
Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1 May 2003

ORIGINAL: English

Second Session

Geneva, 28 April–9 May 2003

The strengthened review process for the Treaty on the Non-Proliferation of Nuclear Weapons: Implementation of Article VI and other provisions

Report submitted by South Africa

1. INTRODUCTION

- 1.1 As an integral part of the 13 practical steps agreed to in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) for systematic and progressive efforts to implement the Article VI nuclear disarmament obligation of the NPT, it was agreed that:

“Regular reports (*be submitted*), within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Disarmament”, and recalling the advisory opinion of the International Court of Justice of 8 July 1996.”

2. REPORT

2.1 Step 1: The Comprehensive Nuclear Test-Ban Treaty (CTBT)

South Africa signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT) on 24 September 1996 and ratified the Treaty without condition on 30 March 1999. South Africa has worked on a continuous basis, both in its national capacity and in the context of the political, regional and other groupings in which it participates, to promote the CTBT in general and also to promote its entry into force through the early signature and ratification of the Treaty, especially by those States whose ratification are required for its entry into force. In this regard, South Africa was involved in:

- The Joint Ministerial Declaration in support of the CTBT released by Ministers of Foreign Affairs of eighteen countries on 14 September 2002.

- Consultations within the context of the New Agenda Coalition (NAC) to expedite EIF of the CTBT.
- The co-sponsoring of a resolution entitled “Comprehensive Nuclear-Test-Ban Treaty” during the fifty-seventh session of the United Nations General Assembly.

2.2 **Step 2: Test Moratorium**

While the moratorium on nuclear testing was adopted by the Nuclear Weapon States, South Africa has, nationally and in co-operation with other groupings, worked actively to promote the continued maintenance of this moratorium pending the entry into force of the Treaty.

2.3 **Step 3: Fissile Material Treaty (FMT) negotiations**

On a fissile materials treaty, South Africa -- like many other States -- has been disappointed by the continuing failure of the Conference on Disarmament (CD) in Geneva to reach an agreement on its Programme of Work in order that the negotiations for a fissile material treaty can be undertaken and successfully concluded. To achieve this goal, South Africa has adopted a flexible attitude on the negotiations for a programme of work in the CD, and we continue to call on the other CD Members to adopt a similar approach. We believe that the narrow national and unilateralist objectives that have to date underpinned the CD's failure should not be permitted to frustrate the objectives of the international community as a whole. The failures of the CD, which is financed by all of the Members of the United Nations through the payment of their assessments to the UN, will in the longer term undermine the validity of the CD's claim to be the single multilateral disarmament negotiating forum of the international community.

South Africa has nevertheless itself taken, or participated in, a number of initiatives to move the FMT forward. In this regard, South Africa has:

- Submitted a Working Paper to the CD which is entitled “The possible scope and requirements of the Fissile Material Treaty (FMT)” [CD/1671 of 28 May 2002].
- Participated in the process of broad and open-ended consultations that were initiated by the Netherlands that sought to prepare the ground for the FMT negotiations within the CD, as well as participation in seminars co-hosted by Japan and Australia in Geneva.
- Participated in a number of initiatives of non-governmental organisations, such as the Oxford Research Group.
- Continued to promote the successful negotiation of the FMT in the context of the New Agenda Coalition. This aspect was also reflected in the NAC's resolution (A/RES/57/59) entitled “Towards a nuclear-weapon-free world: the need for a new agenda” at the fifty-seventh session of the United Nations General Assembly.
- Co-sponsored a resolution during the General Assembly that urges the CD to agree on a programme of work that includes the immediate commencement of negotiations on a FMT.

2.4 Step 4: Nuclear Disarmament in the Conference on Disarmament (CD)

The persistent failure of the Conference on Disarmament to agree on a Programme of Work has greatly hampered further efforts related to nuclear disarmament, despite the fact that general agreement exists that the question of nuclear disarmament concerns the entire international community. As already mentioned, South Africa will continue to maintain a flexible attitude towards negotiations for a Programme of Work in the CD.

