
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 United Nations Headquarters, New York, on Tuesday, 3 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Labbé (Vice-President). (Chile)

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The meeting was called to order at 10.10 a.m.

General debate (*continued*)

1. **Ms. Freivalds** (Sweden) said that the events of the past five years had placed the nuclear non-proliferation and disarmament regime under severe stress; one country had announced its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and had declared that it possessed such weapons, while others were modernizing their nuclear arsenals or planning to develop new nuclear warheads or delivery vehicles. The risk that terrorists might acquire weapons of mass destruction also posed a threat to collective security. At the same time, there had been major reductions in nuclear arsenals since the end of the Cold War, three nuclear-weapon States had ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and a worldwide moratorium on nuclear tests was being upheld.

2. The success of the Review Conference would require a delicate balance between non-proliferation, disarmament and the peaceful uses of nuclear energy. It was important to send a message to the Conference on Disarmament that negotiations on a fissile material cut-off treaty should begin without further delay and to state in the final document of the Conference that an overwhelming majority of States parties supported the early entry into force of the CTBT.

3. She called on all countries in possession of non-strategic nuclear weapons to negotiate further reductions with a view to their total elimination. Nuclear-weapon States, and especially the United States of America and Russia, should follow the United Kingdom's example by de-alerting their nuclear-weapons systems and should increase transparency regarding the operational status of those systems.

4. While paying tribute to the manner in which the International Atomic Energy Agency (IAEA) had fulfilled its task for the past 35 years, she stressed the need for proper verification tools. The Review Conference should recognize the Model Additional Protocol and the Comprehensive Safeguards Agreement as the single verification standard under article III of the Treaty. She called on India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States. Libya's abandonment of its programme for developing nuclear and similar weapons should provide a basis for discussion, by the States concerned,

of the creation of a zone free from weapons of mass destruction in the Middle East. To that end, Iran should provide objective guarantees that its nuclear programme was being developed solely for peaceful purposes and all States of the region should accede to the Treaty, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Chemical Weapons and on Their Destruction.

5. A similar zone should be created in South Asia and the Korean Peninsula. India and Pakistan should build on the momentum of the recent warming of their relations through simultaneous accession to the CTBT and negotiations on a fissile material cut-off treaty. Pending such agreement, India, Pakistan and China should declare a moratorium on the production of fissile material. The Democratic People's Republic of Korea should return to the six-party talks and abandon the nuclear weapons option completely, verifiably and irrevocably, and the Security Council should be given a clear role in making it more costly for any country to withdraw from the Treaty in the future. The Review Conference should also strengthen the international framework of the Treaty, including a standing bureau appointed at the beginning of every review process, so that any future withdrawals by States could be addressed decisively and effectively.

6. States which, like Sweden, used nuclear energy for peaceful purposes should be given assurances of access to fuel without the need for enrichment and reprocessing capacities. The IAEA expert group had recently put forward a recommendation, endorsed by the High-level Panel on Threats, Challenges and Change, that IAEA should act as a guarantor of nuclear fuel to civil nuclear users; she hoped that the Review Conference would agree on how the international community could move forward on that crucial issue and that the recommendations made by the Panel and by the Secretary-General in his opening address would be incorporated into the final document of the Conference. She also looked forward to receiving the recommendations of the Weapons of Mass Destruction Commission, which should include proposals on how to achieve the recommended objectives.

7. Lastly, she stressed the importance of education on nuclear disarmament and non-proliferation and

encouraged Governments to provide opportunities for their officials and parliamentarians to visit Hiroshima and Nagasaki.

8. **Mr. Kharrazi** (Iran, Islamic Republic of) said that the continued existence of thousands of warheads in the nuclear-weapon States' stockpiles were the major threat to global peace and security. The 2000 Review Conference had welcomed those States' undertaking to eliminate their nuclear arsenals and, accordingly, had adopted the 13 practical steps for the systematic and progressive attempts to implement article VI of the Treaty (NPT/CONF.2000/28 (Parts I and II, para. 15)); the 2005 Conference therefore had a special responsibility to review the implementation of those steps and to take measures to strengthen and complement them. Failure to do so would only result in the international community's frustration at the nuclear-weapon States' total indifference to its wish for nuclear disarmament and could unravel the credibility and authority of the Treaty.

9. However, the reality was that no progress had been achieved in implementing the 13 practical steps; on the contrary, measures contrary to the letter and spirit of those obligations had been adopted. Commitments to banning the development of new nuclear-weapon systems should be renewed and the principle of irreversibility should be applied to all unilateral, bilateral and multilateral nuclear disarmament and to the removal of warheads from existing nuclear-weapon systems. The operational status of nuclear weapons should be lowered and doctrines, policies and postures should be revised to reflect that new status. The Conference on Disarmament should renew efforts to prevent an arms race in outer space and nuclear-weapon States should undertake, at the Review Conference, to endeavour to prevent such a race. Unilateral nuclear disarmament measures should be pursued vigorously and should go well beyond the non-deployment of warheads. The nuclear-weapon States should submit more detailed information on their weapons, warheads, plans for the deployment and development of missile defence, and inventories of fissile materials for weapons purposes, and negotiations on a verifiable fissile material cut-off treaty should be begun in the Conference on Disarmament.

