



FACT SHEET:



What is the international legal regime governing nuclear nonproliferation and disarmament?

- **The NPT:** The nuclear Non-Proliferation Treaty (1968) is an agreement by which non-nuclear states promise to forgo acquisition of nuclear weapons in return for access to peaceful civilian nuclear technology and, under Article VI, a commitment by the nuclear states to eliminate their nuclear arsenals. In 1995, the NPT was extended indefinitely.

Five states (the US, the UK, Russia, China and France) are classified as Nuclear Weapon States. India, Pakistan, Israel and possibly North Korea are known to have nuclear weapons yet remain outside the NPT regime.

In 2000, the Nuclear Weapon States agreed to “an unequivocal undertaking” to accomplish the total elimination of their nuclear arsenals.

- **The CTBT:** The Comprehensive nuclear Test-Ban Treaty (1997) prohibits all nuclear test explosions. To enter into force, the CTBT requires the ratification of 44 states identified as having a significant nuclear capability. Out of these, ten states, including the US and China, have not.
- **The ICJ:** In 1996, the International Court of Justice unanimously ruled that the threat or use of nuclear weapons “would generally be contrary” to humanitarian and other international law regulating the conduct of warfare. In addition, the court ruled that states are obligated to bring to conclusion negotiations on nuclear disarmament in all its aspects.
- **The IAEA:** The International Atomic Energy Agency conducts inspections to verify compliance and prevent the diversion of fissile materials for weapons use. In 1997, the IAEA established a voluntary Additional Protocol, designed to strengthen and expand existing IAEA safeguards under the NPT. As of January 1, 2005, 90 NPT states-parties have signed the Additional Protocol, and 62 of those states have put the Additional Protocol into force.
- **The FMCT:** Not yet negotiated, a Fissile Materials Cut-Off Treaty would prohibit the production of fissile materials for weapons purposes. Most states are generally in favor of such a treaty, though some issues remain in debate, such as the verifiability of such a treaty, as well as its scope; some states, for instance, want an FMCT to put a cap on existing stocks of fissile materials.
- **The General Assembly:** The First Committee of the United Nations General Assembly addresses all matters relating to international peace and security. The Committee passes resolutions each year reiterating the world’s desire for the elimination of nuclear weapons. In 2006, 16 resolutions addressed the need for nuclear disarmament. GA resolutions are not legally binding in and of themselves, but rather work towards strengthening international norms.