



United Nations

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

Final Document

Part III

Summary records

List of participants

New York, 2005

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Note

The Final Document of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons consists of three parts:

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| Part I | NPT/CONF.2005/57 (Part I) |
| | Organization and work of the Conference |
| Part II | NPT/CONF.2005/57 (Part II) |
| | Documents issued at the Conference |
| Part III | NPT/CONF.2005/57 (Part III) |
| | Summary records |
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A. Summary records of the 1st to 22nd plenary meetings

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

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Summary record of the 1st meeting

Held at Headquarters, New York, on Monday, 2 May 2005, at 10.30 a.m.

Acting President: Mr. Parnohadiningrat (Indonesia)
President: Mr. Duarte (Brazil)

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Confirmation of the nomination of the Secretary-General of the Conference

Requests for observer status

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.45 a.m.

Opening of the Conference by the Chairman of the third session of the Preparatory Committee

1. **The Acting President**, introducing the final report of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2005/1), said that the Conference provided an opportunity for States parties to ensure that the Treaty remained the cornerstone of the global nuclear non-proliferation regime.

2. The Committee had held three sessions between April 2002 and May 2004; 153 States parties had participated in one or more of those sessions, together with States not parties to the Treaty, specialized agencies, international and regional intergovernmental organizations, non-governmental organizations and members of academia who had participated in accordance with the agreed modalities. At each session, one meeting had been set aside for presentations by non-governmental organizations.

3. The Committee had reached agreement on a number of issues relating to the organization of the Conference, including the choice of President, the draft rules of procedure and the financial arrangements; its recommendations were reflected in the report. However, it had been unable to agree on a provisional agenda or on matters relating to a final document or documents of the Conference.

4. Most of the Committee's meetings had been devoted to a substantive discussion of all aspects of the Treaty and of the three clusters of issues contained in annex VIII to the final report of the Preparatory Committee for the 2000 Review Conference (NPT/CONF.2000/1). Meetings had also been set aside for discussion of three specific blocks of issues: implementation of article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, as well as the agreements, conclusions and commitments listed in the section entitled "Article VI and the eighth to twelfth preambular paragraphs", contained in the final document of the 2000 Review Conference; regional issues, including with respect to the Middle East; and the safety and security of peaceful nuclear programmes.

5. The Chairmen of the first and second sessions of the Committee had prepared factual summaries which were annexed to the draft reports on those sessions (NPT/CONF.2005/PC.I/CRP.1 and NPT/CONF.2005/PC.II/CRP.1, respectively); at its third session, however, no agreement had been reached on any of the substantive recommendations made.

Election of the President of the Conference

6. **The Acting President** announced that the Committee, at its third session, had unanimously recommended the election of Mr. Sérgio de Queiroz Duarte of Brazil as President.

7. *Mr. Duarte (Brazil) was elected President of the Conference by acclamation.*

8. *Mr. Duarte (Brazil) took the Chair.*

Statement by the President of the Conference

9. **The President** said he was confident that with flexibility and understanding the Conference would achieve agreement on the outstanding procedural issues so that the substantive issues could be tackled without delay.

10. Perceptions of lack of compliance with commitments eroded States parties' trust in the Treaty's effectiveness, and divergent views on the best way to realize its objectives continued to shadow the prospects for a more stable, predictable environment of peace and security. The emergence of terrorism as a tool of political extremism added an even more worrisome element to that equation. Agreements would be effective and lasting only if they addressed the security concerns and legitimate interests of all parties thereto. Such considerations lay at the centre of the debate on how to devise realistic ways to meet old and new challenges to the integrity and credibility of the rules and norms established by the Treaty; to ignore those challenges would be detrimental to the sustainability of the non-proliferation regime.

11. The Conference was an opportunity to strengthen confidence in the multilateral process and find solutions that would be acceptable to all Parties and be welcomed by the people of all nations. Perhaps more than ever, genuine cooperation, wisdom and enlightened statesmanship were needed. He hoped that history would judge positively the wisdom of the decisions taken.

Address by the Secretary-General of the United Nations

12. **The Secretary-General** recalled that 1945, the year in which the United Nations had been founded, had also marked the beginning of the nuclear age with the horrific explosions in Hiroshima and Nagasaki. The dangerous Cold War era that had followed might have ended, but nuclear threats remained; he firmly believed that the current generation could build a world of ever-expanding development, security and human rights, but such a world could be put irrevocably out of reach by a nuclear catastrophe in a major city.

13. In that event, the first question would be whether the catastrophe was an act of terrorism, an act of State aggression or an accident; all were possible. Tens, if not hundreds, of thousands of people would perish in an instant and many more would die of radiation exposure. World leaders' attention would be riveted on that existential threat, collective security mechanisms could be discredited and hard-won freedoms and human rights could be compromised. The sharing of nuclear technology for peaceful uses could halt; development resources would dwindle; world financial markets, trade and transportation would be hard hit, with major economic consequences; and millions of people in poor countries would be driven into deeper deprivation and suffering. As shock gave way to anger and despair, the leaders of every nation — not merely those represented at the Conference — would ask what events had led to the catastrophe and whether they could have done more to reduce the risk by strengthening the regime designed to do so.

14. In the modern world, a threat to one was a threat to all and States shared the responsibility for each other's security; they were all vulnerable to the weakest link in nuclear security and safety, and they were all responsible for building an efficient, effective and equitable system to reduce the nuclear threat.

15. For the past 35 years, the Treaty had been a cornerstone of global security and had confounded the predictions of its critics. Nuclear weapons had not spread to dozens of States; indeed, more States had given up their ambitions for such weapons than had acquired them. States had joined nuclear-weapon-free zones; he welcomed recent progress towards the establishment of a new such zone in Central Asia. A watchful eye had been kept on the supply of materials necessary to the production of nuclear weapons, and

many States had been able to benefit from the peaceful uses of nuclear energy.

16. Efforts, including the recent Treaty on Strategic Offensive Reductions (the "Moscow Treaty"), had been made to dismantle weapons and reduce stockpiles; the Security Council, in its resolution 1540 (2004), had affirmed the responsibility of all States to secure sensitive materials and control their export; and the General Assembly had adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in April 2005.

17. But the fact was that the nuclear non-proliferation regime had not kept pace with the march of technology and globalization and had been placed under stress by the developments of recent years. International regimes did not fail because of one breach, however serious or unacceptable, but rather because of many breaches whose accumulation rendered the gap between promise and performance unbridgeable. States parties to the Treaty must narrow that gap.

18. He had no doubt that many truths would be heard during the Conference. Some would stress the need to prevent proliferation to volatile regions, while others would argue for universal compliance with and enforcement of the Treaty; some would say that the spread of nuclear fuel cycle technology posed an unacceptable threat, while others would counter that access to the peaceful uses of nuclear technology must not be compromised; and some would depict proliferation as a grave threat, while others would argue that existing nuclear arsenals were a deadly danger. He challenged delegations to recognize all those truths and to accept that disarmament, non-proliferation and the right to peaceful uses were all vital, that they were too important to be held hostage to the policies of the past, and that they all imposed responsibilities on all States.

19. In order to rise to those challenges, States parties must strengthen confidence in the Treaty's integrity, particularly in the face of the first withdrawal by a State, by addressing violations directly. They must make compliance measures more effective, including through universal accession to the Model Additional Protocol to the Treaty as the new standard for verification. They must reduce the threat of proliferation to non-State actors by establishing effective national controls and enforcement measures. And they must come to grips with the fact that the

regime would not be sustainable if scores more States developed the most sensitive phases of the fuel cycle and thereby acquired the technology to produce nuclear weapons on short notice, leaving other States to feel that they must do the same and increasing the risks of nuclear accident, trafficking and use by terrorists and by States themselves.

20. In order to prevent such an eventuality, ways must be found to reconcile the right to peaceful uses with the imperative of non-proliferation. States that wished to exercise their undoubted right to develop and use nuclear energy for peaceful purposes must not insist that they could do so only by developing capacities that might be used to create nuclear weapons, but neither should they be left to feel that the development of such capacities was the only way to enjoy the benefits of nuclear energy.

21. A first step would be to expedite agreement to create incentives for States to voluntarily forgo the development of fuel cycle facilities; he commended the International Atomic Energy Agency (IAEA) and its Director-General for working to advance consensus on that vital question and urged all States to do the same. However, the only way to guarantee that nuclear weapons would never be used was for the world to be free of them; it was time to move beyond rhetorical flourish and political posturing. Some of the initial steps were obvious: prompt negotiation of a fissile material cut-off treaty for all States was vital. All States should affirm their commitment to a moratorium on testing and to the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty. The High-level Panel on Threats, Challenges and Change had wisely endorsed the recommendation that all nuclear-weapon States should de-alert their existing weapons (A/59/565, para. 121) and give negative security assurances to the non-nuclear-weapon States.