10. He echoed the civil society proposal for a legal prohibition of the use of nuclear weapons within the framework of the Review Conference and expressed

regret that the Preparatory Committee had been unable to make the recommendation to that effect which was called for in the final document of the 2000 Review Conference. It was abhorrent that in the intervening period the dangerous doctrine of the use of nuclear weapons against non-nuclear-weapon States had been officially proclaimed by the United States and the North Atlantic Treaty Organization (NATO). The Conference should establish an ad hoc committee to prepare a draft legally binding instrument on providing security assurances by the five nuclear-weapon States to non-nuclear-weapon States parties to the Treaty for consideration and adoption at the 2010 Review Conference and, as a first step in addressing the issues of illegal use and negative security assurances, the 2005 Conference should adopt a decision prohibiting the threat or use of nuclear weapons against non-nuclear-weapon States.

11. Efforts to limit access to peaceful nuclear technology to an exclusive club of technically advanced States under the pretext of non-proliferation were a clear violation of the letter and spirit of the Treaty and destroyed the fundamental balance between the rights and obligations expressed in article VI thereof. Arbitrary, self-serving criteria and thresholds regarding proliferation-proof and proliferation-prone technologies would only undermine the Treaty. Iran was determined to pursue all legal areas of nuclear technology, including enrichment, for exclusively peaceful purposes and had been eager to offer assurances and guarantees to that effect. But no one should be under the illusion that objective guarantees implied the cessation, or even the long-term suspension, of legal activity which had and would be carried out under the fullest IAEA supervision. Moreover, cessation of legal activity could not prevent a so-called "break-out"; indeed, it was a historically tested recipe for such a development.

12. IAEA had been recognized by previous Review Conferences as the competent authority to verify and ensure compliance with the safeguards agreements and to consider and investigate concerns regarding non-compliance. Yet, in practice, States which were not parties to the Treaty and should therefore be under special restrictions were rewarded by unrestricted access to materials, equipment and technology while States parties under IAEA safeguards were subjected to extensive restrictions. In the Middle East, provision of such unrestricted access to a State not party to the

Treaty had contributed to the development of one of the world's largest stockpiles of nuclear weapons; Israel had continuously rejected calls to accede to the Treaty and to place its facilities under IAEA supervision.

13. Whatever its shortcomings, the Treaty provided the only internationally viable foundation for curbing proliferation and achieving disarmament. He hoped that the Review Conference would take the wise and brave decisions necessary to salvage its credibility.

14. **Mr. Tokaev** (Kazakhstan) said that the adoption of Security Council resolution 1540 (2004) had been a strong signal of support for a multilateral approach to strengthening the non-proliferation regime and preventing non-State actors from gaining access to weapons of mass destruction. As a party to the Treaty since 1993, Kazakhstan believed that it should remain a pillar of global security and the starting point for nuclear disarmament.

15. His Government was therefore disappointed that the Preparatory Committee had not provided specific recommendations for effective application of the Treaty. That failure was a result of conflicts between the interpretation of Treaty obligations and the interests of the States parties, some focusing on non-proliferation and others on disarmament. In fact, those processes were complementary; it was essential to ensure a fair balance between the obligations of nuclear-weapon and non-nuclear-weapon States.

16. The current international non-proliferation regimes, including the Treaty, should be adapted to the new realities. The possession of nuclear weapons by some States caused others to seek to acquire them. The early entry into force of the CTBT and the conclusion of a fissile materials cut-off treaty were essential. He urged all States which had not yet acceded to the Treaty to do so as soon as possible. In reality, however, some States were punished on the mere suspicion that they might possess weapons of mass destruction, others were warned or censured through unilateral embargoes, while still others were simply forgiven; a unified, fair approach was lacking.

17. Mechanisms must be developed to reward States for honouring their obligations in good faith by empowering them to participate in nuclear trade and cooperation for peaceful purposes. The demand for negative security assurances was well founded; the Conference on Disarmament should prepare an

international legally binding agreement on the non-use or threat of use of nuclear weapons by nuclear-weapon States against non-nuclear-weapon States.

18. Kazakhstan had signed its additional protocol in 2004 and was implementing additional measures to strengthen its verification regime. It had been accepted into the Nuclear Suppliers Group in 2002 and was preparing to join the Missile Technology Control Regime. It had voluntarily renounced its nuclear arsenal — the fourth largest in the world — 10 years previously and was actively involved in negotiations to establish a nuclear-weapon-free zone in Central Asia. In February 2005, the countries of that region had finalized a draft treaty and had agreed to sign it at the former Soviet nuclear testing site, Semipalatinsk. He urged the international community to implement the General Assembly resolution on the rehabilitation of the Semipalatinsk region of Kazakhstan, where some 470 nuclear tests had been conducted.

19. **Mr. Switalski** (Poland) said that, as one of the original signatories, Poland was convinced that the Treaty remained the key international instrument for preventing the proliferation of nuclear weapons and a major factor of peace and security in the world. Since the 2000 Review Conference, it had taken a number of national measures to reinforce the Treaty, and, on joining the European Union in May 2004, had adhered fully to the Strategy against Proliferation of Weapons of Mass Destruction and its Action Plan. Poland had also played an active part in two new international initiatives: the Global Partnership of the Group of Eight and the Proliferation Security Initiative, also known as the Krakow Initiative of 2003.

20. Notwithstanding some positive steps since the 2000 Review Conference, such as Cuba's accession to the Treaty and Libya's abandonment of its clandestine nuclear activities, global non-proliferation efforts faced serious challenges, including the threat of nuclear terrorism, the withdrawal of the Democratic People's Republic of Korea from the Treaty and widespread illicit trade in nuclear materials, equipment and technology. In order to face those challenges, an even more comprehensive and robust global non-proliferation strategy was needed. The viability of the Treaty depended on universal compliance with rules to prevent the spread of nuclear weapons and their means of delivery, more effective regional security strategies and renewed progress towards meeting disarmament obligations by nuclear-weapon States. To achieve those

goals, the role of the IAEA must be strengthened. Poland supported the main objectives of the Global Threat Reduction Initiative to strengthen the safety of nuclear waste stockpiles, and welcomed the recent adoption of the Convention on nuclear terrorism.

