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

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Summary record of the 3rd meeting

Held at Headquarters, New York, on Tuesday, 27 April 2004, at 10 a.m.

Chairman: Mr. Parnohadiningrat (Indonesia)

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The meeting was called to order at 10.15 a.m.

General debate on issues related to all aspects of the work of the Preparatory Committee (*continued*)

1. **Mr. Duarte** (Brazil) said that multilateralism faced growing challenges. The 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) could not be seen in isolation from recent developments in the areas of non-proliferation and disarmament. There had been disturbing signals of non-compliance and lack of commitment to the obligations under the Treaty, including recent revelations of a global black market in nuclear material. The problem of non-compliance must be addressed, and the Preparatory Committee must consider ways to ensure continued adherence to Treaty obligations.

2. The overwhelming majority of members of the world community had decided to forego the nuclear military option in exchange for the objective of overall nuclear disarmament on the part of those few who had already acquired a nuclear military capability. The Treaty recognized the right of all parties to develop peaceful applications of nuclear energy. Non-nuclear-weapon parties agreed to place their nuclear activities under mandatory safeguards designed to prevent diversion of material for illicit purposes. Nuclear-weapon parties, however, were under no such obligations regarding their military programmes, thus causing an imbalance. The Treaty should not be seen as legitimizing continued possession of nuclear weapons. In the view of his delegation, the term “non-proliferation” was meant to apply both to the horizontal and the vertical aspects of proliferation.

3. The preparatory process for the 2005 Review Conference provided parties with an opportunity to test their willingness to live up to their commitments. The strength, credibility and permanence of the Treaty rested on a fundamental bargain which must be recognized and upheld if it was to be effective on its own merits. Reaching a meaningful and action-oriented consensus at the 2005 Review Conference to deal with the unprecedented challenges of the times would depend primarily on the ability to keep the original bargain of the Treaty alive and functional. Success would not be measured by agreement on procedure, but by the political will to achieve balanced results.

4. **Mr. Rivasseau** (France) said that all States, whether they had nuclear weapons or not, were aware of the level of security which the Nuclear Non-Proliferation Treaty afforded them. Begun at the initiative of just a handful of States, it had become a multilateral response to the threat of nuclear proliferation and the risk of nuclear war. France reaffirmed its attachment to the Non-Proliferation Treaty (NPT) and its conviction that no other instrument could provide an equivalent level of security to the international community. Throughout its history, the Treaty had faced challenges, from the cold war to the arms race to the limits of the system of safeguards, which the international community had risen to meet. On the eve of the 2005 Review Conference, the current challenge was the circumvention of the non-proliferation norms.

5. There were many examples of failure to observe Treaty obligations. The Libyan Arab Jamahiriya had disclosed its plan to develop nuclear weapons, which it had renounced, in cooperation with the United States of America, the United Kingdom and the International Atomic Energy Agency (IAEA). His delegation welcomed the Libyan decision to rejoin the international community, which would increase its own security first and foremost, as well as regional and international security. Iraq had also begun a nuclear weapons programme, and inspections had led to its dismantling, before their interruption in 1998. Resumed inspections in 2002 had not revealed any indication that the weapons programme had begun again. At the appropriate time, the United Nations and IAEA would be called on to certify the disarmament of Iraq.

6. The Democratic People’s Republic of Korea had indicated its intention to withdraw from the Treaty, had openly declared its military nuclear weapons programme, and was capable of assembling at least one nuclear device. A multilateral political solution to that crisis must be sought, involving all the States of the region, to achieve the full, verifiable and irreversible dismantling of its nuclear programme. The series of revelations about the nuclear programme in Iran and its failure to observe safeguards was of grave concern to the international community. France, Germany and the United Kingdom were attempting to help it restore the confidence of the international community through full cooperation with IAEA, implementation of the Additional Protocol and suspension of activities related

to enrichment. Serious concerns remained, however, about the construction of nuclear-power plants. The three States outside the Treaty structure were also a cause for concern, in particular the proliferation network involving non-State actors that had developed out of Pakistan.

7. The States parties to the Treaty should adopt a “zero tolerance” policy towards violations. The actions of a tiny minority of States which ignored their commitments should not be allowed to undermine the system of collective security and technology exchange supported by the vast majority. To enable IAEA to carry out its verification mission effectively, appropriate human, financial and technical resources must be provided, and France welcomed the recent agreement to increase the Agency’s budget. The IAEA safeguards system should apply to all: France had ratified its relevant Additional Protocol in April 2003. In the view of his delegation, the signing of an additional protocol should become a condition for supply of sensitive nuclear materials. A system of sanctions should also be devised for violations of the non-proliferation regime and withdrawal from the Treaty.

8. The threat of international terrorism had grown in recent years, as had the risk of weapons of mass destruction falling into the hands of terrorists. France had been active within the Group of Eight in the global partnership to prevent the proliferation of weapons of mass destruction. IAEA also had an important role to play in the control and physical protection of nuclear materials, and his delegation welcomed the adoption of its Code of Conduct on the Safety and Security of Radioactive Sources. France had also participated in the review of the Convention on the Physical Protection of Nuclear Materials. The role of the Security Council as the competent body to confront threats to international peace and security should also be reaffirmed.

9. The future of exchanges of nuclear technology for peaceful uses brought with it other types of risks as well. Many developing countries were concerned that the strengthening of the non-proliferation regime could affect their programmes to develop nuclear-power sources. France recognized the importance of nuclear energy as part of a diversified energy policy and as an essential element of sustainable development. It was an active participant in international programmes to develop a new generation of reactors that were safer,

more economical and less open to proliferation. States possessing nuclear technologies must facilitate their transfer to developing countries, thus bridging the divide in the international community.

