

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1996 Nr. 145

A. TITEL

*Verdrag inzake de niet-verspreiding van kernwapens;
Londen/Moskou/Washington, 1 juli 1968*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in *Trb.* 1968, 126. Voor de ondertekeningen zie ook *Trb.* 1970, 118, *Trb.* 1975, 58 en *Trb.* 1978, 164.

C. VERTALING

Zie *Trb.* 1968, 126 en *Trb.* 1975, 58.

D. PARLEMENT

Zie *Trb.* 1975, 58.

E. BEKRACHTIGING

Zie *Trb.* 1970, 118, *Trb.* 1975, 58 en *Trb.* 1978, 164.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel IX, tweede lid, van het Verdrag een akte van bekrachtiging nedergelegd:

	te Londen	te Moskou	te Washington
Colombia	30- 4-1986	29- 4-1986	8- 4-1986
Egypte	26- 2-1981 ¹⁾		
Indonesië	12- 7-1979 ²⁾	12- 7-1979 ²⁾	
Jemen (Noord-)	14- 5-1986		
Jemen (Zuid-)		1- 6-1979	
Koeweit			17-11-1989 ³⁾

Sri Lanka	5- 3-1979	5- 3-1979	
Trinidad en Tobago	30-10-1986		30-10-1986
Turkije	17- 4-1980 ⁴⁾	17- 4-1980 ⁴⁾	17- 4-1980 ⁴⁾

¹⁾ Onder de volgende verklaring:

“Convinced that the proliferation of nuclear weapons which threatens the security of mankind must be curbed, Egypt signed and then ratified the Treaty on the Non-Proliferation of Nuclear Weapons. Egypt was among the first countries which called for the rapid conclusion of this Treaty, and played a constructive role in the negotiations preceding its conclusion as a complement to earlier efforts which had successfully culminated in the conclusion of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in the Outer Space and Under Water. Egypt’s commitment by virtue of the provisions of the Non-Proliferation Treaty to refrain, in any way, from acquiring or manufacturing nuclear weapons shall not impair its established right to develop and use nuclear energy for peaceful purposes, in conformity with the provisions of Article IV of the Treaty, which affirms the inalienable right of all the parties of the Treaty to develop research, production and the use of nuclear energy for peaceful purposes without discrimination. The stipulation of that right in the Treaty itself is, in fact, a codification of a basic human right, which can neither be waived nor impaired.

From this premise, Egypt also views with special attention the provisions of Article IV of the Treaty calling on the Parties of the Treaty who are in a position to do so to co-operate in contributing to the further development of the application 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.

Embarking on a number of construction projects of nuclear power reactors to generate electricity in order to meet its increasing energy needs so as to promote the prosperity and welfare of its people, Egypt expects from industrialised nations with a developed nuclear industry a wholehearted assistance and support. This would be in consonance with the letter and spirit of Article IV of the Treaty, in particular since Egypt has committed itself to the application of the safeguards systems of the International Atomic Energy Agency as regard peaceful nuclear activities carried out within its territory, in accordance with the provisions of Article III of the Treaty.

Within the framework of the rights provided for in the Treaty for all Parties thereto in as far as the use of nuclear energy for peaceful purposes is concerned, Egypt wishes to refer to the provisions of Article V of the Treaty, which State that potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to this Treaty. Though Egypt accepts that such applications pose presently certain difficulties, particularly in view of their detrimental environmental effect, this should not relieve the nuclear-weapon States Party of the Treaty from their responsibility to promote research and development of these applications, in order to overcome all the difficulties presently involved therein.

Egypt wishes to express its strong dissatisfaction at the nuclear-weapon States, in particular the two super-Powers, because of their failure to take effective measures relating to cessation of the nuclear arms race and to nuclear disarmament in accordance with Article VI of the Treaty. Although it welcomes the 1972 and 1979 strategic arms Limitation Treaties, known as SALT I and SALT II, Egypt cannot but admit that the Treaties have failed to bring about an effective cessation of the nuclear arms race, quantitatively and qualitatively, and have even per-

mitted the development of a new generation of weapons of mass destruction.

Moreover, in spite of the fact that more than 17 years have elapsed since the conclusion of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, the nuclear-weapon States continue to allege that various difficulties still stand in the way of a permanent ban on all nuclear weapon tests, when all that stands in the way is in fact the need to take the political decision to achieve that end.

Consequently, Egypt avails itself of the opportunity of, namely the deposit of its instruments of ratification of the Treaty on the Non-Proliferation of Nuclear Weapons, to appeal to the nuclear-weapon States Parties to the Treaty to fulfil their obligation whereby the nuclear arms race will be stopped and nuclear disarmament achieved.