21. The full implementation of United Nations Security Council resolution 1540 (2004), which underlined the importance of effective national export control mechanisms, was critical. Undeclared nuclear activities in violation of the Treaty could lead to serious consequences. Discussions would also be welcome on proposals for a mechanism to make withdrawal from the Treaty more difficult and to deprive States that withdrew of the benefits stemming from international cooperation in the peaceful uses of nuclear energy. In the field of disarmament, Poland considered the early entry into force of the CTBT an urgent priority, along with speedy negotiations for a fissile material cut-off treaty within the Conference on Disarmament.

22. The experience of the past ten years indicated that the strengthened review process needed effective implementation by States parties. The current Review Conference must focus on a positive and realistic programme of action that would genuinely reinforce the Treaty and consolidate international peace and security. In many ways, the moment of truth had come for the entire non-proliferation regime built over the years. For the Treaty to remain the foundation of the non-proliferation system, focus must be maintained and energy must not be wasted on secondary issues. The success of the Review Conference would be an important element in the process leading to the September summit at the United Nations, which was expected to bring about substantive decisions on reform. The nuclear non-proliferation regime must be a harmonious entity, centred on the United Nations system.

23. *Mr. Lavalle (Chile), Vice-President, took the Chair.*

24. **Mr. Ilkin** (Turkey) said that the international security environment had changed dramatically in recent years. Non-State actors, terrorists and States not in compliance with non-proliferation and disarmament obligations all challenged the delicate balance the system of treaties had established over the past four decades. As the cornerstone of the global non-proliferation regime, the Treaty had helped to slow, and

at times reverse the spread of military nuclear capability, but had not been able to prevent it completely. Yet, the Treaty was a unique and irreplaceable multilateral instrument and should continue to play a vital role in addressing both old and new security challenges in the nuclear field. Its integrity and credibility could be enhanced if the Review Conference addressed all aspects of the Treaty. Non-proliferation and disarmament were mutually reinforcing.

25. With regard to non-proliferation, the IAEA system of international safeguards was an indispensable component of the global non-proliferation regime, and its verification authority must therefore be strengthened. The Model Additional Protocol should be the universal norm for verifying compliance with the Treaty. Although the number of States with an additional protocol had grown from 9 to 64 since the 2000 Review Conference, 40 non-nuclear-weapon States remained without a comprehensive safeguards agreement.

26. The spread of nuclear technology, especially the means of producing fuel for nuclear reactors, could also provide the foundation for a nuclear weapons programme, yet all parties to the Treaty had the right to develop, research and use nuclear energy for peaceful purposes. Turkey thus took note of the recent proposals of the Secretary-General for multilateral controls on the nuclear fuel cycle and expected that those proposals would be the subject of extensive debate. It would continue to support United Nations Security Council resolution 1540 (2004) and the Proliferation Security Initiative. It also supported the view that States should not withdraw from the Treaty while continuing to benefit from the use of nuclear materials, facilities or technologies acquired through it.

27. With regard to the disarmament aspects of the Treaty, Turkey attached the utmost importance to the entry into force of the CTBT. In the meantime, all States should continue to abide by a moratorium and refrain from any action which would be contrary to its provisions. It was disappointing that the Conference on Disarmament had not been able to begin negotiations on a fissile material cut-off treaty. A firm and binding commitment by all nuclear-weapon States, as well as States that were not parties to the Treaty but had nuclear capabilities, to eliminate their nuclear arsenals was a prerequisite for achieving the common goal of general and complete nuclear disarmament.

28. While welcoming the Treaty on Strategic Offensive Reductions (Moscow Treaty), Turkey believed that reductions in strategic nuclear arsenals should be transparent, irreversible and verifiable in accordance with the goals and principles agreed under START II and III. It recognized the importance of existing security assurances provided through the establishment of nuclear-weapon-free zones and the unilateral declarations of nuclear-weapon States. It remained committed to all resolutions on the Middle East adopted by the United Nations General Assembly and the Review Conference. Turkey pledged its full support to the establishment of a nuclear-weapon-free zone in Central Asia.

29. **Ms. Olamendi** (Mexico) said that Mexico had just hosted the first Conference of States Parties and Signatories of Treaties that establish Nuclear-Weapon-Free Zones, which had adopted a Political Declaration expressing the conviction that the existence of nuclear weapons constituted a threat to the survival of humanity and that the only true guarantee against their use or threat of use was their total elimination. For the first time in history, States members of such zones had met to consider ways in which they could contribute to a genuine non-proliferation regime and mechanisms for political coordination among nuclear-free zones. Those States had fully complied with their obligations under the Treaty, giving them the moral and legal authority to demand compliance with its provisions regarding disarmament.

30. Mexico emphasized that the Treaty must be universal and that full compliance was a legal obligation for States parties. It was essential to conduct a full, transparent and objective evaluation of the implementation of the Treaty based on the outcome of the 1995 and 2000 Review Conferences. The 2005 Conference should devise a mechanism to ensure compliance with obligations which included verification measures based on objectivity, transparency and accountability. Initiatives for submission of national reports on compliance and a programme of action for nuclear disarmament would be particularly useful. The important contribution of civil society organizations to the cause of disarmament and non-proliferation also deserved mention.