10. Since its accession to the Treaty in the early 1990s, France had met its commitments under article VI through a number of gestures in good faith. It had endeavoured to implement the programme of action adopted at the 1995 NPT Review and Extension Conference by ceasing production of fissile materials, reducing its nuclear arsenal by eliminating all its surface-to-surface missiles, reducing the number of its nuclear submarines with launch capability and halving the overall total of its vectors. It had also dismantled its nuclear testing base in the Pacific. Those measures had been possible in the new political and strategic climate following the end of the cold war. The Preparatory Committee must reach consensus on the procedural recommendations for the 2005 Review Conference, but it was also important to recognize the importance of issues of substance as well. France would make every effort to assist in finding a consensus in both areas.

11. **Archbishop Migliore** (Observer for the Holy See) said that the recommendations for further action should flow from a common desire to protect the integrity of NPT and its implementation in good faith, which were being challenged. The Treaty had promised a world in which nuclear weapons would be eliminated, and nuclear technological cooperation for development would expand. The heart of that cooperation was the bargain struck with the non-nuclear-weapon States, which agreed not to acquire nuclear weapons in return for the nuclear-weapon States negotiating the elimination of their nuclear arsenals.

12. The current geo-political environment, especially considering the threat of global terrorist networks acquiring weapons of mass destruction, required reinforcement of those commitments, but nuclear business-as-usual could not continue. Nuclear-weapon States had not given evidence that they had met their obligations under article VI to eliminate their nuclear arsenals. Some States, which professed ardent support for the Treaty, were still attached to military policies that held nuclear weapons as essential to guarantee security. Nuclear-weapon States should be pressed to reveal the security conditions under which they could eliminate their arsenals.

13. On the other hand, non-nuclear-weapon States had obligations under article II and article IV that must be observed as well. While all parties had the right to develop and use nuclear energy for peaceful purposes, it was becoming clear that such activities could too easily be used for weapons programmes. Yet another problem was posed by States remaining outside the Treaty framework or withdrawing from it, which should not place them outside larger non-proliferation concerns. At the very least, political, economic and security leverage could be used to assure compliance with the goals of non-proliferation and disarmament.

14. The Holy See reiterated that a peace based on nuclear weapons could not be the peace that the international community sought for the twenty-first century. States parties must reaffirm their fundamental opposition to nuclear weapons as a threat to the survival of humanity, and must focus on recommendations that could command common support. Attention must be paid to the 13 practical steps, the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the irreversible dismantling of tactical and strategic stocks in a transparent and verifiable manner, control of fissile materials on a worldwide basis and the strengthening of the capacity of IAEA. To advance that agenda, a global dialogue was necessary, and the Holy See supported the initiative to hold an international conference to identify ways to eliminate nuclear dangers such as those explicitly mentioned in the Millennium Declaration.

15. **Mr. Bolton** (United States of America) said that his Government supported the Non-Proliferation Treaty and was committed to its goals. However, despite the best intentions of most parties, at least four non-nuclear-weapon States parties had used the Treaty as cover for the development of nuclear weapons. States like the Islamic Republic of Iran, the Democratic People's Republic of Korea, Iraq and the Libyan Arab Jamahiriya had actively violated their treaty obligations and had gained access to technologies and materials for their nuclear-weapons programmes. The Libyan Government had taken the important decision to disclose and eliminate its weapons of mass destruction, a paradigm that other nations seeking nuclear weapons should emulate.

16. The international community must resolve to take action, or more and more States could be emboldened to follow the lead of the Islamic Republic of Iran and

the Democratic People's Republic of Korea and hide behind the cover of the Treaty for legitimacy while pursuing nuclear-weapons technology. The United States remained strongly committed to its obligations under article VI. The transformation of its relationship with the Russian Federation had led to a commitment by President Bush to undertake reductions in deployed nuclear weapons to historically low levels.

17. In order to address loopholes and resolve the crisis of non-compliance with NPT, President Bush had announced four proposals that would strengthen the Treaty and the governance structures of IAEA. The first proposal was to limit enrichment and reprocessing plants for fissile material to those States currently possessing them. Members of the Nuclear Suppliers Group would refuse to sell enrichment and reprocessing equipment and technology to any additional States, and would ensure a reliable supply of nuclear fuel to all States parties in compliance that agreed to forego such facilities. Second, a special committee of the IAEA Board of Governors could be created to focus on safeguards and report clandestine nuclear activity to the Security Council.

18. As a third step, States that were serious about fighting proliferation should approve and implement the Additional Protocol, and, as of the end of 2005, it would be a condition of supply for items controlled by the Nuclear Suppliers Group. Fourth, States under investigation for violations of the Treaty and IAEA safeguards should be prevented from holding seats on the Agency's Board of Governors or its proposed new special committee. It was outrageous that the Islamic Republic of Iran had actually been a member of the Board while that body was deliberating how to deal with its nuclear weapons effort. Ensuring that suspect States did not sit on the IAEA Board was particularly important, given its tradition of trying to reach decisions by consensus.

19. The Treaty's central bargain was that, if non-nuclear-weapon States renounced the pursuit of nuclear weapons, they might gain assistance in developing civilian nuclear power. That bargain was clearly set forth in article IV of the Treaty, which stated that the right to develop peaceful nuclear energy was clearly conditioned upon parties' compliance with articles I and II. In order to determine whether States were in conformity with article II, rigorous verification of compliance was essential. His delegation believed that non-nuclear-weapon States also shared the article I

obligation not to help others acquire nuclear weapons. The United States was willing to work with nations needing to set up efficient export-control systems, but nations must also be willing to enforce those controls. The five permanent members of the Security Council had recently circulated a draft resolution to that effect. Once that resolution had been passed, his country would stand ready to assist other Governments in drafting and enforcing the new laws that would help stem the proliferation of weapons of mass destruction.

