Vincent and the Grenadines		INFCIRC 400, 08 Jan 92		
Samoa		INFCIRC 268, 22 Jan 79		
San Marino		INFCIRC 575, 21 Sep 98		
Sao Tome and Principe				
Saudi Arabia	13 Dec 62	16 Jun 05 (S)		
Senegal	1 Nov 60	INFCIRC 276, 14 Jan 80		
Serbia	17 Sep 57	INFCIRC 204, 28 Dec 73		
Seychelles	22 Apr 03	INFCIRC 635 19 Jul 04	7 Apr 04	13 Oct 04
Sierra Leone	4 Jun 67	10 Nov 77 (S)		
Singapore	5 Jan 67	INFCIRC 259, 18 Oct 77	22 Sep 05	31 March 08
Slovakia	27 Sep 93	INFCIRC 173, 03 Mar 72	27 Sep 99	1 Dec 05
Slovenia	21 Sep 92	INFCIRC 193, 1 Sept 06 (Acc)[12]	1 Sep 06 (Acc)	
Solomon Islands		INFCIRC 420, 17 Jun 93		
Somalia				
South Africa	06 Jun 57	INFCIRC 394, 16 Sep 91	13 Sep 02	13 Sep 02
Spain	26 Aug 57	INFCIRC 193, 05 Apr 89 (Acc)	22 Sep 98	30 Apr 04
Sri Lanka	22 Aug 57	INFCIRC 320, 06 Aug 84		
Sudan	17 Jul 58	INFCIRC 245, 07 Jan 77		
Suriname		INFCIRC 269, 02 Feb 79		
Swaziland		INFCIRC 227, 28 Jul 75		
Sweden	9 Jun 57	INFCIRC 193, 01 Jun 95 (Acc)[13]	22 Sep 98	30 Apr 04

[10] The application of safeguards in Poland under the NPT safeguards agreement INFCIRC/179, in force since 11 October 1972, was suspended on 1 March 2007, on which date the agreement of 5 April 1973 between the nonnuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193) to which Poland had acceded, entered into force for Poland.

[11] INFCIRC 272, Portugal's safeguards agreement since June 1979, was suspended in July 1986 and replaced by INFCIRC 193, the agreement between EURATOM and the IAEA.

[12] The application of safeguards in Slovenia under the NPT safeguards agreement INFCIRC/538, in force since 1 August 1997, was suspended on 1 September 2006, on which date the agreement of 5 April 1973 between the nonnuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193) to which Slovenia had acceded, entered into force for Slovenia.

Country	IAEA Membership	Safeguards Agreement, INFCIRC and date Entered Into Force	Additional Protocol	
			Signed	In Force
Switzerland	5 Apr 57	INFCIRC 264, 06 Sep 78	16 Jun 00	1 Feb 05
Syrian Arab Republic	6 Jun 63	INFCIRC 407, 18 May 92		
Tajikistan	10 Sep 01	INFCIRC 639 14 Dec 2004	07 Jul 03	14 Dec 04
Thailand	15 Oct 57	INFCIRC 241, 16 May 74	22 Sept 05	
Timor-Leste		11 Sep 07 (App)	11 Sep 07 (App)	
Togo		29 Nov 90 (S)	26 Sep 03	
Tonga	18 Nov 1993	INFCIRC 426, 18 Nov 93		
Trinidad and Tobago		INFCIRC 414, 04 Nov 92		
Tunisia	14 Oct 57	INFCIRC 381, 13 Mar 90	24 May 05	
Turkey	19 Jul 57	INFCIRC 295, 1 Sep 81	6 Jul 00	17 Jul 01
Turkmenistan		INFCIRC 673, 3 Jan 06	17 May 05	3 Jan 06
Tuvalu		INFCIRC 391, 15 Mar 91		
Uganda	30 Aug 67	INFCIRC 674, 14 Feb 06	14 June 05	14 Feb 06
Ukraine	31 Jul 57	INFCIRC 550, 22 Jan 98	15 Aug 00	24 Jan 06
United Arab Emirates	15 Jan 76	INFCIRC 622, 6 Oct 03		
United Kingdom	29 Jul 57	INFCIRC 175, 14 Dec 72, 263, 14 Aug 78	22 Sep 98	30 April 04
United Republic of Tanzania	6 Jan 76	INFCIRC 643 7 Feb 2005	26 Aug 92	7 Feb 05
United States	29 Jul 57	INFCIRC 288, 09 Dec 80, 366, 06 Apr 89	12 Jun 98	
Uruguay	22 Jan 63	INFCIRC 157, 17 Sep 76	29 Sep 97	30 April 04
Uzbekistan	26 Jan 94	INFCIRC 508, 08 Oct 94	22 Sep 98	21 Dec 98
Vanuatu				
Venezuela	19 Aug 57	INFCIRC 300, 11 Mar 82		
Vietnam	24 Sep 57	INFCIRC 376, 23 Feb 90	10 Aug 07	
Yemen	14 Oct 94	INFCIRC 614, 14 Aug 02		
Zambia	8 Jan 69	INFCIRC 456, 22 Sep 94		
Zimbabwe	1 Aug 86	INFCIRC 483, 26 Jun 95		
Membership Totals	144		117	82

Membership of Nonproliferation Export Control Regimes, HCOC, and PSI

COUNTRY	NSG	Zangger	MTCR	HCOC	AG	WASS	PSI[14]
Afghanistan				◆			◆
Albania				◆			◆

[13] INFCIRC 234, Sweden's safeguards agreement since April 1975, was replaced with INFCIRC 193, between EURATOM and the IAEA, in June 1995.

[14] The Proliferation Security Initiative is not an export control regime, but is related in that it seeks to develop a range of legal, diplomatic, economic, military, and other tools to interdict threatening shipments of weapons of mass destruction and missile-related equipment and technologies via air, land, and sea, thereby preventing their transfer.

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COUNTRY	NSG	Zangger	MTCR	HCOC	AG	WASS	PSI[14]
Algeria							
Andorra				◆			◆
Angola							◆
Antigua and Barbuda							
Argentina	◆	◆	◆	◆	◆	◆	◆
Armenia				◆			◆
Australia	◆	◆	◆	◆	◆	◆	◆
Austria	◆	◆	◆	◆	◆	◆	◆
Azerbaijan				◆			◆
Bahamas							◆
Bahrain							◆
Bangladesh							
Barbados							
Belarus	◆			◆			◆
Belgium	◆	◆	◆	◆	◆	◆	◆
Belize							◆
Benin				◆			
Bhutan							
Bolivia							
Bosnia and Herzegovina				◆			◆
Botswana							
Brazil	◆		◆				
Brunei Darussalam							◆
Bulgaria	◆	◆	◆	◆	◆	◆	◆
Burkina Faso				◆			
Burundi				◆			
Cambodia				◆			◆
Cameroon				◆			
Canada	◆	◆	◆	◆	◆	◆	◆
Cape Verde				◆			
Central African Republic							
Chad				◆			
Chile				◆			◆
China	◆	◆					
Colombia				◆			
Comoros				◆			
Congo							
Congo (Democratic Republic of)							
Cook Islands				◆			
Costa Rica				◆			
Cote d'Ivoire							
Croatia	◆	◆		◆	◆	◆	◆
Cuba							
Cyprus	◆			◆	◆		◆
Czech Republic	◆	◆	◆	◆	◆	◆	◆
Denmark	◆	◆	◆	◆	◆	◆	◆
Djibouti							◆
Dominica							
Dominican Republic							
Ecuador				◆			
Egypt							
El Salvador				◆			◆
Equatorial Guinea							

COUNTRY	NSG	Zangger	MTCR	HCOC	AG	WASS	PSI[14]
Eritrea				◆			
Estonia	◆			◆	◆	◆	◆
Ethiopia				◆			
Fiji				◆			◆
Finland	◆	◆	◆	◆	◆	◆	◆
France	◆	◆	◆	◆	◆	◆	◆
Gabon				◆			
Gambia				◆			
Georgia				◆			◆
Germany	◆	◆	◆	◆	◆	◆	◆
Ghana				◆			
Greece	◆	◆	◆	◆	◆	◆	◆
Grenada							
Guatemala				◆			
Guinea				◆			
Guinea-Bissau				◆			
Guyana				◆			
Haiti				◆			
Holy See				◆			◆
Honduras				◆			◆
Hungary	◆	◆	◆	◆	◆	◆	◆
Iceland			◆	◆	◆		◆
India							
Indonesia							
Iran (Islamic Republic of)							
Iraq							◆
Ireland	◆	◆	◆	◆	◆	◆	◆
Israel							◆
Italy	◆	◆	◆	◆	◆	◆	◆
Jamaica							
Japan	◆	◆	◆	◆	◆	◆	◆
Jordan				◆			◆
Kazakhstan	◆	◆		◆			◆
Kenya				◆			
Kiribati				◆			
Korea (Democratic People's Republic of)							
Korea (Republic of)	◆	◆	◆	◆	◆	◆	
Kuwait							◆
Kyrgyz Republic							◆
Lao (People's Democratic Republic of)							
Latvia	◆			◆	◆	◆	◆
Lebanon							
Lesotho							
Liberia				◆			◆
Libyan Arab Jamahiriya				◆			◆
Liechtenstein				◆			◆
Lithuania	◆			◆	◆	◆	◆
Luxembourg	◆	◆	◆	◆	◆	◆	◆
Macedonia (Former Yugoslav Republic)				◆			◆
Madagascar				◆			

