

Treaty on the Non-Proliferation of Nuclear Weapons



U. S. DELEGATION TO THE
2010 NUCLEAR NONPROLIFERATION
TREATY REVIEW CONFERENCE

2010
NPT





TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Origins of the NPT

The United States tested the first nuclear device at Alamogordo, New Mexico in the summer of 1945. Over the next 65 years, the international community has struggled with a basic dilemma: how to restrain the atom's destructive effects while harnessing its vast potential for peaceful uses.

The earliest efforts to address this dilemma achieved little success. The 1946 U.S.-sponsored Baruch Plan sought to outlaw nuclear weapons and internationalize the use of nuclear energy. It failed, and by 1952, three states had nuclear weapons. The 1950s and early 1960s saw U.S. President Dwight Eisenhower's Atoms for Peace initiative, the creation of the International Atomic Energy Agency (IAEA), the development of IAEA safeguards, and the expansion of the peaceful use of nuclear energy. However, two more countries exploded nuclear devices by 1964, and concern heightened that the spread of nuclear technology for peaceful purposes could not be divorced from the proliferation of nuclear weapons. In March of 1963, U.S. President John F. Kennedy described a world where as many as 25 states possessed nuclear weapons as "the greatest possible danger and hazard."

By the early 1960s, efforts to achieve a legally binding agreement to prevent the further spread of nuclear weapons began to show results. In 1961, the United Nations General Assembly approved a Resolution sponsored by Ireland calling on all states to conclude an agreement that would ban the further acquisition and transfer of nuclear weapons. In 1965, the Geneva disarmament conference began consideration of a draft nuclear nonproliferation treaty. The conference completed its negotiations in 1968, and on July 1, 1968, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was opened for signature. The NPT entered into force on March 5, 1970, with 43 Parties, including three of the five nuclear-weapon states¹: the Soviet Union, the United Kingdom, and the United States.

The Three Pillars

The NPT's grand bargain rests on three pillars: nonproliferation, the peaceful use of nuclear energy, and disarmament.

Nonproliferation: Under Article I of the NPT, nuclear-weapon states pledge not to transfer nuclear weapons or other nuclear explosive devices to any recipient or in any way assist, encourage or induce any non-nuclear-weapon state in the manufacture or acquisition of a nuclear weapon.

¹ The NPT defines a nuclear-weapon state as a state that manufactured and exploded a nuclear weapon or other nuclear device prior to 1 January, 1967. These states are China, France, Russia, the United Kingdom, and the United States. All other states are non-nuclear-weapon states under the Treaty.

Under Article II of the NPT, non-nuclear-weapon states pledge not to acquire or exercise control over nuclear weapons or other nuclear explosive devices and not to seek or receive assistance in the manufacture of such devices. Under Article III of the Treaty, non-nuclear-weapon states pledge to accept IAEA safeguards to verify that their nuclear activities serve only peaceful purposes.

Peaceful Uses: NPT Article IV acknowledges the right of all Parties to develop nuclear energy for peaceful purposes and to benefit from international cooperation in this area, in conformity with their nonproliferation obligations. Article IV also encourages such cooperation.

Disarmament: Under Article VI of the NPT, all Parties undertake to pursue good-faith negotiations on effective measures relating to cessation of the nuclear arms race, to nuclear disarmament, and to general and complete disarmament.

These pillars are interrelated and mutually reinforcing. An effective nonproliferation regime whose members comply with their obligations provides an essential foundation for progress on disarmament and makes possible greater cooperation on the peaceful use of nuclear energy. With the right to access the benefits of peaceful nuclear technology comes the responsibility of nonproliferation. Progress on disarmament reinforces efforts to strengthen the nonproliferation regime and to enforce compliance

with obligations, thereby also facilitating peaceful nuclear cooperation.

NPT Successes and Challenges

From 43 Parties in 1970, NPT adherence has grown to nearly 190 Parties, making it the most widely adhered to nonproliferation or arms control agreement in history. In 1995, Parties convened a Treaty-mandated review and extension conference which agreed to extend the Treaty indefinitely. Only three states--India, Israel, and Pakistan--have never adhered to the Treaty. Only one state--North Korea--has announced its withdrawal from the NPT.

Successes

The overarching benefit provided by the NPT is that of enhanced international peace and security. The norm of nonproliferation--the international consensus that the further spread of nuclear weapons would weaken all states' security, as well as global and regional stability--remains strong. The NPT is the cornerstone of the international nuclear nonproliferation regime which includes the framework of legal restrictions, safeguards, export controls, international cooperation, and other mechanisms that help to prevent proliferation. The end of the Cold War-era nuclear arms race has permitted Russia and the United States to continue reducing their holdings of nuclear weapons to levels unthinkable just a few decades ago. Peaceful applications

of nuclear energy have grown in number and importance, as have the number of states with peaceful nuclear programs and the level of international cooperation aimed at bringing the peaceful benefits of nuclear energy to the greatest number of people.

