
**Preparatory Committee for the 2010 Review
Conference of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

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Held at the Austria Center, Vienna, on Tuesday, 1 May 2007, at 3 p.m.

Chairman: Mr. Amano (Japan)

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

General debate (*continued*)

1. **Mr. Usupov** (Kyrgyzstan) said that States parties should use the current session of the Preparatory Committee to revive the spirit of cooperation that had been lacking at the 2005 Review Conference. In particular, he hoped that delegations would be able to resolve all relevant procedural issues in a timely manner so that attention could be directed to matters of substance.

2. The high expectations raised at the 1995 NPT Review and Extension Conference and the 2000 Review Conference had been only partially realized. Particularly disappointing were the continued stalemate in the Conference on Disarmament, the failure to bring the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force, the repudiation of the Anti-Ballistic Missile (ABM) Treaty, the lack of progress in negotiating a verifiable fissile material cut-off treaty and the demise of both negotiated and voluntary reductions in strategic and non-strategic nuclear weapons. He hoped that, during the new cycle of the review process, States parties would address implementation of the practical steps towards disarmament adopted at the 2005 Conference and discuss ways of accelerating the transparent, irreversible reduction of all categories of nuclear weapons.

3. His delegation attached particular importance to the expeditious entry into force of the CTBT, which the Kyrgyz Republic had ratified on 2 October 2003. Recently, it had also ratified the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, which would strengthen peace and security at the regional and global levels.

4. The NPT and the broader regime must adapt to new challenges such as the growing risk of nuclear terrorism. His Government strongly endorsed International Atomic Energy Agency (IAEA) efforts to strengthen the international safeguards system; in January 2007, it had signed an Additional Protocol to its safeguards agreement which would soon be ratified. It supported efforts to strengthen the Convention on the Physical Protection of Nuclear Material in order to address the new proliferation threat posed by non-State actors and planned to host a workshop on the implementation of Security Council resolution 1540 (2004) in the autumn of 2007. It also welcomed efforts

to enhance the security of existing stockpiles of highly enriched uranium while minimizing the use of such uranium in the civilian nuclear sector and had adopted legislation aimed at strengthening export controls and combating illicit trafficking in sensitive nuclear material. It hoped that the International Convention for the Suppression of Acts of Nuclear Terrorism would soon enter into force and supported the Russian Federation's initiative on the establishment of multilateral centres for the provision of nuclear fuel cycle services in order to promote peaceful nuclear cooperation and prevent nuclear proliferation.

5. The Kyrgyz Republic, like other States of its region, had suffered from the environmental consequences of uranium mining and associated nuclear fuel cycle activities. On 18 March 2007, it had acceded to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. Toxic radioactive wastes left by the mining industry threatened to pollute the rivers leading to Uzbekistan, Tajikistan and Kazakhstan. His Government appreciated the assistance provided by the World Bank, the European Bank for Reconstruction and Development (EBRD), the Asian Development Bank (ADB) and IAEA and reiterated its appeal for further help from governments and international organizations with expertise in the clean-up and disposal of radioactive contaminants.

6. He welcomed the study on disarmament and non-proliferation education (A/57/124) and the leadership shown by Japan and other States parties in raising the issue of education and training in the NPT context. Kyrgyzstan looked forward to working with other interested Member States in that connection and hoped that a regional resource centre would be established on issues related to nuclear proliferation and waste management.

7. **Mr. Arevalo Yepes** (Colombia) hoped that the Preparatory Committee would find creative ways of addressing the crisis of confidence that had made it difficult to make progress in consideration of the NPT and would address substantive issues as quickly as possible.

8. His delegation was concerned at the lack of progress since the 2000 Review Conference, at the many nuclear arsenals that were kept on alert and at several nuclear-weapon States' decisions to modernize their nuclear arsenals. Attention should also be paid to

sensitive issues such as the peaceful uses of outer space, the safety of nuclear facilities, the nuclear fuel cycle, illegal traffic in radioactive materials, clandestine production and nuclear terrorism.

9. His Government welcomed the new Central Asian nuclear-weapon-free zone and supported the establishment of such a zone in the Middle East. Colombia had participated in the negotiations leading to the adoption of the CTBT and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and attached great importance to the principles embodied in the NPT and States' inalienable right to the peaceful uses of nuclear energy.

10. Only the total elimination of nuclear weapons could ensure that they would not be used. Colombia was in favour of simultaneous control of both horizontal and vertical proliferation, particularly in light of the lack of progress in negotiating a fissile material cut-off treaty with a verification component. Greater negative security assurances for non-nuclear-weapon States parties to the Treaty were also needed. It was essential to make progress in the discussion of article X of the NPT and to consider the consequences of withdrawal from the Treaty as a whole and ways of including non-signatory States in the nuclear non-proliferation regime.

11. Implementation of the NPT should include its three pillars: disarmament, non-proliferation and technical cooperation. A collective security system should be based on full respect for the rights of States and fulfilment of their obligations and should take the needs of the developing world into account. As a member of the Board of Governors of IAEA, Colombia had always maintained that technical cooperation in the peaceful uses of nuclear energy, including in the areas of nuclear medicine, radiation therapy, agriculture and hydrology, was one of the best ways of discouraging nuclear proliferation. In May 2005, Colombia had signed an Additional Protocol to its safeguards agreement and was working towards its ratification. His Government also supported multilateral initiatives aimed at strengthening its verification system.

12. **Ms. Lacanlale** (Philippines) stressed the need for simultaneous efforts towards nuclear disarmament and non-proliferation. The past two NPT Review Conferences had been a disappointment, particularly in light of growing security threats such as the clandestine

nuclear weapon supply network, the stalled entry into force of the CTBT, ineffective nuclear-weapon-free zones, horizontal and vertical proliferation and plans for a new generation of nuclear weapons.

13. She welcomed the Secretary-General's commitment to making disarmament one of his priorities and was pleased by the decision of the Democratic People's Republic of Korea to return to the six-party talks and by its intention to shut down its nuclear programme in exchange for economic aid and political concessions; she hoped that it would abide by that commitment even though the 14 April deadline for doing so had passed. The 10 general principles for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons, contained in the working paper submitted by the Chairman of the Disarmament Commission at its 2007 substantive session (A/CN.10/2007/WG.I/WP.4), would serve as a basis for fruitful discussion and concrete recommendations.