Egypt also calls upon all nuclear-weapon States to exert all possible efforts so as to achieve a permanent ban of all nuclear weapon tests as soon as possible, which will play a part in bringing to an end the development and manufacture of new types of weapons of mass destruction, just as a cutoff of production of fissionable material for military purposes will play a part in curbing the quantitative increase of nuclear weapons.

As regards the security of non-nuclear-weapon States, Egypt deems that Security Council resolution 255 of 19 Juni 1968 still does not provide a genuine guarantee against the use or threat of use of nuclear weapons against these States by nuclear-weapon States. Egypt, therefore, appeals to the nuclear-weapon States to exert their effort with a view to concluding an agreement prohibiting once and for all the use or threat of use of nuclear weapons against any State.

The undertaking of these steps is consistent with the letter and spirit of the basic guiding principles formulated by the General Assembly of the United Nations for the conclusion of a non-proliferation treaty, in particular the principle of balance of mutual responsibilities and obligations of the nuclear and non-nuclear-weapon Powers, and that stipulating that the Treaty should be a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament.

Convinced that the establishment of nuclear-weapon-free zones in different parts of the world shall be instrumental in enabling the Non-Proliferation Treaty to achieve its objectives and aims, Egypt has exerted great efforts to establish a nuclear-weapon-free zone in the Middle East as well as in Africa.

In this respect, Egypt expresses its great satisfaction with the United Nations General Assembly resolution adopted by consensus at its 35th session inviting the countries of the Middle East, as a first step towards the establishment of a nuclear-weapon-free zone, to declare solemnly their support for the achievement of this objective and, that they will refrain on a reciprocal basis from producing, acquiring or possessing nuclear weapons, and to deposit their declarations with the United Nations Security Council.

In conclusion, Egypt wishes to point out that it has ratified the Treaty of the Non-Proliferation of Nuclear Weapons, out of strong belief that this step complies with its supreme national interests, provided the Treaty succeeds in curbing the proliferation of nuclear weapons throughout the world, particularly in our own region, which should remain completely free of nuclear weapons, if it is to contribute constructively to peace, security and prosperity for its people and the world at large." (*vertaling*)

²⁾ Onder de volgende verklaring:

"1. The Government of Indonesia has decided to deposit today the Instrument of Ratification of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In signing the Treaty on 2 March 1970 the Government of Indonesia stated that it would ratify the same only after all aspects of national security of military, economic and social natures have been duly considered.

2. Indonesia today is actively carrying out its national development. With a view to supporting and accelerating the development process, including the economic and social development, Indonesia has decided from the outset to make use of the nuclear energy for peaceful purposes. Indonesia's efforts in developing nuclear energy for peaceful purposes in its national development, require the assistance and cooperation of technologically advanced nuclear countries. With the ratification of this Treaty, the Government of Indonesia wishes to draw the attention of the nuclear countries to their obligations under Article IV of the Treaty and expresses the hope that they would be prepared to cooperate with non-nuclear countries in the use of nuclear energy for peaceful purposes and implement the provisions of Article IV of the Treaty for the benefit of developing countries without discrimination.

3. If, on the one hand, States Parties to the Treaty which are not in possession of nuclear weapons, have, under Article II of the Treaty, the obligation not to receive, possess or manufacture nuclear weapons, Indonesia holds, on the other hand, the view that nuclear weapons states should equally observe the provisions of Article VI of the Treaty relating to the cessation of nuclear arms race.

4. By depositing this Instrument of Ratification Indonesia is confident that in becoming Party to the Treaty it would contribute to the efforts made by the international community in the strengthening of international peace and security."

3) Onder de volgende verklaring:

"It is understood that the Ratification of the treaty on the Non Proliferation of Nuclear Weapons signed by Kuwait on the 15th of August 1968, does not mean in any way a recognition of Israel by the Government of the State of Kuwait.

Furthermore no treaty relations will arise between the State of Kuwait and Israel."

4) Onder de volgende verklaring:

"The Government of the Republic of Turkey decided to deposit today the instrument of ratification of the Treaty on the Non-Proliferation of Nuclear Weapons.

In voting in favour of the Treaty on June 12, 1968 at the 22nd session of the United Nations General Assembly and in signing the Treaty on January 28, 1969, the Turkish Government indicated its intention for eventual ratification.

The Turkish Government is convinced that the Treaty is the most important multilateral arms control agreement yet concluded. By reducing the danger of a nuclear war, it greatly contributed to the process of detente, international security and disarmament.

