SUMMARY RECORD OF THE 1st MEETING

Held at Headquarters, New York, on Monday, 17 April 1995, at 3 p.m.

Acting President: Mr. PATOKALLIO (Finland)
President: Mr. DHANAPALA (Sri Lanka)

The meeting was called to order at 3.25 p.m.

OPENING OF THE CONFERENCE BY THE CHAIRMAN OF THE FOURTH SESSION OF THE PREPARATORY COMMITTEE (agenda item 1)

1. The ACTING PRESIDENT declared open the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), convened pursuant to article VIII, paragraph 3, and article X, paragraph 2, of the Treaty, and General Assembly resolution 47/52.A.

2. The Conference was charged with the dual task of reviewing the Treaty's operation and deciding on its extension. Both tasks were of great significance to the strengthening of international peace and security. With regard to the latter task, the Conference had a responsibility not only towards the current generation but towards generations to come.

3. Following the practice of past review conferences on the Treaty, he formally introduced the final report of the Preparatory Committee (NPT/CONF.1995/1), adopted on 27 January 1995. The Committee had held four sessions during the period from May 1993 to January 1995, and 154 States parties to the Treaty had participated in the work of one or more sessions. That represented an increase of 48 States parties as compared to the number that had taken part in the preparatory phase of the Fourth Review Conference.

4. In order to finalize the draft rules of procedure for the Conference, it had been agreed that the Chairman of the informal working group on the rules of procedure would hold further informal consultations. Agreement had been reached in the consultations to increase the number of Vice-Presidents of the Conference from 26 to 34, on the understanding that that did not constitute a precedent. Accordingly, rules 5 and 8 of the provisional rules of procedure had to be revised. With regard to rule 28.3, the one rule on which consensus had not yet been reached, the informal working group had been able to clarify a number of issues; however, a few issues required further consultation before the rule could be finalized. He believed that there was general agreement that the Conference should decide to apply the rules of procedure provisionally, pending their formal adoption, and that the President of the Conference should be asked to continue to search for consensus on the one outstanding point in rule 28.3 (f) and report back to the Conference no later than 10 a.m. on Wednesday, 26 April.

ELECTION OF THE PRESIDENT OF THE CONFERENCE (agenda item 2)

5. The ACTING PRESIDENT said that, at its second session in January 1994, the Preparatory Committee had decided to recommend to the 1995 Review and Extension Conference the election of Mr. Jayantha Dhanapala (Sri Lanka) as President.

6. Mr. Dhanapala (Sri Lanka) was elected President of the Conference by acclamation.

7. Mr. Dhanapala (Sri Lanka) took the Chair.
STATEMENT BY THE PRESIDENT OF THE CONFERENCE (agenda item 3)

8. The President read out a message from the President of Sri Lanka and paid tribute to all those who, within and outside the Governments of States parties, had worked over the past 25 years to strengthen the Treaty in various ways and enlarge the number of its adherents to 178; that was almost 96 per cent of all the States Members of the United Nations. He welcomed the new parties to the Treaty, in particular South Africa, and acknowledged the invaluable support of the United Nations and the International Atomic Energy Agency (IAEA).

9. With the end of the cold war, the world had hoped for an era of collective security and the genuine fulfilment of the objectives and the provisions of the Charter of the United Nations. It had seen instead the outbreak of the Gulf War, fighting in the Balkans and the continuation of fratricidal conflict in different parts of the world.

10. The maintenance of peace and security had become more complex than ever before. Military threats were linked to non-military aspects of security. Subnational and transnational groups, and even individuals, had acquired the power to destabilize the world. Destabilization of global peace and national and international security had assumed many unconventional forms that emanated from diverse sources.

11. The threat of weapons of mass destruction remained the paramount danger to the existence of humankind. While nuclear weapons, the use of which had brought unprecedented death and destruction at the end of the Second World War, remained at large, their horizontal proliferation had been held in check by the legal norm established by the non-proliferation Treaty. The Conference provided an opportunity to consolidate that norm and extend it; that would be a statement against the possession and use of nuclear weapons for all States for all time. The declaration of four nuclear-weapon States in the Conference on Disarmament on 6 April 1995, together with China's known policy, could provide a basis on which to work.