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COUNTRY	NSG	Zangger	MTCR	HCOC	AG	WASS	PSI[14]
Malawi				◆			
Malaysia							
Maldives				◆			
Mali				◆			
Malta	◆			◆	◆	◆	◆
Marshall Islands				◆			◆
Mauritania				◆			
Mauritius							
Mexico							
Micronesia (Federated States of)				◆			
Moldova				◆			◆
Monaco				◆			
Mongolia				◆			◆
Montenegro				◆			◆
Morocco				◆			◆
Mozambique				◆			
Myanmar							
Namibia							
Nepal							
Netherlands	◆	◆	◆	◆	◆	◆	◆
New Zealand	◆		◆	◆	◆	◆	◆
Nicaragua				◆			
Niger				◆			
Nigeria				◆			
Norway	◆	◆	◆	◆	◆	◆	◆
Oman							◆
Pakistan							
Palau				◆			
Panama				◆			◆
Papua New Guinea				◆			◆
Paraguay				◆			◆
Peru				◆			
Philippines				◆			◆
Poland	◆	◆	◆	◆	◆	◆	◆
Portugal	◆	◆	◆	◆	◆	◆	◆
Qatar							◆
Romania	◆	◆		◆	◆	◆	◆
Russian Federation	◆	◆	◆	◆		◆	◆
Rwanda				◆			
Saint Kitts and Nevis							
Saint Lucia							
Saint Vincent and the Grenadines							
Samoa				◆			◆
San Marino				◆			◆
Sao Tome and Principe							
Saudi Arabia							◆
Senegal				◆			
Serbia				◆			◆
Seychelles				◆			
Sierra Leone				◆			
Singapore							◆
Slovakia	◆	◆		◆	◆	◆	◆
Slovenia	◆	◆		◆	◆	◆	◆

COUNTRY	NSG	Zangger	MTCR	HCOC	AG	WASS	PSI[14]
Solomon Islands							
Somalia							
South Africa	◆	◆	◆	◆		◆	
Spain	◆	◆	◆	◆	◆	◆	◆
Sri Lanka							◆
Sudan				◆			
Suriname				◆			
Swaziland							
Sweden	◆	◆	◆	◆	◆	◆	◆
Switzerland	◆	◆	◆	◆	◆	◆	◆
Syrian Arab Republic							
Tajikistan				◆			◆
Thailand							
Timor-Leste				◆			
Togo							
Tonga				◆			
Trinidad and Tobago							
Tunisia				◆			◆
Turkey	◆	◆	◆	◆	◆	◆	◆
Turkmenistan				◆			◆
Tuvalu				◆			
Uganda				◆			
Ukraine	◆	◆	◆	◆	◆	◆	◆
United Arab Emirates							◆
United Kingdom	◆	◆	◆	◆	◆	◆	◆
United Republic of Tanzania				◆			
United States	◆	◆	◆	◆	◆	◆	◆
Uruguay				◆			
Uzbekistan				◆			◆
Vanuatu				◆			
Venezuela				◆			
Viet Nam							
Yemen							◆
Zambia				◆			
Zimbabwe							
Membership Total:	45	37	34	130	40	40	93
P.O. – Permanent Observer EC – European Commission	+EC (P.O.)	+EC (P.O.)			+EC (P.O.)		

Treaty on the Non-Proliferation of Nuclear Weapons

COUNTRY	*Date Signature*	*Deposited Ratification*	*Accession/ Succession*
Afghanistan	01 Jul 68	04 Feb 70	
Albania			12 Sep 90
Algeria			12 Jan 95
Andorra			07 Jun 96

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COUNTRY	*Date Signature*	*Deposited Ratification*	*Accession/ Succession*
Angola			14 Oct 96
Antigua and Barbuda			17 Jun 85
Argentina			10 Feb 95
Armenia			15 Jul 93
Australia	27 Feb 70	23 Jan 73	
Austria	01 Jul 68	27 Jun 69	
Azerbaijan			22 Sep 92
Bahamas			11 Aug 76
Bahrain			03 Nov 88
Bangladesh			31 Aug 79
Barbados	01 Jul 68	21 Feb 80	
Belarus			22 Jul 93
Belgium	20 Aug 68	02 May 75	
Belize			09 Aug 85
Benin	01 Jul 68	31 Oct 72	
Bhutan			23 May 85
Bolivia	01 Jul 68	26 May 70	
Bosnia and Herzegovina			15 Aug 94
Botswana	01 Jul 68	28 Apr 69	
Brazil			18 Sep 98
Brunei Darussalam			26 Mar 85
Bulgaria	01 Jul 68	05 Sep 69	
Burkina Faso	25 Nov 68	03 Mar 70	
Burundi			19 Mar 71
Cambodia			02 Jun 72
Cameroon	17 Jul 68	08 Jan 69	
Canada	23 Jul 68	08 Jan 69	
Cape Verde			24 Oct 79
Central African Republic			25 Oct 70
Chad	01 Jul 68	10 Mar 71	
Chile			25 May 95
China			09 Mar 92
Colombia	01 Jul 68	08 Apr 86	
Comoros			04 Oct 95
Congo			23 Oct 78
Congo (Democratic Republic of)	22 Jul 68	04 Aug 70	
Costa Rica	01 Jul 68	03 Mar 70	
Cote d'Ivoire	01 Jul 68	06 Mar 73	
Croatia			29 Jun 92
Cuba			04 Nov 02
Cyprus	01 Jul 68	10 Feb 70	
Czech Republic	01 Jul 68		01 Jan 93
Denmark	01 Jul 68	03 Jan 69	
Djibouti			16 Oct 96
Dominica			10 Aug 84
Dominican Republic	01 Jul 68	24 Jul 71	
Ecuador	09 Jul 68	07 Mar 69	
Egypt	01 Jul 68	26 Feb 81	
El Salvador	01 Jul 68	11 Jul 72	
Equatorial Guinea			01 Nov 84
Eritrea			16 Mar 95

COUNTRY	*Date Signature*	*Deposited Ratification*	*Accession/ Succession*
Estonia			07 Jan 92
Ethiopia	05 Sep 68	05 Feb 70	
Fiji			14 Jul 72
Finland	01 Jul 68	05 Feb 69	
France			03 Aug 92
Gabon			19 Feb 74
Gambia	04 Sep 68	12 May 75	
Georgia			07 Mar 94
Germany	28 Nov 69	02 May 75	
Ghana	01 Jul 68	04 May 70	
Greece	01 Jul 68	11 Mar 70	
Grenada			02 Sep 75
Guatemala	26 Jul 68	22 Sep 70	
Guinea			29 Apr 85
Guinea-Bissau			20 Aug 76
Guyana			19 Oct 93
Haiti	01 Jul 68	02 Jun 70	
Holy See			25 Feb 71
Honduras	01 Jul 68	16 May 73	
Hungary	01 Jul 68	27 May 69	
Iceland	01 Jul 68	18 Jul 69	
India			
Indonesia	02 Mar 70	12 Jul 79	
Iran (Islamic Republic of)	01 Jul 68	02 Feb 70	
Iraq	01 Jul 68	29 Oct 69	
Ireland	01 Jul 68	01 Jul 68	
Israel			
Italy	28 Jan 69	02 May 75	
Jamaica	14 Apr 69	05 Mar 70	
Japan	03 Feb 70	08 Jun 76	
Jordan	10 Jul 68	11 Feb 70	
Kazakhstan			14 Feb 94
Kenya	01 Jul 68	11 Jun 70	
Kiribati			18 Apr 85
Korea (Democratic People's Republic of) [15]			12 Dec 85
Korea (Republic of)	01 Jul 68	23 Apr 75	
Kuwait	15 Aug 68	17 Nov 89	
Kyrgyzstan			05 Jul 94
Lao (People's Democratic Republic of)	01 Jul 68	20 Feb 70	
Latvia			31 Jan 92
Lebanon	01 Jul 68	15 Jul 70	
Lesotho	09 Jul 68	20 May 70	
Liberia	01 Jul 68	05 Mar 70	
Libyan (Arab Jemahiriya)	18 Jul 68	26 May 75	
Liechtenstein			20 Apr 78

[15] The DPRK announced its withdrawal from the NPT on January 10, 2003, stating then that its withdrawal "will come into force automatically and immediately" on the next day. The North Korean government claimed that it had suspended its 1994 withdrawal from the treaty on the last day of the required three-month notice period and thus did not need to give a further notice to other NPT parties and Security Council as required under Article X of the treaty. Although no statement to this effect has been issued by the NPT State Parties, the generally held view is that North Korea's withdrawal came into effect on 10 April 2003 when its three-month notice of withdrawal expired.

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COUNTRY	*Date Signature*	*Deposited Ratification*	*Accession/ Succession*
Lithuania			23 Sep 91
Luxembourg	14 Aug 68	02 May 75	
Macedonia (Former Yugoslav Republic of)			12 Apr 95
Madagascar	22 Aug 68	08 Oct 70	
Malawi			18 Feb 86
Malaysia	01 Jul 68	05 Mar 70	
Maldives	11 Sep 68	07 Apr 70	
Mali	14 Jul 69	10 Feb 70	
Malta	17 Apr 69	06 Feb 70	
Marshall Islands			30 Jan 95
Mauritania			26 Oct 93
Mauritius	01 Jul 68	08 Apr 69	
Mexico	26 Jul 68	21 Jan 69	
Micronesia (Federated States of)			14 Apr 95
Moldova			11 Oct 94
Monaco			13 Mar 95
Mongolia	01 Jul 68	14 May 69	
Montenegro			03 Jun 06
Morocco	01 Jul 68	27 Nov 70	
Mozambique			04 Sep 90
Myanmar			02 Dec 92
Namibia			02 Oct 92
Nauru			07 Jun 82
Nepal	01 Jul 68	05 Jan 70	
Netherlands	20 Aug 68	02 May 75	
New Zealand	01 Jul 68	10 Sep 69	
Nicaragua	01 Jul 68	06 Mar 73	
Niger			09 Oct 92
Nigeria	01 Jul 68	27 Sep 68	
Norway	01 Jul 68	05 Feb 69	
Oman			23 Jan 97
Pakistan			
Palau			14 Apr 95
Panama	01 Jul 68	13 Jan 77	
Papua New Guinea			13 Jan 82
Paraguay	01 Jul 68	04 Feb 70	
Peru	01 Jul 68	03 Mar 70	
Philippines	01 Jul 68	05 Oct 72	
Poland	01 Jul 68	12 Jun 69	
Portugal			15 Dec 77
Qatar			03 Apr 89
Romania	01 Jul 68	04 Feb 70	
Russian Federation	01 Jul 68	05 Mar 70	
Rwanda			20 May 75
Saint Kitts and Nevis			22 Mar 93
Saint Lucia			28 Dec 79
Saint Vincent/Grenadines			06 Nov 84
Samoa			17 Mar 75
San Marino	01 Jul 68	10 Aug 70	
Sao Tome and Principe			20 Jul 83
Saudi Arabia			03 Oct 88
Senegal	01 Jul 68	17 Dec 70	