22. But more must be done; many States still lived under a nuclear umbrella, whether their own or that of an ally, and ways must be found to lessen and ultimately overcome their reliance on nuclear deterrence. The former Cold War rivals should commit themselves irreversibly to bringing down the number of warheads in their arsenals to hundreds, not thousands. That could be achieved only if every State had a clear picture of the fissile material holdings of every other State and was confident that that material was secure. All States, nuclear and non-nuclear alike, must therefore increase their transparency and security.

23. It must also be borne in mind that States' attitudes to the Treaty were linked to broader questions of national, regional and global security, including the resolution of regional conflicts. The more confidence States had in the collective security system, the more prepared they would be to rely on non-proliferation rather than on deterrence and the closer they would be to universal accession to the Treaty. In his report, "In larger freedom: towards development, security and human rights for all" (A/59/2005), he had offered Member States a vision of a revitalized system of collective security for the twenty-first century; when world leaders meet in September 2005, they must take bold decisions to bring that vision closer to reality.

24. He had proposed an ambitious agenda, but the consequences of failure were too great to aim for anything less and the promise of success was plain for all to see: a world of reduced nuclear threat and, ultimately, one free of nuclear weapons. But such a world could not be achieved if States parties accepted only some of the truths that would be uttered during the Conference; as J. Robert Oppenheimer, one of the "fathers" of the atomic bomb, had warned, "The peoples of this world must unite, or they will perish... The atom bomb has spelled [this] out for all men to understand".

Address by the Director-General of the International Atomic Energy Agency

25. **Mr. ElBaradei** (Director-General of the International Atomic Energy Agency) said that the core of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) could be summed up in two words: security and development. Although the States parties to the Treaty held differing priorities and views, he trusted that all shared the two goals of development for all through advanced technology and security for all through the reduction and ultimate elimination of the nuclear threat. Those shared goals were the foundation on which the international community had built the landmark Treaty in 1970. They had agreed to work towards a world free of nuclear weapons, and, while working towards that goal, to prevent the acquisition of nuclear weapons by additional States and make the peaceful applications of nuclear energy available to all. Those commitments were mutually reinforcing. They were still as valid as they had been when first made — and were even more urgent. If the parties could not work together, each acknowledging the development

priorities and security concerns of the other, the result of the Conference would be inaction.

26. In the five years since the 2000 Review Conference, the world had changed and fears of a deadly nuclear detonation had reawakened, driven by new realities: the rise in terrorism, the discovery of clandestine nuclear programmes and the emergence of a nuclear black market. Those realities had heightened awareness of vulnerabilities in the NPT regime: 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 verification authority of IAEA, particularly in countries without additional protocols in force; the continuing reliance on nuclear deterrence; the ongoing perception of imbalance between the nuclear haves and have-nots; and the sense of insecurity persisting, unaddressed, in a number of regions, most worryingly in the Middle East and the Korean Peninsula. If the global community accepted that the benefits of peaceful nuclear technology were essential to the world's health, environment and social and economic development, it must ensure that a framework was in place that would effectively prevent the military applications of nuclear technology from leading to self-destruction. The Treaty had worked well for 35 years, but unless it was regarded as part of a living, dynamic regime, capable of evolving to match changing realities, it would fade into irrelevance, leaving the world vulnerable and unprotected.

27. Although the twin goals of security and development remained the same, the mechanisms for achieving those goals must evolve. The States parties should, first of all, reaffirm the goals established in 1970 and send a clear-cut message that their commitment to those goals had not changed: that they had zero tolerance for new States developing nuclear weapons, but would ensure that all countries had the right to use nuclear technology for peaceful purposes. Without those commitments, the present Conference would be a meaningless exercise.

28. Second, they should strengthen the verification authority of IAEA. In recent years, the additional protocol to comprehensive safeguards agreements had proved its worth. With better access to information and locations, IAEA got better results. As Director-General of IAEA, he would welcome an acknowledgement by the Conference that the additional protocol was an

integral part of IAEA safeguards in every State party to the Treaty. Effective verification consisted of four aspects: adequate legal authority, state-of-the-art technology, access to all available information, and sufficient human and financial resources. But verification was but one part of the non-proliferation regime. For the regime as a whole to function effectively, there must also be effective export controls, effective physical protection of nuclear material and effective mechanisms for dealing with cases of non-compliance, and those components must be well integrated. The whole purpose of verification was to build confidence. In cases where proliferation concerns existed, he would urge States to be open and transparent. Even if such measures went beyond a State's legal obligations, they would pay valuable dividends in restoring the confidence of the international community.

29. Third, the States parties should improve control over proliferation of sensitive parts of the nuclear fuel cycle, specifically, activities involving uranium enrichment and plutonium separation. As experience had shown, effective control of nuclear materials was the bottleneck inhibiting nuclear weapons development. Without question, improving control of facilities capable of producing weapon-usable material would go a long way towards establishing a better margin of security. There was no incompatibility between tightening controls over the nuclear fuel cycle and expanding the use of peaceful nuclear technology. In fact, reducing the risks of proliferation could pave the way for more widespread use of peaceful nuclear applications.

30. Whatever the optimum fuel cycle control mechanism might look like, it should be different from the present mechanisms, and it should, above all, be equitable and effective. The Secretary-General's High-Level Panel on Threats, Challenges and Change had urged negotiations without delay on an arrangement, under the IAEA Statute, for the Agency to serve as a guarantor of two fuel-cycle-related services: the supply of fissile material for fuel and the reprocessing of spent fuel. The guaranteed provision of reactor technology and nuclear fuel to users that satisfied agreed non-proliferation requirements was clearly a prerequisite for acceptance of any additional controls on the fuel cycle. The High-Level Panel had also urged that, while the arrangement was being negotiated, a voluntary time-limited moratorium on new fuel cycle facilities

should be put in place. Such a moratorium would signal the willingness of the international community to address that vulnerability in the regime and provide an opportunity for analysis and dialogue. An international group of experts to examine various approaches for the future management of the fuel cycle, which, as Director-General of IAEA, he had appointed, had made a good start. If requested, IAEA would be pleased to pursue more detailed work on the relevant legal, technical, financial and institutional aspects of the fuel cycle, perhaps beginning with the development of approaches for providing assurance of supply.

31. Fourth, the international community must secure and control nuclear material. A number of international and regional initiatives were under way to help countries improve their physical protection of nuclear material. The International Convention for the Suppression of Acts of Nuclear Terrorism had just been adopted by the General Assembly. Parties to the Convention on the Physical Protection of Nuclear Material were working to amend the Convention to broaden its scope. Efforts had been initiated to minimize and eventually eliminate the use of high enriched uranium in peaceful nuclear applications. The Conference should voice its support for such initiatives.

32. Fifth, the States parties must show the world that their commitment to nuclear disarmament was firm. As long as some countries placed strategic reliance on nuclear weapons as a deterrent, other countries would emulate them. In 2000, the nuclear-weapon States had made an unequivocal undertaking to achieve the total elimination of nuclear weapons. It was vital that they should continue to demonstrate that commitment through concrete action. Given current realities, it was also essential for disarmament discussions to include States not parties to the Treaty, namely, India, Israel and Pakistan. Nuclear disarmament could succeed only if it was universal. With regard to a possible disarmament road map, it was clear that nuclear-weapon States could make further irreversible reductions in their existing arsenals and take concrete action to reduce the strategic role currently given to nuclear weapons.

33. Sixth, verification efforts must be backed by an effective mechanism for dealing with non-compliance. In that regard, both the Treaty and the IAEA Statute relied on the Security Council. In a case of non-

compliance or of withdrawal from the Treaty, the Council should consider promptly the implications for international peace and security and take the appropriate measures.

34. Lastly, the international community should use all available mechanisms to address the security concerns of all. Clearly, not every State viewed its security as assured under the current NPT regime. The means to achieving security were often region-specific. In some regions, security had been advanced by the creation of nuclear-weapon-free zones. The Conference should encourage the establishment of additional nuclear-weapon-free zones, in parallel with the resolution of long-standing conflicts, in areas such as the Middle East and the Korean Peninsula. The use of security assurances would also help to reduce security concerns.

35. Measures to improve security must be accompanied by an unequivocal commitment to the development component. Nuclear science played a key role in economic and social development. Nuclear energy generated 16 per cent of the world's electricity with almost no greenhouse gas emissions. Radiotherapy was widely used to combat cancer. Other nuclear techniques were used to study child malnutrition and fight infectious diseases and produce higher-yielding, disease-resistant crops. The promise that such advanced nuclear technologies held for addressing the needs of the developing world could not be abandoned. The Conference should reaffirm the commitment to ensure the assistance and funding necessary to support peaceful nuclear applications in developing countries.

