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

13 June 2005

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Summary record of the 6th meeting

Held at Headquarters, New York, on Wednesday, 4 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Smith (Vice-President) (Australia)
later: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

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05-33139 (E)

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The meeting was called to order at 3.15 p.m.

General debate (*continued*)

1. **Mr. Vidošević** (Croatia) said that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had proved to be the most important legal deterrent against proliferation while at the same time promoting the peaceful uses of nuclear energy, in the process enhancing both regional and global security and stability. The world expected much from the current Review Conference, as evidenced by the strong involvement of civil society organizations on the sidelines.

2. The three pillars on which the NPT was based — nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy — were all equally important. If legally binding security assurances were given by the five nuclear-weapon States to non-nuclear-weapon States, it would avoid unnecessary insecurity. Moreover, all nuclear-capable States should cooperate with those in need of advice and help in the peaceful uses. Many developing countries and countries with economies in transition relied on the Technical Cooperation Programme of the International Atomic Energy Agency (IAEA) for the transfer of nuclear knowledge.

3. The withdrawal of the Democratic People's Republic of Korea from the NPT was regrettable, and an adequate mechanism had to be developed to handle such situations. Also, the proposal to hold annual conferences of the States parties merited consideration.

4. The implementation of Security Council resolution 1540 (2004) and the work of the Committee established pursuant to it should seriously hamper the proliferation of nuclear technology and know-how or weapons of mass destruction to non-State actors. Regular reporting by all States parties on the implementation of article VI of the NPT and of paragraph 4 (c) of the 1995 Review Conference decision on principles and objectives for nuclear non-proliferation and disarmament was a precondition for successful implementation of the Treaty. An IAEA safeguards agreement combined with an additional protocol offered the proper standards of verification, and all States parties were urged to conclude an additional protocol as soon as possible and to make its conclusion a condition of nuclear supply to any non-nuclear-weapon State. Also, States parties should

refuse on principle to cooperate with States that were not in compliance with their IAEA safeguards agreements.

5. The early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) was crucial. States parties to the NPT should ratify it, in the meantime observing the moratorium on nuclear-weapon testing of any kind. Also, negotiations should begin immediately on a verifiable multilateral treaty banning the production of fissile material for nuclear weapons and other nuclear devices, within the Conference on Disarmament or any other appropriate forum.

6. Croatia's strategic priorities were to strengthen its legal and administrative procedures relating to non-proliferation, export controls and nuclear safety. As a way of curbing illegal trafficking in particular, it had adopted legislation on the import and export of arms, military equipment and dual-use materials. It had given priority to legislation on nuclear safety and security and had adopted laws and regulations that were in accordance with European Union legislation, and in January 2005, it had established a National Institute for Nuclear Safety. It was also implementing the Nuclear Suppliers Group Guidelines and its list of products. Croatia was, moreover, a party to all the major international nuclear non-proliferation agreements, and had concluded an IAEA additional protocol. It supported the Interdiction Principles for the Proliferation Security Initiative, which it would soon be joining, and had applied for membership in the major international arms control regimes.

7. *Mr. Smith (Australia), Vice-President, took the Chair.*

8. **Mr. Galbur** (Republic of Moldova) observed that during the past decade a number of steps had been taken towards achieving the goals of the NPT, including the voluntary renouncement of nuclear weapons by Ukraine, Kazakhstan and Belarus. The Republic of Moldova supported the establishment of nuclear-weapon-free zones in the various regions, recognizing them as an important complement to the NPT. It urged all States which had not yet acceded to the NPT to do so, and it called on the Democratic People's Republic of Korea to reconsider its withdrawal from the Treaty.

9. It was a source of concern that the CTBT was still not in force nine years after its adoption and that its spirit and objectives had been challenged, especially by

countries whose ratification was essential. The stalled negotiations on a fissile material cut-off treaty in the Conference on Disarmament should be restarted, and that body should adopt a more constructive approach in order to advance the disarmament process.

10. Since attaining independence, the Republic of Moldova had acceded to the NPT, concluded a safeguards agreement with IAEA and signed the CTBT. His Government was doing everything possible, including the adoption of legislation and the development of cooperation with other States, to prevent possible transfers through its territory of any components, materials and technology related to weapons of mass destruction. Under the European Union (EU) Action Plan for the Republic of Moldova, signed in February 2005, his Government was committed to following the EU Strategy against Proliferation of Weapons of Mass Destruction and its export control regimes. His Government was also committed to the goals of the Group of Eight (G-8) Global Partnership against the Spread of Weapons and Materials of Mass Destruction, and to the Proliferation Security Initiative.