Turkey believes that her adherence would further the universality of the Treaty and strengthen international nuclear non-proliferation system. It is however evident that cessation of the continuing arms race and preventing the war technology from reaching dangerous dimensions for the whole mankind can only be realised through the conclusion of a treaty on general and complete disarmament under strict and effective international control. Furthermore, Turkey would like to underline the non-proliferation obligations of the nuclear-weapon states under relevant paragraphs of the Preamble and Article VI of the Treaty. Proliferation of all kinds must be halted and measures must be taken to meet adequately the security requirements of non-nuclear weapon states. Continuing absence of such assurances might have such consequences that may undermine the objectives and the provisions of the Treaty.

Having included nuclear energy in its development plan as one of the sources of electricity production, Turkey is prepared as stipulated in Article IV of the Treaty, to cooperate further with the technologically advanced states, on a non-discriminatory basis, in the field of nuclear research and development as well as in nuclear energy production. Measures developed or to be developed at national and international levels to ensure the non-proliferation of nuclear weapons should in no case restrict the non-nuclear weapon states in their options for the application of nuclear energy for peaceful purposes.”

F. TOETREDING

Zie *Trb.* 1975, 58 en *Trb.* 1978, 164.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel IX, tweede lid, van het Verdrag een akte van toetreding nedergelegd:

	te Londen	te Moskou	te Washington
Albanië	12- 9-1990		28- 9-1990
Algerije	12- 1-1995		12- 1-1995
Argentinië	17- 2-1995		10- 2-1995
Armenië			15- 7-1993
Azerbeidzjan		22- 9-1992	
Bahrein			3-11-1988 ¹⁾
Bangladesh		31- 8-1979	27- 9-1979
Bhutan			23- 5-1985
Brunei			26- 3-1985
Cambodja		25- 9-1987	
Chili			25- 5-1995
China	9- 3-1992	12- 3-1992 ²⁾	17- 3-1992 ²⁾
de Comoren			4-10-1995
Equatoriaal-Guinea			1-11-1984
Eritrea			16- 3-1995
Estland	7- 1-1992		31- 1-1992
Georgië			7- 3-1994
Guinee		29- 4-1985	
Guyana			19-10-1993
Frankrijk	3- 8-1992	3- 8-1992	3- 8-1992
Kaapverdië		24-10-1979	
Kazachstan			14- 2-1994
Korea (Noord-)		12-12-1985	
Letland	31- 1-1992		
Litouwen			23- 9-1991
Malawi	18- 2-1986	4- 3-1986	19- 2-1986
de Marshall- eilanden			30- 1-1995
Mauretanië			26-10-1993

Micronesia			14- 4-1995
Moldavië			11-10-1994
Monaco			13- 3-1995
Mozambique	20- 9-1990		12- 9-1990
Myanmar			2-12-1992
Namibië	2-10-1992		7-10-1992
Nauru	7- 6-1982		
Niger			9-10-1992
Oekraïne	5-12-1994 ³⁾		5-12-1994
Oezbekistan		7- 5-1992	2- 5-1992
Palau			14- 4-1995
Papoea-Nieuw- Guinea	13- 1-1982	16- 2-1982	25- 1-1982
Qatar	3- 4-1989		13- 6-1989
Saint Kitts en Nevis			22- 3-1993
Sao Tomé en Principe		20- 7-1983	
Saudi-Arabië			3-10-1988
de Seychellen	12- 3-1985	14- 3-1985	8- 4-1985
Slovenië	7- 4-1992		7- 4-1992
Spanje	5-11-1987	5-11-1987	5-11-1987
Tanzania	31- 5-1991	18- 6-1991 ⁴⁾	7- 6-1991
Turkmenistan			29- 9-1994
Uganda			20-10-1982
Vanuatu	24- 8-1995		
de Verenigde Arabi- sche Emiraten			26- 9-1995
Vietnam		14- 6-1982	
Wit-Rusland	23- 7-1993		22- 7-1993
Zambia	22- 5-1991		15- 5-1991
Zimbabwe	26- 9-1991	26- 9-1991	4-10-1991
Zuid-Afrika			10- 7-1991

¹⁾ Onder de volgende verklaring:

“The accession by the State of Bahrein to the Treaty on the Non-Proliferation of Nuclear Weapons, 1968, shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of anykind therewith.”

²⁾ Onder de volgende verklaringen:

“1. Pursuing an independent foreign policy of peace, China has all along stood for the complete prohibition and thorough destruction of nuclear weapons. With a view to bringing about this objective and maintaining international peace, security and stability, and taking into consideration the aspirations and demands of the large numbers of non-nuclear-weapon countries, China has decided to accede to the Treaty.