20. The world faced significant challenges from terrorist-sponsoring regimes that were developing weapons of mass destruction in many forms. In that regard, he would note three cases: the Islamic Republic of Iran, the Democratic People's Republic of Korea and the Libyan Arab Jamahiriya. The Islamic Republic of Iran represented one of the most fundamental challenges to the non-proliferation regime, having concealed a large-scale covert nuclear weapons programme for over 18 years. It was no surprise that the International Atomic Energy Agency (IAEA) had uncovered much evidence of its undeclared activity. And yet, there was no reason to believe that the Iranian Government had made a strategic decision to abandon its nuclear weapons programme. It had expressed interest in purchasing up to six additional nuclear power plants, and had told IAEA that it was pursuing a heavy-water research reactor of a type that might be well suited for plutonium production. It was clear that the primary role of its "nuclear-power" programme was to serve as a cover for the importation of nuclear technology and expertise.

21. The Islamic Republic of Iran's continued deception and delaying tactics had not gone unnoticed by the international community. IAEA had uncovered a large amount of information indicating numerous major violations of its Treaty Safeguards Agreement. The IAEA Statute required that the Agency's Board of Governors report non-compliance with safeguards obligations to the United Nations Security Council. His delegation believed that that country had clearly met that standard as early as June 2003. At some point, the IAEA Board would have to fulfil its responsibility under the Statute. If the Islamic Republic of Iran continued its unwillingness to comply with the Treaty, the Security Council could then take up the issue as a threat to international peace and security. If it were unable to do so, that would be a blow to the effectiveness of the Council and to the credibility of

the entire Treaty regime. The Islamic Republic of Iran's oil-rich environment, grudging cooperation with IAEA, deception, and 18-year record of clandestine activity led his delegation to believe that it was lying, and that its goal was to develop a nuclear weapon in violation of its article II commitments. If it wanted to restore international confidence in its civilian nuclear programme, that country must take a clear decision to answer satisfactorily all unresolved IAEA questions and must open its nuclear programme to transparent inspections. Otherwise, it would remain in violation of article II of the Treaty and would forfeit any right to civilian nuclear-power assistance.

22. The use of the Treaty by the Democratic People's Republic of Korea to hide its nuclear-weapon ambitions, and its subsequent withdrawal from the Treaty, constituted the clearest example of a State cynically manipulating the Treaty in order to threaten the international community with its nuclear-weapons programme. Continuous international pressure was essential to ensure the complete, verifiable and irreversible dismantlement of its nuclear-weapons programme. His country continued to support the six-party process, but would also continue to measure success in the talks through concrete progress.

23. In December 2003, the Libyan Arab Jamahiriya had declared its intention to voluntarily rid itself of its weapons-of-mass-destruction equipment and programmes, to comply fully with the Treaty, and to sign the Optional Protocol. It had made enormous progress towards fulfilling those commitments, and had dismantled its known nuclear-weapons programme. If States like the Islamic Republic of Iran and the Democratic People's Republic of Korea wished to rejoin the community of civilized nations, they could learn from the Libyan Government's example. As a result, his country had decided to open the way for better relations with that Government, and it would not be the only country to do so. The United States was committed to a strong and effective nuclear non-proliferation regime. However, an irresponsible handful of nations was undermining the Treaty's mission. Only transparency, rigorous verification and firm political resolve against violators could shore up confidence in NPT.

24. **Mr. Løvold** (Norway) said that, since the 2000 Review Conference, NPT had come under increasing pressure. The Committee must therefore ensure that its third session was as productive as possible, so that it could make specific recommendations to the 2005

Review Conference on as many issues as possible. Outstanding compliance issues with a number of countries posed a serious challenge to the Treaty's integrity. Recent disclosure of clandestine networks capable of furnishing equipment for developing complete nuclear-weapon programmes underlined the urgent need for reinforcing compliance with the obligations and commitments under the Treaty. The Security Council had an important role to play in that regard, and his delegation hoped that the Preparatory Committee would adopt a resolution on weapons of mass destruction.

25. The 2005 Conference should confirm that only countries that had signed and implemented an Additional Protocol would be allowed to import materials and equipment for civilian nuclear programmes. International cooperation on export controls of sensitive materials should be strengthened, and the Committee should consider concrete measures to enhance physical protection. It should explore ways to engage non-States parties in non-proliferation while simultaneously urging those States to accede to the Treaty promptly, as non-nuclear-weapon States, and without conditions.

26. Irreversible reductions of existing stockpiles were the best guarantee that weapons did not fall into the wrong hands. More progress in nuclear disarmament was therefore essential. The Conference on Disarmament must commence talks on a multilateral treaty banning production of fissile materials for weapons purposes without further delay. The question of existing stocks of fissile materials must also be addressed. Norway regretted that the Comprehensive Nuclear-Test-Ban Treaty (CTBT) had not yet entered into force. The current moratorium on nuclear-weapon-test explosions did not obviate the need for a legally binding commitment, as provided by CTBT. Negative security assurances by the five nuclear-weapon States to the non-nuclear-weapon States could further strengthen the nuclear non-proliferation regime.

27. The Treaty lacked the institutional machinery to provide adequate protection for States parties' interests. That institutional deficit must be overcome. Norway, therefore, supported the proposal to hold annual conferences of States parties, and his delegation was prepared to study the question of establishing a bureau of the review process as a standing bureau of the Treaty, which would, however, neither replace nor duplicate the mandate of the Security Council or IAEA.

An improved administrative machinery would need support services, and that role might logically be played by the United Nations Department for Disarmament Affairs. An institutional strengthening of NPT would help revitalize the multilateral approach to disarmament, arms control and non-proliferation, and would also help improve transparency. In that regard, his delegation would recall that all States parties, and especially nuclear-weapon States, were obliged to provide regular reporting.