COUNTRY	*Date Signature*	*Deposited Ratification*	*Accession/ Succession*
Serbia	10 Jul 68	04 Mar 70	
Seychelles			12 Mar 85
Sierra Leone			26 Feb 75
Singapore	05 Feb 70	10 Mar 76	
Slovakia			01 Jan 93
Slovenia			07 Apr 92
Solomon Islands			17 Jun 81
Somalia	01 Jul 68	05 Mar 70	
South Africa			10 Jul 91
Spain			05 Nov 87
Sri Lanka	01 Jul 68	05 Mar 79	
Sudan	24 Dec 68	31 Oct 73	
Suriname			30 Jun 76
Swaziland	24 Jun 69	11 Dec 69	
Sweden	19 Aug 68	09 Jan 70	
Switzerland	27 Nov 69	09 Mar 77	
Syrian Arab Republic	01 Jul 68	24 Sep 69	
Tajikistan			17 Jan 94
Thailand			02 Dec 72
Timor-Leste			05 May 03
Togo	01 Jul 68	26 Feb 70	
Tonga			07 Jul 71
Trinidad and Tobago	20 Aug 68	30 Oct 86	
Tunisia	01 Jul 68	26 Feb 70	
Turkey	28 Jan 69	17 Apr 80	
Turkmenistan			29 Sep 94
Tuvalu			19 Jan 79
Uganda			20 Oct 82
Ukraine			05 Dec 94
United Arab Emirates			26 Sep 95
United Kingdom	01 Jul 68	27 Nov 68	
United Republic of Tanzania			31 May 91
United States	01 Jul 68	05 Mar 70	
Uruguay	01 Jul 68	31 Aug 70	
Uzbekistan			02 May 92
Vanuatu			24 Aug 95
Venezuela	01 Jul 68	25 Sep 75	
Viet Nam			14 Jun 82
Yemen	14 Nov 68	1 Jun 79	
Zambia			15 May 91
Zimbabwe			26 Sep 91
Membership Totals:		**189**[16]	
Updated: 10/13/08			

Comprehensive Nuclear Test Ban Treaty & Partial Test Ban Treaty

[16] This number does not include the DPRK (see footnote above).

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Country	CTBT Date Signed	Deposited Ratification	PTBT Status[17]
Afghanistan	24 Sep 03	24 Sep 03	SP
Albania	27 Sep 96	23 Apr 03	
Algeria*	15 Oct 96	11 Jul 03	S
Andorra	24 Sep 96	12 Jul 06	
Angola	27 Sep 96		
Antigua and Barbuda	16 Apr 97	11 Jan 06	SP
Argentina*	24 Sep 96	04 Dec 98	SP
Armenia	01 Oct 96	12 Jul 06	SP
Australia*	24 Sep 96	09 Jul 98	SP
Austria*	24 Sep 96	13 Mar 98	SP
Azerbaijan	28 Jul 97	02 Feb 99	
Bahamas	04 Feb 05	30 Nov 07	SP
Bahrain	24 Sep 96	12 Apr 04	
Bangladesh*	24 Oct 96	08 Mar 00	SP
Barbados	14 Jan 08	14 Jan 08	
Belarus	24 Sep 96	13 Sep 00	SP
Belgium*	24 Sep 96	29 Jun 99	SP
Belize	14 Nov 01	26 Mar 04	
Benin	27 Sep 96	06 Mar 01	SP
Bhutan			SP
Bolivia	24 Sep 96	04 Oct 99	SP
Bosnia and Herzegovina	24 Sep 96	26 Oct 06	SP
Botswana	16 Sep 02	28 Oct 02	SP
Brazil*	24 Sep 96	24 Jul 98	SP
Brunei Darussalam	22 Jan 97		
Bulgaria*	24 Sep 96	29 Sep 99	SP
Burkina Faso	27 Sep 96	17 Apr 02	S
Burundi	24 Sep 96	24 Sep 08	S
Cambodia	26 Sep 96	10 Nov 00	
Cameroon	16 Nov 01	06 Feb 06	S
Canada*	24 Sep 96	18 Dec 98	SP
Cape Verde	01 Oct 96	01 Mar 06	SP
Central African Republic	19 Dec 01		SP
Chad	08 Oct 96		SP
Chile*	24 Sep 96	12 Jul 00	SP
China*	24 Sep 96		
Colombia*	24 Sep 96	29 Jan 08	SP
Comoros	12 Dec 96		
Congo	11 Feb 97		
Congo (Democratic Republic of)*	04 Oct 96	28 Sep 04	SP
Cook Islands	05 Dec 97	06 Sep 05	
Costa Rica	24 Sep 96	25 Sep 01	SP
Cote d'Ivoire	25 Sep 96	11 Mar 03	SP
Croatia	24 Sep 96	02 Mar 01	SP
Cuba			
Cyprus	24 Sep 96	18 Jul 03	SP
Czech Republic	12 Nov 96	11 Sep 97	SP
Denmark	24 Sep 96	21 Dec 98	SP

[17] SP = state party; S = signature only

Country	CTBT Date Signed	Deposited Ratification	PTBT Status[17]
Djibouti	21 Oct 96	15 Jul 05	
Dominica			
Dominican Republic	03 Oct 96	04 Sep 07	SP
Ecuador	24 Sep 96	12 Nov 01	SP
Egypt*	14 Oct 96		SP
El Salvador	24 Sep 96	11 Sep 98	SP
Equatorial Guinea	09 Oct 96		SP
Eritrea	11 Nov 03	11 Nov 03	
Estonia	20 Nov 96	13 Aug 99	
Ethiopia	25 Sep 96	8 Aug 06	S
Fiji	24 Sep 96	10 Oct 96	SP
Finland*	24 Sep 96	15 Jan 99	SP
France*	24 Sep 96	06 Apr 98	
Gabon	07 Oct 96	20 Sep 00	SP
Gambia	09 Apr 03		SP
Georgia	24 Sep 96	27 Sep 02	
Germany*	24 Sep 96	20 Aug 98	SP
Ghana	03 Oct 96		SP
Greece	24 Sep 96	21 Apr 99	SP
Grenada	10 Oct 96	19 Aug 98	
Guatemala	20 Sep 99		SP
Guinea	03 Oct 96		
Guinea-Bissau	11 Apr 97		SP
Guyana	07 Sep 00	07 Mar 01	
Haiti	24 Sep 96	01 Dec 05	S
Holy See	24 Sep 96	18 Jul 01	
Honduras	25 Sep 96	30 Oct 03	SP
Hungary*	25 Sep 96	13 Jul 99	SP
Iceland	24 Sep 96	26 Jun 00	SP
India*			SP
Indonesia*	24 Sep 96		SP
Iran (Islamic Republic of) *	24 Sep 96		SP
Iraq	19 Aug 08		SP
Ireland	24 Sep 96	15 Jul 99	SP
Israel*	25 Sep 96		SP
Italy*	24 Sep 96	01 Feb 99	SP
Jamaica	11 Nov 96	13 Nov 01	SP
Japan*	24 Sep 96	08 Jul 97	SP
Jordan	26 Sep 96	25 Aug 98	SP
Kazakhstan	30 Sep 96	14 May 02	
Kenya	14 Nov 96	30 Nov 00	SP
Kiribati	07 Sep 00	07 Sep 00	
Korea (Democratic People's Republic Of)*			
Korea (Republic of)*	24 Sep 96	24 Sep 99	SP
Kuwait	24 Sep 96	6 May 03	SP
Kyrgyzstan	08 Oct 96	02 Oct 03	
Laos (People’s Democratic Republic)	30 Jul 97	05 Oct 00	SP
Latvia	24 Sep 96	20 Nov 01	
Lebanon	16 Sep 05	21 Nov 08	SP
Lesotho	30 Sep 96	14 Sep 99	

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Country	CTBT Date Signed	Deposited Ratification	PTBT Status[17]
Liberia	01 Oct 96		SP
Libyan (Arab Jamahiriya)	13 Nov 01	6 Jan 04	SP
Liechtenstein	27 Sep 96	21 Sep 04	
Lithuania	07 Oct 96	07 Feb 00	
Luxembourg	24 Sep 96	26 May 99	SP
Macedonia (Former Yugoslav Republic of)	29 Oct 98	14 Mar 00	
Madagascar	09 Oct 96	15 Sep 05	SP
Malawi	09 Oct 96	21 Nov 08	SP
Malaysia	23 Jul 98	17 Jan 08	SP
Maldives	01 Oct 97	07 Sep 00	
Mali	18 Feb 97	04 Aug 99	S
Malta	24 Sep 96	23 Jul 01	SP
Marshall Islands	24 Sep 96		
Mauritania	24 Sep 96	30 April 03	SP
Mauritius			SP
Mexico*	24 Sep 96	05 Oct 99	SP
Micronesia (Federated States of)	24 Sep 96	25 Jul 97	
Moldova	24 Sep 97	16 Jan 07	
Monaco	01 Oct 96	18 Dec 98	
Mongolia	01 Oct 96	08 Aug 97	SP
Montenegro	23 Oct 06	23 Oct 06	
Morocco	24 Sep 96	17 Apr 00	SP
Mozambique	26 Sep 96	4 Nov 08	
Myanmar	25 Nov 96		SP
Namibia	24 Sep 96	29 Jun 01	
Nauru	08 Sep 00	12 Nov 01	
Nepal	08 Oct 96		SP
Netherlands*	24 Sep 96	23 Mar 99	SP
New Zealand	27 Sep 96	19 Mar 99	SP
Nicaragua	24 Sep 96	05 Dec 00	SP
Niger	03 Oct 96	9 Sep 02	SP
Nigeria	08 Sep 00	27 Sep 01	SP
Niue			
Norway*	24 Sep 96	15 Jul 99	SP
Oman	23 Sep 99	13 Jun 03	
Pakistan			SP
Palau	12 Aug 03	01 Aug 07	
Panama	24 Sep 96	23 Mar 99	SP
Papua New Guinea	25 Sep 96		SP
Paraguay	25 Sep 96	04 Oct 01	S
Peru*	25 Sep 96	12 Nov 97	SP
Philippines	24 Sep 96	23 Feb 01	SP
Poland*	24 Sep 96	25 May 99	SP
Portugal	24 Sep 96	26 Jun 00	S
Qatar	24 Sep 96	03 Mar 97	
Romania*	24 Sep 96	05 Oct 99	SP
Russian Federation*	24 Sep 96	30 Jun 00	SP
Rwanda	30 Nov 04	30 Nov 04	SP
Saint Kitts and Nevis	23 Mar 04	27 Apr 05	
Saint Lucia	04 Oct 96	05 Apr 01	