12. In recent years, there had been substantial progress in nuclear disarmament. For the first time in history, the capping of the nuclear arms race had been followed by the actual dismantling of nuclear missiles. The Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty), the Treaty between those countries on the Reduction and Limitation of Strategic Offensive Arms (START-I) and the Treaty between the United States and the Russian Federation on Further Reduction of Strategic Offensive Arms (START-II) were important milestones on a journey that must end with total nuclear disarmament. The comprehensive test ban treaty and a treaty to halt the production of fissile material for nuclear weapons purposes would be negotiated in the Conference on Disarmament in Geneva. Security Council resolution 984 (1995) was a step forward in providing security assurances to non-nuclear-weapon States parties to the Treaty.

13. As the world entered the twenty-first century, the focus on halting the spread of nuclear weapons that lay at the heart of the Treaty must extend logically to cover the future of nuclear weapons. Fresh challenges, including nuclear smuggling and the breakup of nuclear-weapon States must also be faced. It was essential to be absolutely clear about the objective of nuclear disarmament, and that clarity of purpose must pervade the Conference's deliberations so that its decision to extend the Treaty was seen in its true perspective - as a consolidation of the gains on the road to the outlawing of the most horrendous weapon so far invented by humankind.

14. Mr. Christopher (United States of America) welcomed the participants in the Conference on behalf of the host country. Few agreements had better embodied the principles that had guided the United Nations since its creation. The collective force of the Treaty had been a shining example of what nations could do to maintain international peace and security.
15. The non-proliferation Treaty was truly one of the most important treaties of all time. While many of its achievements—the weapons not built, the nuclear materials not diverted and the wars not started—could not be quantified, the results were none the less impressive. Since its entry into force, the Treaty had kept the number of nuclear Powers far lower than had initially been predicted. It had given the parties confidence in the nuclear intentions of other nations and had reduced the risk of nuclear conflict. It had advanced nuclear disarmament, bolstered regional security, promoted the safe and peaceful use of nuclear energy and underpinned the international community’s efforts to halt the spread of all weapons of mass destruction.

16. By its purpose and its strength, the Treaty had earned the widest adherence of any international arms control agreement in history. It had protected the security of both nuclear and non-nuclear States. The international community had taken important steps to diminish the nuclear threat, and the number of nuclear-weapon-free zones was growing. The nuclear arsenals of the two former cold-war adversaries were being reduced by almost two thirds, and negotiations were advancing on a comprehensive test ban treaty and the cut-off of the production of fissile material for nuclear weapons.

17. The purpose of the Treaty was to preserve the security of all, not the nuclear weapons monopoly of a few. The nuclear-weapon States had committed themselves to pursue negotiations towards the ultimate goal of nuclear disarmament. The Treaty was the basis for assurances to non-nuclear treaty partners that their security interests continued to be served by the wise and far-sighted choice that they had made to become parties to the Treaty.

18. The security that the Treaty helped to provide must be constantly reinforced. While the prospect of global nuclear war was receding, the prospect of the spread of nuclear weapons remained. Together, the members of the international community shared the responsibility to meet that common threat.

19. Mr. IBRAHIM (Indonesia), speaking on behalf of the members of the Movement of Non-Aligned Countries that were parties to the Treaty, said that the non-aligned countries attached great importance to the Conference, which presented a unique opportunity to assess the performance of the Treaty during the past 25 years and to strengthen the regime in all its aspects with a view to achieving the total elimination of nuclear weapons, promoting peaceful uses of nuclear energy and ensuring universal adherence to the Treaty. In that regard, the Conference would decide on the extension of the Treaty based on the careful examination and realistic assessment of the obligations and responsibilities undertaken by all the parties to that instrument. The non-aligned countries participating in the Conference would spare no effort in cooperating with the President and with all delegations with a view to ensuring the success of the Conference.