36. It was clear that the priorities and perceptions of security differed, sometimes sharply, among States parties to the Treaty, but the only way to address all security concerns was through joint and collective action. Nuclear-weapon States continued to rely on nuclear weapons in part because they had developed no alternative to nuclear deterrence. In order to accelerate the complete elimination of all nuclear weapons, the international community must channel its creativity and resources towards the development of an alternative system for collective security in which nuclear deterrence did not figure. Non-nuclear-weapon States were either dependent on their alliances with nuclear-weapon States — again under a security umbrella dependent on nuclear deterrence — or felt insecure and unprotected because of the absence of such an alliance. There, too, a solution must be found

through an inclusive and equitable collective security system.

37. In an era of globalization and interdependence, security strategies founded on the priorities of individual countries or groups of countries could only be a short-term solution. As the Secretary-General had recently stated, collective security today depended on accepting that the threats which each region of the world perceived as the most urgent were in fact equally so for all. The Review Conference offered an opportunity to acknowledge the vulnerabilities of all and focus on shared goals, to put in place a paradigm of a new collective security system to achieve those goals and enable all to live in freedom and dignity. The multilateral dialogue in which the States parties were engaged was, much like democracy, slow, unwieldy and at times frustrating, but it was far superior to any other approach in terms of the prospect of achieving equitable and therefore durable security solutions. In short, it remained the best, if not the only, option. The opportunity came only once every five years. If the Conference failed to act, the NPT framework might be the same in 2010, but the world certainly would be different: by 2010 would-be proliferators would continue to innovate and sensitive nuclear technology would continue to spread; the arsenals of nuclear-weapon States would continue to be modernized; and extremist groups would continue their hunt to acquire and use a nuclear explosive device — or, even worse, succeed. Clearly, the Conference could not accomplish everything in one month, but it must set the wheels of change in motion. Humanity deserved no less.

Adoption of the rules of procedure

38. **The President** said that consultations conducted prior to the Conference in accordance with the mandate given him by the Preparatory Committee had revealed the continuation of divergent views on the status of the Democratic People's Republic of Korea in relation to the Treaty on the Non-Proliferation of Nuclear Weapons. States parties were prepared to uphold the procedure applied by the Chairmen of the second and third sessions of the Preparatory Committee, but a number of States parties wished to discuss the general question of withdrawal as provided for in article X of the Treaty. It was the intention of the President, under his own responsibility, not to open a debate on the status of the Democratic People's Republic of Korea and to retain the nameplate of that country temporarily

in his custody. He had therefore asked the Secretariat to hold the nameplate in the conference room for the duration of the Review Conference. That action was in no way meant to prejudice the outcome of ongoing consultations on the issue or the consideration of questions related to article X of the Treaty.

39. The Preparatory Committee had not reached an agreement on a provisional agenda for the Conference. Some progress had since been made in narrowing divergences, but agreement had not yet been reached on an agenda. Nonetheless, the consultations had clearly shown that States parties were prepared to proceed with business and to formalize the decisions of the Preparatory Committee on a number of organizational and procedural issues. He intended to act accordingly.

40. He then drew attention to the draft rules of procedure, contained in annex II of the final report of the Preparatory Committee (NPT/CONF.2005/1), which had been submitted to the Conference by the Chairman of the third session of Preparatory Committee. In the absence of objections, he took it that the Conference wished to adopt the draft rules of procedure.

41. *It was so decided.*

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee

42. **The President** said that, at its third session, the Preparatory Committee had agreed to recommend that Main Committee I should be chaired by a representative of the Group of Non-Aligned and Other States (Indonesia); Main Committee II should be chaired by a representative of the Group of Eastern European States (Hungary); and Main Committee III should be chaired by a representative of the Western Group (Sweden). It had also agreed to recommend that the post of Chairman of the Drafting Committee should be assumed by a representative of the Group of Eastern European States and the post of Chairman of the Credentials Committee by a representative of the Group of Non-Aligned and Other States. The following candidates for the posts of Chairman had been endorsed by the respective Groups of States: for Main Committee I, Mr. Parnohadiningrat (Indonesia); for Main Committee II, Mr. Molnár (Hungary); for Main Committee III, Ms. Borsiin Bonnier (Sweden); for the

Drafting Committee, Mr. Costea (Romania). So far no candidate had been proposed as Chairman of the Credentials Committee.

43. *Mr. Parnohadiningrat (Indonesia), Mr. Molnár (Hungary), Ms. Borsiin Bonnier (Sweden) and Mr. Costea (Romania), were elected Chairmen of Main Committee I, Main Committee II, Main Committee III and the Drafting Committee, respectively.*

44. **The President** said that, in accordance with rule 5 of the rules of procedure, the Conference should proceed to elect two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. So far the following nominations for the posts of Vice-Chairmen had been received: for Main Committee I, Mr. Lew Qwang-chul (Republic of Korea); for Main Committee II, Mr. Taiana (Argentina); for Main Committee III, Mr. Melo (Albania); for the Drafting Committee, Mr. Paulsen (Norway); and for the Credentials Committee, Ms. Panckhurst (New Zealand) and Mr. Piperkov (Bulgaria).

45. *Mr. Lew Qwang-chul (Republic of Korea), Mr. Taiana (Argentina), Mr. Melo (Albania), Mr. Paulsen (Norway), Ms. Panckhurst (New Zealand) and Mr. Piperkov (Bulgaria) were elected Vice-Chairmen of Main Committee I, Main Committee II, Main Committee III, the Drafting Committee and the Credentials Committee, respectively.*

Election of Vice-Presidents

46. According to rule 5 of the rules of procedure, the Conference should proceed to elect 34 Vice-Presidents of the Conference. The following nominations had been received for the posts of Vice-President: for the seven posts allotted to the Group of Eastern European States: Czech Republic, Lithuania, Poland, Serbia and Montenegro, Slovakia, Slovenia and the former Yugoslav Republic of Macedonia; for the 10 posts allotted to the Western Group: Australia, Austria, Belgium, Canada, France, Germany, Italy, Japan, Luxembourg and the United Kingdom of Great Britain and Northern Ireland; for the 17 posts allotted to the Group of Non-Aligned and Other States: Algeria, Chile, China, Cuba, Iran (Islamic Republic of), Jamaica, Kuwait, South Africa and Zambia, with further nominations to come after consultations.

47. *Algeria, Australia, Austria, Belgium, Canada, Chile, China, Cuba, Czech Republic, France,*

Germany, Iran (Islamic Republic of), Italy, Jamaica, Japan, Kuwait, Lithuania, Luxembourg, Poland, Serbia and Montenegro, Slovakia, Slovenia, South Africa, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Zambia were elected Vice-Presidents of the Conference.

Appointment of the Credentials Committee

48. **The President** said that, according to rule 3 of the rules of procedure, the Conference should proceed to appoint six members of the Credentials Committee on the proposal of the President of the Conference, in addition to the Chairman and two Vice-Chairmen elected. Accordingly, he proposed the following members of the Credentials Committee: Croatia, Kazakhstan, Malta, Serbia and Montenegro, and Switzerland.

49. *Croatia, Kazakhstan, Malta, Serbia and Montenegro, and Switzerland were elected members of the Credentials Committee.*

50. **The Chairman** said he hoped that candidates for the remaining posts of Chairman of the Credentials Committee, Vice-Chairmen of the Main Committees and the Drafting Committee and Vice-Presidents of the Conference would soon be put forward.

Confirmation of the nomination of the Secretary-General of the Conference

51. **The President** said that, at its first session, the Preparatory Committee had decided to invite the Secretary-General of the United Nations, in consultation with members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 2005 Review Conference. At its third session, the Secretary-General had nominated Mr. Jerzy Zaleski, Department for Disarmament Affairs, to serve in that capacity.

52. *Mr. Zaleski was confirmed as Secretary-General of the 2005 Review Conference.*

Requests for observer status

53. **The President**, speaking with reference to rule 44, paragraph 3, of the rules of procedure, said that requests for observer agency status had been received from the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the

Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the NATO Parliamentary Assembly, the International Committee of the Red Cross, the Commission of the African Union, the League of Arab States and the Organization of the Islamic Conference. He took it that the Conference wished to accede to those requests.

54. *It was so decided.*

The meeting rose at 11.55 a.m.

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

6 June 2005

Original: English

Summary record of the 2nd meeting

Held at Headquarters, New York, on Monday, 2 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Koffler (Vice-President) (Austria)
later: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3.10 p.m.