14. She hoped that the Preparatory Committee, at its current session, would make progress in strengthening the Treaty's institutional framework for handling violations, including by giving serious consideration to the proposal for universal adoption of the Model Protocol Additional to the IAEA safeguards agreements; preventing States that were in breach of the Treaty from trying to escape their valid obligations by withdrawing from it; strengthening the Convention on the Physical Protection of Nuclear Material and improving cooperation in ensuring the security of medical and industrial radiation sources; negotiating a fissile material cut-off treaty and arrangements for a five-year moratorium on construction of additional facilities for uranium enrichment and plutonium separation; and implementing the 13 practical steps for the systematic and progressive implementation of article VI of the Treaty, agreed at the 2000 Review Conference, and the decision on principles and objectives for nuclear non-proliferation and disarmament, adopted at the 1995 Review and Extension Conference.

15. Article IV of the Treaty established the inalienable right of States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination. While that right should be respected, there should be full and transparent implementation of strengthened safeguards with strong incentives for States not to pursue the

nuclear-weapons option and disincentives for States which pursued that option. However, the “grand bargain” arrived at during negotiations leading to the Treaty’s adoption, whereby developing States gave up the pursuit of nuclear weapons in exchange for the nuclear-weapon States’ firm and unwavering commitment to total nuclear disarmament, had not been kept. It was, therefore, not surprising that the Treaty was now at risk.

16. While her Government believed that the best solution was to eliminate weapons of mass destruction, the problem of proliferation could also be addressed effectively through strategic, proactive approaches such as diplomacy and dialogue. The Philippines was in the process of establishing a national export control regime, a measure that was also being taken by other States in South-East Asia.

17. As a member of the Security Council, the Philippines had been involved in the negotiations leading to the adoption of Security Council resolution 1540 (2004) and had later served as Vice-Chairman of the Committee established pursuant to that resolution. The Association of South-East Asian Nations (ASEAN) Regional Forum meeting, to be held in Manila in August 2007, was expected to issue a statement of support for the implementation of resolution 1540 (2004) and to support its implementation by States in a coordinated manner and in full cooperation with the 1540 Committee. The Treaty on the South-East Asia Nuclear-Weapon-Free Zone was ASEAN’s contribution to the international non-proliferation regime; ASEAN was currently seeking consensus on issues relating to the additional protocol to that instrument.

18. **Mr. Zhang Yan** (China) said that, despite tremendous changes in the international security situation and weaknesses in the NPT itself, the Treaty played an essential role in safeguarding international peace and security. Marked success had been achieved in strengthening its universality and effectiveness and promoting its three goals: nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy.

19. However, the Treaty faced unprecedented challenges, including the nuclear deterrence doctrine based on first use of nuclear weapons, the development of new types of nuclear weapons and the accelerated development and deployment of missile defence systems. Regional nuclear issues remained unresolved,

the relationship between the peaceful uses of nuclear energy and non-proliferation was gaining in importance and the danger of terrorists’ and non-State actors’ acquisition of nuclear weapons was increasing.

20. Owing to the complex causes of nuclear proliferation, it was necessary to address both the symptoms and the root causes of those problems. First, the purposes and principles of the Charter of the United Nations should be followed; the cold war mentality must be abandoned; and a new security concept based on mutual trust, mutual benefit, equality and cooperation must be developed. States should respect each other’s security interests and abandon the policy of pursuing unilateral security.

21. Second, regional and international non-proliferation issues should be addressed through dialogue and negotiation. Non-proliferation involved political, security, diplomatic, economic, legal and other factors; exerting pressure, imposing sanctions and resorting to force were not effective and might escalate tension, stimulating further proliferation. In some cases, the Security Council could play a role in addressing major non-proliferation issues but diplomatic efforts outside the Council were, in fact, more effective.

22. Third, the weaknesses in the non-proliferation regime had been exposed by new developments in the international situation and progress in the fields of science and technology. The international community should keep pace with the times and enhance the non-proliferation regime through extensive consultations, including consideration of measures such as strengthening the role of IAEA with respect to safeguards, promoting the universality of the Additional Protocol to the safeguards agreements and enhancing States’ non-proliferation and export control legislation and law enforcement.

23. He hoped that the agreement concluded between the two States with the largest nuclear arsenals would be implemented in a verifiable, irreversible manner and that they would take further steps to reduce their nuclear arsenals drastically, thus creating conditions for other nuclear-weapon States to join in the disarmament process. The 13 practical steps agreed at the 2000 Review Conference provided important guidance in promoting nuclear disarmament. All nuclear-weapon States should undertake not to be the first to use such weapons under any circumstances, not

to use or threaten to use them against non-nuclear-weapon States or in nuclear-weapon-free zones, and to conclude a legally binding international instrument at an early date.

24. His Government attached great importance to the recent proposals concerning the programme of work of the Conference on Disarmament and hoped that all concerned parties could break the current deadlock through broad consultation and create conditions for negotiation and substantive work on development of a fissile material cut-off treaty, prevention of an arms race in outer space, nuclear disarmament and security assurances.

25. His delegation opposed the use of non-proliferation as a pretext for depriving non-nuclear-weapon States of their inalienable right to the peaceful uses of nuclear energy, an attitude which was inconsistent with the principle of balance between rights and obligations and was not conducive to attainment of the objective of non-proliferation. In exercising that right, States should abide by their non-proliferation obligations in order to enhance mutual trust and create a sound environment for international cooperation. Non-proliferation and the peaceful uses of nuclear energy were complementary; an understanding of that relationship could contribute to the settlement of nuclear issues, including those involving the Korean peninsula and the Islamic Republic of Iran. Double standards and selective practices should be discarded and the principle of impartiality and non-discrimination should be respected.

