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# 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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## **Supporting the beneficial, sustainable, safe and secure development of nuclear energy**

**Working paper submitted by Belgium, Bulgaria, Côte d'Ivoire,  
Croatia, the Czech Republic, Estonia, Finland, France, Hungary,  
Italy, Japan, Latvia, Lithuania, Mongolia, Poland, Romania, the  
Russian Federation, Singapore, Slovenia, Spain, Ukraine, the  
United Kingdom of Great Britain and Northern Ireland and the  
United States of America**

1. We reaffirm that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with article VI of the Treaty and an important element in the further development of nuclear energy applications for peaceful purposes, and that all three pillars of the Treaty are of equal importance. In this context, we reaffirm the inalienable right of all States parties to pursue the peaceful uses of nuclear energy in conformity with the Treaty's obligations.
2. We consider nuclear power to be a significant contributor to present and future energy supplies in many countries. It can make a valuable contribution to meeting energy needs for worldwide socio-economic development in a context of growing concerns over the security of energy supplies and of fluctuating hydrocarbon fuel prices. The negligible impact of the nuclear industry in terms of greenhouse gas emissions offers an undeniable contribution in the fight against climate change. Together with renewable energy, nuclear power is expected to play an important role in the energy mix of a growing number of countries.
3. Aware of our commitments under article IV of the Non-Proliferation Treaty, we reaffirm our strong support for the development of the peaceful uses of nuclear energy in conformity with non-proliferation commitments and meeting the necessary levels of nuclear safety and nuclear security.
4. We intend to support the beneficial, sustainable, safe and secure use of nuclear energy, in particular through the efforts of the International Atomic Energy Agency (IAEA) to develop and promote relevant international guidance and standards as well as through technical cooperation and assistance activities.



5. We stress that the development of nuclear power has to take place under conditions of confidence and transparency, under high standards of non-proliferation, safety and security and in the context of effective liability arrangements. Meeting such standards should be promoted as a facilitating factor in advancing the peaceful use of nuclear energy.

6. We reaffirm the crucial importance of IAEA safeguards as a fundamental element of nuclear energy development. We stress the importance of the IAEA safeguards system, including comprehensive safeguards agreements and additional protocols. We consider that, under article III of the Treaty, States that have not yet done so should conclude and bring into force a comprehensive safeguards agreement with IAEA. Taking into consideration the assessment made by IAEA that the implementation of the Additional Protocol is essential in order to strengthen the effectiveness and improve the efficiency of the safeguards system, we stress that having a comprehensive safeguards agreement and an Additional Protocol in force are the cornerstone of the Agency's ability to verify the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities in non-nuclear-weapon States.

7. We recognize that nuclear cooperation should take place only among States that are in full compliance with their IAEA safeguards obligations.

8. States that are willing to develop a nuclear power programme must implement a sustainable technical, scientific, regulatory and administrative infrastructure. We intend to cooperate, in close coordination with the efforts of IAEA in these fields, to help States develop and implement a civil nuclear infrastructure, including setting up an appropriate legislative and regulatory framework; putting in place independent safety authorities, an effective nuclear material accountancy and control system, and effective export control mechanisms; and developing adequate human resources through training and capacity-building.

9. We encourage vendors and buyers to continue to engage in a dialogue, on, inter alia, the sharing of good practices at both the legal and industrial levels that aim to ensure high levels of safety and security throughout the life cycle of a nuclear power plant.

10. We intend to work to further develop and promote advanced nuclear technologies, nationally and through cooperation in the framework of all relevant international initiatives, including, inter alia, the Global Nuclear Energy Partnership, the International Project on Innovative Nuclear Reactors and Fuel Cycles, the International Thermonuclear Experimental Reactor and the Generation IV International Forum. Consistent with national laws, policies and their multilateral commitments, supplier States could facilitate technology transfers to recipient countries to the greatest extent possible. In that regard, special emphasis should be devoted to developing technologies that reduce the risk of proliferation.

11. We wish also to share with the competent international and regional financial institutions information and lessons learned on how to finance nuclear power programmes, in order to encourage the development of suitable financing schemes for those countries that have opted for nuclear energy development.

12. We recognize the role of the commercial market as the primary mechanism for the supply of nuclear fuel services and the importance of maintaining its efficient, effective and reliable operation. Suppliers should provide their customers with long-term comprehensive nuclear fuel service arrangements and support efforts to establish

confidence in their ability to obtain nuclear fuel in an assured and predictable manner. Customers should also have access to and benefit from multiple fuel supply and service options. We consider that IAEA, subject to the decisions of its Board of Governors, has a central role to play in the implementation of multilateral nuclear fuel supply mechanisms as a complement and backup to the market.

13. We encourage the promotion of appropriate international participation in enrichment and reprocessing facilities. Given the sensitive nature of these technologies, transfers of related facilities, equipment and technologies should take place only under effective non-proliferation conditions. To that aim, we consider that such transfers should be consistent with the civilian nuclear power generation programme developed by the recipient. Cooperation in this field should be transparent and developed in accordance with international commitments.

14. We intend to improve, consistent with the relevant obligations under the Treaty, the efficiency and transparency of export controls on nuclear material, equipment and technology, as well as to exert particular vigilance with regard to nuclear materials and equipment in sensitive technology areas, in order to ensure their peaceful uses.

15. We share the view that States that are engaged in a nuclear power programme should adhere at a minimum to the Convention on Nuclear Safety, the amended Convention on the Physical Protection of Nuclear Material, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and the International Convention for the Suppression of Acts of Nuclear Terrorism.

16. We emphasize that States developing a nuclear power programme should have in force a civil nuclear liability regime that is based on the principles established by the main pertinent international instruments, including: (a) liability is channelled exclusively to the operators of the nuclear installations; (b) liability of the operator is absolute, that is, the operator is held liable irrespective of fault; and (c) liability is guaranteed through a financial security certified by the State of the operator, through accession to the relevant international instruments or through the adoption of national legislation to the same effect.

17. We consider that suppliers and recipients should ensure that all shipments of nuclear material and other radioactive substances are subject to high security, safety and liability standards so as to promote mutual trust and confidence, in accordance with the relevant international instruments and guidelines.

18. From the earliest phases of their development of nuclear power programmes onward, States should pay particular attention to the management and safety of spent fuel and radioactive waste, in accordance with the standards developed under the auspices of IAEA and other relevant international bodies, as well as to issues related to the safety and financing of facility decommissioning. We intend to cooperate to provide assistance to and share best practices with those that seek assistance with spent fuel management.

19. We are aware that the development of nuclear power must take due account of public acceptance issues and should be carried out in a manner that addresses the expectations and concerns of citizens.