South Africa remains concerned over the large number of nuclear weapons that are deployed and stockpiled around the world and the possibility that these destructive weapons could be used. We therefore believe that the Conference on Disarmament should not further delay the establishment of an ad hoc committee to deal with nuclear disarmament. This aspect was also reflected in the NAC's resolution at the fifty-seventh session of the General Assembly.

As the only country to date to have voluntarily and unilaterally destroyed its nuclear weapons capability, South Africa remains convinced that the possession of these weapons -- or the pursuit of such possession by certain States -- does not enhance international peace and security. We will therefore continue our efforts towards nuclear disarmament in order to achieve a world free from the scourge of nuclear weapons. In related context, South Africa sent a delegation of technical experts to Iraq in February 2003 to share South Africa's experiences and approach to the disarmament of weapons of mass destruction, including nuclear weapons, and their delivery systems in an endeavour to assist in the full implementation of UN Security Council Resolution 1441.

2.5 Step 5: Irreversibility

The practical step of irreversibility forms an essential component of the arms control process, particularly insofar as reductions in the number of nuclear weapons are concerned. In this regard South Africa holds the view that further reductions of nuclear weapons would underpin our endeavours to achieve nuclear disarmament and also strengthen international peace, stability and security.

Reductions and elimination of non-strategic nuclear weapons should be included as an integral part of the nuclear-arms reduction and disarmament process, whilst such reductions should be carried out in a transparent, verifiable and irreversible manner. South Africa, in the context of the NAC, has called upon the Russian Federation and the United States to formalise their Presidential Nuclear Initiatives into legal instruments and to initiate negotiations on further effectively verifiable reductions of their non-strategic nuclear weapons. The NAC has furthermore called upon Nuclear Weapon States to implement the NPT commitments and agreements, to apply the principle of irreversibility by destroying their nuclear warheads in the context of strategic nuclear reductions and to avoid keeping them in a state that lends itself to their possible redeployment.

South Africa furthermore believes that the principle of irreversibility should not only be applied to disarmament undertakings, but also to non-proliferation undertakings. It has long been our view that disarmament and non-proliferation are inextricably linked, and that real and irreversible movement on nuclear disarmament would reinforce the irreversibility of non-proliferation. We therefore view with concern any development

that would disturb this balance and that would undermine our goal of achieving a world free of nuclear weapons. The decision by North Korea to withdraw from the NPT is therefore seen by South Africa as a matter of concern, and South Africa calls on the DPRK to reconsider and reverse its decision. In this context, also South Africa continues to call on India, Israel and Pakistan to forego the nuclear weapons option and become parties to the NPT. We welcome and applaud the decision of Cuba to become a party thereby making a significant contribution to the international community's endeavour to achieve irreversible nuclear disarmament and irreversible nuclear non-proliferation.

2.6 Step 6: Unequivocal undertaking

South Africa welcomed the unequivocal undertaking by the States Parties, including the Nuclear Weapon States at the 2000 NPT Review Conference to accomplish the total elimination of their nuclear arsenals. This was one of the most significant decisions that have been taken in the history of the NPT, and the role in and agreement to this of all States Parties, particularly of the Nuclear Weapon States, should be lauded. It should be recognised that the decision to make this unequivocal commitment by the Nuclear Weapon States, who actually possess these weapons with such destructive power, was a decision based on their own recognition of their legal and moral obligation to rid the world of these weapons that have unspeakable capacity to cause suffering and destruction. Having said this, we are however dissatisfied with the lack of progress by the Nuclear Weapon States that would demonstrate progress on their commitment to the unequivocal undertaking. This issue was also addressed in the NAC's General Assembly resolution.

Within the context of the Group of 21 in the Conference on Disarmament, serious concern was also expressed in a statement on 30 January 2003 about the lack of the expected progress following the unequivocal undertaking by Nuclear Weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament.

2.7 Step 7: START and the ABM Treaty

On the issue of START and the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM), South Africa remains concerned that the abrogation of the ABM Treaty has brought about an additional element of uncertainty. It could also still have grave consequences for the future of global security and global stability, and create apparent rationales for action based solely on unilateral concerns. Any action -- including the development of missile defence systems -- which could impact negatively on nuclear disarmament and nuclear non-proliferation, is of concern to the international community and South Africa likewise remains concerned about the risk of a new arms race on earth and in outer space.