Country	CTBT Date Signed	Deposited Ratification	PTBT Status[17]
Saint Vincent and the Grenadines			
Samoa	9 Oct 96	27 Sep 02	SP
San Marino	07 Oct 96	12 Mar 02	SP
Sao Tome and Principe	26 Sep 96		
Saudi Arabia			
Senegal	26 Sep 96	09 Jun 99	SP
Serbia	08 Jun 01	19 May 04	SP
Seychelles	24 Sep 96	13 Apr 04	SP
Sierra Leone	08 Sep 00	17 Sep 2001	SP
Singapore	14 Jan 99	10 Nov 01	SP
Slovakia*	30 Sep 96	03 Mar 98	SP
Slovenia	24 Sep 96	31 Aug 99	SP
Solomon Islands	03 Oct 96		
Somalia			S
South Africa*	24 Sep 96	30 Mar 99	SP
Spain*	24 Sep 96	31 Jul 98	SP
Sri Lanka	24 Oct 96		SP
Sudan	10 Jun 04	10 Jun 04	SP
Suriname	14 Jan 97	07 Feb 06	SP
Swaziland	24 Sep 96		SP
Sweden*	24 Sep 96	02 Dec 98	SP
Switzerland*	24 Sep 96	01 Oct 99	SP
Syrian Arab Republic			SP
Tajikistan	07 Oct 96	10 Jun 98	
Thailand	12 Nov 96		SP
Timor-Leste	26 Sep 08		
Togo	02 Oct 96	02 Jul 04	SP
Tonga			SP
Trinidad and Tobago			SP
Tunisia	16 Oct 96	23 Sep 04	SP
Turkey*	24 Sep 96	16 Feb 00	SP
Turkmenistan	24 Sep 96	20 Feb 98	
Tuvalu			
Uganda	07 Nov 96	14 Mar 01	SP
Ukraine*	27 Sep 96	23 Feb 01	SP
United Arab Emirates	25 Sep 96	18 Sep 00	
United Kingdom*	24 Sep 96	06 Apr 98	SP
United Republic of Tanzania	30 Sep 04	30 Sep 04	SP
United States*	24 Sep 96		SP
Uruguay	24 Sep 96	21 Sep 01	SP
Uzbekistan	03 Oct 96	29 May 97	
Vanuatu	24 Sep 96	16 Sep 05	
Venezuela	03 Oct 96	13 May 02	SP
Viet Nam*	24 Sep 96	10 March 06	
Yemen	30 Sep 96		SP
Zambia	03 Dec 96	23 Feb 06	SP
Zimbabwe	13 Oct 99		

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Country	CTBT Date Signed	Deposited Ratification	PTBT Status[17]
Total States: 195	Signed: 180	Ratified: 148	States Party: 124 Signature only: 10
	Not Signed: 15	Signed, Not Ratified: 32	Not Signed: 61

Convention on the Physical Protection of Nuclear Material (CPPNM) and the Convention on Nuclear Safety

Country	PHYSICAL PROTECTION (CPPNM)	2005 CPPNM AMENDMENT	NUCLEAR SAFETY
Afghanistan	12 Sep 03 (Acc)		
Albania	05 Mar 02 (Acc)		
Algeria	30 Apr 03 (Acc)	25 Apr 07 (R)	20 Sep 94 (S)
Andorra	27 Jun 06 (Acc)		
Angola			
Antigua and Barbuda	04 Aug 93 (Acc)		
Argentina	06 Apr 89 (R)		17 Apr 97 (R)
Armenia	24 Aug 93 (Acc)		21 Sep 98 (R)
Australia	22 Sep 87 (R)	17 Jul 08 (R)	24 Dec 96 (R)
Austria	22 Dec 88 (R)	18 Sep 06 (R)	26 Aug 97 (R)
Azerbaijan	19 Jan 04 (Acc)		
Bahamas	21 May 08 (Acc)		
Bahrain			
Bangladesh	11 May 05 (Acc)		21 Sep 95 (Acc)
Barbados			
Belarus	09 Sep 93 (Succ)		29 Oct 98 (Acc)
Belgium	06 Sep 91 (R)		13 Jan 97 (R)
Belize			
Benin			
Bhutan			
Bolivia	24 Jan 02 (Acc)		
Bosnia and Herzegovina	30 Jun 98 (Succ)		
Botswana	19 Sep 00 (Acc)		
Brazil	17 Oct 85 (R)		04 Mar 97 (R)
Brunei Darussalam			
Bulgaria	10 Apr 84 (R)	17 Mar 06 (R)	08 Nov 95 (R)
Burkina Faso	13 Jan 04 (Acc)		
Burundi			
Cambodia	04 Aug 06 (Acc)		
Cameroon	29 Jun 04 (Acc)		
Canada	21 Mar 86 (R)		12 Dec 95 (R)
Cape Verde	23 Feb 07 (Acc)		
Central African Republic	20 Feb 08 (Acc)		
Chad			
Chile	27 Apr 94 (Acc)		20 Dec 96 (R)
China	10 Jan 89 (Acc)		09 Apr 96 (R)
Colombia	28 Mar 03 (Acc)		
Comoros	18 May 07 (Acc)		
Congo			

Country	PHYSICAL PROTECTION (CPPNM)	2005 CPPNM AMENDMENT	NUCLEAR SAFETY
Congo (Democratic Republic of)	21 Sep 04 (Acc)		
Cook Islands			
Costa Rica	02 May 03 (Acc)		
Cote d'Ivoire			
Croatia	29 Sep 92 (Succ)	11 Sep 06 (App)	18 Apr 96 (App)
Cuba	26 Sep 97 (Acc)		20 Sep 94 (S)
Cyprus	23 Jul 98 (Acc)		17 Mar 99 (Acc)
Czech Republic	24 Mar 93 (Succ)		18 Sep 95 (App)
Denmark	06 Sep 91 (R)		13 Nov 98 (Accept)
Djibouti	22 Jun 04 (Acc)		
Dominica	08 Nov 04 (Acc)		
Dominican Republic	03 Mar 80 (S)		
Ecuador	17 Jan 96 (R)		
Egypt			20 Sep 94 (S)
El Salvador	15 Dec 06 (Acc)		
Equatorial Guinea	24 Nov 03 (Acc)		
Eritrea			
Estonia	09 May 94 (Acc)		03 Feb 06 (Acc)
Ethiopia			
Fiji	23 May 08 (Acc)	22 Jun 08 (App)	
Finland	22 Sep 89 (Accept)		22 Jan 96 (Accept)
France	06 Sep 91 (App)		13 Sep 95 (App)
Gabon	19 Feb 08 (Acc)	20 Mar 08 (Accept)	
Gambia			
Georgia	07 Sept 06 (Acc)		
Germany	06 Sep 91(R)		20 Jan 97 (R)
Ghana	16 Oct 02 (Acc)		06 Jul 95 (S)
Greece	06 Sep 91 (R)		20 Jun 97 (R)
Grenada	09 Jan 02 (Acc)		
Guatemala	23 Apr 85 (R)		
Guinea	29 Nov 05 (Acc)		
Guinea-Bissau	08 Oct 08 (Acc)		
Guyana	13 Sept 07 (Acc)		
Haiti	09 Apr 80 (S)		
Holy See			
Honduras	28 Jan 04 (Acc)		
Hungary	04 May 84 (R)	04 Dec 08 (R)	18 Mar 96 (R)
Iceland	18 Jun 02 (Acc)		4 Jun 08 (R)
India	12 Mar 02 (Acc)	19 Sep 07 (R)	31 Mar 05 (R)
Indonesia	05 Nov 86 (R)		12 Apr 02 (R)
Iran (Islamic Republic of)			
Iraq			
Ireland	06 Sep 91 (R)		11 Jul 96 (R)
Israel	22 Jan 02 (R)		22 Sep 94 (S)
Italy	06 Sep 91 (R)		15 Apr 98 (R)
Jamaica	16 Aug 05 (Acc)		
Japan	28 Oct 88 (Acc)		12 May 95 (Acc)
Jordan			06 Dec 94 (S)
Kazakhstan	02 Sep 05 (Acc)		20 Sep 96 (S)
Kenya	11 Feb 02 (Acc)	01 Aug 07 (Accept)	
Kiribati			