General debate (*continued*)

1. **Ms. Hobbs** (New Zealand), speaking on behalf of the seven members of the New Agenda Coalition — Brazil, Egypt, Ireland, Mexico, South Africa, Sweden and her own country, New Zealand — called for a world security order in which nuclear weapons would have no role, as envisaged in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). She urged all States parties to fulfil their obligations under the Treaty and stressed, in particular, the need for China, France, Russia, the United Kingdom and the United States of America to work towards nuclear disarmament. Nuclear disarmament and nuclear non-proliferation must be mutually reinforcing. In that context, the agreed outcomes of both the 1995 Review and Extension Conference and the 2000 Review Conference with regard to effective disarmament measures had been sorely disappointing.

2. However heartening the reductions in non-strategic and strategic nuclear arsenals over the past decade, the ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by three nuclear-weapon States and the collective efforts of nuclear-weapon States to secure vast amounts of nuclear material worldwide had been, the objectives set out in the CTBT preamble had yet to be realized. Indeed, according to the latest estimates, the number of existing nuclear warheads exceeded 30,000 — nearly equal to the estimated number of warheads existing at the time the Treaty had entered into force — and stocks of fissile material at their current level were sufficient to produce thousands more nuclear warheads. The “programme of action” towards the implementation of article VI contained in the Principles and Objectives for Nuclear Non-proliferation and Disarmament agreed to in 1995, as well as the 13 practical steps for the systematic and progressive efforts to implement article VI, agreed to in 2000 were far from being implemented. The New Agenda Coalition regretted that the CTBT had not yet entered into force, negotiations for a treaty banning the production of fissile material (fissile material cut-off treaty) had not yet begun, and a subsidiary body on nuclear disarmament had not been established. It was equally disappointing that the majority of weapons reductions were not irreversible, transparent or verifiable and the role of nuclear

weapons in security policies had not been diminished since the previous two Conferences.

3. Against that backdrop, the broad support for the Coalition-sponsored resolution 59/75 of the General Assembly, entitled “Accelerating the implementation of nuclear disarmament commitments”, reflected increasingly widespread concern and impatience at the unsatisfactory progress being made towards nuclear disarmament. The Coalition also believed that transparent and verifiable disarmament processes would facilitate and expedite the resolution of regional conflicts. Reiterating the Coalition’s support for the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, she called on Israel to accede to the NPT promptly and without conditions, and to place all its nuclear facilities under the comprehensive safeguards of the International Atomic Energy Agency (IAEA).

4. The Coalition, which advocated the establishment of a nuclear-weapon-free zone in South Asia, welcomed the recent warming of relations between India and Pakistan and urged the two States to remain engaged in meaningful dialogue, discontinue their nuclear-weapon programmes and accede unconditionally to the Treaty.

5. Turning to more recent threats, she expressed the Coalition’s concern at the possibility of terrorists’ acquiring nuclear weapons and at the activities of the A.Q. Khan network and, in that connection, welcomed the Security Council deliberations on weapons of mass destruction. The Coalition also called on the Democratic People’s Republic of Korea to reconsider its nuclear-weapons programme and to re-engage in the six-party talks on peace and stability in the Korean Peninsula.

6. The Coalition welcomed the negotiations taking place between France, Germany and the United Kingdom — supported by both the High Representative of the European Union and IAEA — and the Islamic Republic of Iran on a long-term arrangement to provide objective guarantees that the Iranian nuclear programme would be used exclusively for peaceful purposes. It also welcomed Mexico’s recent initiative in hosting the Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and the entry into force of the treaties of Tlatelolco, Rarotonga and Bangkok, which, it hoped would spur the entry into force of

similar treaties, such as the Treaty of Pelindaba. The Coalition supported the ongoing efforts by the five Central Asian States to establish a nuclear-weapon-free zone as well as Mongolia's international nuclear-weapon-free status. It hailed the decision of the Libyan Arab Jamahiriya to abandon its programmes for developing weapons of mass destruction and its cooperation with IAEA.

7. At the current Review Conference, the New Agenda Coalition would address increasing concerns about the lack of compliance with commitments under the NPT regime, particularly the troublesome evidence that some nuclear-weapon States were planning to develop new nuclear weapons or significantly modify existing ones. In order to ensure the effectiveness of a strengthened review process, the Coalition advocated the establishment of a subsidiary body on nuclear disarmament to monitor compliance with the commitment on the total elimination of nuclear weapons set out in the 2000 Final Document.

8. **Mr. Machimura** (Japan) expressed the hope that, on the sixtieth anniversary of the bombings of Hiroshima and Nagasaki, the Conference would reconfirm its commitment to the NPT in order to ensure that such a tragedy would never be repeated.

9. As disarmament and non-proliferation became increasingly relevant to international peace and security, reform of the United Nations, particularly the Security Council, was crucial. Japan, which had always been at the forefront of promoting disarmament and non-proliferation, was resolved to play an ever more active role in a functionally reinforced United Nations and would continue to uphold its three non-nuclear principles.

10. A number of steps should be taken in order to strengthen the functioning of the NPT. First of all, regional issues must be addressed. The nuclear programmes of the Democratic People's Republic of Korea, in particular, posed a serious threat to the international nuclear non-proliferation regime, and a direct threat to the peace and stability of North-East Asia, including Japan. Japan urged the Democratic People's Republic of Korea to comply with its obligations under the NPT by completely dismantling all its nuclear programmes, including its uranium enrichment programmes, subject to credible international verification. It also urged the Democratic People's Republic of Korea to return expeditiously to

the six-party talks without preconditions. His delegation hoped that the Islamic Republic of Iran would reach an agreement with France, Germany and the United Kingdom, on the adoption of objective guarantees concerning the use of its nuclear programme for peaceful purposes. It called on India, Pakistan and Israel to accede to the NPT as non-nuclear-weapon States promptly and without conditions, welcomed the decision of the Libyan Arab Jamahiriya to abandon its programmes to develop weapons of mass destruction and supported the establishment of a zone free of weapons of mass destruction in the Middle East.

11. Second, practical nuclear disarmament measures must be implemented incrementally. In that connection, Japan urged those countries which had not yet ratified the CTBT to do so at the earliest possible date and called for an early commencement of negotiations on a fissile material cut-off treaty. Referring to the principles and objectives agreed and the 13 practical steps adopted at the 2000 Review Conference, he called on all nuclear-weapon States to take further initiatives towards nuclear disarmament, including deeper reductions in all types of nuclear weapons. Third, it was Japan's strong conviction that the universalization of the IAEA additional protocol was the most realistic and effective means of strengthening the nuclear non-proliferation regime. It called on all States that had not yet done so to conclude additional protocols without delay.

12. Stressing the importance of proactive cooperation in reinforcing the non-proliferation regime as a whole, he urged all States to implement the provisions of Security Council resolution 1540 (2004). Japan participated actively in the Proliferation Security Initiative (PSI) designed to strengthen international cooperation against trafficking in weapons of mass destruction and their delivery systems. Lastly, efforts to ensure the peaceful uses of nuclear energy must enjoy the confidence of the international community, based on faithful compliance with NPT obligations and transparency of nuclear activities. Japan continued to support IAEA technical cooperation activities in that context.

13. In conclusion, he drew attention to the working paper submitted by his delegation entitled "21 Measures for the 21st Century". The working paper outlined the messages Japan hoped the 2005 Conference would deliver.

14. **Mr. Downer** (Australia) expressed his delegation's strong support for the six-party talks as a means of resolving the nuclear situation in the People's Democratic Republic of Korea. It was regrettable that, one year after they had begun, those talks were at a standstill. While welcoming the decision by the Libyan Arab Jamahiriya to abandon its weapons of mass destruction programmes, his delegation was concerned at the pursuit of uranium enrichment activities by the Islamic Republic of Iran without justification, and by the activities of the A. Q. Khan proliferation network, which could be exploited by terrorists. That pattern of proliferation represented the gravest threat to the future of the NPT.

15. As existing measures were not sufficient to stop those bent on proliferation, in November 2004, Australia had hosted the Asia-Pacific Nuclear Safeguards and Security Conference, which had focused on the threat of nuclear proliferation and the emerging risk of nuclear terrorism. The Conference had highlighted the need for a sustained and comprehensive effort to enhance the nuclear safeguards and security framework, as indicated in the statement of its outcomes (NPT/CONF.2005/2).

16. Widespread conclusion of IAEA comprehensive safeguards agreements and additional protocols would best guarantee the long-term effectiveness of the NPT. Australia intended to make conclusion of an additional protocol a precondition for supplying uranium to non-nuclear-weapon States and would be consulting other suppliers and customers on the timing and implementation of that policy.