2.8 Step 8: The Trilateral Initiative

South Africa continues to support the Trilateral Initiative between the United States, the Russian Federation and the International Atomic Energy Agency (IAEA), which seeks to reduce the level of weapons-grade material in the two countries and place the resulting material under IAEA control. We reiterate the call for the completion and implementation of the Trilateral Initiative and for consideration to be given to the possible inclusion of other Nuclear Weapon States made by the NAC at the General Assembly.

2.9 Step 9: Steps by the Nuclear Weapon States

As already mentioned earlier, South Africa has expressed concern over the lack of progress in steps to be taken by the Nuclear Weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all. The various elements of the steps to be taken by the Nuclear Weapon States have consistently been supported by South Africa, such as the need for increased transparency, the further reduction of non-strategic nuclear weapons, and the engagement of all the Nuclear Weapon States in the process leading to the total elimination of their nuclear weapons. South Africa has on numerous occasions, and in various disarmament fora, called for progress in the pursuance of these steps, and will continue to do so.

Although the aforementioned steps are to be taken by the Nuclear Weapon States -- on the element of increased transparency, South Africa is pleased to report that it has concluded an Additional Protocol with the International Atomic Energy Agency (IAEA). In the latter regard, South Africa was also pleased to have hosted a seminar on the Non-Proliferation of Nuclear Weapons: The Role of Safeguards Agreements and Additional Protocols in Benoni, Johannesburg, from 24 to 27 June 2002. The seminar was aimed at capacity building amongst African States regarding IAEA Safeguards Agreements and Additional Protocols to the Safeguards Agreements.

2.10 Step 10: Arrangements by Nuclear Weapon States for verification of non-military fissile material

South Africa continues to support the placing by all the Nuclear Weapon States of fissile material no longer required for military purposes under international verification. In this regard the NAC's resolution at the General Assembly called upon all Nuclear Weapon States to make arrangements for the placing, as soon as possible, of their fissile material no longer required for military purposes under IAEA or other relevant international verification and to make arrangements for the disposition of such material for peaceful purposes in order to ensure that such material remains permanently outside military programmes.

2.11 Step 11: General and complete disarmament

Regarding the step on general and complete disarmament, South Africa has for many years now maintained its commitment to a policy of non-proliferation, disarmament and arms control that covers all weapons of mass destruction and extends to concerns relating to the proliferation of conventional weapons. This policy forms an integral part of its commitment to democracy, human rights, sustainable development, social justice and environmental protection. South Africa will endeavour to continue playing an active role in all arms control and disarmament issues, including in the areas of nuclear, biological and chemical weapons, landmines, small arms and light weapons, missiles and other conventional weapons deemed to be excessively injurious or to have indiscriminate effects.

2.12 Step 12: Reporting

On the practical step of reporting, South Africa strongly supports the principle of regular reporting, within the framework of the strengthened review process for the NPT, by all States Parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non -Proliferation and Disarmament”. In its consideration of these reports, as well as of other proposals and substantive contributions, the Preparatory Committee should make every endeavour to ensure that this does not take place as a matter of rote. The Preparatory Committee should endeavour to ensure that a seemingly endless procession of largely repetitive prepared statements and reports does not lull us into a sense of complacency in which we would come to believe that all is well. The States Parties need to remain vigilant and continuously assess whether the Treaty’s obligations and the agreements reached are being properly and fully implemented.

2.13 Step 13: Development of verification capabilities

The issue of verification, lies at the heart of the disarmament and arms control process and in South Africa’s view forms a critical element of that process. South Africa has continued to support activities aimed at strengthening and developing verification capabilities to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear -weapon-free world. In South Africa’s Working Paper that was submitted to the CD entitled “The possible scope and requirements of the Fissile Material Treaty (FMT)”, the aspect of verification in respect of such a treaty is also examined. It will also be recalled that in previous NAC papers the view was expressed that the IAEA was the most relevant international body to develop verification mechanisms or a verification mechanism for a world free of nuclear weapons. South Africa remains of this view.