26. China had fulfilled its obligations under the Treaty and actively promoted its objectives. It had acceded to all the relevant non-proliferation treaties and regimes and had committed itself to multilateral and bilateral cooperation in that area. It was implementing resolution 1540 (2004) and other resolutions related to non-proliferation, was intensifying its efforts in the field of nuclear export control and had adopted a set of laws and regulations consistent with the international nuclear export control system.

27. As a permanent member of the Security Council, China had made a great contribution to the peaceful settlement of regional nuclear issues, including on the Korean peninsula, through dialogue and consultation. It would cooperate with other States in the context of the six-party talks, which had moved from the phase of

“commitment for commitment” to that of “action for action”.

28. So long as the Islamic Republic of Iran met its non-proliferation obligations under the NPT, its right to the peaceful uses of nuclear energy should be respected. At present, the possibility of negotiation with a view to the peaceful settlement of that dispute still existed; the parties should show flexibility in order to escape from the vicious circle of escalation. China would continue to play a constructive role in that regard.

29. As a nuclear-weapon State, China had always been in favour of the complete prohibition and destruction of nuclear weapons. It undertook not to be the first to use such weapons at any time or in any circumstances and not to use or threaten to use them against non-nuclear-weapon States or in nuclear-weapon-free zones, and it opposed and would not take part in any nuclear arms race. China supported the development of new nuclear technologies, provided technical cooperation in that field to many developing countries and paid its contributions to the IAEA Technical Cooperation Fund in full and on time.

30. **Mr. Ali** (Malaysia) said he hoped that the Preparatory Committee would not repeat the disappointing history of the 2005 Review Conference and would be able to focus on substantive work.

31. His delegation reaffirmed its confidence in the central role of IAEA on issues relating to nuclear safeguards and verification and in the ability of the Agency and its Director General to discharge their responsibilities in an impartial, effective and professional manner. IAEA should be allowed to conduct its activities as sole verification agency of the NPT without undue interference.

32. His delegation also wished to reaffirm its understanding that article IV of the Treaty vested States parties, and particularly the non-nuclear-weapon States, with the inalienable right to develop research, and production and use of nuclear energy and to participate in the fullest possible exchange of equipment, materials and technology for peaceful purposes, without discrimination and in accordance with their respective safeguards agreements. His delegation was concerned at the practice of selectivity and discrimination and at the trend towards unilateralism in dictating limits for those activities; the international community should fulfil its obligation to

uphold the principles of transparency and non-discrimination so that all States could benefit from the peaceful applications of nuclear technology. Despite previous setbacks, the NPT regime continued to play a key role in halting the vertical and horizontal proliferation of nuclear weapons and in the pursuit of total nuclear disarmament. The pillars of the NPT were closely related and mutually reinforcing elements of the global regime; all States parties should continue to work together to find ways of ensuring their effective implementation.

33. His delegation was also concerned at reports of the development of new, more sophisticated nuclear weapons and announcements of new strategic defence doctrines, including what amounted to a rationale for lowering the threshold for the use of nuclear weapons and for being the first to use them. It appeared that some States had disregarded their obligations or were implementing provisions of the Treaty selectively; previously agreed commitments were being unilaterally reinterpreted, reinforcing the untenable perception that the existence of nuclear weapons was essential to the maintenance of peace and security.

34. At the 1995 Conference, the non-nuclear-weapon States had reaffirmed their decision to forswear the use of such weapons on the understanding that the nuclear-weapon States would accelerate their nuclear disarmament efforts. Sadly, there was now a strong perception that the developing States were being pressured to abide by the non-proliferation pillar of the Treaty without a similar effort on the part of the nuclear-weapon States to achieve the objectives of the disarmament pillar. He reiterated the call for those States to totally eliminate their nuclear arsenals in accordance with article VI of the Treaty; the provision of negative security assurances was an important, achievable step towards that goal.

35. He welcomed the establishment of the Central Asian nuclear-weapon-free zone and called for the establishment of such a zone in the Middle East without delay. His delegation was disappointed with the selectivity and double standards practised in turning a blind eye to Israel's open admission that it was in possession of nuclear weapons; as the only State of its region which had not signed the NPT, it should do so immediately in order to build confidence and enhance peace and security. Nuclear-weapon States should halt the transfer of nuclear weapons, materials, goods and technology to Israel; such cases, in which a

State which was not a party to the Treaty was accorded preferential treatment, constituted a gross violation of the letter and spirit of that instrument. The international community should demand that Israel eliminate its nuclear arsenals immediately.

36. Malaysia was also concerned that certain nuclear-weapon States were facilitating access by States which were not parties to the Treaty to nuclear materials, technology and know-how that could be diverted to the development of nuclear weapons. States parties should call for total prohibition of the transfer of nuclear-related materials and of assistance and cooperation in related fields to all such States, without exception. Furthermore, while nuclear-weapon-free zones were a positive step towards the objective of global nuclear disarmament, the total elimination of such weapons was the only guarantee against their use, the threat of their use, and their proliferation.

37. In cooperation with International Physicians for the Prevention of Nuclear War (IPPNW), the International Network of Engineers and Scientists against Proliferation (INESAP) and the International Association of Lawyers against Nuclear Arms (IALANA), Malaysia had just launched an updated version of a book entitled *Securing our Survival (SOS): The Case for a Nuclear Weapons Convention*, which contained information on the elements of a draft nuclear weapons convention. Its publication coincided with the launching of the International Campaign to Abolish Nuclear Weapons (ICAN), which was spearheaded by, inter alia, IPPNW, INESAP, IALANA and the Hiroshima-based non-governmental organization, Mayors for Peace; its purpose was to educate the public and policymakers regarding the feasibility of abolishing nuclear weapons through the adoption of a convention.

38. **Mr. Soltanieh** (Islamic Republic of Iran) said that the NPT faced three major challenges: lack of progress towards nuclear disarmament; the practice of rewarding States which were not parties to the Treaty, particularly in the Middle East, with technology and materials that could be used to produce nuclear weapons; and increased limitations on the peaceful uses of nuclear energy by developing States that were parties to the NPT.