17. He called for the development of a framework to limit the spread of sensitive technology while respecting the rights to the peaceful uses of nuclear energy. Such a framework might include enhanced controls on the supply of sensitive nuclear technology; strengthened verification and detention procedures in States with such technology; and political measures to ensure reliable access to fuel for civil reactors by States that abandoned enrichment and reprocessing. The Conference must also decide how to deal with States that acquired sensitive nuclear technology only to withdraw from the Treaty. It was Australia's view that notice of withdrawal warranted immediate, automatic consideration by the Security Council.

18. Nuclear disarmament, however vital, should not be a prerequisite for strengthening the

non-proliferation regime. Such an approach would affect the security afforded by assurances concerning the peaceful purposes of nuclear programmes in non-nuclear-weapon States. As coordinator for the next conference on article XIV of the CTBT, Australia would be striving for the entry into force of that Treaty. In the meantime, existing moratoriums on nuclear testing must remain in place. Australia contributed actively to the CTBT International Monitoring System (IMS), including as host to the highest number of IMS stations, and called for continuing support to the development of the System. Negotiation of a fissile material cut-off treaty that monitored compliance should be given the highest priority by the Conference. Pending those negotiations, his delegation urged China to join the other nuclear-weapon States in declaring a moratorium on the production of fissile material for nuclear weapons. It also appealed to India, Pakistan and Israel to impose such a moratorium, apply measures in support of global non-proliferation norms and, ultimately, accede to the NPT as non-nuclear-weapon States.

19. **Mr. Schmit** (Luxembourg), speaking on behalf of the European Union, the acceding countries (Bulgaria and Romania), the candidate countries (Croatia and Turkey), and the stabilization and association process countries (Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), expressed the desire to help build a consensus by supporting the decisions and resolution adopted at the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference, taking into account the current international situation. The recommendations contained in the report of the Secretary-General and the report of the United Nations High-Level Panel on Threats, Challenges and Change should also be examined in detail by the Conference.

20. The 2003 European Union Strategy against Proliferation of Weapons of Mass Destruction was in line with its Common Position of November 2003 on the universalization and reinforcement of multilateral agreements on the non-proliferation of weapons of mass destruction and their means of delivery. The Strategy advocated a multilateralist approach based on the principle of shared commitments and obligations contained in legally binding instruments, and on the fulfilment of those obligations under multilateral agreements. The European Union attached the utmost

importance to reinforcing compliance with the Treaty, a policy that required an effective safeguards system for detecting violations and deterring the diversion of nuclear materials towards the manufacture of nuclear weapons. In that connection, the European Union viewed the IAEA comprehensive safeguards agreements and its Model Additional Protocol adopted in 1997 as the verification standard of the day and hoped they would be recognized as such by the Conference. It urged those States which had not yet concluded comprehensive safeguards agreements or an additional protocol with IAEA to do so without further delay.

21. The European Union was fully committed to the fight against terrorism and strongly supported all measures aimed at preventing terrorists from acquiring or developing nuclear, biological or chemical weapons and their means of delivery, as well as radiological dispersion devices. In that context, it welcomed and supported the inclusion of an anti-terrorist clause in each of the export control regimes, as well as IAEA action in that regard. It also welcomed the efforts of the Group of Eight to prevent terrorists or those harbouring terrorists from acquiring or developing weapons of mass destruction, missiles and related equipment and technology, and the unanimous adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. He stressed the importance of Security Council resolution 1540 (2004) in addressing such issues as diversion of and trafficking in materials that could be used to design, develop, manufacture or deploy nuclear, chemical or biological weapons and their means of delivery, and the role of non-State actors in the proliferation of weapons of mass destruction.

22. The European Union was deeply concerned that some non-nuclear-weapon States parties to the Treaty did not always comply with their non-proliferation obligations. It deplored the announcement in 2003 by the Democratic People's Republic of Korea of its intention to withdraw from the NPT and urged that country to fully comply with its obligations under the Treaty and its IAEA safeguards agreement. It hoped that the six-party talks would be resumed without delay. In view of the unprecedented announcement by the Democratic People's Republic of Korea, the Review Conference should give serious consideration to the question of withdrawal.

23. The European Union fully supported the negotiations currently under way between, on the one hand, France, the United Kingdom and Germany, with the participation of the High Representative for the Common, Foreign and Security Policy, and, on the other, the Islamic Republic of Iran, on the basis of the Paris Agreement of 15 November 2004. It welcomed the signature of the additional protocol by the Islamic Republic of Iran and its commitment to cooperate with IAEA on outstanding matters. It called on the Islamic Republic of Iran to comply with all its international commitments, and to provide objective guarantees that its nuclear programme was being used exclusively for peaceful purposes by halting the development and operation of fissile material production capability. It further urged the Islamic Republic of Iran to respect the provisions of the Paris Agreement and the relevant resolutions of the IAEA Board of Governors, particularly with regard to the suspension of all enrichment-related and reprocessing activities.

24. The dismantling by the Libyan Arab Jamahiriya of its weapons of mass destruction programme was a very positive precedent and an example to others. His delegation noted the conclusion of the Director-General of IAEA, that the uranium enrichment programmes of that country and Iran had shared common elements, including the procurement of basic technology from the A. Q. Khan network. In that connection, the European Union endorsed the call for all IAEA member States to identify supply routes and sources of nuclear technology and equipment.

25. The European Union favoured effective, internationally coordinated export controls to tackle illicit trafficking in highly sensitive nuclear equipment and technology. The involvement of non-State actors in the proliferation of such technology must be addressed. In view of the enhanced proliferation threat, all States must comply with Security Council resolution 1540 (2004). In that connection, the European Union would work to strengthen export controls and to define adequate consequences for failure to comply with non-proliferation obligations, while remaining mindful of the Treaty's core principles, in particular the peaceful uses of nuclear energy in conformity with article IV.

26. The European Union underlined the importance of continued international cooperation in the areas of safe radioactive waste management and radiological protection. It called upon States that had not yet done

so to accede to all relevant conventions as soon as possible.

27. While welcoming Cuba's and Timor-Leste's accession to the Treaty in 2002 and 2003, the European Union regretted that India, Israel and Pakistan remained outside it. In accordance with the Common Position of November 2003, the European Union continued to call on them to accede unconditionally to the Treaty as non-nuclear-weapon States. It noted the declared moratoriums by India and Pakistan on nuclear testing and welcomed the inclusion of nuclear confidence-building measures as part of their announced composite dialogue. They should declare moratoriums on the production of weapons-grade fissile material and sign and ratify the CTBT.

28. The European Union recognized the value of legally binding security assurances as provided through the protocols to the treaties establishing nuclear-weapon-free zones. Such assurances could serve as an incentive to forgo the acquisition of weapons of mass destruction and as a deterrent. In that connection, the European Union was committed to the 1995 resolution on the Middle East. It called on all States of the region to accede to the biological and chemical weapons conventions and the NPT and to establish an effectively verifiable zone free of weapons of mass destruction and their means of delivery. Those States must comply fully with their commitments and should conclude comprehensive safeguard agreements with IAEA.

29. The European Union urged China to join other nuclear-weapon States in declaring a moratorium on the production of fissile material for nuclear weapons and to abstain from any increase in its nuclear arsenal. It welcomed the Moscow Treaty and expected further reductions in the Russian and United States arsenals. It looked forward to the fulfilment of the declarations made by the presidents of those two countries in 1991 and 1992 on the unilateral reduction of their stocks of tactical nuclear weapons. All States should seek to achieve the greatest reductions in such weapons.

30. The European Union regretted the ongoing stalemate in the Conference on Disarmament. It was committed to reaching consensus, particularly with regard to the negotiation of a non-discriminatory and universal treaty banning the production of fissile materials for nuclear weapons.

31. All States that had not yet done so should sign or ratify the CTBT, as appropriate, at the earliest possible date. In that connection, his delegation welcomed its recent ratification by Algeria and the Democratic Republic of the Congo. Pending the entry into force of that agreement, all States should refrain from any actions contrary to their obligations thereunder and abide by a moratorium.

32. **Mr. Rademaker** (United States of America) said that the security of all Member States depended on all States parties' unstinting adherence to the Treaty. Its principal beneficiaries were non-nuclear-weapon States, which could be assured that their neighbours did not possess such weapons.

33. The Libyan Arab Jamahiriya should be commended for its decision to return to compliance with the Treaty and to cooperate with IAEA. It had thus moved to end its damaging international isolation. Like other States, including Belarus, Kazakhstan, South Africa and Ukraine, it had wisely concluded that national security interests were best served by turning away from nuclear weapons, and that it was never too late to decide to come into full compliance.