20. Mr. GORITA (Romania), speaking on behalf of the Eastern European Group of States Parties to the Treaty, said that the attention of the entire international community was focused on the Conference, and its outcome would be of particular relevance for international stability, peace and security. He paid tribute to all those who had played a key role in the positive outcome of the preparatory process, especially the Chairmen of the Preparatory Committee at its four sessions. The Eastern European Group shared the optimism of the Secretary of State of the United States and hoped that his hopes for the success of the Conference would be realized.

21. Sir Michael WESTON (United Kingdom), speaking on behalf of the Western European Group of States, congratulated the President on his election and thanked all those who had contributed to the success of the preparatory process, in particular the Chairmen of the Preparatory Committee at its four sessions. He also thanked the Secretary of State of the United States for his words of welcome and opening remarks.

22. Mr. LI (China), said he was gratified that the President of the Conference was a representative of a non-aligned country and he hoped that the
proceedings of the Conference would take place in a spirit of cooperation, mutual trust and respect.

ADDRESS BY THE SECRETARY-GENERAL OF THE UNITED NATIONS (agenda item 4)

23. Mr. BOUTROS-GHALI (Secretary-General of the United Nations) said that the outcome of the Conference could support a vision of international relations that extended beyond disarmament to improved cooperation among States on issues ranging from development to international security. It was significant that the holding of the Conference coincided with the celebration of the fiftieth anniversary of the United Nations. By forging a joint strategy on non-proliferation, the States parties would help to define the future of international cooperation.

24. Twenty-five years after the entry into force of the Treaty, it was possible to look back on a record of remarkable achievement. The world had become a safer place, with the creation of machinery to support nuclear controls and safeguards, to carry out the destruction of nuclear weapons, and to ban nuclear testing. There were more States parties to the Treaty than to any other arms control and disarmament agreement; universality was within reach.

25. In some ways, however, the international situation was increasingly dangerous. Some States, despite having ratified the Treaty, were seeking to obtain materials and technology for the manufacture of weapons of mass destruction, including nuclear weapons. It would be tragic if the end of nuclear deterrence were to be followed by a proliferation of the nuclear threat.

26. Another terrible risk which was currently recognized was the possession of weapons of mass destruction by non-State terrorist groups. The smuggling of nuclear material had become a frightening reality. Weapons-grade material could emerge in the hands of those who believed themselves beyond the reach of national and international authority.

27. It was clear that all elements of the non-proliferation regime were interconnected: the Treaty, the ban on chemical weapons, the ban on biological and toxins weapons, and efforts to curtail conventional weapons. It was essential to enhance security assurances to non-nuclear-weapon States through cooperative security arrangements; to seek to advance nuclear disarmament; and to address concerns regarding access to uses of nuclear energy for peaceful purposes.

28. The question of security assurances to non-nuclear-weapon States had not yet been resolved. In that connection, however, he noted the recent adoption of Security Council resolution 984 (1995).

29. In disarmament, there had been major accomplishments; thousands of intermediate- and shorter-range missiles had been eliminated and an entire class of weapons systems had been taken out of commission. Thousands more tactical nuclear arms had been withdrawn and dismantled. In the two START Treaties, agreement had been reached to remove more than 17,000 nuclear weapons from missiles and bombers. Solutions had also been found to the problems of the nuclear weapons on the territories of the successor States to the former Soviet Union. Progress was being made at the Conference on Disarmament towards a comprehensive test ban treaty and he urged the negotiating parties to take into account the desire of the international community for an early conclusion of the treaty. An Ad Hoc Committee had been established by the Conference on Disarmament to negotiate an end to the production of fissile material for weapons purposes; that would be a major step forward in the implementation of article VI of the Treaty.

30. With regard to the transfer of nuclear energy for peaceful purposes, he said that technology transfer continued to arouse concerns among suppliers and clients. IAEA was working directly with Member States to improve the physical protection of nuclear materials and to improve State systems of accounting and control. It was continuing its critical effort to develop a radiation safety
infrastructure, as well as a database on illicit trafficking. He himself had established a Working Group within the Secretariat to monitor developments and to maintain liaison between the United Nations and IAEA.

31. The non-proliferation Treaty was the only multilateral legal instrument that committed States to negotiations for an early end to the nuclear arms race and to nuclear disarmament. It was the only instrument that recognized the right of parties to use nuclear energy for peaceful purposes and provided safeguards to make the peaceful use of nuclear energy a reality.