39. The continued existence of thousands of stockpiled nuclear weapons was the most serious threat to the existence of humankind. The lack of any time

frame or deadline for the elimination of nuclear weapons was one of the most serious shortcomings of the NPT and the limited efforts of the two major nuclear-weapon States following the end of the cold war were not consistent with their legal obligations under article VI.

40. His delegation was concerned at the emergence of the new United States security doctrine, which sought to rationalize the development and stockpiling of a new generation of tactical weapons and their use in conventional conflicts and against perceived non-nuclear weapon adversaries; the continued weaponization of outer space; and reliance on nuclear weapons as a key element in the national security strategy of certain nuclear-weapon States. The recent decision of the United Kingdom to further develop its nuclear weapons capability by upgrading its Trident nuclear weapons, which could expand the nuclear arms race beyond the traditional rivalry between the two most powerful nuclear-weapon States, was a violation of article VI, in defiance of the unanimous decision of the 2000 Review Conference, and a clear setback for nuclear disarmament and non-proliferation.

41. Nuclear-weapon-sharing arrangements with non-nuclear-weapon States and, in particular, the deployment of nuclear weapons in European States members of the North Atlantic Treaty Organization (NATO) were a violation of article I of the NPT; the development and testing of new nuclear weapons in laboratory conditions and by using supercomputers constituted vertical proliferation and was also a violation of article VI; and the planned deployment of missile defence systems in various regions showed a total disregard for the agreement reached at the 2000 Review Conference. The transfer of nuclear technology and materials to States that were not parties to the NPT, and particularly the 2000 agreement on nuclear cooperation between the United States of America and Israel, showed a total disregard for the obligations of the United States under article I of the Treaty.

42. The effectiveness of the NPT required full compliance with all its provisions by all parties. The selective approach imposed by a few States and their refusal to address the issue of nuclear disarmament were of particular concern. In the Final Document of the 2000 NPT Review Conference, the participants had reaffirmed that the total elimination of nuclear weapons was the only absolute guarantee against the use or threat of use of nuclear weapons and had called

on the Preparatory Committee to make recommendations regarding the need for the five nuclear-weapon States to give the non-nuclear-weapon States legally binding security assurances. He urged the participants in the 2010 NPT Review Conference and its Preparatory Committee to work hard on that critical issue.

43. His delegation had first proposed the establishment of a nuclear-weapon-free zone in the Middle East in 1974 as an important disarmament measure; peace and stability could not be achieved in that region while a massive nuclear arsenal continued to threaten it. Although no practical measures had been taken to contain that arsenal as the real source of nuclear threat in the Middle East, the Islamic Republic of Iran, a party to the NPT, was being pressured to renounce its inalienable right to the peaceful uses of nuclear energy. The Security Council's failure to address the well-documented illicit nuclear weapons programme pursued by the Zionist regime and the support provided by some Western countries had encouraged that regime to acknowledge the possession of nuclear weapons. In a statement issued on 5 February 2007, the Non-Aligned Movement had condemned the Zionist regime for continuing to develop and stockpile nuclear arsenals, and he expected that the Preparatory Committee would issue a similar condemnation.

44. On the occasion of the fiftieth anniversary of the establishment of IAEA, he wished to express his delegation's appreciation for those who genuinely contributed to the promotion of peaceful uses of nuclear energy. It was, however, disappointing that the authority of the Agency as the sole authority for verification of the safeguards agreements had been undermined. The Security Council's involvement with issues such as verification and peaceful cooperation between the Agency and Member States was in clear contradiction with the provisions of the IAEA Statute. The inalienable right of States parties to the NPT to develop nuclear technology for peaceful purposes, including fuel cycle, emanated from the universally accepted proposition that scientific and technological achievements were the common heritage of mankind. Nuclear technology had been recognized as a viable option with broad applications within sustainable development policies. The promotion of its use for peaceful purposes had therefore been one of the main pillars of the NPT and the primary statutory objective of IAEA.

45. It was unacceptable that some States sought to limit access to peaceful nuclear technology to an exclusive club of technologically advanced States under the pretext of non-proliferation. That attitude was in clear violation of the letter and spirit of the Treaty and destroyed its fundamental balance between rights and obligations. The involvement of other international bodies, even the Security Council, in the imposition of limitations on the peaceful use of nuclear energy would only undermine the credibility of those bodies.

46. As his Government had repeatedly indicated, weapons of mass destruction, in particular nuclear weapons, had no place in its defence doctrine; according to a religious decree (fatwa) issued by the supreme leader of the Islamic Republic of Iran, such inhuman weapons were prohibited under Islamic law. His Government had suspended its enrichment operation for two and a half years in order to remove any ambiguity regarding its nuclear activities. It was essential to note that, in all resolutions of the IAEA Board of Governors, that suspension had been considered voluntary and thus not legally binding. Therefore, the halting of that voluntary suspension could in no way be considered a violation of his Government's legal obligations. The Director General of IAEA had repeatedly reported to the Board of Governors that there was no evidence of diversion of nuclear materials and activities to prohibited purposes and that all declared nuclear materials had been accounted for.

47. According to article XII of the IAEA Statute, any non-compliance with its provisions must be determined by the inspectors and reported to the Director General, who, in turn, would report it to the Board of Governors. Since none of those legal procedures had been followed, resolution GOV/2006/14 of the Board of Governors, conveying the nuclear dossier to the Security Council, had no legal grounds. Consequently, Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), adopted on the basis of the Board's resolution, were unjustified and legally baseless. If his country were not a party to the NPT, it would not have been faced with such an unfair situation; penalizing a party to the Treaty on political grounds would have grave consequences.

48. His Government's acceptance of over 2,000 man-days of robust inspections, its granting of access to over 20 military sites and its voluntary implementation

of the Additional Protocol to the IAEA safeguards agreement for almost three years prior to the Protocol's ratification were a clear indication of its commitment to non-proliferation. Suspension of voluntary measures such as implementation of the Additional Protocol had been a consequence of the IAEA Board's decision to convey the dossier to the Security Council. His Government stood ready to negotiate with interested parties on mechanisms that could guarantee the non-diversion of its peaceful activities in the future. While emphasizing nuclear fuel cycle programmes aimed at the industrial production of fuel needed for its reactors and power plants, his Government wished to stress that it had no capacity at any level (research and development, pilot or industrial) for the production of nuclear material usable for weapons. Any further steps by the Security Council would jeopardize initiatives aimed at resuming negotiations with a view to peaceful settlement of the question.