2. China pursues a policy of not advocating, encouraging or engaging in the proliferation of nuclear weapons, nor helping other countries to develop nuclear weapons. China supports the objectives set forth in the Treaty, namely, preven-

tion of the proliferation of nuclear weapons, acceleration of nuclear disarmament and promotion of international cooperation in the peaceful use of nuclear energy, and believes that these three objectives are interrelated.

3. China maintains that the prevention of proliferation of nuclear weapons is not an end in itself, but a measure and step in the process towards the complete prohibition and thorough destruction of nuclear weapons. Non-proliferation of nuclear weapons and nuclear disarmament should be mutually complementary. Only when substantial progress is made in the field of nuclear disarmament can the proliferation of nuclear weapons be checked most effectively and the authority of the nuclear non-proliferation regime truly enhanced. At the same time, an effective nuclear non-proliferation regime is conducive to the goal of total elimination of nuclear weapons. To attain the lofty goal of complete prohibition and thorough destruction of nuclear weapons, countries with the largest nuclear arsenals should earnestly fulfill their special obligations by taking the lead in halting the testing, production and deployment of nuclear weapons and drastically reducing those weapons of all kinds they have deployed inside and outside their countries. Tangible progress they make in all these aspects will create conditions for the convening of a widely representative international conference on nuclear disarmament with the participation of all nuclear-weapon states.

4. China maintains that in order to improve and strengthen the nuclear non-proliferation regime and help attain the goal of complete prohibition and thorough destruction of nuclear weapons, the following specific measures should also be taken:

(1) All nuclear-weapon states undertake not to be the first to use nuclear weapons at any time and under any circumstances, and an international agreement on the non-first-use of nuclear weapons should be concluded.

(2) All nuclear-weapon states undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon countries or nuclear-free zones, and an international legal instrument on the non-use or non-threat of nuclear weapons against non-nuclear-weapon countries and nuclear-free zones should be concluded.

(3) All nuclear-weapon states undertake to support the proposition of establishing nuclear weapon-free zones, respect the status of such zones and undertake corresponding obligations.

(4) All states that have nuclear weapons deployed outside their boundaries withdraw all those weapons back to their own territories.

(5) The major space powers halt their arms race in outer space and cease the development of space weapons, the nuclear-related in particular.

5. The signing and ratification of the Treaty by the Taiwan authorities in the name of China on 1 July 1968 and 27 January 1970 respectively are illegal and null and void.” (*vertaling*)

³⁾ Onder de volgende voorbehouden:

“1. The provisions of the Treaty do not encompass fully the unique situation that has arisen as a result of the disintegration of the Soviet Union as a nuclear weapons state.

2. Ukraine possesses weapons that it inherited from the former USSR. Following the dismantlement and destruction of those weapons under the supervision of Ukraine and in accordance with procedures which exclude the possibility of the reuse of the nuclear materials which are components of such weapons for their original purpose. Ukraine intends to use the above materials exclusively for peaceful purposes.

3. The presence in the territory of Ukraine of nuclear weapons prior to their

complete destruction and also any corresponding work relation to their maintenance, servicing and destruction shall not contravene the provisions of Articles I and II of the Treaty.

4. The threat or use of force against the territorial integrity and inviolability of the borders of Ukraine or its political independence by any nuclear weapons state, or the application of economic coercion aimed at subordinating the exercise by Ukraine of rights inherent in its sovereignty to the interests of that state, shall be deemed by Ukraine as the only circumstances where its supreme interests have been jeopardised.

5. The instruments relating to Ukraine's accession to the Treaty shall be communicated to the depositary states of the Treaty following their entry into force under this Law.

6. This Law shall enter into force after the nuclear weapons states have granted Ukraine security guarantees confirmed by the signing of the relevant international legal Instrument.

4) Onder de volgende verklaringen:

„....

3. The invention of the nuclear weapon spelled a nightmare on this planet. Today the entire humanity and everything on this earth sit on a worldwide minefield of nuclear weapons that can detonate any time to incinerate and extinguish all forms of life. This is indeed of concern to every nation, man, woman and child.

4. The first serious step to restrict manufacture of these weapons was taken in 1963 by a treaty, the Martial Test Ban Treaty, which prohibited the testing of such weapons in the atmosphere, in water and in outer space. Unfortunately agreement was not reached to ban such testing underground. Nevertheless it was a big step in the right direction, as the hope was that the next step, at the earliest opportunity, would be to ban underground testing. Many countries welcomed and signed that treaty, Tanzania among them.