31. Mexico supported the Secretary-General's recommendations for nuclear disarmament and agreed that the inspection authority of the IAEA should be strengthened through the universal adoption of the

Model Additional Protocol. It was also studying with interest the initiatives for cooperation in export controls because of the danger that diversion of nuclear materials to non-State actors could represent. It also believed, however, that States which were in full compliance with their non-proliferation obligations and which maintained strict control over nuclear materials in their territory had the right to develop nuclear energy for peaceful uses.

32. The time had come to find ways to step up nuclear disarmament, which required a clear expression of political will on the part of nuclear-weapon States and a schedule of concrete and verifiable steps that would allow the international community to move beyond words to action.

33. **Mr. Meghlaoui** (Algeria) said that the 2000 Review Conference had concluded with the adoption of 13 practical steps for the implementation of article VI of the Treaty, which opened the way to complete disarmament. At that time, the firm commitment of the nuclear Powers to eliminate their weapons appeared to be a significant step forward. Five years later, however, the hopes raised in 2000 had given way to disappointment: the implementation of the 13 steps had not even begun, owing to a lack of political will to meet those solemn commitments. The 2005 Review Conference was taking place in an international context where nuclear proliferation, the development of new generations of nuclear weapons, new threats and the decline of multilateralism posed challenges. Despite its flaws, the Treaty remained the cornerstone of the international non-proliferation and disarmament regimes, and its credibility and effectiveness were based on its universality. He welcomed the accession of Cuba and Timor-Leste and appealed to all States remaining outside the Treaty to join it without delay. He urged all States that had not yet done so to ratify the CTBT, and he appealed for cooperation with the efforts of the Group of Five Ambassadors to revitalize the Conference on Disarmament.

34. Algeria was currently preparing to sign the additional protocol to the safeguards agreement in the belief that any nuclear programme should be conducted in complete transparency and close cooperation with the relevant international agencies. However, such measures should not affect the right of States under article IV of the Treaty, to use nuclear energy for peaceful purposes, especially for development.

35. The establishment of nuclear-weapon-free zones made a significant contribution towards the objectives of non-proliferation and disarmament, as highlighted at the first Conference of States Parties and Signatories of Treaties establishing Nuclear-Weapon-Free Zones recently held in Mexico City. Thus, the delay in establishing such a zone in the Middle East, because of Israel's refusal to join the Treaty, was even more regrettable. The international community should send a strong message to Israel requesting it to observe international law and remove the only obstacle to the achievement of that objective. The importance and sensitivity of the matters under consideration by the Review Conference and the lack of progress made during the preparatory meetings required increased effort and determination on the part of all in order for its work to be successful.

36. **Mr. Chun** Yung-woo (Republic of Korea) said that for 35 years the Treaty had been the cornerstone of the global nuclear non-proliferation and disarmament regime. It had achieved near universality with the accession of Cuba and Timor-Leste. Nuclear weapons had not spread to dozens of States, as had been predicted in the 1960s. Indeed, a number of States had dismantled their nuclear weapons. Without the moral and normative weight of the Treaty, such achievements would have been unlikely.

37. Yet the Treaty faced unprecedented challenges. The integrity and credibility of the Treaty had suffered an irreparable blow as a result of North Korea's defiance of nuclear non-proliferation norms and announced withdrawal from the Treaty; that issue posed an unacceptable threat to peace and security for the Korean Peninsula, North-East Asia and beyond and had demonstrated the inherent limitations of the Treaty in dealing with an intractable challenge from a determined proliferator. Although North Korea's return to the Treaty fold and compliance with its safeguards obligations should be part of any negotiated settlement, such steps alone were not sufficient. His country remained committed to the six-party talks as the best means of resolving the issue, but nothing short of the decision by Pyongyang to abandon and dismantle its entire nuclear weapons programmes would bring about a breakthrough.

38. The disclosure of the extensive illicit nuclear procurement network run by Dr. A. Q. Khan was a sobering wake-up call regarding the danger of fissile materials and sensitive technologies falling into the

wrong hands, and it had brought to light the inadequacies and loopholes of the global non-proliferation regime based on the Treaty. His delegation welcomed the Security Council's prompt action in adopting resolution 1540 (2004) to deal with trafficking in weapons of mass destruction and related materials involving non-State actors, but the resourcefulness of black-market peddlers and determined proliferators should not be underestimated.

39. Another fundamental loophole was that determined proliferators could come to the brink of nuclear weapons capability without technically violating the Treaty, which allowed States parties to acquire and operate a full range of fuel cycle activities, including uranium enrichment and reprocessing of spent fuel. That right could be abused to produce fissile materials for nuclear weapons under the guise of peaceful nuclear energy programmes. If such States were allowed to withdraw with impunity from the Treaty after acquiring all the necessary materials and technologies to manufacture nuclear weapons, the Treaty would end by serving their nuclear ambitions.

40. The multiple challenges confronting the Treaty created a crisis of confidence that demanded a concerted response from the international community. First, the Treaty should be supplemented and strengthened. The verification authority of IAEA should be enhanced through universal application of the additional protocol to the safeguards agreement. The protocol should be made a new global safeguards and verification standard and a condition of nuclear supply to non-nuclear-weapon States. In February 2004 the Republic of Korea had become the thirty-ninth country with an additional protocol.