Security

The NPT is the only internationally-binding agreement that provides a global barrier to the spread of nuclear weapons. The Treaty, the norm of nonproliferation which it embodies, and the elements of the wider nonproliferation regime that the NPT underpins have helped prove wrong the mid-20th century predictions that 20 to 30 states would acquire nuclear weapons. The bulwark against proliferation that they provide enhances the individual security of every state, as well as global and regional security. The Treaty lessens the incentives for states without nuclear weapons to acquire them and contributes to the peaceful settlement of disputes between states. Once opened for signature, the Treaty helped crystallize decisions by countries to cease serious consideration of nuclear weapons programs. Later, it provided a valuable framework to support countries' decisions to renounce nuclear weapons. Thus, South Africa gave up its nuclear weapons program and adhered to the NPT as a non-nuclear-weapon state. When the break-up of the Soviet Union left nuclear weapons in several of its successor states, all transferred these weapons to Russia and adhered to the NPT as non-nuclear-weapon states.

The NPT also encourages groups of states to conclude treaties to assure the total absence of nuclear weapons in their respective territories. Five nuclear-weapon-free zone treaties have been concluded.

The Nonproliferation Regime

The NPT is the cornerstone of the global nonproliferation regime. The regime also includes the International Atomic Energy Agency's (IAEA) safeguards system, a network of bilateral and multilateral nuclear cooperation agreements, the system of multilateral export controls, and a series of UN Security Council Resolutions, including Resolution 1887 (2009). Reliance on an evolving IAEA safeguards system is reflected in Article III of the Treaty as the mechanism by which non-nuclear-weapon states verify their adherence to their peaceful use undertakings. Article III links safeguards to export controls by requiring the application of IAEA safeguards to nuclear exports to non-nuclear-weapon states. The Zangger Committee and the Nuclear Suppliers Group are the two bodies committed to developing export controls to prevent the diversion of nuclear and nuclear-related exports from peaceful to weapons purposes without hindering cooperation on the peaceful use of nuclear energy. UN Security Council Resolution 1540 (2004) and associated resolutions bolster this system by mandating that all UN Member States develop and enforce appropriate legal and regulatory measures against the proliferation of weapons of mass destruction and their means of delivery.

Peaceful Uses

In the 40 years since the NPT's entry into force, there has been tremendous growth in the peaceful use of nuclear energy. Nuclear applications in food security, disease prevention, medicine, water resources, and environmental management improve the lives of people around the world every day. Nuclear power reactors in over 30 countries supply nearly 15% of the world's electricity, a figure poised to grow as over 50 power reactors were under construction at the end of 2009. More than 60 countries are currently considering new civil nuclear power programs, and efforts to help these states develop their infrastructure through civil nuclear cooperation have expanded in response. Today, the benefits described in Article IV are being exercised to a degree not seen in decades, if ever before. The United States is committed to ensuring that the benefits from the peaceful application of nuclear energy are shared by all states committed to their NPT responsibilities. The United States has agreements for cooperation with nearly 50 states, plus the IAEA. The United States is also the largest donor to the IAEA and its Technical Cooperation program, which has enhanced the capabilities of more than 100 IAEA Member States to benefit from the peaceful uses of nuclear energy.

Disarmament

The NPT is critical to sustaining progress toward disarmament because it is the principal legal barrier to the

spread of nuclear weapons and because its Parties undertake in Article VI “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.” There has been significant progress on disarmament since the NPT’s entry into force. The Cold War era nuclear arms race between the United States and the Soviet Union ended two decades ago. Treaties banning chemical and biological weapons are now in force. At the 2000 NPT Review Conference, the five NPT nuclear-weapon states reiterated their commitment to the elimination of nuclear weapons. The United States, through negotiated agreements and unilateral actions, has reduced significantly its nuclear stockpile, reduced the role that nuclear weapons play in its security policy, and removed from its stockpile excess highly-enriched uranium and plutonium.

Challenges

The NPT and the larger nonproliferation regime are not static. Over the past forty years the regime has confronted and adapted itself to address many challenges.

Noncompliance with Nonproliferation Obligations

One of the key challenges to the Treaty continues to be noncompliance with nonproliferation obligations by a few NPT non-nuclear-weapon states. The overwhelming

majority of NPT Parties do comply with their nonproliferation obligations, but continuing compliance challenges make clear the need for the international community to remain vigilant about compliance, to strengthen continually the Treaty's implementation and the nonproliferation regime, and to continue to pursue international efforts to bring non-compliant states back into compliance.

