



Chairmanship: Luxembourg

737th PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 4 December 2013 (Kyiv)

Opened: 10.35 a.m.

Closed: 10.45 a.m.

2. Chairperson: Ambassador H. Wurth

3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 1: GENERAL STATEMENTS

None

Agenda item 2: DECISION ON THE UPDATE OF THE OSCE PRINCIPLES
GOVERNING NON-PROLIFERATION

Chairperson

Decision: The Forum for Security Co-operation adopted Decision No. 7/13 (FSC.DEC/7/13) on the update of the OSCE Principles Governing Non-Proliferation, the text of which is appended to this journal.

United States of America (Annex), Holy See, Ukraine, Chairperson

Agenda item 3: ANY OTHER BUSINESS

Distribution of a compendium of suggestions on conventional arms control and CSBMs made by the participating States and experts in the discussion on the role of conventional arms control and CSBMs in contemporary and future European security architecture, which was initiated by the Ukrainian Chairmanship in the OSCE (FSC.DEL/196/13 OSCE+): Ukraine

4. Next meeting:

To be announced



**Organization for Security and Co-operation in Europe
Forum for Security Co-operation**

FSC.JOUR/743
4 December 2013
Annex

Original: ENGLISH

737th Plenary Meeting
FSC Journal No. 743, Agenda item 2

**STATEMENT BY
THE DELEGATION OF THE UNITED STATES OF AMERICA**

The United States welcomes the adoption of this important update to the OSCE Principles Governing Non-Proliferation. This politically binding document reinforces all OSCE participating States' commitment to non-proliferation worldwide. We recognize the work of the FSC Co-ordinator for Non-Proliferation as well as the contribution of the FSC Chairmen in achieving this landmark update, which brings the OSCE's Principles more in line with today's non-proliferation commitments. We note the important work of the International Atomic Energy Agency in making recommendations for continual improvements to nuclear safety and for nuclear security, which can be implemented by Member States. We urge States to meet or exceed the intent of each of the recommendations contained in the IAEA Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Revision 5) and to realize the objectives of these recommendations through the implementation and the enhancement of national regulations and other government measures.



**Organization for Security and Co-operation in Europe
Forum for Security Co-operation**

FSC.DEC/7/13
4 December 2013

Original: ENGLISH

737th Plenary Meeting

FSC Journal No. 743, Agenda item 2

**DECISION No. 7/13
UPDATE OF THE OSCE PRINCIPLES GOVERNING
NON-PROLIFERATION**

The Forum for Security Co-operation (FSC),

Recalling OSCE Ministerial Council Decision No. 7/11 of 7 December 2011, “Issues relevant to the Forum for Security Co-operation”, which tasked the FSC, in particular, to explore ways to update the OSCE Principles Governing Non-Proliferation of 1994 (MC.DEC/7/11/Corr.1 of 7 December 2011),

Decides to adopt the updated OSCE Principles Governing Non-Proliferation, as contained in the annex.

OSCE PRINCIPLES GOVERNING NON-PROLIFERATION

The participating States,

Expressing grave concern over the risk of proliferation of, and illicit trafficking in weapons of mass destruction, their means of delivery, and related materials,

Reiterating previous OSCE commitments on non-proliferation, in particular the Declaration in the Helsinki Document of 10 July 1992 to take further steps to stop the proliferation of weapons of mass destruction and to intensify co-operation on a non-discriminatory and equitable basis in the field of effective export controls applicable to weapons of mass destruction, their means of delivery, and related materials,

Recalling the Ministerial Declaration on Non-Proliferation adopted at the 2009 Ministerial Council in Athens, which, *inter alia*, reiterated readiness to further enhance and strengthen existing international legal instruments against the proliferation of weapons of mass destruction in the OSCE area through the broadest possible multilateral support,

Acknowledging that non-proliferation of weapons of mass destruction and disarmament are mutually reinforcing,

Reaffirming the commitment of the participating States to seek a safer world for all and to achieve the peace and security of a world without weapons of mass destruction,

Noting that all OSCE participating States are Parties to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC),

Reiterating the importance of the NPT as the cornerstone of global nuclear non-proliferation regime and the foundation for the pursuit of nuclear disarmament in accordance with Article VI of the NPT, and welcoming the consensus outcomes of the 1995, 2000 and 2010 NPT Review Conferences,