32. During the forthcoming deliberations, national security issues would clearly be of concern. It should be borne in mind that the decisions made at the Conference could affect the structure of international peace and security. He saluted the pioneering declarations of the Organization of African Unity, of the Non-Aligned Movement, and of the Treaty of Tlatelolco. The South Pacific Nuclear-Free Zone Treaty had fully proved its beneficial influence. Decisive progress was being made on the drafting of an African nuclear weapon-free-zone treaty, and he hoped that the peace process in the Middle East would lead to the establishment of a similar zone, to free the entire region from weapons of mass destruction.

33. At its tenth special session, the General Assembly had called for an end to the proliferation of nuclear weapons and their ultimate elimination. Since then many Member States had adopted policies in support of that great objective. Decisions made at the current Conference would be crucial to the maintenance of that momentum. The safest, surest and swiftest way to deal with the threat of nuclear arms was to do away with them. Reduction and destruction of all nuclear weapons and of the means to make them should be humanity’s great common cause.

34. The Conference could mark the beginning of a new phase in arms limitation and disarmament and represent a major stride towards a world free from nuclear weapons. It could pave the way for the redirection of the vast sums of money currently spent on armaments towards the development that could ensure lasting peace. By acting with courage and determination to assure the security of generations to come, the international community could rise to the challenges of a new era and testify to its faith in the future.

ADDRESS BY THE DIRECTOR GENERAL OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

35. Mr. BLIX (Director General of the International Atomic Energy Agency) said that IAEA had been given an important role in the implementation of the non-proliferation Treaty. Acceptance of the Agency’s safeguards by non-nuclear weapon States parties to the Treaty was required because the parties needed credible assurance that nuclear material and installations were used exclusively for peaceful purposes. To provide such assurance safeguards must be effective.

36. The number of States having safeguards agreements with IAEA had increased from 64 in 1975 to 118 in 1994. By late 1994, 170 power reactors, 158 research reactors and critical assemblies, 196 other facilities and 334 locations outside facilities were under safeguards. The quantity of nuclear material under safeguards, particularly plutonium and highly enriched uranium, was also increasing rapidly.

37. Reviewing the events of recent years regarding the nuclear programmes of Iraq, South Africa and the Democratic People’s Republic of Korea, he said that, under the cease-fire agreement at the end of the Gulf War, Iraq had been compelled to accept a far-reaching inspection regime. As a result of the lessons learnt in that case, proposals were now before IAEA which, if accepted by States, would give the Agency greater access to information and to sites, significantly increasing the level of assurance regarding the absence of undeclared nuclear activities. Also, since 1990, a much closer interaction had been established between IAEA and the Security Council of the United Nations.
38. In the case of South Africa, he said that that State was the first to have rolled back from a nuclear-weapon status. In that connection, he noted that transparency regarding all nuclear-related activities was important in order to build confidence in the completeness and correctness of a State's declaration of nuclear material and installations. However, even with the fullest cooperation from States, in no case could the Agency positively affirm that a declaration presented was correct and complete.

39. The case of the Democratic People's Republic of Korea had shown, inter alia, that some of the measures to strengthen safeguards put in place following the case of Iraq had been effective, for instance, the use of advanced techniques which had shown that there was more plutonium in the Democratic People's Republic of Korea than that State had declared. While the Agency had never asserted that the Democratic People's Republic of Korea had diverted nuclear material to a clandestine nuclear weapons programme, it had reason to believe that that could have happened and to state that the Democratic People's Republic of Korea was in non-compliance with its safeguards agreement. Conclusions had subsequently been drawn regarding several technical matters relating to detection and verification. It was also clear, however, that it was for the Security Council to determine its response on the basis of the merits of each case.

40. Current efforts to strengthen safeguards were intended to provide more credible assurance regarding the correctness and completeness of States' declarations of items subject to safeguards and thus regarding the absence of undeclared nuclear activities. They were also aimed at making the implementation of safeguards more cost-efficient. Many of the measures identified in the new programme had been extensively tested with the help of Member States.