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Country	PHYSICAL PROTECTION (CPPNM)	2005 CPPNM AMENDMENT	NUCLEAR SAFETY
Korea (Democratic People's Republic of)			
Korea (Republic of)	07 Apr 82 (R)		19 Sep 95 (R)
Kuwait	23 Apr 04 (Acc)		11 May 06 (Acc)
Kyrgyz Republic			
Lao (People's Democratic Republic of)			
Latvia	06 Nov 02 (Acc)		25 Oct 96 (Acc)
Lebanon	16 Dec 97 (Acc)		05 Jun 96 (R)
Lesotho			
Liberia			
Libyan Arab Jamahiriya	18 Oct 00 (Acc)	19 Jul 06 (R)	
Liechtenstein	25 Nov 86 (R)		
Lithuania	07 Dec 93 (Acc)		12 Jun 96 (R)
Luxembourg	06 Sep 91 (R)		07 Apr 97 (R)
Macedonia (Former Yugoslav Republic of)	20 Sep 96 (Succ)		15 Mar 06 (Acc)
Madagascar	28 Oct 03 (Acc)		
Malawi			
Malaysia			
Maldives			
Mali	07 May 02 (Acc)		13 May 96 (R)
Malta	16 Oct 03 (Acc)		15 Nov 07 (Acc)
Marshall Islands	07 Feb 03 (Acc)		
Mauritania	29 Jan 08 (Acc)	28 Feb 08 (R)	
Mauritius			
Mexico	04 Apr 88 (Acc)		26 Jul 96 (R)
Micronesia (Federated States of)			
Moldova	07 May 98 (Acc)	22 Dec 08 (R)	07 May 98 (Acc)
Monaco	09 Aug 96 (Acc)		16 Sep 96 (S)
Mongolia	28 May 86 (R)		
Montenegro	21 Mar 07 (Succ)		
Morocco	23 Aug 02 (R)		01 Dec 94 (S)
Mozambique	03 Mar 03 (Acc)		
Myanmar			
Namibia	02 Oct 02 (Acc)		
Nauru	12 Aug 05 (Acc)		
Nepal			
Netherlands	06 Sep 91 (Accept)		15 Oct 96 (Accept)
New Zealand	19 Dec 03 (Acc)		
Nicaragua	10 Dec 04 (Acc)		23 Sep 94 (S)
Niger	19 Aug 04 (R)		
Nigeria	04 Apr 07(Acc)	04 May 07 (R)	04 Apr 07 (R)
Norway	15 Aug 85 (R)		29 Sep 94 (R)
Oman	11 Jun 03 (Acc)		
Pakistan	12 Sep 00 (Acc)		30 Sep 97 (R)
Palau	24 Apr 07 (Acc)		
Panama	01 Apr 99 (R)		
Papua New Guinea			
Paraguay	06 Feb 85 (R)		
Peru	11 Jan 95 (Acc)		01 Jul 97 (R)
Philippines	22 Sep 81 (R)		14 Oct 94 (S)

Country	PHYSICAL PROTECTION (CPPNM)	2005 CPPNM AMENDMENT	NUCLEAR SAFETY
Poland	05 Oct 83 (R)	01 Jun 07 (R)	14 Jun 95 (R)
Portugal	06 Sep 91 (R)		20 May 98 (R)
Qatar	09 Mar 04 (Acc)		
Romania	23 Nov 93 (R)	06 Feb 07 (R)	01 Jun 95 (R)
Russian Federation	25 May 83 (R)	19 Sep 08 (Accept)	12 Jul 96 (Accept)
Rwanda	28 Jun 02 (Acc)		
Saint Kitts and Nevis	29 Aug 08 (Acc)		
Saint Lucia			
Saint Vincent and the Grenadines			
San Marino			
Sao Tome and Principe			
Saudi Arabia	7 Jan 09 (Acc)		
Senegal	03 Nov 03 (Acc)		
Serbia and Montenegro	05 Feb 02 (Succ)		
Seychelles	31 Aug 03 (Acc)	09 Jan 06 (Accept)	
Sierra Leone			
Singapore			15 Dec 97 (Acc)
Slovakia	10 Feb 93 (Succ)		07 Mar 95 (R)
Slovenia	07 Jul 92 (Succ)		20 Nov 96 (R)
Solomon Islands			
Somalia			
South Africa	17 Sept 07 (R)		24 Dec 96 (R)
Spain	06 Sep 91 (R)	09 Nov 07 (Accept)	04 Jul 95 (R)
Sri Lanka			11 Aug 99 (Acc)
Sudan	18 May 00 (Acc)		20 Sep 94 (S)
Suriname			
Swaziland	17 Apr 03 (Acc)		
Sweden	01 Aug 80 (R)		11 Sep 95 (R)
Switzerland	09 Jan 87 (R)	15 Oct 08 (R)	12 Sep 96 (R)
Syrian Arab Republic			23 Sep 94 (S)
Tajikistan	11 Jul 96 (Acc)		
Thailand			
Timor-Leste			
Togo	07 Jun 06 (Acc)		
Tonga	24 Jan 03 (Acc)		
Trinidad and Tobago	25 Apr 01 (Acc)		
Tunisia	08 Apr 93 (Acc)		20 Sep 94 (S)
Turkey	27 Feb 85 (R)		08 Mar 95 (R)
Turkmenistan	07 Jan 05 (Acc)	22 Sep 05 (Accept)	
Tuvalu			
Uganda	10 Dec 03 (Acc)		
Ukraine	06 Jul 93 (Acc)	24 Dec 08 (R)	08 Apr 98 (R)
United Arab Emirates	16 Oct 03 (Acc)		
United Kingdom	06 Sep 91 (R)		17 Jan 96 (R)
United Republic of Tanzania	24 May 06 (Acc)		
United States	13 Dec 82 (R)		11 Apr 99 (R)
Uruguay	24 Oct 03 (Acc)		03 Sep 03 (R)
Uzbekistan	09 Feb 98 (Acc)		
Vanuatu			
Venezuela			
Viet Nam			

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Country	PHYSICAL PROTECTION (CPPNM)	2005 CPPNM AMENDMENT	NUCLEAR SAFETY
Yemen	31 May 07 (Acc)		
Zambia			
Zimbabwe			
Membership Totals	**Parties: 137 and EURATOM[18] Sign.: 45**	**Contracting States: 22**	**Parties: 61 and EURATOM[19] Sign.: 65**

Joint Convention on the Spent Fuel Management and on the Safety of Radioactive Waste Management

COUNTRY	Signed	Instrument	Deposited
Argentina	19 Dec 97	ratification	14 Nov 00
Australia	13 Nov 98	ratification	05 Aug 03
Austria	17 Sep 98	ratification	13 Jun 01
Belarus	13 Oct 99	ratification	26 Nov 02
Belgium*	08 Dec 97	ratification	05 Sep 02
Brazil*	31 Oct 97	ratification	17 Feb 06
Bulgaria*	22 Sep 98	ratification	21 Jun 00
Canada*	07 May 98	ratification	07 May 98
China*		accession	13 Sept 06
Croatia	09 Apr 98	ratification	10 May 99
Czech Republic*	30 Sep 97	approval	25 Mar 99
Denmark	09 Feb 98	acceptance	03 Sep 99
Estonia	05 Jan 01	ratification	03 Feb 06
Finland*	02 Oct 97	acceptance	10 Feb 00
France*	29 Sep 97	approval	27 Apr 00
Germany*	01 Oct 97	ratification	13 Oct 98
Greece	09 Feb 98	ratification	18 Jul 00
Hungary*	29 Sep 97	ratification	02 Jun 98
Iceland		accession	27 Jan 06
Indonesia	06 Oct 97		
Ireland	01 Oct 97	ratification	20 Mar 01
Italy	26 Jan 98	ratification	08 Feb 06
Japan*		accession	26 Aug 03
Kazakhstan*	29 Sep 97		
Korea (Republic of)*	29 Sep 97	ratification	16 Sep 02
Kyrgyzstan		accession	18 Dec 2006
Latvia	27 Mar 00	acceptance	27 Mar 00
Lebanon	30 Sep 97		
Lithuania*	30 Sep 97	ratification	16 Mar 04
Luxembourg	01 Oct 97	ratification	21 Aug 01
Morocco	29 Sep 97	ratification	23 Jul 99
Netherlands*	10 Mar 99	acceptance	26 Apr 00
Nigeria		accession	04 Apr 07
Norway	29 Sep 97	ratification	12 Jan 98
Peru	04 Jun 98		
Philippines	10 Mar 98		
Poland	03 Oct 97	ratification	05 May 00

[18] EURATOM deposited its instrument of confirmation for the CPPNM on 6 Sep 91.
[19] EURATOM deposited its instrument of accession for the Convention on Nuclear Safety on 31 Jan 2000.

COUNTRY	Signed	Instrument	Deposited
Romania*	30 Sep 97	ratification	06 Sep 99
Russian Federation*	27 Jan 99	ratification	19 Jan 06
Senegal		accession	24 Dec 08
Slovakia*	30 Sep 97	ratification	06 Oct 98
Slovenia*	29 Sep 97	ratification	25 Feb 99
South Africa		accession	15 Nov 06
Spain*	30 Jun 98	ratification	11 May 99
Sweden*	29 Sep 97	ratification	29 Jul 99
Switzerland*	29 Sep 97	ratification	05 Apr 00
Tajikistan		accession	12 Dec 07
Ukraine*	29 Sep 97	ratification	24 Jul 00
United Kingdom*	29 Sep 97	ratification	12 Mar 01
United States	29 Sep 97	ratification	15 Apr 03
Uruguay		accession	28 Dec 05
Uzbekistan		accession	19 Jan 09
EURATOM		accession	04 Oct 05
Membership Totals:	**42**		**48**

NOTE: States marked with asterisks (*) contain at least one nuclear power plant.