49. His Government was prepared to resolve a few of the remaining issues with IAEA, provided that the nuclear dossier was returned in full to the Agency. The Islamic Republic of Iran continued to comply with its obligations under the NPT, but it would not tolerate intimidation and threats and would never give up its inalienable right to the peaceful uses of nuclear energy as stipulated in article IV of the Treaty and articles I and II of the IAEA Statute.

50. The preparatory review process provided the best forum for addressing the real challenges to the NPT. Unless serious collective measures were taken prior to the 2010 Review Conference, the future of the Treaty would be in jeopardy. Its credibility and legitimacy derived not from a discriminatory approach concentrating on provisions that coincided with the political interests of some parties, but from a balanced review of all basic obligations under the Treaty; that principle applied to substantive as well as procedural aspects of the Preparatory Committee's work.

51. **Mr. Cserevny** (International Atomic Energy Agency) said he was pleased that the Preparatory Committee was meeting in Vienna in 2007, which marked the Agency's fiftieth anniversary. Its goal was to broaden awareness of the scope of its mission and activities and of its contribution to development, nuclear safety and security, and nuclear non-proliferation and disarmament. IAEA promoted the objectives of security and development and its activities were based on the premise that progress in

any of those areas strengthened the integrity of the whole. Its work could be described in terms of the three pillars of the Treaty: facilitating the development and transfer of nuclear technology for peaceful purposes; building and maintaining a global nuclear safety and security regime; and verifying that States honoured their commitments to the exclusively peaceful use of nuclear energy.

52. There was a wide expectation in the international community that the 2010 Review Conference, unlike that of 2005, would be able to agree to work towards a world free of nuclear weapons, to prevent the acquisition of nuclear weapons by additional States and to make the peaceful applications of nuclear energy available to all. The vulnerabilities of the NPT regime included the acquisition by more and more countries of sensitive nuclear know-how and capabilities; the uneven degree of physical protection of nuclear materials from country to country; the limitations on the Agency's verification authority, particularly in countries without additional protocols in force; the continuing reliance on nuclear deterrence; the ongoing perception of an imbalance between the nuclear "haves" and "have-nots"; and the sense of insecurity in a number of regions, most worryingly in the Middle East and the Korean peninsula. Delegations should begin to lay the groundwork for the 2010 review and should address those vulnerabilities, bearing in mind the package of decisions and resolution adopted in 1995, the Final Document agreed in 2000 and all other relevant documents and agreements.

53. In the Final Document of the 2000 Conference, States parties had recognized that IAEA safeguards were a fundamental pillar of the nuclear non-proliferation regime, played an indispensable role in implementation of the Treaty and helped to create an environment conducive to nuclear disarmament and cooperation. They had also reaffirmed that IAEA was responsible for verifying compliance with States' obligations under article III (1) of the Treaty in accordance with its Statute and safeguards system. The Agency's recent verification experience showed that international obligations of direct relevance to national and international security must be strictly complied with, and be seen to be complied with, if the required assurance was to be obtained. Ideally, assurance of compliance, and early warning in cases of non-compliance, should be extended to cover all the obligations embodied in or emanating from the NPT. In

preparation for the 2010 Review Conference, discussions should focus on, inter alia, verification and States' compliance with their obligations. When international inspectors were provided with adequate authority, aided by all available information, backed by an effective compliance mechanism and supported by international consensus, the current verification system provided reliable, impartial information that would not otherwise be available. However, recent experience had shown that, in the absence of one or more of those elements, the quality of that information and the level of assurance that IAEA could provide might diminish considerably.

54. The ability of the IAEA safeguards system to provide credible assurances of a State's peaceful use of nuclear material depended on various factors, the most important of which was whether it had a comprehensive safeguards agreement and Additional Protocol in force. He reiterated the Director General's 2005 call for NPT States parties to acknowledge that the Additional Protocol was an integral part of IAEA safeguards in every State party. The 31 States parties that had not yet done so should conclude and bring into force the safeguards agreements required from them under the Treaty; IAEA was organizing a seminar, to be held in Vienna from 14 to 16 May 2007, for States parties without such agreements.

55. Since the 2005 Review Conference, in order to close a loophole in its safeguards system, the Board of Governors had modified the standard text of the so-called "small quantities protocols" to comprehensive safeguards agreements, under which many important safeguards measures had been held in abeyance. Accession to such protocols would no longer be available to States with an existing or planned nuclear facility. States that continued to qualify for them would be required to provide initial reports on their nuclear material and to notify IAEA promptly if they decided to construct or authorize construction of a nuclear facility; they must also permit IAEA inspections. To date, only 11 of the 98 States with small quantities protocols had accepted the modified standardized text; he called on the remainder of them to amend or rescind their protocols.

56. Under NPT safeguards agreements, IAEA had the right and the obligation to ensure that States applied safeguards to all nuclear material in peaceful nuclear activities. The wider access to information and locations provided by States under Additional

Protocols significantly increased the Agency's ability to provide assurances regarding the absence of undeclared nuclear material and activities in those States. Only if a State had both a comprehensive safeguards agreement and an Additional Protocol in force could IAEA conclude that all its nuclear material was being used for peaceful activities. However, since the 2005 Review Conference, only 17 States parties had signed Additional Protocols and 11 States parties had brought Additional Protocols into force. Thus, a total of 112 States parties had Additional Protocols signed but not yet in force and 78 States parties had Additional Protocols in force.

57. The preparatory process for the 2010 Review Conference provided a new opportunity to discuss ways in which IAEA verification under the NPT could be further strengthened. With respect to the provision of additional information on nuclear technologies, the review of annexes I and II of the Model Additional Protocol could help IAEA obtain a fuller picture of States' nuclear activities. The provision of information on exports of specified equipment and non-nuclear material, procurement enquiries, export denials and information from commercial suppliers would improve the Agency's ability to detect possible undeclared activities by enhancing its State evaluation process and could improve its ability to respond to the challenges of clandestine nuclear trade.