- *North Korea:* After years of noncompliance with its NPT safeguards obligations, in January 2003, North Korea announced its intention to withdraw from the NPT. In September 2005, in the Joint Statement of the Six-Party Talks, North Korea committed to abandoning all nuclear weapons and existing nuclear programs and to return, at an early date, to the NPT and to IAEA safeguards. North Korea has not honored its commitments and currently faces sanctions under two UN Security Council Resolutions for its announced nuclear tests in 2006 and 2009. The full implementation of the Joint Statement remains the core objective of the Six Party Talks.
- *Iran:* For many years, Iran has conducted unreported nuclear activities, including enrichment. In 2005, the IAEA found Iran in noncompliance pursuant to Article XII.C. of the Agency's Statute because of its failure to comply with its NPT-mandated safeguards agreement. Since 2005, the UN Security Council has passed five resolutions, three of which are legally binding, calling on Iran to suspend its enrichment-related activities and heavy

water-related projects and imposing sanctions on Iran for its lack of compliance.

The Safeguards System

Following the 1990-1991 Gulf War, the international community learned that, despite the application of safeguards, Iraq had an extensive nuclear weapons program. International efforts dismantled that program, and Iraq today has successfully reintegrated into the nuclear nonproliferation regime. Libya has done the same after its December 2003 decision to acknowledge and eliminate its nuclear weapons program. It has cooperated fully with IAEA efforts to verify the scope of its nuclear activities and to ensure that any remaining facilities are fully safeguarded.

The discovery of Iraqi noncompliance following the 1990-1991 war led to the conclusion that the then-existing safeguards agreements were insufficient to provide credible assurances against the existence of undeclared programs. In response, the IAEA Board of Governors in 1997 unanimously agreed on a model Additional Protocol that expands the information that member states are required to declare, and expands IAEA rights to access additional nuclear-related sites. As of April 2010, 96 states, including the United States, had Additional Protocols in force.

The IAEA safeguards system is also facing the challenge of a growing imbalance between its workload and its resources.

As peaceful uses of nuclear energy and the demand for them have grown, so have the number of facilities and the amount of material worldwide that are under IAEA safeguards. As the Agency's responsibilities have grown, its resources have not increased proportionately.

Global Expansion of Nuclear Power

Twenty-first century challenges, such as climate change, energy security, and the promotion of sustainable development, have sparked a renewed interest in nuclear power. A global expansion of nuclear power will not serve the international community's collective interest in peace, security, and sustainable development if it is accompanied by a dramatically increased risk of nuclear proliferation. This would be the case if all states embarking on nuclear power programs opted to pursue uranium enrichment or spent fuel reprocessing, which the IAEA Board of Governors has classified as "sensitive technological areas." One constructive way of addressing this challenge is through the development of mechanisms to assure nuclear fuel supply, such as international fuel banks. A number of states, including the United States, are working to develop such mechanisms to ensure that states that have chosen nuclear power will have reliable access to peaceful nuclear technologies and fuel services that would obviate the need to develop costly, complex, and sensitive fuel-cycle technologies. A dozen complementary fuel assurance mechanisms have been proposed, and discussions are

underway to develop solutions acceptable to all interested states.

Abuse of the Treaty's Withdrawal Clause

Article X of the NPT sets forth the right of Parties to withdraw from the Treaty and the requirements that must be followed in doing so. However, there is a growing concern among Parties about the potential for abuse of the withdrawal clause, particularly withdrawal by a Party while it is in violation of its Treaty obligations. It is clear that a State would remain responsible under international law for violations of the NPT committed prior to withdrawal, and the UN Security Council has indicated that it would address “without delay” any notice of withdrawal from the NPT under Article X. Withdrawal from the NPT may also trigger the termination of the NPT-mandated safeguards agreement. As such, there is also concern regarding the continued use of nuclear material and equipment that may have been supplied to a State while it was still an NPT Party, and the ability of the IAEA to continue to ensure it is used for peaceful purposes.

The Non-State Actor Threat

The 21st century experience of terrorist attacks planned to cause mass civilian casualties, including the September 11, 2001, attacks in the United States, has meant a heightened awareness of the threat posed should non-state actors

gain access to nuclear weapons or nuclear or radiological materials, or attack a nuclear facility. The revelation of the A.Q. Khan network and the extent of its illicit activities made clear the potential of non-state actors to further proliferation. The international community's response to the growing awareness of the non-state actor threat has been multifaceted. It includes the International Convention on the Suppression of Acts of Nuclear Terrorism, UN Security Council Resolutions 1540 and 1887, national efforts to prevent proliferation to non-state actors, and the IAEA's nuclear security program. For its part, the United States has initiated the Global Initiative to Combat Nuclear Terrorism, the Partnership for Nuclear Security, and the recently-concluded Nuclear Security Summit.