41. As a country that depended on nuclear energy for 40 per cent of its electric power supply, the Republic of Korea viewed the right to peaceful uses of nuclear energy as indispensable to its sustainable development. However, that right, provided for under article IV of the Treaty, was not absolute but was conditional upon compliance with the non-proliferation and safeguards obligations under articles II and III. Export controls were an important practical means of closing existing loopholes in the NPT regime. His delegation supported the leading role of the Nuclear Suppliers Group in setting international norms for export controls and stressed the need for effective national systems of export controls as called for by Security Council resolution 1540 (2004). In view of the proliferation

danger associated with sensitive nuclear fuel cycle technologies, his delegation recognized the need to control their transfer, particularly to countries of proliferation concern. Iron-clad guarantees of fuel supply at a reasonable price should be provided to countries that would voluntarily forgo the possession of sensitive nuclear fuel cycle facilities. There was no inconsistency between tightened export controls and the inalienable right to peaceful uses of nuclear energy; on the contrary, better export controls could expand the peaceful use of nuclear energy by reducing the risk of proliferation. His delegation commended the Director General of IAEA for commissioning the report of the independent Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle and looked forward to extensive discussions on the subject.

42. Normative efforts to strengthen the non-proliferation regime and a supply-side approach based on export controls needed to be supplemented by a demand-side approach that addressed the root causes of proliferation, which was often generated by regional conflicts and tensions. Security assurances by nuclear-weapon States could reduce the perception of threat. Non-nuclear-weapon States complying fully with their non-proliferation obligations under the Treaty were entitled to credible and reliable negative security assurances. It could also be useful to provide differentiated individual security assurances and other incentives to States that assumed additional non-proliferation commitments beyond their obligations under the Treaty.

43. The Republic of Korea welcomed the progress made thus far in the reduction of nuclear arsenals and the commitments for further reductions under the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions (Moscow Treaty), but it looked for even deeper cuts. There was a perception gap between the record of nuclear-weapon States and the expectations of non-nuclear-weapon States since the end of the cold war. Closing that gap would provide nuclear-weapon States with the moral authority and political legitimacy to strengthen non-proliferation norms while maintaining the delicate balance between the three mutually reinforcing and equally important pillars of the Treaty. His delegation urged the 11 States whose ratification was required for the entry into force of the CTBT to do so without delay. Until then, it was imperative to maintain the moratorium on nuclear test explosions.

His delegation also called for prompt commencement of negotiations on a fissile material cut-off treaty and for a moratorium on the production of fissile material for any nuclear weapons pending the entry into force of such a treaty.

44. The Republic of Korea called upon the three States not yet parties to the Treaty to accede to it as non-nuclear-weapon States. Since the importance of universal adherence to the Treaty could not be overemphasized, the States parties needed to revisit the withdrawal provision of article X of the Treaty in order to make withdrawal more difficult and should consider the idea of requiring Security Council approval for withdrawal. Moreover, better tools were needed to respond to extraordinary and troubling situations involving threats to the Treaty regime. In that regard, his delegation supported Canada's proposal concerning an annual policy forum as a means of overcoming the NPT regime's "institutional deficit".

45. **Mr. Kislyak** (Russian Federation) said that he would begin by reading out the message of greeting from the President of the Russian Federation to the participants at the Review Conference. President Putin wanted participants to know that Russia regarded the Treaty as an important element of international security, an instrument that had proved its validity over 35 years in preventing the spread of nuclear weapons. The new challenges facing the non-proliferation regime, including nuclear black markets, must be addressed on the basis of the Treaty. The Russian Federation was participating actively in that work in the Security Council and in the context of the Group of Eight. It complied strictly with all its disarmament obligations, implementing relevant agreements in that field, and stood ready to take further constructive steps. At the same time it actively exercised the right to peaceful uses of nuclear energy and cooperated with the States parties in developing nuclear energy for peaceful nuclear research and application of nuclear technologies. President Putin was confident that the Conference would provide an objective analysis of how the Treaty was functioning and would produce specific measures to strengthen its efficacy.

46. Turning to his statement, the speaker then said that the Russian Federation, as an initiator of the Treaty, one of the most important pillars of international security and stability, was committed to strengthening it and making it universal. It welcomed the accession of Cuba and Timor-Leste, which made

the Treaty the most representative international agreement in the security sphere, and it consistently worked towards the accession of the countries not yet parties to the Treaty as non-nuclear-weapon States.

47. The Russian Federation was committed to its obligations under the Treaty, including the nuclear disarmament measures. Since the previous Review Conference it had moved steadily ahead with its disarmament efforts. It had fulfilled its START obligations ahead of schedule. From 1 January 2000 to 1 January 2005 it had reduced its strategic nuclear forces by 357 delivery vehicles and 1,740 nuclear warheads. It had so far reduced its arsenals of non-strategic nuclear weapons fourfold. A significant new step towards nuclear disarmament was the Treaty between the United States and the Russian Federation on Strategic Offensive Reductions (Moscow Treaty), which provided for each party to reduce the aggregate number of its strategic nuclear warheads. It was implementing a programme, in cooperation with the United States, to reprocess 500 tons of highly enriched uranium from nuclear weapons into fuel for nuclear power plants. The Russian Federation had ratified the CTBT in 2000. The difficulties delaying its entry into force were well known, but the number of States that had ratified it had reached 120, and it was to be hoped that they would be joined by the remaining countries whose ratification instruments were required for its entry into force.

48. Since IAEA played a unique role in verifying compliance with non-proliferation obligations, his country welcomed the progress made in the past five years in developing the safeguards system, particularly in expanding application of the additional protocol to IAEA safeguards agreements; it planned to complete its ratification of the additional protocol in the very near future. The Russian Federation would continue to provide assistance to strengthen the IAEA safeguards system, including through a national programme of scientific and technical support.