34. While those successes were important, instances of non-compliance presented the most serious challenges in the Treaty's history. While the majority of the State parties had lived up to their obligations, some continued to use the pretext of a peaceful nuclear programme to pursue the goal of developing nuclear weapons. To ensure the continued relevance of the Treaty, the Conference must reaffirm its collective determination that non-compliance with the Treaty's core non-proliferation norms was a clear threat to international peace and security.

35. The Democratic People's Republic of Korea had violated its safeguards and non-proliferation obligations under the NPT before announcing its intention to withdraw from it. In recent months that State had claimed to possess nuclear weapons. For almost two decades the Islamic Republic of Iran had conducted a clandestine nuclear weapons programme and, after two and a half years of IAEA investigations, was still not cooperating fully. It was determined to retain the nuclear infrastructure and continued to develop its nuclear capabilities at the margin of the suspension to which it had agreed in November 2004.

36. The language of article IV was explicit and unambiguous. Only States that were in compliance

with their non-proliferation obligations under articles I and II had the right to benefit from peaceful nuclear development. All nuclear assistance to violators, whether bilateral or through IAEA, should cease. With regard to the compliance challenges of the Democratic People's Republic of Korea, his Government was attempting through negotiations, including the six-party talks initiative, to achieve the complete, verifiable and irreversible elimination of that State's nuclear programme. His Government supported efforts to reach a diplomatic solution to Iran's nuclear problem. Any such solution must include permanent cessation of Iran's enrichment and reprocessing efforts and the dismantlement of equipment and facilities related to such activities. Furthermore, Iran must provide objective and verifiable guarantees that it was not using a purportedly peaceful nuclear programme to hide clandestine nuclear work elsewhere in the country.

37. Non-State actors posed a new challenge. A. Q. Khan's nuclear smuggling network had been disbanded, but the damage that it had caused to the non-proliferation regime persisted. Terrorist organizations sought to acquire nuclear weapons, and the consequences of their success would be catastrophic. Every possible step must be taken to thwart their efforts: security of nuclear materials must be improved and safeguards strengthened; effective export controls must be established and enforced and proliferation of weapons of mass destruction and their means of delivery by non-State actors must be criminalized. Security Council resolution 1540 (2004) required States to take such measures, and its adoption was an essential step towards reducing the dangers of illicit proliferation networks and the acquisition by terrorists of weapons of mass destruction.

38. His Government hoped that the Conference would lend support to certain activities calling for action outside the Treaty, including: making adherence to the Additional Protocol a condition of nuclear supply; closing a key loophole by restricting the spread of enrichment, reprocessing, and other sensitive technologies; establishing a safeguards committee of the IAEA Board of Governors, which would provide IAEA with much needed support and access; and strengthening the Proliferation Security Initiative.

39. His Government remained fully committed to fulfilling its obligations under article VI. The Treaty would be fully implemented by the end of 2012, by which time the United States would have reduced the

number of strategic warheads deployed in 1990 by approximately 80 per cent. Thousands of weapons had already been eliminated, and billions of dollars had been spent to help other countries to control and eliminate their nuclear materials. Furthermore, the United States had ceased production of fissile material nearly two decades earlier. It reiterated its call for all nations committed to the negotiation of a fissile material cut-off treaty to declare a moratorium on the production of such material for use in weapons.

40. **Mr. Ahern** (Ireland) said that for Ireland a rules-based international order and strong international institutions were of fundamental importance. Failure to abide by the obligations undertaken pursuant to the various non-proliferation instruments posed a very serious threat to the integrity and vitality of the entire arms control system. The Treaty regime was robust, but it was not immune to such threats. Its erosion could become irreversible and result in a cascade of proliferation. The current Conference must serve to reinforce the authority of the Treaty.

41. It would be wrong to suggest that the story of the Treaty in the last five years had been entirely negative. There had been positive developments, such as the reduction in deployed nuclear weapons by some nuclear-weapon States and the effective action in support of disarmament by the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction. Nonetheless, the Treaty had been subjected to very severe challenges. Failure to address such challenges effectively could undermine trust and confidence among States parties acting on the Treaty's common objectives, which could in turn undermine the Treaty.

42. Ireland urged the Democratic People's Republic of Korea immediately to dismantle any nuclear weapons programme in a transparent and verifiable manner, to allow the return of IAEA inspectors, to come into full compliance with all relevant international obligations, and to participate fully in the six-party talks initiative.

43. In the light of the unprecedented action by the Democratic People's Republic of Korea, the current Conference should strive to reach a common understanding of the implications of withdrawal from the Treaty and consider the best way to address such action. He urged the three States outside the NPT to accede unconditionally at an early date. He welcomed

current negotiations between the Islamic Republic of Iran and the United Kingdom, France and Germany, which he hoped would allay concerns and lay the foundations for new long-term arrangements acceptable to all. As for the black market in nuclear materials and technology operated by the Pakistani scientist, Dr. A. Q. Khan, the international community must do all it could to tackle illicit trafficking and procurement networks, and address non-State-actor involvement in them.

44. The Conference must also acknowledge and reinforce the vital role played by the IAEA safeguards system and accept that the Additional Protocol was an essential part of an effective safeguards regime. Indeed, the IAEA Safeguards Agreement and Additional Protocol should together be the verification standard for all States parties.

45. To uphold the authority and integrity of the NPT, the current Conference must address all its provisions equally. His delegation attached particular importance to article VI and remained convinced that disarmament and non-proliferation were mutually reinforcing processes. The continued retention, or unsatisfactory rate of elimination, of nuclear weapons could never justify proliferation by other States. However, States' respective obligations to eliminate or refrain from developing nuclear weapons were legally binding too. His delegation was therefore concerned that such weapons were still central to strategic concepts, particularly in the light of plans to develop new nuclear weapons or modify existing ones for new uses. He welcomed progress that had been made — such as the 2002 Moscow Treaty — but emphasized the importance of irreversible and transparent arms control measures. In the light of the Secretary-General's recent call for nuclear-weapon States to further reduce their arsenals and pursue arms control agreements that entailed disarmament and irreversibility (A/59/2005), he urged the Security Council to seize the opportunity for leadership and help strengthen the NPT. The adoption by consensus of the Final Document of the 2000 Conference (NPT/CONF.2000/28 (Parts I and II)) had demonstrated that progress could be achieved if there was sufficient political will.

46. His Government attached special importance to the 13 practical steps for the systematic and progressive efforts to implement article VI, particularly the nuclear-weapon States' unequivocal undertaking to totally eliminate their nuclear arsenals and was

disappointed that some parties now seemed to be calling into question those commitments. Given the fundamental link between the NPT objectives and the CTBT, he urged those States whose ratification was required for the latter's entry into force to review their positions and move towards ratification. In the meantime, all States should continue to abide by a moratorium on testing. Other crucial steps, which had been delayed because the Conference on Disarmament had still been unable to agree on a programme of work, were the negotiation of a fissile material cut-off treaty and the establishment of a subsidiary body on nuclear disarmament. Lastly, he expressed the hope that the current Conference would examine its working methods and consider whether the current review process was the most effective. In Ireland's view, the process did not respond adequately to the needs of the Treaty. He therefore welcomed the proposal for annual meetings of States parties, as it would enable issues requiring an early response to be dealt with more effectively.

47. **Mr. Syed** (Malaysia), speaking on behalf of the Movement of Non-Aligned Countries, said that today's one-sided emphasis on proliferation, rather than disarmament in good faith, threatened to unravel the whole NPT regime. His Government's concerns in 1995 that indefinite extension was a *carte blanche* to the nuclear-weapon States had not been assuaged. The nuclear-weapon States and those States outside the NPT continued to develop and modernize their nuclear arsenals. The current Conference must call for an end to such madness and seek the elimination of all nuclear weapons, a ban on testing and the rejection of the nuclear deterrence doctrine. In 2000, the nuclear-weapon States had unequivocally undertaken to totally eliminate their nuclear arsenals, while world leaders gathered at the Millennium Summit had declared their resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers (General Assembly resolution 55/2, para. 9). Much had happened since then. Fears about weapons of mass destruction, nuclear non-proliferation and nuclear terrorism were shared by all States. The nightmares would continue as long as nuclear weapons continued to exist. At the same time, there was a desire to preserve the inherent right to use nuclear technology, including energy, for peaceful purposes. The

Conference should address fears and seize the opportunity of making the Treaty and its review process more effective.