28. **Mr. Khoshroo** (Islamic Republic of Iran) said that, of the Treaty's three pillars, the most important was undoubtedly nuclear disarmament. Contrary to the expectations of non-nuclear-weapon States, the end of the cold war had not brought a concomitant review of nuclear weapons or nuclear doctrines. Indeed, some nuclear-weapon States seemed to be too enamoured of the power of nuclear weapons to meet their Treaty obligations. They were even developing new types of conventional nuclear weapons. The unequivocal undertaking of the nuclear-weapon States to eliminate their nuclear arsenals had still not been honoured. The strengthened review process should devote sufficient time and energy to discuss that issue, and the 2005 Review Conference should establish a subsidiary body to discuss progress made in implementing article VI of the Treaty.

29. With respect to non-proliferation — the Treaty's second pillar — efforts to bring on board all members of the international community had reached a stalemate. True universality offered the only guarantee of the Treaty regime's long-term sustainability. The fact that some States were opting out, by acquiring nuclear arsenals and being exempted from sanctions merely on the grounds of political affiliation, represented the greatest threat to the regime. Since 1974, when the Islamic Republic of Iran had first raised the idea of a nuclear-weapon-free zone in the Middle East, the countries of the region had spared no effort to achieve that aim. However, Israel's unsafeguarded facilities and its arsenal of nuclear weapons posed the biggest threat to all countries in that volatile region. The 2005 Review Conference provided another opportunity to record international demands for Israel to accede to the Treaty and place its nuclear facilities under the IAEA safeguards system.

30. With respect to the Treaty's third pillar — negative security assurances — he noted that the question of the security of non-nuclear-weapon States

against the use or threat of use of non-nuclear-weapon States had been an issue of concern since the very inception of the Treaty. As a disarmament treaty, NPT should be able to allay its members' security concerns. However, recent developments and the latest Posture Review by one nuclear State had proven that unilateral statements failed to provide legally binding security assurances against the use of, or threat to use, nuclear weapons. By establishing a subsidiary body on negative security assurances, the 2005 Review Conference would address the legitimate concerns of non-nuclear-weapon States.

31. Article IV of the Treaty explicitly stressed the inalienable right of all parties to NPT to develop, research, produce and use nuclear energy for peaceful purposes. It should be recalled that the safeguard system, as provided for in article III, paragraph I, was for the exclusive purpose of verifying a party's fulfilment of the Treaty, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. For years, the proper implementation of that article had been hostage to the political whims of providing countries that had failed to give due consideration to the negative effects of their decisions on the economic and technological development of other countries. The Islamic Republic of Iran had been vigilant in its compliance with its obligations under article II and with respect to the non-diversion of nuclear energy. It had embarked on a vast programme of cooperation with IAEA, on the basis of full transparency, and had signed the Additional Protocol. The Treaty's credibility and relevance required a commitment by all parties to uphold its fundamental tenets, to respect the rights of all States parties and to implement all its provisions in good faith. It was a legal regime, and ulterior political considerations should play no role in the implementation of the rights and obligations emanating from it.

32. Responding to the statement made by the representative of the United States of America, he said that that country had systematically undermined every achievement of multilateral forums on nuclear disarmament. Rather than criticizing other States' compliance with the provisions of the Treaty, it should first clarify serious doubts about its own commitment to the Treaty and to multilateral disarmament regimes. The United States had violated its obligations under articles I, IV and VI of NPT and, by actively

supporting Israel's nuclear programme, had undermined international and regional peace and security. Its extraterritorial legislation had systematically hampered the Islamic Republic of Iran's economic and technological development, in clear violation of article IV of the Treaty. Furthermore, it had launched a vicious disinformation campaign including allegations that his country was seeking nuclear weapons. IAEA had stated in a November 2003 report that there was no evidence that previously undeclared nuclear materials and activities were related to a nuclear-weapon programme. Moreover, eight months of inspections had proven nothing to the contrary. The Islamic Republic of Iran's case was being duly dealt with by IAEA, in accordance with established procedure, and it was doubtless the very success of that procedure that had prompted the baseless accusations made by the representative of the United States.

33. **Mr. Antonov** (Russian Federation) said that, as one of the initiators and depositaries of the Non-Proliferation Treaty (NPT), his country was committed to strengthening the Treaty and making it universal. NPT remained a major pillar of the international security system. There had been several setbacks in the area of non-proliferation such as the announcement by the Democratic People's Republic of Korea to withdraw from the Treaty, the emergence of terrorist structures, insufficient export controls in many countries and other factors. His Government expressed the hope that the Comprehensive Nuclear-Test-Ban Treaty, an important means of non-proliferation and arms control, would be ratified by the States whose ratification was required for its entry into force.

34. Terrorism was a major challenge. President Putin had repeatedly declared the Russian Federation's commitment to preventing terrorists from gaining access to weapons of mass destruction. Special attention should be given to combating the trafficking in such weapons, which required multilateral cooperation.

35. The Preparatory Committee should take a balanced approach to its work and not give undue focus to certain issues, however important, at the expense of others. Together, Committee members must seek ways and means of bringing States that remained outside the Treaty in line with the international nuclear non-proliferation regime, particularly by expanding the verification activities of the International Atomic

Energy Agency (IAEA) and strengthening national legislation on arms control, protection of nuclear material and export control.

36. The Russian delegation remained committed to nuclear disarmament, particularly in the framework of article VI of the Treaty. To that end, his country had signed the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions, under which both parties would reduce their strategic nuclear warheads to a level of 1,700 to 2,200 by 31 December 2012. In other words, the number of warheads would be reduced by three times as much as the level established under the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I).

37. The Russian Federation had eliminated 1,250 intercontinental ballistic missiles (ICBMs) and sea-launched ballistic missiles (SLBMs), 2,580 ICBM and SLBM delivery vehicles, 43 strategic nuclear-powered submarines and 65 heavy bombers. As of 1 January 2004, it had possessed 1,031 deployed strategic offensive delivery vehicles and 4,978 warheads and was endeavouring to eliminate nuclear warheads for land-based tactical missiles, nuclear artillery shells and nuclear mines according to its technological and financial capabilities. Its nuclear weapons were stationed in the territory of the Russian Federation. His Government expected reciprocity. Nuclear weapons must be withdrawn to the territories of nuclear-weapon States. That might be an important step towards strengthening international stability and providing for a more favourable environment for further nuclear weapons reductions.