49. The Russian Federation supported the broadest possible cooperation in using nuclear energy for development purposes and had a long history of assisting States parties to the Treaty in that sphere. At the same time, it was essential to ensure that nuclear energy for peaceful purposes was not diverted to the production of nuclear explosives. At the Millennium Summit the President of the Russian Federation had proposed an initiative to develop proliferation-resistant

nuclear technologies, and the first phase of an international project based on that initiative was being completed under IAEA auspices. His country also advocated nuclear energy development patterns that would make programmes of reliable supply of nuclear fuel on the basis of international cooperation an alternative to the spread of sensitive technologies. It shared the opinion of the Director General of IAEA that there was no reason to build additional facilities for uranium enrichment or reprocessing of irradiated nuclear fuel.

50. His delegation was in favour of commencing negotiations as soon as possible, in the context of the Conference on Disarmament, on a treaty banning production of fissile material for nuclear weapons. It also supported the idea of establishing an ad hoc committee within the Conference on Disarmament framework to deal with nuclear disarmament issues and negative security assurances, and it in general urged the need to reach a comprehensive compromise on a programme of work for the Conference on Disarmament that would unblock progress on practical disarmament activities.

51. Nuclear-weapon-free zones were an effective means of strengthening the nuclear non-proliferation regime. His delegation was pleased to note that the elaboration of a treaty on a nuclear-weapon-free zone in Central Asia was almost completed. As a member of the Quartet of mediators involved in the Middle East situation, the Russian Federation consistently supported efforts to establish such a zone in that region.

52. The serious problems of non-compliance that had arisen should be addressed with maximum determination. His delegation appreciated the meticulous and professional work done by IAEA, relying on the inviolable norms of the Treaty. However, proliferation issues tended to arise in conflict-prone regions and also called for extensive political consultations and complex negotiation. His delegation welcomed the decision of the Libyan Arab Jamahiriya to renounce weapons of mass destruction. Negotiations and consultations were required to reach decisions with regard to Iran's nuclear programme that would meet the country's legitimate energy needs and dispel doubts as to the peaceful nature of its nuclear activities. His delegation was convinced that the nuclear situation involving the Democratic People's Republic of Korea could be resolved by political and diplomatic means,

through a renewal of the six-party talks. That country's return to the Treaty regime was not only possible but essential.

53. The cases of non-compliance, the black market phenomenon and the possibility of nuclear materials falling into the hands of terrorists confirmed the need to be vigilant and to strengthen the non-proliferation regime. New challenges called for new solutions. His delegation appreciated the wide support given to Russian proposals in the elaboration of Security Council resolution 1540 (2004) and the International Convention for the Suppression of Acts of Nuclear Terrorism. Efforts by all States were needed to ensure full and universal implementation of those instruments.

54. **Mr. Maurer** (Switzerland) said that the Treaty was the only legally binding instrument of a global nature for promoting nuclear non-proliferation and disarmament and as such was an essential tool for international peace and stability. It rested on the basic compromise that the States that did not possess nuclear weapons would not develop them, provided that the nuclear-weapon States would proceed to disarm, and that all States parties would have the right to the peaceful use of nuclear energy, a compromise confirmed in the outcomes of the 1995 and 2000 Review Conferences.

55. However, the results in the implementation of the Treaty since the 2000 Review Conference were more disquieting than encouraging and included on the negative side: slow progress in disarmament and even new investments in the development of nuclear weapons; the continued absence of India, Israel and Pakistan from the Treaty; the withdrawal of a State party; indications of possible non-compliance by the Islamic Republic of Iran; the disclosure of black markets in nuclear materials; and the inability of the Preparatory Committee to adopt an agenda and make substantive recommendations. The only positive developments were the accession of Cuba, the decision of the Libyan Arab Jamahiriya to renounce nuclear weapons, the confirmation of the absence of a nuclear weapons programme in Iraq and the conclusion of the Moscow Treaty, even though it did not satisfy the requirements of irreversibility and verification. In view of the mixed results, his delegation considered it essential to strengthen the credibility of the Treaty.

56. First of all, it was absolutely necessary to maintain what had been achieved in previous review

conferences, in particular, the principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review Conference and the 13 practical steps towards disarmament, which were included in the final document of the 2000 Review Conference. Second, although access to nuclear weapons and technologies by non-State actors was a legitimate concern, Switzerland remained convinced of the importance of the Treaty as the best safeguard against security worries and wished to stress the vital importance of the universality of the Treaty. Third, a strengthening of export controls on nuclear materials and technologies was indispensable, but it should not be at the expense of the inalienable right of the States parties to the use of nuclear energy for peaceful purposes under article IV of the Treaty. In that context, Switzerland welcomed the efforts of IAEA to combat proliferation; it had ratified the additional protocol to its safeguards agreement with IAEA in February 2005. Lastly, since recent developments had highlighted the institutional weaknesses of the review process, his delegation believed that it would be useful to reflect on the Canadian proposal for annual conferences, in order to make it possible to respond rapidly in cases of clear non-compliance with the Treaty. A positive outcome of the Review Conference would have a beneficial effect on the five-year review of the Millennium Summit that was to come in September.

57. **Mr. Bennouna** (Morocco) said that his delegation associated itself with the statement by Malaysia on behalf of the Group of Non-Aligned and Other States. An objective look at the functioning of the Treaty showed that it enjoyed very broad international support and had made nuclear non-proliferation the international norm. It should be recalled that in the 1960s, when the Treaty was concluded, it was considered inevitable that some fifteen countries would emerge as nuclear Powers. The Treaty had enabled IAEA to establish the basis for international cooperation in peaceful uses of nuclear energy. Nonetheless, the debates at the third session of the Preparatory Committee had confirmed an erosion of confidence in all three pillars of the Treaty regime: nuclear disarmament, non-proliferation and promotion of peaceful uses of nuclear energy. Yet, good sense would dictate that all States should be conscious of the security benefits to be gained from strengthening the regime.