58. The capacities of the IAEA safeguards analytical laboratory in Seibersdorf and the sample analysis capacity of its network of analytical laboratories were insufficient to process the environmental samples collected for verification purposes in a timely and independent manner. The Agency's secretariat urgently required new resources in order to maintain and expand the number of its qualified network laboratories and to enhance its analytical laboratory in Austria. IAEA also required access to new types of satellite imagery, as well as human resources for the effective analysis of satellite images.

59. The Agency had an insufficient budget — about 130 million euros — for verifying compliance with States' non-proliferation undertakings by applying safeguards at over 900 facilities in some 70 countries; in particular, it needed resources for special verification equipment and instrumentation. Investment of 11.4 million euros in 2008-2009 was needed in order to respond effectively to the increasing complexity of its verification mission and the additional facilities

expected to come under safeguards in 2008-2009 would also require significant resources. In view of the steadily increasing costs of safeguards applications, new and innovative financial solutions were needed.

60. The 2006 safeguards implementation report was being finalized. The IAEA secretariat's findings were based on an evaluation of all available information. The report would cover 77 States that had both comprehensive safeguards agreements and additional protocols in force and 78 States that had only safeguards agreements in force, 5 nuclear-weapon States with voluntary offer safeguards agreements in force and 3 States that had concluded item-specific safeguards agreements. As of February 2006, IAEA continued to apply safeguards under the comprehensive safeguards agreement of the Islamic Republic of Iran and to verify the correctness and completeness of its declarations. The Agency had been unable to perform any verification activities in respect of the Democratic People's Republic of Korea and therefore had not reached any conclusions.

61. The year 2007 also marked the fortieth anniversary of the adoption of the Treaty of Tlatelolco, which had established the world's first nuclear-weapon-free zone and had inspired similar zones in Africa, South-East Asia and the South Pacific. Most recently, Central Asia had been the first region to make additional protocols to the safeguards agreements a requirement for accession to the treaty establishing the nuclear-weapon-free zone.

62. While the increase in global energy demand and concerns over climate change were driving a potential expansion in the use of nuclear energy, there were concerns at the proliferation risks resulting from the spread of sensitive nuclear technology such as uranium enrichment and spent fuel reprocessing. For the past two years, IAEA had been highlighting the need for a new multilateral approach to the nuclear fuel cycle in order to strengthen non-proliferation and cope with the expected expansion of nuclear power use. The first step would be to establish mechanisms to provide assurances regarding the supply of fuel for nuclear power reactors and, as needed, assurances of supply for the acquisition of such reactors. The second step would be to encourage placement of all enrichment and reprocessing operations under multilateral control. In order to be acceptable to States, any assurance of supply should be equitable and accessible to all users. The Director General planned to submit a document on

modalities and criteria for possible assurance mechanisms to the IAEA Board in June 2007.

63. For 50 years, technical cooperation had been a principal mechanism for implementing IAEA's basic Atoms for Peace mission; its technical cooperation programme had become a partnership based on the sharing of knowledge and expertise in order to promote sustainable growth and human security. Many former recipient States were now helping other countries in their regions to make use of the wide variety of peaceful nuclear applications. At present, the technical cooperation programme delivered nuclear-based solutions to the development problems of 115 countries in 51 areas of activity. It contributed to achievement of five of the Millennium Development Goals in the areas of environmental sustainability, hunger and poverty, maternal and child health and combating disease. Human health accounted for more than a quarter of the programme; other important areas included food and agriculture, specifically mutation breeding; soil management and livestock health; nuclear power and desalination; industrial applications such as non-destructive testing and radiation sterilization; water resource management; and safety and security. IAEA also had projects that supported regional priorities such as the New Partnership for Africa's Development (NEPAD).

64. The IAEA Programme of Action for Cancer Therapy (PACT) was designed to integrate radiotherapy into a broader "cancer control" framework of prevention, diagnosis and treatment. Over the past year, relationships had been built with the leading organizations in the field of cancer control and research in order to assist Member States with comprehensive cancer control programmes. IAEA also provided energy assessment services that helped build a State's capacity for energy analysis and planning. With IAEA assistance, Member States were using isotope hydrology to address water shortages and the depletion of groundwater resources through overuse; in 2006, Chile, Colombia, Costa Rica, Ecuador, Nicaragua, Peru and Uruguay had participated in a regional project for managing groundwater resources. US\$ 100 million were available annually for the technical cooperation programme, but increasing demand made it necessary for funds to be increased and assured on a regular basis. IAEA was building enhanced partnerships with both governmental and with non-governmental organizations and non-traditional partners.

65. The promotion of a strong safety culture for both operators and regulators should be viewed as a work in progress. IAEA safety standards reflected international consensus based on best practices and were increasingly used by States. Since the publication of Fundamental Safety Principles in 2006, IAEA had been discussing a long-term vision for possible integration of various thematic safety requirements into a set of consolidated safety requirements covering the 10 fundamental safety principles. The Agency's Nuclear Security Plan covered prevention, detection and response activities underpinned by needs assessments. Over 80 Member States were receiving assistance in areas such as nuclear security training; supply of detection and monitoring equipment; procurement of physical protection equipment for nuclear power plants and protection of locations containing highly radioactive sources. Member States were increasingly committed to the expanded range of relevant international instruments in that field, such as the amendment to the Convention on the Physical Protection of Nuclear Material and the Code of Conduct on the Safety and Security of Radioactive Sources. IAEA helped States prevent nuclear material and related technologies from falling into the hands of non-State actors and, accordingly, helped States fulfil their international obligations, including under Security Council resolutions 1540 (2004) and 1673 (2006). The most practical way to make optimal use of that assistance was for the 1540 Committee to encourage States requiring assistance to work directly with IAEA.

66. In October 2005, IAEA and its Director General had been awarded the Nobel Peace Prize for their efforts to prevent nuclear energy from being used for military purposes and to ensure that nuclear energy for peaceful purposes was used in the safest possible way. The IAEA staff and its Director General were strongly committed to making the Agency more effective and efficient in carrying out its mission in an objective, impartial manner and would continue to rely on the shared commitment and partnership of Member States.