38. The international community should be moving gradually towards general and complete disarmament, taking a comprehensive approach and setting realistic targets. Nuclear disarmament, including non-strategic nuclear arms reduction, must go hand in hand with other forms of disarmament. Disarmament must be pursued on the basis of the principles of equal security, joint responsibility and cooperation. There was a need for steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promoted international stability and was based on the principle of undiminished security for all. Negotiations should begin on a non-discriminatory, multilateral and internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices within the framework of the

Conference on Disarmament. There was also a need for an Ad Hoc Committee within the Conference on Disarmament to deal with nuclear disarmament. It was regrettable that those two recommendations put forward at the 2000 Review Conference had not been implemented.

39. Enhancing the effectiveness of the IAEA verification activity was key to strengthening the non-proliferation regime. Additional protocols to the IAEA Safeguards Agreement were reliable instruments for ensuring transparency of national nuclear programmes. His Government expected to ratify an Additional Protocol in the near future. The Russian Federation would continue to provide all possible assistance to the Agency in its efforts to verify that parties to the Treaty complied with Safeguards Agreements. To prevent leaks of dangerous nuclear materials, his country and the United States, together with IAEA, had removed highly enriched nuclear fuel from research reactors in Bulgaria, the Libyan Arab Jamahiriya, Romania and Serbia and Montenegro. A similar initiative on the safety and security of radioactive material was being implemented, and several missions had been carried out in the Commonwealth of Independent States during the previous year for the purpose of inventorying that material. Despite continued tensions in connection with the nuclear problem relating to the Democratic People's Republic of Korea, the situation could be resolved only by political and diplomatic means. The return of that country to the Treaty was not only necessary but also possible.

40. The violation of its Treaty obligations by the Libyan Arab Jamahiriya was a matter of concern. In that context, Tripoli's renunciation of its weapons of mass destruction programmes was welcome. Developments in connection with the Iranian nuclear programme were complex, however there were some signs of progress. The Russian delegation expressed the hope that more active cooperation between the Islamic Republic of Iran and IAEA and its forthcoming signing of the Additional Protocol would make it possible to resolve that situation. In accordance with NPT, the Russian Federation was taking an active part in technical assistance and cooperation programmes for the peaceful uses of nuclear energy. At the Millennium Summit, President Putin had put forward proposals to develop nuclear technologies resistant to proliferation. The first phase of that project had already been successfully implemented under IAEA auspices. States

were urged to join that and other similar projects to help to achieve a common vision of the prospects for using nuclear energy.

41. Nuclear-weapon-free zones were an effective means of strengthening the nuclear non-proliferation regime and enhancing regional and international security. The lack of progress in establishing such a zone in the Middle East was cause for concern. There was hope, however, that recent adjustments in the positions of some countries of that region in non-proliferation matters would help to change the situation. The near completion of a nuclear-weapon-free zone in Central Asia was welcome. The Russian Government supported the efforts of non-parties to the Treaty to obtain legally binding security assurances and had already provided such assurances to more than 100 States that had joined the relevant nuclear-weapon-free zones agreements. It also supported a comprehensive negative security assurances agreement provided that it contained reservations stipulating when nuclear weapons might be used. It was time to grant the Ad Hoc Committee on Negative Security Assurances a mandate to negotiate at the Conference on Development.

42. Preventing an arms race in outer space was also essential in the context of the Treaty. His country continued to believe that keeping outer space free from weapons of any kind was an important guarantee of sustained international stability. Furthermore, placing weapons in space might encourage the proliferation of nuclear and other weapons of mass destruction. As President Putin said before the General Assembly at its fifty-eighth session: "We believe that a comprehensive agreement should be elaborated on this issue, and invite all countries possessing potential in this area to join our initiative." Lastly, the Russian delegation stood ready to cooperate with the Committee on the basis of equality and partnership in order to contribute towards strengthening the Non-Proliferation Treaty and the entire nuclear non-proliferation regime.

43. **Mr. Al-Shamsi** (United Arab Emirates), associating his delegation with the statements made by Malaysia on behalf of the Movement of Non-Aligned Countries and Egypt on behalf of the Arab Group, said that, although 35 years had elapsed since the development of the Non-Proliferation Treaty and a number of meetings and review conferences had been convened since, progress towards disarmament had fallen short of the international community's expectations. The gap

between the ambitions of nuclear-weapon States and the demands of non-nuclear-weapon States that were committed to the provisions of the Treaty was widening, which compounded the problem of implementing the Treaty and making it universal.

44. The current meeting should focus on six main priorities which would contribute to gradual progress on nuclear disarmament. First was the demand that nuclear-weapon States implement all the pledges made during the NPT Review Conferences in 1995 and 2000, including the 13 steps agreed on during the 2000 Review Conference. Second was the need to halt the expansion of the nuclear arms race to new regions, especially the Arab Gulf region, which had been tense for decades. States that carried out nuclear tests and developed and stockpiled fissile material should reconsider their policies, which threatened international and regional peace and security, and should comply with the NPT. Third was supporting efforts to establish an international, binding instrument that guaranteed the security of non-nuclear-weapon countries and protection from nuclear attack.

45. Fourth were more effective measures to ensure that States that had not become party to the Treaty did so, to strengthen its universality and effectiveness. Fifth was encouraging States to enter into legal agreements and arrangements aimed at establishing nuclear-weapon-free regions and subregions, which during the past two decades had proved successful in reducing nuclear proliferation and creating a more stable environment for confidence-building, cooperation and development. Sixth was laying emphasis on the inalienable right of all countries, in particular the developing countries, to produce and exploit nuclear energy for scientific research and peaceful purposes, as well as their right to obtain nuclear technology without discrimination.