41. Increased Agency access to nuclear and nuclear-related sites, sometimes on a short-notice or "no-notice" basis, would be requested. That should not, however, be difficult to accept if safeguards were seen by States as an opportunity to demonstrate non-proliferation bona fides. It should also be possible to arrange for the issuance of multiple-entry visas for designated inspectors, as in the case of the Convention on Chemical Weapons.

42. With regard to the problem of illegal trafficking in nuclear materials, measures taken by the Agency to assist States included the establishment of a data bank and the provision of advice on State systems of nuclear material accountancy and control.

43. Other IAEA activities which were not related to non-proliferation Treaty safeguards included assistance in connection with negotiations on a number of regional non-proliferation treaties and nuclear-weapon-free zones. He noted that IAEA safeguards were directly relevant to the implementation of some agreements, such as the disarmament agreements that had been reached between the United States of America and the Russian Federation. The Agency was ready to provide verification for material which any nuclear-weapon state might place under safeguards.

44. A non-discriminatory ban on the production of fissile material - a so-called "cut-off" agreement - was another measure which might well be subject to IAEA verification. The Agency's capabilities could be tailored to the needs of different arms-control and disarmament agreements.

45. Negotiations were continuing regarding a comprehensive test-ban treaty. Such a treaty would involve several types of verification different from those of which the Agency had experience. There would, however, be considerable overlap between obligations under such a ban and those under the non-proliferation Treaty. It would not appear to be necessary or practical to create a new international organization for each arms-control and disarmament agreement; it would seem more practical to place "clusters" of agreements under different organizations.
46. With regard to cooperation to further the use of nuclear energy for peaceful purposes, he said that the Agency had been the principal instrument for promoting such cooperation and the transfer of peaceful nuclear technology to developing countries. A precondition for such transfer was the existence in the recipient countries of adequate rules and structures for radiation protection. Building up such structures was a priority activity for IAEA.

47. The Agency also promoted peaceful nuclear activities through a very wide information exchange. Scientists, engineers and policy makers from developing countries participated in hundreds of meetings organized by IAEA every year. Developing countries could also benefit from the Agency's computerized bibliographical database.

48. When planning technical cooperation activities, IAEA emphasized nuclear technology which could lead to improvements in food production and preservation, health care, industrial output and the supply of fresh water. IAEA was also reviewing various options, including the use of nuclear reactors for sea-water desalinization, and, together with several other international organizations, would participate in the assessment of the benefits and problems of different power options for the future, including nuclear energy.

49. Cooperation activities undertaken by IAEA were financed through the Technical Assistance and Cooperation Fund. Unfortunately, however, pledges and payments to that fund had declined since 1984. IAEA needed adequate resources and strengthened and streamlined safeguards in order to carry out its functions and verify that non-proliferation pledges were respected, thereby instilling confidence among the States parties. The Agency's verification capacity could be employed in the implementation of nuclear disarmament agreements reached in pursuance of article VI of the non-proliferation Treaty. Moreover, it could serve as a principal intergovernmental channel for the transfer of peaceful nuclear technology among States parties to the Treaty and for assistance to developing countries. He urged the Conference to ensure that there was no interruption in the services provided by IAEA under the Treaty.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 7)

50. The President said that the draft rules of procedure, contained in annex III to the final report of the Preparatory Committee (NPT/CONF.1995/1), had been submitted to the Conference by the Chairman of the fourth session of the Preparatory Committee. While the latter had indicated that progress had been made on rule 28.3, regarding the extension of the Treaty, there continued to be divergent views on one aspect of that rule. He therefore proposed that the Conference should decide to apply provisionally the rules of procedure as proposed by the Preparatory Committee and as revised, in the case of rules 5 and 8, to reflect the agreement to increase the number of Vice-Presidents from 26 to 34.

51. It was so decided.

52. The President, referring to rule 44.1 of the rules of procedure, said that the Secretariat had received requests for observer status at the Conference from the following States not parties to the Treaty: Brazil, Chile, Djibouti, Israel, Oman, Pakistan, United Arab Emirates and Vanuatu. The Secretariat had also received a request from the Permanent Observer Mission of Palestine asking that Palestine be granted observer status at the Conference.