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

COUNTRY	Signed	Ratified	Waiver (Art. 28)
Antigua and Barbuda	11 Oct 83	11 Oct 83	11 Oct 83
Argentina	27 Sep 67	18 Jan 94	18 Jan 94
Bahamas	29 Nov 76	26 Apr 77	26 Apr 77
Barbados	18 Oct 68	25 Apr 69	25 Apr 69
Belize	14 Feb 92	09 Nov 94	09 Nov 94
Bolivia	14 Feb 67	18 Feb 69	18 Feb 69
Brazil	09 May 67	29 Jan 68	30 May 94
Chile	14 Feb 67	09 Oct 74	30 May 94
Colombia	14 Feb 67	04 Aug 72	06 Sep 72
Costa Rica	14 Feb 67	25 Aug 69	25 Aug 69
Cuba	25 Mar 95	04 Oct 02	23 Oct 02
Dominica	02 May 89	04 Jun 93	25 Aug 93
Dominican Republic	28 Jul 67	14 Jun 68	14 Jun 68
Ecuador	14 Feb 67	11 Feb 69	11 Feb 69
El Salvador	14 Feb 67	22 Apr 68	22 Apr 68
Grenada	29 Apr 75	20 Jun 75	20 Jun 75
Guatemala	14 Feb 67	06 Feb 70	06 Feb 70
Guyana	16 Jan 95	16 Jan 95	14 May 97
Haiti	14 Feb 67	23 May 69	23 May 69
Honduras	14 Feb 67	23 Sep 68	23 Sep 68
Jamaica	26 Oct 67	26 Jun 69	26 Jun 69
Mexico	14 Feb 67	20 Sep 67	20 Sep 67
Nicaragua	15 Feb 67	24 Oct 68	24 Oct 68
Panama	14 Feb 67	11 Jun 71	11 Jun 71
Paraguay	26 Apr 67	19 Mar 69	19 Mar 69

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COUNTRY	Signed	Ratified	Waiver (Art. 28)
Peru	14 Feb 67	04 Mar 69	04 Mar 69
St. Kitts and Nevis	18 Feb 94	18 Apr 95	14 Feb 97
St. Lucia	25 Aug 92	02 Jun 95	02 Jun 95
St. Vincent and the Grenadines	14 Feb 92	14 Feb 92	11 May 92
Suriname	13 Feb 76	10 Jun 77	10 Jun 77
Trinidad and Tobago	27 Jun 67	03 Dec 70	27 Jun 75
Uruguay	14 Feb 67	20 Aug 68	20 Aug 68
Venezuela	14 Feb 67	23 Mar 70	23 Mar 70
Membership Total:	**33**	**33**	**33**

Southeast Asia Nuclear-Weapon-Free Zone Treaty (Treaty of Bangkok)

COUNTRY	Signed	Ratified
Brunei Darussalam	15 Dec 95	22 Nov 96
Cambodia	15 Dec 95	27 Mar 97
Indonesia	15 Dec 95	10 Apr 97
Laos	15 Dec 95	16 Jul 96
Malaysia	15 Dec 95	11 Oct 96
Myanmar	15 Dec 95	17 Jul 96
Philippines	15 Dec 95	21 Jun 01
Singapore	15 Dec 95	27 Mar 97
Thailand	15 Dec 95	20 Mar 97
Viet Nam	15 Dec 95	26 Nov 96
Membership Total:	**10**	**10**

Protocol*

COUNTRY	Signed	Ratified	Deposited
China			
France			
Russian Federation			
United Kingdom			
United States			

* None of the 5 NWS have signed, ratified or deposited the protocol to the SEANWFZ.

South Pacific Nuclear-Free-Zone Treaty (Treaty of Rarotonga)

COUNTRY	Signed	Ratified
Australia	06 Aug 85	11 Dec 86
Cook Islands	06 Aug 85	28 Oct 85
Fiji	06 Aug 85	04 Oct 85
Kiribati	06 Aug 85	28 Oct 86
Marshall Islands		
Micronesia (Federated States of)		

COUNTRY	Signed	Ratified
Nauru	17 Jul 86	13 Apr 87
New Zealand	06 Aug 85	13 Nov 86
Niue	06 Aug 85	12 May 86
Palau		
Papua New Guinea	16 Sep 85	15 Sep 89
Solomon Islands	29 May 87	27 Jan 89
Tonga	02 Aug 96	18 Dec 00
Tuvalu	06 Aug 85	16 Jan 86
Vanuatu	16 Sep 95	09 Feb 96
Samoa	06 Aug 85	20 Oct 86
Membership Totals	**13**	**13**

Additional Protocol I

COUNTRY	Signed	Ratified	In Force
France	25 Mar 96	20 Sep 96	20 Sep 96
United Kingdom	25 Mar 96	19 Sep 97	19 Sep 97
United States	25 Mar 96		

Additional Protocol II

COUNTRY	Signed	Ratified	In Force
China	10 Feb 87	21 Oct 88	21 Oct 88
France	25 Mar 96	20 Sep 96	20 Sep 96
United Kingdom	25 Mar 96	19 Sep 97	19 Sep 97
United States	25 Mar 96		
USSR (Russian Federation)	15 Dec 86	21 Apr 88	21 Apr 88

Additional Protocol III

COUNTRY	Signed	Ratified	In Force
China	10 Feb 87	21 Oct 88	21 Oct 88
France	25 Mar 96	20 Sep 96	20 Sep 96
United Kingdom	25 Mar 96	19 Sep 97	19 Sep 97
United States	25 Mar 96		
USSR (Russian Federation)	15 Dec 86	21 Apr 88	21 Apr 88

African Nuclear-Weapon-Free Zone (Pelindaba Treaty)

COUNTRY	Signed	Ratified	Deposited
Algeria	11 Apr 96	23 Dec 97	11 Feb 98
Angola	11 Apr 96		
Benin	11 Apr 96	17 July 07	4 Sept 07
Botswana	09 Jun 98	04 Feb 99	16 Jul 99
Burkina Faso	11 Apr 96	12 May 98	27 Aug 98
Burundi	11 Apr 96		
Cameroon	11 Apr 96		
Cape Verde	11 Apr 96		

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COUNTRY	Signed	Ratified	Deposited
Central African Republic	11 Apr 96		
Chad	11 Apr 96		
Comoros	11 Apr 96		
Congo	27 Jan 97		
Congo (Democratic Republic of the)	11 Apr 96		
Cote d'Ivoire	11 Apr 96	20 May 99	28 Jul 99
Djibouti	11 Apr 96		
Egypt	11 Apr 96		
Equatorial Guinea		20 Dec 02	19 Feb 03
Eritrea	11 Apr 96		
Ethiopia	11 Apr 96	18 Feb 08	13 Mar 08
Gabon	11 Apr 96	18 May 07	12 June 07
Gambia	11 Apr 96	03 Sep 96	16 Oct 96
Ghana	11 Apr 96		
Guinea-Bissau	11 Apr 96		
Guinea	11 Apr 96	26 May 99	21 Jan 00
Kenya	11 Apr 96	15 Nov 00	09 Jan 01
Lesotho	11 Apr 96	06 Mar 02	14 Mar 02
Liberia	09 Jul 96		
Libyan Arab Jamahiriya	11 Apr 96	12 Feb 05	11 May 05
Madagascar		12 Dec 03	23 Dec 03
Malawi	11 Apr 96	6 Mar 09	23 Apr 09
Mali	11 Apr 96	27 May 99	22 Jul 99
Mauritania	11 Apr 96	10 Jan 98	24 Feb 98
Mauritius	11 Apr 96	19 Apr 96	24 Apr 96
Morocco	11 Apr 96		
Mozambique	11 Apr 96	26 Mar 08	28 Aug 08
Namibia	11 Apr 96		
Niger	11 Apr 96		
Nigeria	11 Apr 96	20 Apr 00	18 Jun 01
Rwanda	11 Apr 96	23 Jan 07	1 Feb 07
Sahrawi Arab Democratic Republic*	20 Jun 06*		
Sao Tome and Principe	09 Jul 96		
Senegal	11 Apr 96	20 Sep 06	25 Oct 06
Seychelles	09 Jul 96		
Sierra Leone	11 Apr 96		
Somalia	23 Feb 06		
South Africa	11 Apr 96	13 Mar 98	27 Mar 98
Sudan	11 Apr 96		
Swaziland	11 Apr 96	13 Nov 96	17 Jul 00
Togo	11 Apr 96	26 Jun 00	18 Jul 00
Tunisia	11 Apr 96		
Uganda	11 Apr 96		
United Republic of Tanzania	11 Apr 96	27 May 98	19 Jun 98
Zambia	11 Apr 96		
Zimbabwe	11 Apr 96	2 Feb 98	6 Apr 98
Membership Total:	**52**	**27**	**27**

Protocol I

COUNTRY	Signed	Ratified	Deposited
China	11 Apr 96	06 Sep 96	20 Sep 96

COUNTRY	Signed	Ratified	Deposited
France	11 Apr 96	31 Jul 97	10 Oct 97
Russian Federation	05 Nov 96		
United Kingdom	11 Apr 96	27 Feb 01	19 Mar 01
United States	11 Apr 96		

Protocol II

COUNTRY	Signed	Ratified	Deposited
China	11 Apr 96	06 Sep 96	20 Sep 96
France	11 Apr 96	31 Jul 97	10 Oct 97
Russian Federation	05 Nov 96		
United Kingdom	11 Apr 96	27 Feb 01	19 Mar 01
United States	11 Apr 96		

Protocol III

COUNTRY	Signed	Ratified	Deposited
France	11 Apr 96	31 Jul 97	10 Oct 97
Spain			

*Listed by the African Union, however, the Sahrawi Arab Democratic Republic is not recognized by the United Nations and therefore has no legal nonproliferation status under the NPT

Central Asian Nuclear-Weapon-Free Zone (CANWFZ)

COUNTRY	Signed	Ratified	Deposited
Kazakhstan	8 Sep 06	11 December 08	20 February 08
Kyrgyzstan	8 Sep 06	22 March 07	22 March 07
Tajikistan	8 Sep 06	12 November 08	Deposited
Turkmenistan	8 Sep 06	19 April 08	Deposited
Uzbekistan	8 Sep 06	3 April 07	3 April 07
Membership Total:	**5**	**5**	**5**

Additional Protocol I[20]

COUNTRY	Signed	Ratified	Deposited
China			
France			
Russian Federation			
United Kingdom			
United States			

[20] Not yet opened for signature.