5. Five years later another treaty on nuclear arms was concluded but to our disappointment that treaty did not address the question of underground testing. Instead it only sought to prevent the spread of weapons to those who did not have them. The Non Proliferation of Nuclear Weapons Treaty of 1968 not only avoided the issue of underground testing but said little about the existing nuclear weapons or their improvement. Few countries, if any among the targeted countries had the economy to finance the production of such weapons even if they had the know-how and will. The treaty therefore dealt with a problem that was peripheral if not non-existent. It not only served to divert attention from the real problems but also sought to inject a sense of complacency which clearly contrasted with the realities. By not prohibiting underground testing NPT did, in a sense, condone it.

6. Todate, more than 20 years later, underground testing continues unabated and now the build up of nuclear weapons will require to more planets like this to use up.

7. Tanzania has also several other misgivings towards certain provisions of the treaty, as the records will show, and for all these reasons we opposed the treaty and did not sign it. In doing so we were showing our impatience at the slow pace of nuclear disarmament and were calling for more serious and urgent steps on the well acknowledged problem.

8. For the last 20 or so years we have maintained that position. At the same time we have untiringly worked for disarmament, nuclear as well as non nuclear, as our records bear testimony.

9. In those same years we have received a lot of representations to persuade us to become party to that treaty. These representations have given us opportunity to express with all vigour our views on the subject and we hope they have been well taken.

10. Of late the political atmosphere which fanned the nuclear arms race has drastically changed, thanks to the rapprochement between the two super powers. There is also an encouraging indication that disarmament, especially nuclear will be accorded the urgent attention it requires.

11. Now we have reviewed the matter taking into account these developments and have come to the conclusion that continued debate on the pros and cons of NPT only serves to further divert attention from the otherwise obvious peril facing us.

12. To cut short this discussion between us and the advocates of NPT we have decided to accede to that treaty. We do so therefore, first, in the hope that our attention will be directed and dedicated to facing seriously the more real issues of vertical proliferation of nuclear weapons and existing stockpiles.

13. We do so, secondly, in the hope that those concerned will take it up as a challenge to them to play their part more seriously in fulfilling those obligations and undertakings under the treaty which concern them.

14. We do so, thirdly, to reconfirm our opposition to the possession of these weapons by any State whether already nuclear or non nuclear weapon state.

15. We look forward to making concerted efforts with all concerned to deal earnestly with these spectral objects to rid our planet, our only home, ourselves, our children and future generations of the threat of total obliteration.”

Verklaring van voortgezette gebondenheid

De volgende Staten hebben verklaard zich gebonden te achten aan het Verdrag:

	te Londen	te Moskou	te Washington
Antigua en Barbuda	17- 6-1985		
Bangladesh	31- 8-1979		
Belize	9- 8-1985		
Bosnië-Herzegovina			22- 7-1994
Dominica	10- 8-1984		
Kiribati	18- 4-1985		
Kroatië			29- 6-1992
Saint Lucia	28-12-1979		
Saint Vincent en de Grenadines	6-11-1984		
de Salomons-eilanden	17- 6-1981		
Slowakije		15- 4-1993	1- 1-1993
Tsjechië	24- 3-1993	24- 3-1993	1- 1-1993
Tuvalu	19- 1-1979		

	te Londen	te Moskou	te Washington
De Voormalige Joegoslavische Republiek Macedonië	30- 3-1995		12- 4-1995

G. INWERKINGTREDING

Zie *Trb.* 1970, 118 en *Trb.* 1975, 58.

J. GEGEVENS

Zie *Trb.* 1968, 126, *Trb.* 1970, 118, *Trb.* 1975, 58 en *Trb.* 1978, 164.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Handvest der Verenigde Naties zie ook, laatstelijk, *Trb.* 1994, 277.

Voor het op 26 oktober 1956 te New York tot stand gekomen Statuut van de Internationale Organisatie voor Atoomenergie zie ook, laatstelijk, *Trb.* 1990, 51.

Voor het op 5 augustus 1963 te Moskou tot stand gekomen Verdrag tot het verbieden van proefnemingen met kernwapens in de dampkring, in de kosmische ruimte en onder water zie ook *Trb.* 1996, 138.

In een nota gedateerd 31 januari 1992 heeft de Regering van de Russische Federatie medegedeeld de depositaire functies van de Regering van de Sovjet-Unie voort te zetten.

Uitgegeven de tiende juni 1996.

De Minister van Buitenlandse Zaken a.i.,

E. BORST-EILERS