53. If he heard no objection, he would take it that the Conference wished to accede to those requests.

54. It was so decided.

55. The President, referring to rule 44.3 of the rules of procedure, said that requests for observer status had been received from the following organizations: the Agency for the Prohibition of Nuclear Weapons in Latin
56. If he heard no objection, he would take it that the Conference wished to accede to those requests.

57. It was so decided.

ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF THE MAIN COMMITTEES, THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 8)

58. The President said that, at its fourth session, the Preparatory Committee had agreed to recommend the following as Chairmen of the three Main Committees and the Drafting Committee: Mr. Ayewah (Nigeria), Main Committee I; Mr. Erdős (Hungary), Main Committee II; Mr. Ramaker (Netherlands), Main Committee III and Mr. Strulak (Poland), the Drafting Committee. The Preparatory Committee had also agreed to recommend a representative of the Group of Non-Aligned and Other States as Chairman of the Credentials Committee and had subsequently nominated Mr. Garcia (Colombia).

59. Mr. Ayewah (Nigeria), Mr. Erdős (Hungary), Mr. Ramaker (Netherlands), Mr. Strulak (Poland) and Mr. Garcia (Colombia) were elected Chairmen of Main Committee I, Main Committee II, Main Committee III, the Drafting Committee and the Credentials Committee respectively.

60. The President said that, in accordance with rule 5 of the rules of procedure, the Conference would elect two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. The following nominations had been received: Mr. Starr (Australia) and Mr. Zlenko (Ukraine), Main Committee I; Mr. de la Torre (Argentina) and a representative from the Movement of Non-Aligned Countries whose name had not yet been received, Main Committee II; Mr. Yanev (Bulgaria) and a representative from the Movement of Non-Aligned Countries whose name had not been received, Main Committee III; Mr. Patokallio (Finland) and a representative from the Movement of Non-Aligned Countries whose name had not yet been received, the Drafting Committee and Mr. Sychou (Belarus) and Mrs. Hoinkes (United States of America), the Credentials Committee.

61. Mr. Starr (Australia) and Mr. Zlenko (Ukraine) were elected Vice-Chairmen of Main Committee I; Mr. de la Torre (Argentina) was elected Vice-Chairman of Main Committee II; Mr. Yanev (Bulgaria) was elected Vice-Chairman of Main Committee III; Mr. Patokallio (Finland) was elected Vice-Chairman of the Drafting Committee; and Mr. Sychou (Belarus) and Mrs. Hoinkes (United States of America) were elected Vice-Chairmen of the Credentials Committee.

62. The President said that consultations on the outstanding nominations for Vice-Chairmen of the Committees were still continuing and that he would inform the Conference of those nominations at an appropriate time.

ELECTION OF VICE-PRESIDENTS (agenda item 9)

63. The President said that consideration of the election of Vice-Presidents of the Conference would be deferred until all nominations had been received.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 10)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE

64. The President, referring to rule 3 of the rules of procedure, which provided that six members of the Credentials Committee were to be appointed on the proposal of the President of the Conference, said that consultations were continuing on nominations to the Credentials Committee and that he would convey to the Conference the outcome of those consultations at the appropriate time.
CONFIRMATION OF THE NOMINATION OF THE SECRETARY-GENERAL (agenda item 11)

65. The PRESIDENT said that, at its first session, the Preparatory Committee had decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. At its second session, the Secretary-General had nominated Mr. Dragojlovic, Director of the Centre for Disarmament Affairs, as provisional Secretary-General of the Conference.

66. Mr. Dragojlovic was confirmed as Secretary-General of the 1995 Review and Extension Conference.

ADOPTION OF THE AGENDA (agenda item 12)

67. The PRESIDENT said that, if he heard no objection, he would take it that the Conference wished to adopt the agenda as contained in annex IV of the final report of the Preparatory Committee (NPT/CONF.1995/1), including the recommendation of the Preparatory Committee in annex V regarding the allocation of items to the three Main Committees.

68. The agenda was adopted.

The meeting rose at 5.10 p.m.