Highly appreciating relevant contribution of the Republic of Belarus, the Republic of Kazakhstan, and Ukraine to nuclear disarmament and to strengthening international peace and security as non-nuclear-weapon States Parties to the NPT,

Welcoming the entry into force of the 2010 Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and emphasizing the importance of comprehensive implementation of its principles and norms,

Welcoming also decisions taken by States in the OSCE area on the establishment of a nuclear-weapon-free zone in Central Asia and Mongolia's nuclear-weapon-free status,

Mindful of the key role of the United Nations Security Council in addressing threats to international peace and security, including those arising from the proliferation of weapons of mass destruction and their means of delivery,

Recalling the United Nations Security Council resolution 1540 (2004), unanimously adopted under Chapter VII of the United Nations Charter, and its successor resolutions 1673 (2006), 1810 (2008), 1977 (2011), as well as United Nations Security Council resolution 1887 (2009), and all their relevant provisions, affirming that the proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace and security,

Mindful of the important role of the relevant international initiatives aimed at preventing the proliferation of and illicit trafficking in weapons of mass destruction, their means of delivery, and related materials,

Noting the Global Initiative to Combat Nuclear Terrorism,

Reaffirming that all States should, through rigorous national measures and international co-operation, maintain the highest levels of nuclear safety and security set by the IAEA,

Willing to contribute to the global non-proliferation efforts, as appropriate and in co-ordination with the relevant United Nations fora, based on the OSCE concept of comprehensive and co-operative security and the OSCE mandate as a regional organization under Chapter VIII of the United Nations Charter,

Building upon the 1994 OSCE Principles Governing Non-Proliferation,

Have decided to update their common position reflected in the 1994 OSCE Principles Governing Non-Proliferation as follows:

I.

The participating States strongly believe that the proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace, security and stability. The universalization and reinforcement of the non-proliferation regimes remain a top priority and the participating States hereby reaffirm their commitment to prevent proliferation in all its aspects of nuclear, chemical or biological weapons and their means of delivery.

II.

In order to promote international peace, security and stability, the participating States are determined to seize current opportunities and the new momentum to strengthen the non-proliferation regime through full implementation of their existing international obligations, multilateral agreements and instruments, while benefiting also from the entire range of multilateral and bilateral arrangements and determined national efforts.

Therefore the participating States will:

Nuclear:

- Work towards universalization of the NPT with its three pillars of nuclear non-proliferation, peaceful use of nuclear energy, disarmament and undertake efforts to preserve the integrity of the NPT, strengthen its implementation and promote full compliance with its provisions;
- Implement fully all their existing commitments and undertakings related to the three pillars of the NPT – nuclear non-proliferation, peaceful use of nuclear energy and nuclear disarmament;
- Support the International Atomic Energy Agency (IAEA) efforts aimed at further strengthening the effectiveness and improving the efficiency of its safeguards, including implementation of integrated safeguards for States having both the comprehensive safeguards agreement and additional protocol in force;
- Work towards establishing the IAEA Additional Protocol together with a Comprehensive Safeguards Agreement as the universally accepted verification standard;
- Support efforts of States with the IAEA Small Quantities Protocols, which have not yet done so, to amend or rescind them, as appropriate;
- Work towards gathering broad international support for and adherence to the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and the IAEA Guidelines on the Import and Export of Radioactive Sources;
- Improve national nuclear export control policies by, where possible, supporting and seeking to strengthen the understandings and principles of the Zangger Committee and the guidelines of Nuclear Suppliers Group, including the latter's controls on dual-use items, in order to adapt them to the new non-proliferation challenges;
- Ensure that their nuclear-related exports do not assist the development of nuclear weapons or other nuclear explosive devices and that such exports are in full conformity with the objectives and purposes of the NPT;
- Work towards adoption of a common stance in the event of a declaration of withdrawal by a State Party from the NPT, bearing in mind that according to international law the State would remain responsible for violations of the Treaty

committed prior to its withdrawal and that such violations may threaten the maintenance of international peace and security;

- Strongly support the early entry-into-force of the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) and actively support efforts by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization to establish an effective verification regime, including the international monitoring system and development of the on-site inspections regime. Pending entry-into-force urge all States concerned to abide by a moratorium on nuclear weapon test explosions or any other nuclear explosions;
- Support the early commencement of international negotiations at the Conference on Disarmament within a balanced programme of work on a non-discriminatory, multilateral and internationally and effectively verifiable Treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices (FMCT), and call upon all States concerned to declare and uphold a moratorium on the production of such material;
- Recall security assurances provided by the nuclear weapon States as noted in the United Nations Security Council resolution 984 (1995) and recognize that these security assurances strengthen the nuclear non-proliferation regime;
- Support the early commencement of discussions at the Conference on Disarmament, within the context of an agreed, comprehensive and balanced programme of work, of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons with a view to elaborating recommendations dealing with all aspects of this issue, not excluding an internationally legally binding instrument.