67. **Monsignor Banach** (Observer for the Holy See) said that nuclear disarmament and non-proliferation were mutually reinforcing not only in the fight against nuclear terrorism, but also in the effort to achieve a culture of life and peace. It was important to create a climate of confidence and cooperation within the Preparatory Committee; the negative outcome of the 2005 Review Conference had resulted from a

prevalence of individual interests over collective security. There was a growing awareness of the close link between national and international security interests. Some governments wrongly considered nuclear weapons to be a means of ensuring the security of their countries; governments which openly or secretly possessed such weapons and those which planned to acquire them must agree to change their course by and must strive for progressive, concerted nuclear disarmament. The resources saved could then be used for development projects benefiting all their people, especially the poor.

68. The principal aim of the rule of law was to substitute the moral force of law for the material force of arms. The international community should take an innovative approach to analysing and determining the legal, political and technical steps to be taken in order to achieve the Treaty's objectives, taking into account issues such as verification and transparency, fissile material, negative security assurances, the nuclear fuel cycle, control of radioactive material, expansion of nuclear-weapon-free zones, recognition of the value of the CTBT and improved governance of the NPT.

69. **Mr. Albarout** (United Arab Emirates) said that 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. It was therefore difficult to achieve universal implementation of that instrument, which was the principal tool of international strategic disarmament and vertical and horizontal non-proliferation.

70. States parties to the NPT should demand that the nuclear-weapon States implement fully, openly and without delay all the pledges made during the 1995 and 2000 Review Conferences and should request that they negotiate on the basis of a specific timetable for implementation of the 13 functional steps agreed in 2000 with a view to the complete, irreversible elimination of all their existing nuclear stocks, technology, productive capacities and delivery systems.

71. The principles of nuclear non-proliferation should be reaffirmed, especially with respect to the vertical proliferation of nuclear weapons; he called on States to refrain from conducting test explosions aimed at developing new nuclear weapons or improving existing ones. The nuclear arms race should be prevented from expanding, especially to the Arab Gulf and neighbouring regions. States should rethink their policies that

threatened international and regional peace and security and put an end to such endeavours in accordance with the Treaty, the principles of international law and the relevant international resolutions.

72. A binding international instrument was needed to ensure safety guarantees and protect non-nuclear-weapon States from being attacked or threatened with nuclear weapons, pending the complete elimination of such weapons. More effective measures should be taken to ensure the accession of States that were not parties to the Treaty and States should be encouraged to enter into agreements aimed at establishing nuclear-weapon-free regions and subregions.

73. The Preparatory Committee should confirm the inalienable right of all States, and particularly the developing States, to produce and exploit nuclear energy for peaceful purposes, including scientific research, and to obtain nuclear technology without discrimination. An impartial mechanism to monitor achievement of that goal should be established. States parties should also reaffirm the importance of IAEA as the sole international agency entrusted with the verification of nuclear safeguards and the coordination of international nuclear technical cooperation and should reject attempts to use the Agency's technical cooperation programme as a political tool in violation of the IAEA Statute.

74. The United Arab Emirates had acceded to the Treaty because of its belief in the benefits of transparency and universal disarmament for economic and social development. Recently, it had begun to draft a law that would criminalize illicit trafficking in dual-use hazardous material, including nuclear equipment and material. His delegation was concerned about security risks in the region, including the nuclear programme of the Islamic Republic of Iran, and renewed its call for that important issue to be settled through dialogue and peaceful means in accordance with the relevant Security Council and IAEA resolutions. It was also concerned about the international leniency regarding Israel's refusal to accede to the Treaty. The fact that Israel was the only State in its region to possess nuclear reactors and dangerous arsenals enhanced the tension and conflict caused by its occupation of Arab and Palestinian territories. He called on the Preparatory Committee to recommend that the 2010 Review Conference should establish a subsidiary body to explore ways of ensuring

implementation of the resolution on the Middle East adopted at the 1995 Review Conference, which was considered an inseparable provision of the Treaty. States parties, especially the nuclear-weapon States, should refrain from providing Israel with financial and technical assistance to be used for nuclear activities and compel it to accede to the NPT without conditions and to comply with the 1995 resolution, including by dismantling its military nuclear facilities and subjecting them to IAEA safeguards.

75. **Mr. Curia** (Argentina) said that, as the international situation had changed drastically in recent years, international non-proliferation instruments and initiatives had been eroded by States' attempts to dilute their commitments. The Democratic People's Republic of Korea, the Islamic Republic of Iran, the events associated with the A.Q. Khan network, terrorism and the issue of non-State actors were challenges that must be addressed.

76. The announcement by the Democratic People's Republic of Korea that it possessed nuclear weapons and the nuclear test that it had conducted posed a serious threat to the stability of the NPT regime. He trusted that that State would soon meet its obligations by taking all necessary measures with a view to denuclearization and return to the non-proliferation regime.

77. Although the three pillars of the Treaty were closely linked, developments in one of those areas should not be contingent on similar progress in the other two. The Security Council should make a greater effort to address the problem of the development of nuclear weapons outside the NPT framework, and States parties should continue to urge those States not yet parties to the Treaty to sign it as non-nuclear-weapon States. Unfortunately, some nuclear-weapon States maintained that progress in the field of nuclear disarmament was contingent on other progress related to implementation of the Treaty, despite their commitment to eliminate their nuclear arsenals.

78. His Government was concerned that steps 1, 3, 4, 5 and 7 of the 13 practical steps agreed at the 2000 Review Conference were not being properly implemented, that some of the 10 countries whose ratification was necessary to the entry into force of the CTBT had yet to ratify it, that the Conference on Disarmament had not yet begun negotiation of a fissile material cut-off treaty and that, owing to its failure to

agree on a programme of work, the Conference had not established a subsidiary body on negative security assurances whereby nuclear-weapon States undertook not to use such weapons against States that had renounced them. The Additional Protocol to the IAEA safeguards agreements was a confidence-building measure, but its signature should not become a condition for nuclear supply.