46. His delegation was very concerned about the international community's leniency towards Israel's refusal to accede to the Treaty. Israel was the sole State in the region that possessed nuclear reactors and dangerous arsenals, which heightened the tension and conflict in the region that had been caused by its occupation of the Arab and Palestinian territories. He therefore called upon the international community to address such an exception to the nuclear non-proliferation regime, which, if not redressed, would pose a direct threat to regional and international peace and security.

47. NPT States parties, especially nuclear-weapon States, must make every effort to compel Israel to accede, unconditionally, to the Treaty and comply with the IAEA resolution on the application of safeguards in the Middle East (GC(38)/Res/21), which included dismantling all of its military nuclear facilities. It also involved refraining from providing any financial and technical assistance to Israel for the nuclear activities. Finally, enforcement of non-proliferation should be based on the principles of justice, transparency and equality. That would ensure the universality of the Treaty and protect the world from the possibility of catastrophic nuclear confrontations.

48. **Mr. Nguyen Duy Chien** (Viet Nam) said that his delegation wished to associate itself with the statement made by Indonesia on behalf of the Non-Aligned Movement States parties to the Treaty. As the cornerstone of the global non-proliferation regime, the NPT covered both vertical and horizontal aspects of non-proliferation of nuclear weapons. Its implementation would not be complete if the international community's efforts were aimed at only one aspect of the problem. Strengthening the Treaty regime should be one of the highest priority issues discussed at the third session. It was universally recognized that the Treaty also constituted the essential foundation for nuclear disarmament. Owing to the relationship between the Treaty and nuclear disarmament, the promotion of nuclear non-proliferation went hand in hand with corresponding progress towards nuclear disarmament.

49. In view of the very slow progress made towards disarmament over recent years, it was all the more important that nuclear-weapon States should strictly meet their obligations to halt the improvement, development, production and stockpiling of nuclear warheads and their delivery systems. Indeed, nuclear-weapon States must fully implement their unequivocal undertakings at the 2000 Review Conference to accomplish the total elimination of their nuclear arsenals. Until that was achieved, efforts to conclude a universal, unconditional and legally binding instrument on security assurances for non-nuclear-weapon States should be pursued as a matter of priority. However, his delegation wished to emphasize the legitimate right of all States parties to use nuclear energy for peaceful purposes.

50. Nuclear-weapon-free zones not only made a significant contribution towards the achievement of

regional and international security, they also strengthened the Treaty regime and the process of total nuclear disarmament. His delegation therefore wished to reiterate its strong support for the nuclear-weapon-free zones established by the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba; Mongolia's nuclear-weapon-free status; and the efforts made to implement the resolution adopted at the 1995 Review Conference aimed at making the Middle East a nuclear-weapon-free zone. Viet Nam attached great importance to the work of the Preparatory Committee, and hoped that it would be able to produce a consensus report.

51. **Mr. Swe** (Myanmar), associating his delegation with the statement made by Malaysia on behalf of the Movement of Non-Aligned States, said that multilateral agreements and approaches were the only way to effectively respond to disarmament issues and new security challenges such as the proliferation of weapons of mass destruction and terrorism. Achieving universal adherence to the Nuclear Non-Proliferation Treaty was of paramount importance. Consequently, expanded membership as well as the reinstatement of a State party that had announced its intention to withdraw from the Treaty in 2003 would be welcome.

52. Nuclear non-proliferation and nuclear disarmament must go hand in hand. That was why at the 2000 NPT Review Conference States parties had agreed on a Final Document that included the unequivocal commitment of nuclear-weapon States to eliminating their nuclear arsenals. However, some nuclear-weapon States had tended to disassociate nuclear non-proliferation from nuclear disarmament. All attention had been given to non-proliferation at the expense of disarmament, which should also be at the top of the agenda.

53. Security assurances had been widely recognized as a key to strengthening the Nuclear Non-Proliferation Treaty. The policy of the non-first use of nuclear weapons and the non-use and non-threat of the use of nuclear weapons against non-nuclear-weapon States was also important, which was emphasized at the 1995 NPT Review and Extension Conference. The 2000 NPT Review Conference had also provided for legally binding security assurances by the five nuclear-weapon States to the non-nuclear weapon States parties to the Treaty. Consideration should be given to security assurances in the programme of work of the current Preparatory Committee, and a subsidiary body on nuclear disarmament should be established at the 2005

Review Conference to address the important issue of security assurances effectively.

54. The NPT was the cornerstone of the global community's aspirations for nuclear disarmament, non-proliferation and peaceful uses of nuclear energy. To sustain and strengthen the non-proliferation regime, both the nuclear-weapon States and the non-nuclear-weapon States must live up to their obligations. In that regard, nuclear-weapon States must make significant progress towards fulfilling their commitments under article VI and the 13 steps to nuclear disarmament for the sake of the Nuclear Non-Proliferation Treaty and global security.

55. **Mr. Requeijo Gual** (Cuba), having associated himself with the statement made by Malaysia on behalf of the Non-Aligned Movement, regretted that the objective of the total elimination of nuclear weapons had not been achieved. The lack of progress by the nuclear-weapon States towards meeting their commitment made at the 2000 Review Conference regarding the total elimination of nuclear weapons was unacceptable. The final document of the 2005 Review Conference must contain practical commitments which clearly reflected the role that those States must play in ensuring a transparent, verifiable and irreversible nuclear disarmament process. Certain nuclear-weapon States did not appear to have the political will to eliminate nuclear weapons, and he stressed that military doctrines based on the possession of nuclear weapons were unsustainable and unacceptable.