**The 2010 NPT Review Conference:
Reaffirming the NPT's Benefits and
Addressing Its Challenges**

From May 3-28, 2010, NPT Parties will convene at the United Nations in New York to review the operation of the NPT, with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. This eighth NPT Review Conference is a vital opportunity for NPT Parties to reaffirm their commitment to the Treaty, to confirm its many benefits, and to address the real challenges that it faces. The United States looks forward to working constructively with all NPT Parties to ensure that the 2010 Review Conference reaffirms Parties' commitment

to the Treaty and takes a forward-looking approach to strengthening the Treaty in each of its three pillars.

The United States will pursue an agenda at the 2010 Review Conference that President Obama presented in Prague in April of 2009. On that occasion, he reaffirmed “America’s commitment to seek the peace and security of a world without nuclear weapons,” and committed the United States to take concrete steps toward that end. President Obama confirmed the soundness of the NPT’s basic bargain: “Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy.” He also called on all Parties to strengthen the NPT as a basis for cooperation, by adopting measures to strengthen the Treaty in each of its three pillars.

Nonproliferation

- At the 2010 Review Conference Parties can reaffirm that compliance with the Treaty’s nonproliferation obligations remains vital to the maintenance of international peace and security. Parties can confirm that when Parties break these rules “they will face consequences,” as President Obama called for in Prague in 2009.
- President Obama stressed that “We need more resources and authority to strengthen international inspections.” Parties can advance this goal at the Review Conference by supporting universal adherence to the Additional Protocol, endorsing the Protocol as the standard for NPT verification

and the supply of nuclear material and technology, and by advocating that the IAEA is given the resources that it needs to accomplish its mission.

- President Obama also called for “real and immediate consequences” for Parties “trying to leave the treaty without cause.” While the United States does not support limiting in any way the right to withdraw from the Treaty or amending the Treaty’s withdrawal provisions, it looks forward to working with other Parties to identify effective mechanisms to dissuade both violation of the Treaty and subsequent withdrawal.
- Finally, President Obama warned in Prague that “we must ensure that terrorists never acquire nuclear weapons.” Parties can use the Review Conference to support global efforts to secure vulnerable nuclear material worldwide and to break up black markets.

Peaceful Uses

- President Obama’s Prague vision made clear the U.S. commitment to continued cooperation on the peaceful use of nuclear energy: “We must harness the power of nuclear energy on behalf of our efforts to combat climate change, and to advance peace and opportunity for all people.”
- President Obama recognized that access to peaceful uses of nuclear energy “must be the right of every nation that renounces nuclear weapons, especially developing countries embarking on peaceful programs.”

- To those ends, President Obama called for “a new framework for civil nuclear cooperation, including an international fuel bank so that countries can access peaceful power without increasing the risks of proliferation.”
- Parties can use the 2010 Review Conference to reaffirm the right to peaceful uses, in conformity with the Treaty’s provisions, and to support pragmatic solutions that foster expansion of peaceful nuclear energy without increasing the risk of proliferation, thereby serving the best economic, technological, and security interests of all concerned.

Disarmament

- President Obama laid out an ambitious U.S. agenda on disarmament in Prague: reduce the role of nuclear weapons in U.S. national security strategy, reduce U.S. and Russian weapons and stockpiles by concluding a new Strategic Arms Reduction Treaty (New START), pursue U.S. ratification of the Comprehensive Nuclear-Test-Ban Treaty, and seek a new treaty that verifiably ends the production of fissile material for use in nuclear weapons.
- The U.S. Nuclear Posture Review, released April 6, 2010, provides concrete steps for reducing the role of nuclear weapons in U.S. national security strategy by:
 - declaring that the United States will not use or threaten to use nuclear weapons against non-nuclear-weapon states that are party to the NPT and in compliance with their nuclear nonproliferation obligations;

- affirming that the United States will not conduct nuclear explosive tests, develop new nuclear weapons, or pursue new military missions or capabilities for nuclear weapons; and
- promoting strategic stability with Russia and China and improving transparency and mutual confidence, thereby helping to create the conditions for moving toward a world without nuclear weapons.
- President Obama and Russian President Medvedev signed the New START Treaty in Prague April 8, 2010 reducing nuclear arms by one-third over the levels agreed in 2002.
- The President’s agenda and the significant progress already achieved on it make clear the U.S. commitment to NPT Article VI, to strengthening the NPT’s disarmament pillar at the 2010 Review Conference, and to the ultimate elimination of nuclear weapons.

The benefits of the NPT and the challenges confronting the nonproliferation regime today are great. The 2010 Review Conference is an opportunity to strengthen the Treaty and its implementation. As President Obama said last year in Prague: “The world must stand together to prevent the spread of these weapons. Now is the time for a strong international response.” We cannot allow this opportunity to pass. The United States looks forward to working with other Parties to achieve these critical objectives.



**TREATY
ON THE NON-PROLIFERATION
OF NUCLEAR WEAPONS**

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 weapon 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 fulfilment 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 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 authorised, 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.