79. The important and the inalienable right of States to use nuclear energy for peaceful purposes, pre-dated the Treaty's adoption, which had been made possible by cooperation on such matters. Any attempt to redefine the delicate balance of obligations established in the NPT, or to call into question its usefulness or the right of States to technological developments for exclusively peaceful purposes, could undermine the regime which had been established under the Treaty and had achieved widespread acceptance. As a recipient and exporter of nuclear materials and technology, Argentina supported the adoption by IAEA and the United Nations of measures aimed at ensuring the exchange of nuclear equipment, materials and technology with a focus on sustainable economic development.

80. His Government was concerned at recent attempts to restrict the scope of article IV of the Treaty, including by setting limits on the nuclear fuel cycle. Verification, together with the United Nations security system, played a key role in crisis prevention and provided tools for addressing States' efforts to evade their commitments under the Treaty. He reiterated Argentina's long-standing support for the establishment of nuclear-weapon-free zones and stressed the need for both the nuclear Powers and the States located in those zones to respect them.

81. Lastly, he hoped that the Preparatory Committee would give a clear mandate to the Review Conference, with recommendations, including a programme of work with a view to the preparation of a provisional agenda, and that its debates would be conducted in a constructive spirit and a climate of dialogue and cooperation that would culminate in consensus.

82. **Mr. Minty** (South Africa) said that, while the events of recent years had tested the NPT, it could continue to make a significant contribution to international peace and security and should be strengthened. Since the 2000 Review Conference, some States had increasingly emphasized the non-proliferation

aspect of the Treaty, sometimes to the exclusion of other equally important provisions. The complete elimination of nuclear weapons and the assurance that they would never be produced again should be States parties' highest priority.

83. Recent pronouncements by some nuclear-weapon States suggested that the unspecific terms of article VI of the Treaty did not bind them to any specific time frame in meeting their obligations under that instrument. Such statements served only to inspire other States to renege on their obligations and to unravel the carefully balanced pact between the "haves" and the "have-nots"; any presumption of the indefinite possession of nuclear weapons by the nuclear-weapon States was incompatible with the Treaty and with the broader goal of maintaining international peace and security. In destroying its nuclear weapons and becoming a State party to the NPT, South Africa had accepted that instrument's inherently discriminatory nature. However, like all non-nuclear-weapon States, it believed that maintaining that situation indefinitely was incompatible with the objective of a world free of nuclear weapons and with the obligations established in the Treaty.

84. Although the primary responsibility for eliminating nuclear weapons lay with the nuclear-weapon States, the obligation to work towards that goal lay with humanity as a whole. States should strengthen their partnership with civil society, which had made a valuable contribution by recognizing the threat posed by nuclear weapons and mobilizing communities against them.

85. Efforts should be made to achieve the return of the Democratic People's Republic of Korea to the Treaty and to IAEA. If they had not yet done so, States should accede to the NPT unconditionally as non-nuclear-weapon States; conclude full-scope safeguards agreements with IAEA and sign the Additional Protocol; sign and ratify the CTBT unconditionally and, pending its entry into force, observe a moratorium on nuclear tests; and conclude negotiations on a fissile material cut-off treaty. His Government supported efforts to establish a nuclear-weapon-free zone in the Middle East which would be contiguous with that of Africa. It also endorsed the Trilateral Initiative between the United States of America, the Russian Federation and IAEA aimed at reducing the level of weapons-grade material

in the United States of America and the Russian Federation.

86. All nuclear-weapon States should place their fissile material that was no longer required for military purposes under IAEA verification. South Africa strongly supported the principle of regular reporting by all States parties on their implementation of article VI of the NPT and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament. It was concerned at the nuclear-weapon States' failure to make progress in meeting the commitment to totally eliminate their nuclear arsenals that they had made at the 2000 Review Conference. It was encouraging that one of those States had recently reaffirmed its unequivocal commitment to the disarmament measures agreed at the 1995 and 2000 Review Conferences. However, while his Government welcomed the reduction in number of that State's operationally available warheads and the assurance that they would be totally dismantled, it believed that such reductions should be irreversible.

87. The current "have/have not" nuclear weapon regime should not be extended to the capacity to produce nuclear fuel, nor should the issue of nuclear fuel be viewed exclusively as a non-proliferation issue, ignoring its application to disarmament. It was important not to exacerbate existing inequalities or to create a fuel-cycle cartel that would exclude full participation, particularly by States in full compliance with their safeguards obligation. IAEA had a special responsibility to take into consideration the needs of the developing world. Discussion of the need for, and possible framework of, a mechanism ensuring access to nuclear fuel should not involve preconditions that would even hint at the possibility that non-nuclear-weapon States should forgo their inalienable right to the peaceful uses of nuclear energy.

88. The resources allocated to the IAEA technical cooperation programme should be sufficient, assured and predictable. He commended the Agency for its efforts to identify elements of that programme which could be harmonized with the NEPAD development goals with a view to achievement of the Millennium Development Goals by 2015 and development of strong operational partnerships with other international agencies and financial institutions.

89. The anticipated growth of atomic power made it necessary to strengthen the regulation of nuclear

radiation, radioactive waste and transport safety. The IAEA Safety Fundamentals could facilitate the establishment of an effective legal and legislative framework for safety in all nuclear activities and could serve as a reference in the effort to harmonize national legislation and regulations.

90. The safeguards system should be strengthened and adapted to changing circumstances. States in possession of advanced technologies that could be used for both peaceful and non-peaceful purposes had a special responsibility to provide assurances about the peaceful nature of their nuclear programmes, including by concluding an additional protocol to their safeguards agreements; his Government was concerned that some non-nuclear-weapon States still did not have such agreements in force. Illicit networks for the transfer of and trade in nuclear material, equipment and technology posed a serious threat to the Treaty. States should cooperate in order to eliminate that threat and should support IAEA verification activities.

91. Lastly, States parties should guard against adopting decisions on matters relating to the NPT in other forums, thereby undermining the Treaty. The delicate balance achieved in 1995 should not be further disturbed.

The meeting rose at 6.05 p.m.