56. Cuba deplored the selective implementation of the Non-Proliferation Treaty and stressed that it was unacceptable to give priority to horizontal non-proliferation while neglecting nuclear disarmament and the peaceful use of nuclear energy. His Government was meeting all its obligations as a State party to the Treaty and in September 2003 had signed a Comprehensive Safeguards Agreement with the International Atomic Energy Agency and the Additional Protocol to it. Domestic procedures to ratify those instruments were well advanced and would be concluded within the time frame established by the Treaty.

57. His delegation believed the current session should focus on issues relating to nuclear disarmament, security assurances and the Middle East. An unconditional and legally binding universal instrument on security assurances for non-nuclear-weapon States

could not be delayed, and a new subsidiary body for that purpose should be established at the 2005 Review Conference. The situation of the multilateral disarmament and arms control machinery was a source of growing concern: the Conference on Disarmament was at a stalemate; the United Nations Disarmament Commission had not even begun to consider substantive issues; the First Committee still adopted resolutions which often were not implemented. Attempts were being made to stress non-horizontal proliferation rather than disarmament while, outside the traditional disarmament machinery, steps were being taken about which most States had not been consulted.

58. He expressed concern that the Security Council was considering a draft resolution on weapons of mass destruction, the main author of which was a nuclear-weapon State which had shown no interest in nuclear disarmament. The draft resolution exceeded the mandate of the Security Council, attempted to grant the Council functions in the drafting of international treaties which went beyond its remit, and concentrated on horizontal proliferation while virtually ignoring vertical proliferation and nuclear disarmament. The adoption of such a text under Chapter VII of the Charter of the United Nations, as was intended, could allow it to be used as a pretext for the unilateral and abusive use of force based on allegations or suspicions concerning the proliferation of weapons of mass destruction or their components. That was of great concern to his Government, given the groundless accusations made by high-ranking United States officials that Cuba possessed a limited capacity for research on and development of biological weapons, which he categorically denied.

59. The language of the draft resolution was sufficiently ambiguous to be interpreted as legitimizing the Proliferation Security Initiative created by a group of States without a United Nations mandate or the support of any broadly accepted multilateral treaty. Although Cuba shared the concerns of the international community about the risk of links between terrorism and weapons of mass destruction and fully supported legitimate international efforts to counter that threat, his delegation believed that the Initiative, rather than contributing to international unity regarding that issue and to strengthening the role of the United Nations and international instruments, in fact weakened such efforts. It would establish a selective membership

mechanism which was not transparent and would operate outside the United Nations and international instruments. It could even lead to actions contrary to the provisions of the United Nations Convention on the Law of the Sea regarding the passage of vessels through territorial waters and the jurisdictional regime enshrined at that Convention. It could also be manipulated to authorize abusive actions against the vessels and aircraft of other States.

60. The risk of the use of weapons of mass destruction by terrorists could not be eliminated through selective actions such as the Proliferation Security Initiative. Only a multilateral and non-discriminatory approach could be effective in preventing the use of weapons of mass destruction by terrorists or States. The total prohibition and elimination of such weapons, including nuclear weapons, was the only guarantee that they would not fall into the hands of terrorists. His delegation would submit to the Committee a working document on the Proliferation Security Initiative as well as the text of the "Havana Declaration" adopted at the eighteenth regular session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), held in Cuba in November 2003.

61. **Ms. Gak** (Ukraine) invited other delegations to join with her delegation in working towards specific recommendations for the Review Conference in order to strengthen the Non-Proliferation Treaty and help counter the grave threats to the global nuclear non-proliferation regime which had arisen in recent years. The Treaty remained a key tool in preventing the proliferation of nuclear weapons and maintaining strategic stability in the world. In that regard, she recalled that 10 years earlier Ukraine had foresworn its nuclear capability and acceded to the Treaty.

62. Despite progress made in countering both horizontal and vertical proliferation in the mid-1990s, the international community was currently facing the global and regional challenges posed by the growing risk of the spread of materials, equipment and expertise for manufacturing nuclear weapons and by the risk of their acquisition by terrorist organizations. That made the need to preserve the Non-Proliferation Treaty's credibility and effectiveness all the more urgent. All States parties should unreservedly implement the decisions of the 1995 and 2000 Review Conferences and, in that context, she hailed the decision of the

Libyan Arab Jamahiriya to renounce its weapons of mass destruction programme, accede to the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and cooperate closely with the international community. The Democratic People's Republic of Korea should likewise relinquish its nuclear ambitions, resume its cooperation with the International Atomic Energy Agency and comply with the provisions of the Non-Proliferation Treaty and with IAEA safeguards agreements. The current crisis should be resolved through continued multilateral dialogue and diplomacy on the political level.

63. Existing mechanisms, in particular United Nations mechanisms, as well as new ones, should be used to prevent the spread of nuclear weapons, related materials, equipment and technology. She therefore welcomed the adoption of the European Union strategy against proliferation of weapons of mass destruction and noted with appreciation efforts to expand international cooperation within the G-8 Global Partnership, in which Ukraine would like to participate. It was urgent that the International Atomic Energy Agency's ability to verify declared nuclear activities and detect clandestine nuclear activities should be further enhanced through universal application and strengthening of the safeguards system, including the Additional Protocol. Her Government was in the process of completing domestic legal procedures necessary to bring the Protocol into force.

64. She noted with satisfaction the entry into force of the Moscow Treaty on Strategic Offensive Reductions, the strict implementation of which would facilitate meeting the Non-Proliferation Treaty disarmament goals and enhance international stability. The reductions in nuclear arsenals pursuant to that Treaty should be irreversible, and the United States and the Russian Federation should continue to work towards the reduction of non-strategic nuclear weapons in accordance with the 1991 and 1992 presidential nuclear initiatives.