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Chemical Weapons Convention, Biological and Toxin Weapons Convention, Geneva Protocol

Country	CWC Signed	CWC Ratified/Acceded	BTWC	Geneva Protocol
Afghanistan	14 Jan 93	24 Sep 03	26 Mar 75 (R)	09 Dec 86 (Acc)
Albania	14 Jan 93	11 May 94	03 Jun 92 (Acc)	20 Dec 89 (Acc)
Algeria	13 Jan 93	14 Aug 95	22 July 01 (Acc)	27 Jan 92 (Acc)
Andorra		27 Feb 03		
Angola				08 Nov 90 (Acc)
Antigua and Barbuda		29 Aug 05 (Acc)	29 Jan 03 (R)	27 Apr 88 (Succ)
Argentina	13 Jan 93	02 Oct 95	27 Nov 79 (R)	12 May 69 (Acc)
Armenia	19 Mar 93	27 Jan 95	07 Jun 94 (Acc)	
Australia	13 Jan 93	06 May 94	05 Oct 77 (R)	24 May 30 (Acc)
Austria	13 Jan 93	17 Aug 95	10 Aug 73 (R)	09 May 28 (R)
Azerbaijan	13 Jan 93	29 Feb 00	26 Feb 04 (Acc)	
Bahamas	02 Mar 94	21 April 09	26 Nov 86 (Acc)	
Bahrain	24 Feb 93	28 Apr 97	28 Oct 88 (Acc)	09 Dec 88 (Acc)
Bangladesh	14 Jan 93	25 Apr 97	11 Mar 85 (Acc)	20 May 89 (Acc)
Barbados		07 Mar 07 (Acc)	16 Feb 73 (R)	16 Jul 76 (Succ)
Belarus	14 Jan 93	11 Jul 96	26 Mar 75 (R)	
Belgium	13 Jan 93	27 Jan 97	15 Mar 79 (R)	04 Dec 28 (R)
Belize		1 Dec 03	20 Oct 86 (Succ)	
Benin	14 Jan 93	14 May 98	25 Apr 75 (R)	09 Dec 86 (Acc)
Bhutan	24 Apr 97	18 Aug 05	08 Jun 78 (Acc)	19 Feb 79 (Acc)
Bolivia	14 Jan 93	14 Aug 98	30 Oct 75 (R)	13 Aug 85 (Acc)
Bosnia and Herzegovina	16 Jan 97	25 Feb 97	15 Aug 94 (Acc)	
Botswana		31 Aug 98 (Acc)	05 Feb 92 (R)	
Brazil	13 Jan 93	13 Mar 96	27 Feb 73 (R)	28 Aug 70 (R)
Brunei Darussalam	13 Jan 93	28 Jul 97	31 Jan 91 (Acc)	
Bulgaria	13 Jan 93	10 Aug 94	02 Aug 72 (R)	07 Mar 34 (R)
Burkina Faso	14 Jan 93	08 Jul 97	17 Apr 91 (Acc)	03 Mar 71 (Acc)
Burundi	15 Jan 93	04 Sep 98	10 Apr 72 (S)	
Cambodia	15 Jan 93	19 July 05	09 Mar 83 (R)	15 Mar 83 (Acc)
Cameroon	14 Jan 93	16 Sep 96		20 Jul 89 (Acc)
Canada	13 Jan 93	26 Sep 95	18 Sep 72 (R)	06 May 30 (R)
Cape Verde	15 Jan 93	10 Oct 03	20 Oct 77 (Acc)	15 Oct 91 (Acc)
Central African Republic	14 Jan 93	20 Sep 06	10 Apr 72 (S)	31 Jul 70 (Acc)
Chad	11 Oct 94	13 Feb 04		
Chile	14 Jan 93	12 Jul 96	22 Apr 80 (R)	02 Jul 35 (Acc)
China	13 Jan 93	25 Apr 97	15 Nov 84 (Acc)	13 July 52 (Succ)
Colombia	13 Jan 93	05 Apr 00	19 Dec 83 (R)	
Comoros	13 Jan 93	18 Aug 06		
Congo	15 Jan 93	4 Dec 07	23 Oct 78 (Acc)	
Congo (Democratic Republic of)	14 Jan 93	12 Oct 05	16 Sep 75 (R)	
Cook Islands	14 Jan 93	15 Jul 94		
Costa Rica	14 Jan 93	31 May 96	17 Dec 73 (R)	
Cote d'Ivoire	13 Jan 93	18 Dec 95	23 May 72 (S)	27 Jul 70 (Acc)
Croatia	13 Jan 93	23 May 95	28 Apr 93 (Acc)	
Cuba	13 Jan 93	29 Apr 97	21 Apr 76 (R)	24 Jun 66 (Acc)
Cyprus	13 Jan 93	28 Aug 98	06 Nov 73 (R)	12 Dec 66 (Succ)

Country	CWC Signed	CWC Ratified/Acceded	BTWC	Geneva Protocol
Czech Republic	14 Jan 93	06 Mar 96	05 Apr 93 (Succ)	16 Aug 38 (R)
Denmark	14 Jan 93	13 Jul 95	01 Mar 73 (R)	05 May 30 (R)
Djibouti	28 Sep 93	25 Jan 06		
Dominica	02 Aug 93	12 Feb 01	08 Nov 78 (Acc)	
Dominican Republic	13 Jan 93	1 April 09	23 Feb 73 (R)	08 Dec 70 (Acc)
Ecuador	14 Jan 93	06 Sep 95	12 Mar 75 (R)	16 Sep 70 (Acc)
Egypt			10 Apr 72 (S)	06 Dec 28 (R)
El Salvador	14 Jan 93	30 Oct 95	31 Dec 91 (R)	17 Jun 25 (S)
Equatorial Guinea	14 Jan 93	25 Apr 97	16 Jan 89 (Acc)	20 May 89 (Acc)
Eritrea		14 Feb 00 (Acc)		
Estonia	14 Jan 93	26 May 99	21 Jun 93 (Acc)	28 Aug 31 (R)
Ethiopia	14 Jan 93	13 May 96	26 May 75 (R)	07 Oct 35 (R)
Fiji	14 Jan 93	20 Jan 93	04 Sep 73 (R)	21 Mar 73 (Succ)
Finland	14 Jan 93	07 Feb 95	04 Feb 74 (R)	26 Jun 29 (R)
France	13 Jan 93	02 Mar 95	27 Sep 84 (Acc)	10 May 26 (R)
Gabon	13 Jan 93	08 Sep 00	10 Apr 72 (S)	
Gambia	13 Jan 93	19 May 98	21 Nov 91 (R)	05 Nov 66 (Succ)
Georgia	14 Jan 93	27 Nov 95	22 May 96 (Acc)	
Germany	13 Jan 93	12 Aug 94	28 Nov 72 (R)	25 Apr 29 (R)
Ghana	14 Jan 93	09 Jul 97	06 Jun 75 (R)	03 May 67 (Acc)
Greece	13 Jan 93	22 Dec 94	10 Dec 75 (R)	30 May 31 (R)
Grenada	09 Apr 97	03 Jun 05	22 Oct 86 (Acc)	03 Jan 89 (Succ)
Guatemala	14 Jan 93	12 Feb 03	19 Sep 73 (R)	03 May 83 (Acc)
Guinea	14 Jan 93	09 Jun 97		
Guinea-Bissau	14 Jan 93	20 May 08	20 Aug 76 (Acc)	20 May 89 (Acc)
Guyana	06 Oct 93	12 Sep 97	03 Jan 73 (S)	
Haiti	14 Jan 93	22 Feb 06	10 Apr 72 (S)	
Holy See	14 Jan 93	12 May 99	04 Jan 02 (R)	18 Oct 66 (Acc)
Honduras	13 Jan 93	29 Aug 05 (Acc)	14 Mar 79 (R)	
Hungary	13 Jan 93	31 Oct 96	27 Dec 72 (R)	11 Oct 52 (Acc)
Iceland	13 Jan 93	28 Apr 97	15 Feb 73 (R)	02 Nov 67 (Acc)
India	14 Jan 93	03 Sep 96	15 Jul 74 (R)	09 Apr 30 (Succ)
Indonesia	13 Jan 93	12 Nov 98	19 Feb 92 (R)	21 Jan 71 (Succ)
Iran (Islamic Republic of)	13 Jan 93	03 Nov 97	22 Aug 73 (R)	05 Nov 29 (Acc)
Iraq		13 Jan 09	19 Jun 91 (R)	08 Sep 31 (Acc)
Ireland	14 Jan 93	24 Jun 96	27 Oct 72 (R)	29 Aug 30 (Acc)
Israel	13 Jan 93			20 Feb 69 (Acc)
Italy	13 Jan 93	08 Dec 95	30 May 75 (R)	03 Apr 28 (R)
Jamaica	18 Apr 97	08 Sep 00	13 Aug 75 (Acc)	28 Jul 70 (Succ)
Japan	13 Jan 93	15 Sep 95	08 Jun 82 (R)	21 May 70 (R)
Jordan		29 Oct 97 (Acc)	30 May 75 (R)	20 Jan 77 (Acc)
Kazakhstan	14 Jan 93	23 Mar 00		
Kenya	15 Jan 93	25 Apr 97	07 Jan 76 (Acc)	06 Jul 70 (Acc)
Kiribati		07 Sep 00 (Acc)		
Korea (Democratic People's Republic of)			13 Mar 87 (Acc)	04 Jan 89 (Acc)
Korea (Republic of)	14Jan 93	28 Apr 97	25 Jun 87 (R)	04 Jan 89 (Acc)
Kuwait	27 Jan 93	28 May 97	18 Jul 72 (R)	15 Dec 71 (Acc)
Kyrgyzstan	22 Feb 93	29 Sep 03	12 Oct 04 (Succ)	
Lao (People's Democratic Republic of)	13 May 93	25 Feb 97	20 Mar 73 (R)	20 May 89 (Acc)
Latvia	06 May 93	23 Jul 96	06 Feb 97 (Acc)	03 Jun 31 (R)
Lebanon		20 Nov 08 (Acc)	26 Mar 75 (R)	17 Apr 69 (Acc)
Lesotho	07 Dec 94	07 Dec 94	06 Sep 77 (R)	10 Mar 72 (Succ)