11. The tragic terrorist attacks in the United States, Spain and the Russian Federation had made it urgent to keep non-State actors from having access to weapons and military technologies. That was a sensitive issue for the Republic of Moldova because of the unconstitutional separatist regime, supported militarily by the Russian Federation, in its Transnistrian region, whose economy was based mainly on illicit production of and trafficking in arms and ammunition, known to be marketed to other separatist conflict zones in the region. An international assessment of the huge stockpiles of weapons and ammunition in the breakaway region was imperative. Without Moldovan control of its Transnistrian region, his Government could not ensure appropriate control of proliferation in its own territory. It therefore called on the Government of the Russian Federation to withdraw its troops and military equipment from Moldovan territory, in keeping with its commitments.

12. **Mr. Hachani** (Tunisia) said that the NPT remained the cornerstone of the global non-proliferation system and the essential foundation for pursuing nuclear disarmament. It was for the States parties to find the proper balance between their respective obligations and responsibilities under its provisions. Regrettably, there had been no meaningful

progress towards nuclear disarmament, the goal of article VI of the Treaty. The nuclear-weapon States had yet to fulfil the unequivocal commitments they had made at the 2000 Review Conference to begin eliminating their arsenals. Tunisia hoped that they would honour their promise by speeding up negotiations on the 13 practical steps agreed upon in 2000. In the meantime, effective safeguards had to be put in place against the use or the threat of use of nuclear weapons against States that had voluntarily renounced the possession of nuclear weapons, which were the majority of the United Nations Member States.

13. To be meaningful, the NPT must be applied in its entirety. It was a matter of concern that the CTBT, conceived of as one of the chief means of giving effect to article VI of the Treaty, had not yet entered into force. Moreover, the development of new types of nuclear weapons was contrary to the guarantees given by the nuclear-weapon States at the time of the adoption of the CTBT, whose provisions prohibited both the qualitative improvement of existing nuclear weapons and the development of new types. One objective still to be achieved was the drafting of a fissile material cut-off treaty. Negotiations had not even begun on such an instrument, even though it was crucial for the speedy and effective elimination of nuclear weapons.

14. The effectiveness and credibility of the NPT depended on its universality. It was especially urgent for States with a nuclear capability to accede to it, for that would reinforce security in regions of tension like the Middle East, where Israel was the only State not a party to the Treaty. It was, furthermore, imperative to establish a nuclear-weapon-free zone in the Middle East as soon as possible.

15. **Mr. Bahran** (Yemen) welcomed the establishment of new nuclear-weapon-free zones in the world and expressed the hope that one would soon be established in the Middle East, a step that would be possible only if Israel complied with international law, became a party to the NPT, fully abandoned its nuclear-weapon programme and concluded a safeguards agreement and additional protocol with IAEA. In the meantime, all States should stop transferring nuclear supplies, equipment and know-how to Israel. Perhaps a new subcommission or other mechanism was needed to focus on the establishment of a nuclear-weapon-free zone in the Middle East.

16. The NPT regime must be strengthened through universal accession to the Treaty and full compliance with its articles IV and VI. No State party should be allowed to denounce or withdraw from it. He called for a complete and irreversible halt to all nuclear-weapon activities, including the development and modification of nuclear-weapon systems, whether large or small, strategic or non-strategic, and for a timetable for the complete elimination of nuclear weapons and safeguards to ensure that such weapons were not used for military or political purposes. He stressed the importance of achieving genuine progress in implementing the 13 practical steps, reviewing the legality of nuclear action in connection with articles II and III of the Treaty and adopting Security Council provisions criminalizing the illegal transfer of nuclear technology. Nuclear know-how should be channelled towards the peaceful uses of nuclear energy in developing countries, and its transfer should be monitored. The use of nuclear power for exclusively peaceful purposes would cut down on environmental damage and harmful climate change.

17. His delegation welcomed the outcome of the International Ministerial Conference on Nuclear Power for the 21st Century, held in Paris on 21 and 22 March. Nuclear power must be subject to stringent safety standards in order to ensure that nuclear technology was used exclusively for peaceful purposes beneficial to all, and account must be taken of fuel-cycle-related problems. Since nuclear weapons could fall into the hands of non-State actors, early action on the Convention on the Physical Protection of Nuclear Material was called for. In that connection, his delegation awaited further details on the outcome of the IAEA International Conference on Nuclear Security, held recently in London.