58. Among the main reasons for the erosion of confidence were the insufficient efforts at disarmament by the nuclear-weapon States under article VI of the Treaty, despite their “unequivocal undertaking” in the final document of the 2000 Review Conference “to accomplish the total elimination of their nuclear arsenals”. The Treaty should not be viewed as an instrument legitimizing the perpetual monopoly of nuclear weapons by a handful of States. Rather, it established a balance of rights and obligations, and its credibility required that all undertakings should be honoured. It would help to restore the credibility of the Treaty if the nuclear-weapon States would solemnly reaffirm their intention to eliminate progressively their nuclear arsenals on a mutually agreed timetable.

59. Morocco would like to see the Treaty and the non-proliferation regime strengthened through the elimination of some of the factors that had tended to undermine it in recent years. Unfortunately, the main objectives set by the 2000 Review Conference had not been met. The CTBT had not yet entered into force. The long-awaited negotiation of a fissile material cut-off treaty had not even begun. The five-year review process did not allow enough pressure to be exerted to secure compliance, and the States parties did not have an effective mechanism to exercise their collective will in cases of non-compliance with the Treaty. The present Review Conference must find answers to those challenges and find a way to adapt the Treaty constantly to new challenges and the emergence of new technologies. It was also essential that disputes over Treaty provisions should be resolved by dialogue and negotiation. In that regard his delegation supported the approach taken by the European Union in an attempt to resolve amicably certain differences regarding the implementation of the Treaty.

60. It was not reasonable to expect that the Treaty, conceived in the cold-war era, could deal effectively with the risks of nuclear terrorism. The principle of nuclear deterrence, effective between States equipped with nuclear weapons, would not be effective for non-State actors. Trafficking in sensitive materials was cause for serious concern. New tools were needed, such as Security Council resolution 1540 (2004) and the International Convention for the Suppression of Acts of Nuclear Terrorism recently adopted by the General Assembly on the recommendation of the Sixth Committee, which he had had the honour to chair.

61. Universal accession to the Treaty was the sole means of enhancing the credibility of the non-proliferation regime. It would be difficult to create a nuclear-free zone in the Middle East as long as Israel, which had a nuclear weapons programme, remained outside the Treaty and refused to subject its nuclear facilities to the IAEA comprehensive safeguards system. His own country, a party to the Treaty since 1970, had concluded a comprehensive safeguards agreement with the Agency in 1973 and an additional protocol to that agreement on 22 September 2004. Morocco had also ratified the Convention on the Physical Protection of Nuclear Material and had notified the Director-General of IAEA of its acceptance of the Code of Conduct on the Safety and Security of Radioactive Sources. It commended IAEA for its considerable efforts in promoting peaceful uses of atomic energy in developing countries.

62. In recent years the emphasis had shifted from disarmament to initiatives to prevent proliferation, initiatives that bypassed the traditional multilateral mechanisms. Although it appreciated the efforts to prevent the proliferation of weapons of mass destruction, it was important to recall that only the multilateral institutions allowed for the participation of all in the decision-making process. The key to success was to restore confidence between the nuclear-weapon States and the non-nuclear-weapon States, in part by expanding access to peaceful nuclear energy through international cooperation. Energy independence was a legitimate aspiration of all countries. The future of non-proliferation was in the hands of the States parties, who must together engage in a constructive review of the functioning of the Treaty in order to improve and strengthen it.

63. **Mr. Jenie** (Indonesia) said that in recent years the non-proliferation regime had been facing serious problems owing to its contradictions and imbalances. Basically, the Treaty was based on the three essential pillars of non-proliferation, nuclear disarmament and peaceful uses of nuclear energy. However, the international community had witnessed an uneven and selective implementation of the Treaty's provisions, complicated by a lack of political will to abide by prior commitments. Non-proliferation had been emphasized at the expense of the other two, creating a crisis of confidence.

64. Despite that bleak picture, his Government welcomed the renunciation of the nuclear option by

over 180 countries, with the vast majority of non-nuclear States having fulfilled their obligations. With the accession of Cuba and Timor-Leste, the Treaty had gained the distinction of being the most universal arms-control treaty. The current Conference offered a vital opportunity. Its task was to ensure the Treaty's continuing authority and effectiveness while maintaining the balance between its three inseparable and mutually reinforcing pillars.

65. While noting that the number of deployed nuclear weapons had been reduced, his Government expected further concrete measures by nuclear-weapon States. The Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions ("Moscow Treaty") of 2002, containing reductions in deployments and in the operational status of such weapons, was commendable but lacked provisions for irreversible cuts and the total elimination of such weapons.

66. Although non-proliferation and nuclear disarmament were interdependent goals, there had been systematic attempts to disconnect them, with an unbalanced emphasis on the former. An exclusive focus on non-proliferation had further exacerbated inherent discrimination and double standards. Further compounding the situation was the reassertion of discredited strategic doctrines which had created a pervasive sense of global insecurity. Thousands of nuclear weapons had been retained, many on alert status. The accumulation of such dangers had been heightened in recent years by the unilateral assertion of national-security interests based on an ever-increasing accumulation of armaments, the re-legitimization of nuclear weapons in the security strategies of some nuclear-weapon States, and the denial of obligation to disarm.