48. The non-aligned countries that were parties to the Treaty would be guided by the decisions taken at the XIII Conference of Heads of State or Government of the Non-Aligned Movement (Kuala Lumpur, 2003) and the XIV Ministerial Conference of the Non-Aligned Movement (Durban, 2004), both of which had affirmed that a multilateral approach was the only way of dealing with the multiplicity of disarmament and international security issues. The non-aligned States parties reaffirmed their long-established positions on nuclear disarmament and remained fully committed to their NPT obligations and the agreements reached in 1995 and 2000. The Movement had submitted a number of working papers outlining its views on various fundamental questions and making a number of key recommendations. He called on all States to recognize the importance of the full and non-selective implementation of all three pillars of the NPT. The non-aligned States parties remained fully convinced that the NPT was a key instrument with regard to both non-proliferation and nuclear disarmament, as it sought to ensure a balance between the mutual obligations and responsibilities of nuclear-weapon and non-nuclear-weapon States. Its indefinite extension did not imply indefinite possession of nuclear arsenals. The only way to curtail proliferation was to accept that total elimination of nuclear weapons was the only absolute guarantee against the use or threat of use thereof. Pending such total elimination, efforts to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority. The Non-Aligned Movement reaffirmed the importance of achieving the total elimination of all weapons of mass destruction, in particular nuclear weapons. It remained convinced that nuclear weapons posed the greatest danger to mankind and reaffirmed the need for all States to fulfil their arms control and disarmament obligations and to prevent the proliferation of weapons of mass destruction. General and complete disarmament should remain the ultimate objective. While recognizing recent moves by nuclear-weapon States towards disarmament, he reiterated the Movement's deep concern over the slow pace of progress.

49. The non-aligned States parties reaffirmed the inalienable right of States parties to engage in research, production and use of nuclear technology for peaceful purposes without discrimination. The free, unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes must be fully ensured and nothing in the Treaty should be interpreted as affecting that right. Nuclear-weapon States must refrain from nuclear sharing for military purposes under any kind of security arrangements. There should also be a total ban on transferring nuclear-related equipment, information, material and facilities, resources or devices and on extending nuclear, scientific or technological assistance to States that were not parties to the Treaty, without exception. Any effort to stem proliferation should be transparent and open to participation by all States, access to material, equipment and technology for civilian purposes should not be unduly restricted and efforts aimed at establishing nuclear-weapon-free zones should be supported. In that regard, he welcomed the convening in Mexico City in April 2005 of the Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones.

50. The international community should continue to seek ways of ensuring that the NPT remained a true cornerstone for global peace and security. In that connection, collective efforts towards the accession of the remaining three non-parties which possessed nuclear weapons should be renewed with vigour. Lastly, he hoped that the views and recommendations contained in the working papers submitted by the Movement would be given serious consideration by all States parties. The Movement was determined not to miss the current opportunity to create a better and safer world for future generations and expected all States to show the same constructive attitude.

51. **Mr. Fischer** (Germany) said that the adoption of a common position by the European Union was an important contribution to achieving a successful outcome. His Government fully endorsed the statement made by the representative of Luxembourg on behalf of the European Union. The sixtieth anniversary of the end of the Second World War was an opportunity once again to recall the lessons that the international community had drawn from its horror, namely the need for an international order and effective multilateral cooperation based on common rules. Such lessons remained as relevant today as they had ever been, given the many examples of international terrorism in

recent years. No State had the ability or resources to meet the current challenges alone. An effective international regime to counter the threats of nuclear weapons and their proliferation was therefore needed. Breaches of non-proliferation commitments and indications that nuclear weapons were playing an increasingly important role were worrying; everything must therefore be done to safeguard the integrity and strengthen the authority of the NPT. Efforts must be directed equally to the Treaty's two central aims: non-proliferation and disarmament.

52. In order to ensure that States abided by their non-proliferation commitments, it was important to: improve verification mechanisms, above all by universalizing the IAEA Additional Protocol and making it the new verification standard for the NPT; ensure that civilian nuclear energy was not misused for military purposes; make every effort to prevent terrorist groups from gaining access to weapons-grade nuclear material, by further increasing the security and physical protection of nuclear weapons and material; and forge a new strategic consensus in the Security Council on how to deal with severe violations of the Treaty and strengthen enforcement. He was by no means questioning the right to use nuclear energy for civilian purposes; every country must make its own decision on the basis of its contractual obligations. That being said, the international community must together develop a response to a very real proliferation risk that could arise from the closing of the fuel cycle. In addition, Governments needed to address a number of worrying regional developments, using all diplomatic options to achieve viable solutions and dispel the international community's concerns.

53. He called on the Democratic People's Republic of Korea immediately to return to the six-party talks, which provided an unmissable opportunity to minimize the nuclear risk posed by that country. The international community expected the Government concerned fully and verifiably to meet all its NPT obligations; such action was an absolute requirement for regional stability and in that State's own interests. As for the Islamic Republic of Iran, the breaches identified with regard to its Safeguards Agreement with IAEA had shaken the international community's confidence in the aims of its nuclear programme. The United Kingdom, France and Germany, with the support of the High Representative of the European Union, were conducting intensive negotiations with the

State concerned in order to dispel the general concern, and the negotiation process had already borne fruit. The Islamic Republic of Iran was willing to work with IAEA to clarify any unresolved questions and had made a commitment to suspend all uranium enrichment and reprocessing activities for the duration of the negotiations. He called on that State to honour its commitments under the Paris Agreement and the relevant IAEA resolutions. The ultimate aim — as agreed by the Islamic Republic of Iran — was to conclude a long-term agreement based on "objective guarantees" aimed at ensuring that its nuclear programme could be used only for peaceful purposes. A lasting commitment by the Islamic Republic of Iran to give up uranium enrichment would place its relations with the European Union on a totally new footing.

54. Turning to the second central aim of the Treaty, he said that the end of East-West confrontation had brought new opportunities for disarmament. Steps should be taken to re-examine and further reduce existing arsenals of strategic and sub-strategic nuclear weapons. The current Conference provided an unmissable opportunity. A new impetus for nuclear disarmament was needed, not least effectively to counter the danger of an erosion of the NPT. The aim of German policy remained a world that was free from the threat of nuclear weapons. He was aware that such weapons could not be eliminated overnight; the international community needed a step-by-step approach that irreversibly led to complete elimination. The thirteen practical steps agreed at the 2000 Conference were the basis for nuclear disarmament and the benchmarks by which its success would be measured. While important progress had been made on nuclear disarmament since the end of the Cold War, decisive challenges still lay ahead. His Government was particularly committed to the entry into force of the CTBT and, until such time, expected nuclear-weapon States to maintain their moratoriums on nuclear testing and not to give rise to any doubts in that regard. It was also imperative to end the deadlock at the Conference on Disarmament and start negotiations on prohibiting the production of fissile material for weapons purposes. Nuclear-weapon States must also reaffirm, and take confidence-building steps in support of, their unequivocal undertaking to nuclear disarmament. Germany's aim was the reduction and ultimate elimination of sub-strategic nuclear weapons — an aim also highlighted in the European

Union step-by-step approach as advocated in the working paper on non-strategic nuclear weapons submitted by Germany (NPT/CONF.2005/PC.I/WP.5). As a first step, Germany proposed the complete implementation of the unilateral commitments made by the United States and the Russian Federation in 1991 and 1992 to reduce their sub-strategic nuclear arsenals. If transparency measures could be agreed, a further step would be to formalize and verify those unilateral commitments. Such action would constitute important steps towards eliminating such arsenals.

55. The international community must not take the NPT for granted or underestimate the risks to which it was exposed, now more than ever. A concerted effort must therefore be made to make the current Conference a success. Germany would make every effort to ensure the adoption of a strong and convincing Final Document with further-reaching agreements and recommendations. The threat posed by nuclear weapons and their proliferation would be successfully tackled only if all States contributed: nuclear-weapon States must live up to their commitments further to reduce their arsenals, while non-nuclear-weapon States must exercise their right to use nuclear energy for peaceful purposes in such a way that did not give rise to concern about misuse and military nuclearization. States parties must do everything in their power to create an effective multilateral order for the twenty-first century. If they succeeded in safeguarding and strengthening the NPT, it could play a central role in that endeavour.

56. **Mr. Wright** (Canada) said that the task of the current Review Conference, in response to the challenges that had arisen in the intervening five years, was to ensure the Treaty's continuing authority and effectiveness while maintaining the balance between its three core components.

57. Its first main pillar was nuclear disarmament. Commitments made had to be put into practice, and the 13 practical steps to implement article VI of the Treaty and achieve nuclear disarmament, set out in the final document of the 2000 Review Conference (NPT/CONF.2000/28, Part I) remained an objective benchmark against which to assess progress towards the elimination of nuclear weapons, the codification of negative security assurances, the creation or expansion of nuclear-weapon-free zones and broadened support for cooperative threat-reduction activities. Progress on nuclear disarmament had been compromised by the

protracted impasse in the Conference on Disarmament, which all countries must work to end so that it could begin to negotiate a fissile material cut-off treaty and establish a subsidiary body on nuclear disarmament. Also, States not yet parties to the CTBT should ratify it so that it could enter into force, thus closing the door on entry-level proliferation and putting a cap on vertical proliferation. Proliferation, both horizontal and vertical, that had occurred since the last Review Conference, as corroborated by recent revelations about clandestine nuclear trafficking networks, was a matter of serious concern and required international efforts to ensure that weapons of mass destruction did not spread to States or terrorists prepared to use them under any circumstances.