65. Progress towards effective nuclear disarmament since the 2000 Review Conference had unfortunately, been far from satisfactory. It did not appear that the Comprehensive Nuclear-Test-Ban Treaty would enter into force in the near future; as a party to that Treaty, Ukraine urged all States to accede to it and called upon the nuclear-weapon States which were not parties to it to exercise the utmost restraint in conducting nuclear tests and maintain the global nuclear-weapon test

moratorium. It was essential to resolve the protracted political impasse in the Conference on Disarmament and to commence negotiations on a fissile material cut-off treaty. Furthermore, legally binding security assurances on the part of the nuclear-weapon States for the non-nuclear-weapon States would significantly strengthen the nuclear non-proliferation regime by eliminating the temptation to pursue nuclear capabilities.

66. **Mr. Bouchaara** (Morocco) said that, despite widespread support for the Nuclear Non-Proliferation Treaty and the contribution which it had made to maintaining international peace and security, many problems remained. The non-proliferation regime was in a severe crisis caused by changes in the international situation since the early 1990s, such as nuclear proliferation, changes in national perceptions of collective security, the risk of nuclear terrorism, trafficking in sensitive materials, regional proliferation, selective implementation and the refusal by certain States to exclude the use of nuclear weapons in classical operational theatres.

67. Questions could also be raised concerning the effectiveness of the Treaty. Although there was agreement that the proliferation of nuclear weapons had a destabilizing effect on international peace and security, lack of trust between States parties made effective implementation difficult. In order to restore trust between States parties, the nuclear-weapon States must take effective measures to implement article VI. Lack of progress in that regard was a source of frustration and concern for many non-nuclear States despite welcome reductions in nuclear arsenals. Further innovative steps must be taken voluntarily by the nuclear-weapon States to continue reducing their arsenals in order to create a more favourable climate for achieving all the Treaty's objectives and meet the security needs of the States parties.

68. Trafficking in sensitive materials continued to be a source of concern for the international community yet existing multilateral instruments, including the Non-Proliferation Treaty, could not alone counter the risks of nuclear terrorism. Based on the notion of deterrence, they had no effect on terrorists. The basic technology needed to manufacture nuclear arms was easily accessible but non-State actors must be prevented from acquiring nuclear weapons, radioactive materials and delivery systems.

69. The most effective mechanism for achieving that objective would of course be the complete elimination of nuclear weapons. That objective would not, however, be achieved in the foreseeable future, which was why the 2000 Review Conference had identified the 13 practical steps towards nuclear disarmament. The most urgent step was to open negotiations on a fissile material cut-off treaty, as mandated by the 2000 Review Conference. The issue of radiological weapons must also be taken up again, given the very real threat of terrorist use of a so-called dirty bomb in an urban centre. An international convention on radiological weapons could help prevent such a catastrophe.

70. Universal ratification of the Non-Proliferation Treaty would strengthen the credibility of the international non-proliferation regime and it was therefore unfortunate that Israel refused to adhere to the Treaty, which was a source of concern not only for the States of the region but for the international community as a whole. Israel, the only State in the region possessing a military nuclear programme, continued to refuse to submit its nuclear facilities to the IAEA safeguards system. Its attitude was a major obstacle to the creation of a climate of trust, which would be the first step towards the establishment of a nuclear-weapon-free zone in the Middle East. That issue should be considered by the Preparatory Committee as well as the 2005 Review Conference.

71. He regretted the delays in the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and recalled that his Government was a State party to the Non-Proliferation Treaty, the IAEA safeguard agreements, the Comprehensive Nuclear-Test-Ban Treaty and the Convention on the Physical Protection of Nuclear Material. In addition, it would soon conclude an Additional Protocol with IAEA. He urged the Agency to continue to assist developing countries in taking advantage of the peaceful uses of nuclear energy, a right recognized by the Treaty which would play an important role in their sustainable development.

72. The current crisis in the non-proliferation regime, which went beyond the Treaty itself and touched on international issues such as the need for dialogue and cooperation and for negotiated, peaceful, political solutions, must be overcome. Recent initiatives seemed to highlight more coercive strategies in the name of efficiency, but more than ever before it was in the interest of all concerned to work towards consensus

based on negotiation and respect for the law. That would avoid further erosion of the non-proliferation regime and promote more coordinated action. Mankind was not free of the threat of a nuclear accident or terrorist act, and all stakeholders of good will must remain vigilant and fully mobilized. His delegation firmly believed that only dialogue and mutual understanding could prepare the way towards achieving the shared objectives of peace and security.

73. **Mr. Abdel-Moneim** (Egypt), speaking on behalf of the Arab Group, said that at a time when the international community was dealing with major challenges and the effectiveness of multilateral institutions was in question, the States parties to the Non-Proliferation Treaty must reaffirm its status as the cornerstone of the non-proliferation regime and nuclear disarmament. The Arab Group fully supported the international collective security regime and measures to promote nuclear disarmament. In that regard, he noted that Israel was the only State in its region that possessed nuclear weapons, which threatened regional security and the credibility of the non-proliferation regime.

74. The States parties in particular the nuclear-weapon States, must prevail on Israel to accede to the Treaty and comply with the relevant resolutions adopted at the 1995 and 2000 Review Conferences. The 2005 Review Conference must stress the importance of Israel's ratification of the Non-Proliferation Treaty as a first step towards the creation of a nuclear-weapon-free zone in the Middle East. Accordingly, the Arab Group proposed that a subcommittee of the Second Committee of the Conference should be established to consider the issues relating to the implementation of relevant resolutions and to encourage all States parties, in particular the nuclear-weapon States, to prevent the transfer of nuclear technology to Israel.

75. With regard to nuclear disarmament in general, the Arab Group supported the decisions taken at the 1995 and 2000 Review Conferences and looked forward to discussion of the measures highlighted in that respect at the 2005 Review Conference. The Arab Group, whose States members were non-nuclear-weapon States, regretted that some States possessed nuclear weapons and also deplored the development of new types of nuclear weapons. It therefore supported the call by the Non-Aligned Movement for the establishment of a body at the 2005 Review

Conference to consider nuclear disarmament issues and the full implementation of recommendations made in that regard.

The meeting rose at 1.05 p.m.