67. The norm of non-proliferation had been observed by an overwhelming majority of non-nuclear-weapon States, but the right of access to peaceful uses of nuclear energy had been hampered by undue restrictions. The doctrine of collective punishment had denied benefits for non-nuclear-weapon States which had acceded to the Treaty. Meanwhile, negotiations for a fissile material cut-off treaty had yet to resume although it was a critical step in the multilateral disarmament agenda.

68. Security assurances had been widely recognized as critical to strengthening the NPT. Doubts as to their

credibility could be seen in the conditions attached by some nuclear-weapon States to withdrawing their already diluted assurances if they unilaterally determined non-compliance with Treaty obligations. Such conditions had triggered further apprehension among States belonging to various nuclear-weapon-free zones about commitments to non-use of nuclear weapons contained in the corresponding protocols. Certain States envisioned the use of nuclear weapons for deterring, pre-empting and punishing adversaries. It was time to recognize the legitimate rights of non-nuclear-weapon States which had renounced the nuclear option, against the use or threat of use of nuclear weapons in an international convention without conditions, stipulations or loopholes.

69. Over the past decade, his Government had welcomed the increasing establishment of nuclear-weapon-free zones, which had diminished the importance of such weapons and limited the geographical scope of their menace through accession to the Protocols by nuclear-weapon States. Much progress had been made in finalizing the institutional framework to implement the provisions of the Treaty on the South-East Asia Nuclear Weapon Free Zone (Treaty of Bangkok). His Government attached great importance to the continuing consultations — which should be pursued with increasing urgency — between the south-east Asian countries and the nuclear-weapon States concerning their accession to the Bangkok Treaty's Protocol. It welcomed China's intention to sign the Protocol and remained hopeful that other nuclear-weapon States would also accede in the foreseeable future.

70. His delegation welcomed the agreement reached among the Central Asian States to establish a nuclear-weapon-free zone in their region, paving the way for the first such zone in the northern hemisphere. In the Middle East, however, it regretted to note that no progress had been achieved in that regard; the creation of such a zone was particularly urgent in a region characterized by instability and tension. Israel's nuclear capabilities and its steadfast refusal to accede to the Treaty and place its nuclear facilities under comprehensive safeguards remained the main stumbling block.

71. The adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism was an important first step towards eliminating the danger of nuclear terrorism and preventing terrorists from

acquiring weapons of mass destruction, particularly nuclear weapons and fissile material, and the means of delivery of such weapons. IAEA had done much over the years in stemming proliferation by gathering information on compliance or non-compliance by States. Considerable improvements had been made in the area of comprehensive safeguards and verification systems, while the Model Protocol Additional to the Agreements between States and the International Atomic Energy Agency for the Application of Safeguards, with its stricter standards, was being more widely accepted.

72. His Government recognized the need to plug the loopholes in the Treaty through the strengthening of the IAEA safeguards system and mechanisms to ensure non-diversion of nuclear materials and the absence of undeclared nuclear facilities. His delegation supported the IAEA proposal for the creation of international facilities which, along with broader inspection rights, would enhance transparency in export controls decision-making and ensure the exercise of the inalienable right of all States to unimpeded access to nuclear technology.

73. IAEA technical assistance programmes for developing countries had been curtailed owing to the lack of sufficient funds, and a chronic imbalance had arisen between resources allocated for safeguards and for technical assistance. IAEA resources for those activities must be increased. It was also vital to overcome the deadlock which had long stymied negotiations in the Conference on Disarmament, leading to a corresponding decline in the integrity of the Treaty. Renewed commitment to its role as the single negotiating body on disarmament issues had become imperative.

74. A thorough review of the Treaty's functioning over the past decade called attention to the numerous challenges facing the non-proliferation regime, which threatened its integrity and authority. The current Review Conference should reaffirm and revitalize the Treaty as the lynchpin of the non-proliferation regime and an essential foundation for nuclear disarmament, with a view to achieving compliance by all States parties with the relevant norms, rules and commitments. That regime must be adapted to changed conditions, making its fundamental bargain meaningfully enforceable and irreversible. At the heart of that process must be the principles of balance between obligations and reciprocity, accountability and

non-discrimination; a small group of powerful nations must not be the sole beneficiaries of the non-proliferation regime. Proliferation challenges could not be wished away; they called for much deeper understanding and appreciation of the vital interests and motives that drove some States to seek the acquisition of nuclear weapons. Those States were unlikely to surrender their military options if they were deemed antithetical to their national interests.

75. The fairness of non-proliferation must be self-evident if the majority of countries were to support its implementation. That objective, the obverse of nuclear disarmament, remained indivisible. It was unrealistic and unsustainable for the majority of non-nuclear-weapon States to renounce nuclear weapons indefinitely in the absence of verifiable and irreversible nuclear disarmament. Adhering to both sides of the central bargain was vital for the survival of the Treaty. It would be patently unfair to demand of the non-nuclear-weapon States that they should comply with their obligations unless the nuclear-weapon States lived up to their commitments. Failure to deal with that issue through the creation of appropriate mechanisms would run the risk of the Treaty becoming irrelevant.

76. The current Conference could provide a new and decisive momentum with a view to achieving forward-looking policies on the part of all States parties, providing an unprecedented opportunity to give credibility to Treaty obligations and commitments. Since becoming a party to the Treaty, Indonesia had shown its commitment to the letter and spirit of the Treaty, and had been in the forefront of concerted international efforts for non-proliferation in all its aspects. His Government would continue to work with other States parties and contribute to placing the non-proliferation regime on a more secure basis. Only through collective endeavours based on cooperation and compromise could a stable security environment be created for all humanity.

The meeting rose at 1.15 p.m.