18. Yemen envisioned a world in which nuclear fuel was totally separate from weapons fuel — an arrangement that would reduce environmental damage and the effects of climate change and help eliminate poverty for all peoples. It hoped that, as a significant first step towards that end, the Conference would arrive at a consensus.

19. **Mr. Verbeke** (Belgium) said that various measures had either been insufficient or undertaken too late: the CTBT had not yet entered into force; negotiations on a fissile material cut-off treaty had yet to be opened; much remained to be done in order to achieve irreversibility, verification and transparency in

arms reduction by the nuclear-weapon States; and too few States had concluded safeguards agreements and additional protocols with IAEA. Calling for a global and universal response to such challenges, he welcomed the recent conclusion of the International Convention for the Suppression of Acts of Nuclear Terrorism and the adoption of Security Council resolution 1540 (2004). Belgium condemned the development of nuclear weapons by the Democratic People's Republic of Korea and urged that country to resume its cooperation with IAEA and allow inspectors to return to its nuclear facilities. The Conference should consider the repercussions of a State party's withdrawal from the Treaty, including the possibility of intervention by the Security Council.

20. His delegation was equally concerned about the nuclear programme of the Islamic Republic of Iran and urged Iranian authorities to limit the more sensitive phases of the country's nuclear fuel cycle. At the same time, however, the international community must understand that limitations under article IV could be imposed only in particularly distressing situations. He urged the Islamic Republic of Iran to suspend its enrichment and reprocessing programmes indefinitely, within the framework of the agreement it had signed in Paris several months earlier, and to comply with the expanded verification regime established by IAEA, which provided a promising basis for the objective guarantees sought by the international community. Security guarantees must also be applied to States involved in regional conflicts, both in the Middle East and South-East Asia, whether or not they were parties to the NPT.

21. Belgium welcomed the conclusion of the Strategic Offensive Reductions Treaty by the United States of America and the Russian Federation in 2002 and advocated a steadily diminishing role for nuclear weapons in security policy. The global arms reduction process should also include a reduction in non-strategic nuclear arsenals. He expressed satisfaction at the continued observance of a moratorium on nuclear testing and called for the entry into force of the CTBT. It was regrettable that the diplomatic potential of the Conference on Disarmament was not being fully exploited. Failure to achieve a consensus on constructive proposals, including those put forward by Belgium, and the lack of agreement on a programme of work could severely delay urgent negotiations on a fissile material cut-off treaty.

22. *Mr. de Queiroz Duarte (Brazil), President, resumed the Chair.*

23. **Mr. Swe** (Myanmar) expressed concern at the recent tendency by some nuclear-weapon States to focus their attention wholly on non-proliferation, disregarding disarmament. Some nuclear-weapon States were also giving precedence to horizontal disarmament (the physical separation of warheads and missile components) over vertical disarmament (the reduction of nuclear stockpiles), and some were ignoring the existing multilateral approach to non-proliferation and security issues. It was his delegation's view that a multilateral framework such as the Conference on Disarmament remained the best forum for negotiations.

24. Myanmar continued to attach great importance to the advisory opinion of the International Court of Justice, handed down on 8 July 1996, which set out the obligation to pursue negotiations leading to nuclear disarmament, and to the implementation of the 13 practical steps for implementing article VI of the Treaty. It regretted the virtual lack of progress in achieving those objectives. The indefinite extension of the NPT did not imply indefinite possession by nuclear-weapon States of their nuclear weapons arsenals.

25. Myanmar welcomed the gradual increase in the number of States acceding to nuclear-weapon-free zone treaties and hoped that the not-too-distant future would witness the establishment of nuclear-weapon-free zones in the Middle East and other regions where they did not exist. It welcomed the outcome of the Conference of States Parties and Signatories to Nuclear-Weapon-Free Zone Treaties, held in Mexico City from 26 to 28 April.

26. The principles of non-first-use of nuclear weapons and non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States were absolutely crucial. There was also a pressing need for a legally binding multilateral instrument on security assurances, called for by both the 1995 and the 2000 Review Conferences.

27. Lastly, nuclear-weapon-free zones should impede neither the use of nuclear science and technology for peaceful purposes nor the work of IAEA technical cooperation programmes in promoting the development of nuclear energy to that end.

The meeting rose at 4.25 p.m.