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Country	CWC Signed	CWC Ratified/Acceded	BTWC	Geneva Protocol
Liberia	15 Jan 93	23 Feb 06	10 Apr 72 (S)	17 Jun 27 (Acc)
Libyan (Arab Jamahiriya)		06 Jan 04 (Acc)	19 Jan 82 (Acc)	29 Dec 71 (Acc)
Liechtenstein	21 Jul 93	24 Nov 99	30 May 91 (Acc)	06 Sep 91 (Acc)
Lithuania	13 Jan 93	15 Apr 98	10 Feb 98 (Acc)	15 Jun 33 (R)
Luxembourg	13 Jan 93	15 Apr 97	23 Mar 76 (R)	01 Sep 36 (R)
Macedonia (Former Yugoslav Republic of)		20 Jun 97 (Acc)	24 Dec 96 (Acc)	
Madagascar	15 Jan 93	20 Oct 04	7 Mar 08 (Acc)	02 Aug 67 (Acc)
Malawi	14 Jan 93	11 Jun 98	10 Apr 72 (S)	14 Sep 70 (Acc)
Malaysia	13 Jan 93	20 Apr 00	06 Sep 91 (R)	10 Dec 70 (Acc)
Maldives	01 Oct 93	31 May 94	02 Aug 93 (Acc)	27 Dec 66 (Succ)
Mali	13 Jan 93	28 Apr 97	25 Nov 02 (R)	
Malta	13 Jan 93	28 Apr 97	07 Apr 75 (R)	21 Sep 64 (Succ)
Marshall Islands	13 Jan 93	19 May 04		
Mauritania	13 Jan 93	09 Feb 98		
Mauritius	14 Jan 93	09 Feb 93	07 Aug 72 (R)	12 Mar 68 (Succ)
Mexico	13 Jan 93	29 Aug 94	08 Apr 74 (R)	28 May 32 (Acc)
Micronesia (Federated States of)	13 Jan 93	21 Jun 99		
Moldova	13 Jan 93	08 Jul 96	05 Nov 04 (R)	
Monaco	13 Jan 93	01 Jun 95	30 Apr 99 (Acc)	06 Jan 67 (Acc)
Mongolia	14 Jan 93	17 Jan 95	05 Sep 72 (R)	06 Dec 68 (Acc)
Montenegro		23 Oct 06 (Succ)	03 Jun 06 (Succ)	
Morocco	13 Jan 93	28 Dec 95	21 Mar 02 (R)	13 Oct 70 (Acc)
Mozambique		15 Aug 00 (Acc)		
Myanmar	14 Jan 93		10 Apr 72 (S)	
Namibia	13 Jan 93	27 Nov 95		
Nauru	13 Jan 93	12 Nov 01 (R)		
Nepal	19 Jan 93	18 Nov 97	10 Apr 72 (S)	09 May 69 (Acc)
Netherlands	14 Jan 93	30 Jun 95	22 Jun 81 (R)	31 Oct 30 (R)
New Zealand	14 Jan 93	15 Jul 96	13 Dec 72 (R)	24 May 30 (Acc)
Nicaragua	09 Mar 93	05 Nov 99	07 Aug 75 (R)	05 Oct 90 (R)
Niger	14 Jan 93	09 Apr 97	23 Jun 72 (R)	05 Apr 67 (Succ)
Nigeria	13 Jan 93	20 May 99	03 Jul 73 (R)	15 Oct 68 (Acc)
Niue		5 April 05 (Acc)		
Norway	13 Jan 93	07 Apr 94	01 Aug 73 (R)	27 Jul 32 (R)
Oman	02 Feb 93	08 Feb 95	31 Mar 92 (Acc)	
Pakistan	13 Jan 93	28 Oct 97	25 Sep 74 (R)	15 Apr 60 (Succ)
Palau		03 Feb 03 (Acc)	20 Feb 03 (R)	
Panama	16 Jun 93	07 Oct 98	20 Mar 74 (R)	04 Dec 70 (Acc)
Papua New Guinea	14 Jan 93	17 Apr 96	27 Oct 80 (Acc)	02 Sep 80 (Succ)
Paraguay	14 Jan 93	01 Dec 94	09 Jun 76 (Acc)	22 Oct 33 (Acc)
Peru	14 Jan 93	20 Jul 95	05 Jun 85 (R)	13 Aug 85 (Acc)
Philippines	13 Jan 93	11 Dec 96	21 May 73 (R)	08 Jun 73 (Acc)
Poland	13 Jan 93	23 Aug 95	25 Jan 73 (R)	04 Feb 29 (R)
Portugal	13 Jan 93	10 Sep 96	15 May 75 (R)	01 Jul 30 (R)
Qatar	01 Feb 93	03 Sep 97	17 Apr 75 (R)	18 Oct 76 (Acc)
Romania	13 Jan 93	15 Feb 95	25 Jul 79 (R)	23 Aug 29 (R)
Russian Federation	13 Jan 93	05 Nov 97	26 Mar 75 (R)	05 Apr 28 (Acc)
Rwanda	17 May 93	31 Mar 04	20 May 75 (R)	11 May 64 (Succ)
Saint Kitts and Nevis	16 Mar 94	21 May 04	02 Apr 91 (Acc)	27 Apr 89 (Succ)

Country	CWC Signed	CWC Ratified/Acceded	BTWC	Geneva Protocol
Saint Lucia	29 Mar 93	09 Apr 97	26 Nov 86 (Acc)	21 Dec 88 (Succ)
Saint Vincent/Grenadines	20 Sep 93	18 Sep 02	13 May 99 (Acc)	23 Apr 99 (S)
Samoa	14 Jan 93	27 Sep 02		
San Marino	13 Jan 93	10 Dec 99	11 Mar 75 (R)	
Sao Tome and Principe		09 Sep 03 (Acc)	24 Aug 79 (Acc)	
Saudi Arabia	20 Jan 93	09 Aug 96	24 May 72 (R)	27 Jan 71 (Acc)
Senegal	13 Jan 93	20 Jul 98	26 Mar 75 (R)	15 Jun 77 (Acc)
Serbia		20 Apr 00 (Acc)	25 Oct 73 (R)	3 Jun 06 (R)
Seychelles	15 Jan 93	07 Apr 93	11 Oct 79 (Acc)	
Sierra Leone	15 Jan 93	30 Sep 04	29 Jun 76 (R)	20 Mar 67 (Acc)
Singapore	14 Jan 93	21 May 97	02 Dec 75 (R)	
Slovakia	14 Jan 93	27 Oct 95	17 May 93 (Acc)	16 Aug 38 (R)
Slovenia	14 Jan 93	11 Jun 97	07 Apr 92 (Acc)	
Solomon Islands		23 Sep 04 (Acc)	17 Jun 81 (Acc)	01 Jun 81 (Succ)
Somalia			03 Jul 72 (S)	
South Africa	14 Jan 93	13 Sep 95	03 Nov 75 (R)	24 May 30 (Acc)
Spain	13 Jan 93	03 Aug 94	20 Jun 79 (R)	22 Aug 29 (R)
Sri Lanka	14 Jan 93	19 Aug 94	18 Nov 86 (R)	20 Jan 54 (Acc)
Sudan		24 May 99 (Acc)	17 Oct 03 (Acc)	17 Dec 80 (Acc)
Suriname	28 Apr 97	28 Apr 97	06 Jan 93 (Acc)	
Swaziland	23 Sep 93	20 Nov 96	18 Jun 91 (Acc)	23 Jul 91 (R)
Sweden	13 Jan 93	17 Jun 93	05 Feb 76 (R)	25 Apr 30 (R)
Switzerland	14 Jan 93	10 Mar 95	04 May 76 (R)	12 Jul 32 (R)
Syrian Arab Republic			14 Apr 72 (S)	17 Dec 68 (Acc)
Tajikistan	14 Jan 93	11 Jan 95	27 Jun 05 (R)	
Thailand	14 Jan 93	10 Dec 02	28 May 75 (R)	06 Jun 31 (R)
Timor-Leste		07 May 03 (Acc)	05 May 03 (Acc)	
Togo	13 Jan 93	23 Apr 97	10 Nov 76 (R)	05 Apr 71 (Acc)
Tonga		29 May 03 (Acc)	28 Sep 76 (Succ)	19 Jul 71 (Succ)
Trinidad and Tobago		24 Jun 97 (Acc)		31 Aug 62 (Succ)
Tunisia	13 Jan 93	15 Apr 97	18 May 73 (R)	12 Jul 67 (Acc)
Turkey	14 Jan 93	12 May 97	25 Oct 74 (R)	15 Oct 29 (R)
Turkmenistan	12 Oct 93	29 Sep 94	11 Jan 96 (Acc)	
Tuvalu		19 Jan 04		
Uganda	14 Jan 93	30 Nov 01 (R)	12 May 92 (Acc)	24 May 65 (Acc)
Ukraine	13 Jan 93	16 Oct 98	26 Mar 75 (R)	7 Jul 03 (Succ)
United Arab Emirates	02 Feb 93	28 Nov 00	28 Sep 72 (S)	
United Kingdom	13 Jan 93	13 May 96	26 Mar 75 (R)	09 Apr 30 (R)
United Rep of Tanzania	25 Feb 94	25 Jun 98	16 Aug 72 (S)	22 Apr 63 (Acc)
United States	13 Jan 93	25 Apr 97	26 Mar 75 (R)	10 Apr 75 (R)
Uruguay	15 Jan 93	06 Oct 94	06 Apr 81 (Acc)	12 Apr 77 (R)
Uzbekistan	24 Nov 95	23 Jul 96	11 Jan 96 (Acc)	
Vanuatu		16 Sep 05 (Acc)	12 Oct 90 (Acc)	
Venezuela	14 Jan 93	03 Dec 97	18 Oct 78 (R)	08 Feb 28 (R)
Viet Nam	13 Jan 93	30 Sep 98	20 Jun 80 (Acc)	15 Dec 80 (Acc)
Yemen	08 Feb 93	02 Oct 00	01 Jun 79 (R)	17 Mar 71 (Acc)
Zambia	13 Jan 93	09 Feb 01	15 Jan 08 (Acc)	
Zimbabwe	13 Jan 93	25 Apr 97	05 Nov 90 (Acc)	

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Country	CWC Signed	CWC Ratified/Acceded	BTWC	Geneva Protocol
Membership Totals:	165 4 (S only)	186	161 15 (S only)	133



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