Chemical and Biological:

- Work towards universalization of the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare;
- Work towards universal adherence to the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC) and join efforts to strengthen it, *inter alia*, through its universalization and by promoting compliance with the Convention;
- Work towards strengthening the CWC, *inter alia*, through its universalization, effective verification regime and full national implementation of all its provisions. To this end, support the activities of the Organization for the Prohibition of Chemical Weapons;
- Support control measures, effective licensing and enforcement procedures covering the chemical weapons precursors lists, CW-related dual-use equipment, BW-relevant pathogens and BW-related dual-use equipment;

- Enhance assurance of compliance with the BTWC through information exchange under the BTWC’s Confidence-Building Measures and national implementation as well as through voluntary efforts to enhance transparency about their activities to implement the BTWC;
- Support and strengthen, where necessary, national enforcement measures, including penal legislation, biosafety and biosecurity measures in life science institutions, control over pathogenic micro-organisms and toxins, export control for dual-use agents and technologies, the appointment of a national contact point for the BTWC, and regional and international co-operation, also with the World Health Organization, World Organization for Animal Health, Food and Agriculture Organization of the United Nations, and other relevant international organizations.

Missiles:

- Support the 2003 Guidelines of the Missile Technology Control Regime (MTCR), undertake to control the export of missiles, technology and equipment in accordance with the Guidelines and Annex of the MTCR;
- Support the effective implementation of the 2002 Hague Code of Conduct against Ballistic Missile Proliferation (HCOG) and the universal adherence to it, including its transparency and confidence-building measures which are essential to its functioning and international relevance.

III.

Furthermore, each participating State will:

- Promote the implementation of the United Nations Security Council resolution 1540 (2004) and its successor resolutions 1673 (2006), 1810 (2008), 1977 (2011), as well as United Nations Security Council resolution 1887 (2009);
- Uphold and strengthen the essential role of the IAEA in the safe, secure and peaceful use of nuclear energy, science and technology, nuclear safety as well as in addressing challenges to non-proliferation and the key role of the United Nations Security Council in addressing the consequences of non-compliance with respective safeguards obligations;
- Maintain effective security of all nuclear materials and nuclear facilities under their control and work towards universal adherence to the 1979 Convention on the Physical Protection of Nuclear Material and the 2005 Amendment to it and the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism at the earliest opportunity, and also apply, when feasible, the IAEA Nuclear Security Recommendations on the Physical Protection of Nuclear Material and Nuclear Facilities;

- Account for, as appropriate, and secure chemical, biological, radiological and all nuclear materials in production, use, storage, and transport as well as securing relevant facilities against theft and sabotage;
- Maintain the effective security of all nuclear materials, consistent with national procedures and international obligations with a view towards strengthening that security and reducing the threat of nuclear terrorism;
- Continue strengthening their national regulatory controls of nuclear material, including, where applicable, the establishment and maintenance of the State systems of accounting for, and control of nuclear material;
- Recognize the potential role that the development of multilateral fuel supply mechanisms may have in providing an additional option for guaranteed access to a supply of nuclear fuel under the best safety, security and non-proliferation conditions;
- Promote international co-operative efforts to provide opportunities for weapons scientists and engineers to redirect their talents to peaceful endeavours, including through available institutional means;
- Take further appropriate actions, consistent with national legal authorities and obligations under relevant international legal frameworks, to strengthen the implementation of the respective commitments through legislation, regulations and procedures and to exchange information, *inter alia* and as appropriate, in the context of a security dialogue within the OSCE about practical measures for strengthening the global non-proliferation regime.

The Forum for Security Co-operation will serve as a forum to discuss issues relating to this document and review it as appropriate.

This document takes effect on the date of its adoption by the Forum for Security Co-operation.