58. In connection with the second core component, verification, 39 States parties still had not complied with their basic obligation to enter into a safeguards agreement with the IAEA, and that vulnerability had to be remedied. The 2005 Review Conference must recognize that a comprehensive safeguards agreement supplemented by an additional protocol constituted the NPT safeguards standard, pursuant to article III of the Treaty.

59. Continued confidence in the Treaty required the assurance that its third core component, the peaceful uses of nuclear energy and nuclear technology, in no way contributed to proliferation of nuclear weapons. The Conference must accordingly clarify the relationship between the various obligations under the Treaty, clearly establishing that the right of States to use nuclear energy for peaceful purposes under article IV was not absolute but rather was conditioned by obligations under articles I, II and III, and that rights were balanced by obligations in the case of both supplier and recipient States.

60. Recently, there had been several major shocks to the authority and integrity of the NPT. The Democratic People's Republic of Korea, disregarding its treaty obligations, had withdrawn from the Treaty, acknowledged that it now possessed nuclear weapons and been reluctant to re-enter negotiations. Canada called upon that State to return to the NPT, dismantle its nuclear weapons programme and accept comprehensive IAEA safeguards. In addition, Iran's extensive past undeclared nuclear activities, together with its efforts to acquire the full nuclear fuel cycle, suggested that it was seeking to develop a nuclear-weapon capability, contrary to its non-proliferation and

disarmament commitments. Permanent cessation of uranium enrichment and other proliferation-sensitive activities would be the only objective guarantee of the peaceful nature of that country's nuclear programme.

61. Canada called on the three States which had not yet acceded to the NPT — India, Israel and Pakistan — to do so as non-nuclear-weapon States, thus making it a universal legal instrument.

62. It was time for the States parties to the NPT to adapt to circumstances and do business differently: the strengthened review process of the past decade was no longer sufficient to promote full implementation of the Treaty. It was no longer enough to meet only once every five years to discuss critical issues, nor were the existing annual preparatory meetings adequate. Canada was thus proposing: an annual one-week meeting of States parties to serve as a regular policy forum, a feature standard in the operation of most other disarmament treaties; the creation of a rapid-reaction capability, vested in a standing bureau, that would complement action by the IAEA or the Security Council; and, in order to create a culture of transparency, a permanent system of regular reports by all States parties, covering all articles of the Treaty and related obligations.

63. Lastly, Canada welcomed the enhanced participation of civil society at all levels in the work of the NPT, a contribution that the Conference should acknowledge.

64. *Mr. Koffler (Austria), Vice-President, took the Chair.*

65. **Mr. Vohidov** (Uzbekistan) said it must be recognized that the NPT regime, long regarded as the cornerstone of nuclear non-proliferation, was fast losing its vitality and that its effectiveness as a curb on nuclear proliferation had eroded dangerously.

66. As an advocate of non-proliferation, Uzbekistan had signed the Convention on the Physical Protection of Nuclear Material, concluded a safeguards agreement and an additional protocol with the IAEA, and been one of the early signatories of the CTBT. Believing that regional interaction and stability represented one of the keys to ensuring global security, it strongly endorsed the multilateral initiative to establish a nuclear-weapon-free zone in Central Asia. A treaty to that effect, developed under the aegis of the United

Nations and with encouragement from many sides, was now ready for signature.

67. Unfortunately, nuclear weapons would remain an important factor in global politics for some time to come, making it all the more urgent for States to strengthen the non-proliferation regime. The Review Conference had to take decisions about universalizing the NPT, compliance by the nuclear Powers and their provision of negative security guarantees to non-nuclear-weapon States, conclusion of additional protocols with the IAEA, and the issue of withdrawal from the NPT. All States should reaffirm their commitment to the 13 practical steps, the most urgent of which was the entry into force of the CTBT as an encouragement to international nuclear cooperation and an improvement of the global environment.

68. The existence of the black market in nuclear technology and materials was a matter of serious concern, for it increased the probability that weapons of mass destruction would be used by States or could fall into terrorist hands. Uzbekistan endorsed the provisions in Security Council resolution 1540 (2004) on preventing the access of non-State actors to such weapons; and it favoured the speedy entry into force of the Convention for the Suppression of Acts of Nuclear Terrorism.

69. One outcome of the Review Conference should be a strong message from States regarding the willingness to reform — not merely within the United Nations but throughout the whole system of international relations. The current Review Conference should pursue a compromise solution to reinforcing the NPT and its implementation, and should produce a concrete plan of action in its final document.

70. *Mr. de Queiroz Duarte (Brazil) resumed the Chair.*

71. **Mr. Taiana** (Argentina) said that, as part of a concern for creating a safer, more stable and equitable world, Argentina had pursued integration with its neighbours, banned weapons of mass destruction and worked in the international arena to that end. The convergence of its nuclear policy with that of Brazil, initiated when both States had returned to democracy, had allowed them to establish a system of mutual safeguards over the nuclear installations and materials of their two countries, under a bilateral inspectorate, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Material (ABACC). Argentina's

subsequent ratification of the NPT was the culmination of its commitment to non-proliferation and the peaceful use of nuclear energy.

72. It was a matter of concern that, nine years after its adoption, the CTBT, another cornerstone of the nuclear non-proliferation and disarmament regime, had not yet attracted the ratifications necessary for its entry into force, even though the current climate demanded that the moratorium on nuclear-weapon tests be maintained. It was also deeply troubling to note that the Conference on Disarmament, the only multilateral forum able to do so, had not begun negotiations on a fissile material cut-off treaty or established a subsidiary organ to address nuclear disarmament.

73. Although the NPT balanced the obligations of nuclear-weapon States and non-nuclear-weapon States, that balance in no way legitimized the permanent possession of such weapons or justified a lack of commitment to their obligations by the non-nuclear-weapon States. In the last five years, the failure to comply with commitments on non-proliferation had become critical. The ultimate goal remained general and complete nuclear disarmament, which would certainly not endanger any State's security needs. The existing NPT non-proliferation objectives must be applied rationally: safeguards could not be separated from the principles of efficiency and effectiveness, and automatic, mechanical verification procedures would debase the entire regime. The protocol perfected the regime and having closely observed how it operated in countries where it was in force, Argentina intended, in conjunction with the IAEA, Brazil and the ABACC, to conclude one. Since developing the technologies related to the full nuclear fuel cycle, Argentina had become aware of the threats that such technologies posed as well as the need not to restrict the legitimate objectives of peace-loving countries.

74. The safeguards regime must be accompanied by a collective security system that assigned distinct responsibilities to nuclear-weapon States that were permanent members of the Security Council. The two regimes in combination offered the necessary potential to deal with proliferation crises. Safeguards should apply to all, and restrictions only to the States which failed to comply. Security Council resolution 1540 (2004) had contributed enormously to the cause of non-proliferation of weapons of mass destruction and anti-terrorism, universalizing measures such as export

control systems of the kind that Argentina had been implementing.

75. His Government, furthermore, advocated the creation of nuclear-weapon-free zones, specifically in the Latin American region, and it urged all nuclear-weapon States to retract, if possible, the interpretative statements they had made on the Additional Protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) that might restrict the effectiveness of a Latin American nuclear-weapon-free zone.

76. No efforts should be spared to safeguard the integrity of the NPT and certain of its provisions should be strengthened. As recommended in the United Nations study on disarmament and non-proliferation education (A/57/124), his Government had consolidated links with regional and international organizations and non-governmental organizations in order to help develop a disarmament and non-proliferation culture and mentality. Moreover, four cities in Argentina had joined more than 900 others globally that advocated a world free of nuclear weapons.

77. **Mr. de Rivero** (Peru) said that, depending on the outcome of its work, the current Conference could signal the beginning of a renewed nuclear disarmament and non-proliferation process or end up in the same state of inertia as other key arms control and disarmament forums. While endorsing the statement made on behalf of the Movement of Non-Aligned Countries, he wished to outline a number of specific expectations. First, the Conference should analyse not only the mechanisms aimed at improving compliance with the NPT but also agreements adopted at preparatory committee meetings and previous Review Conferences, in particular those in 1995 and 2000. Ignoring such agreements would be a serious step backwards. His delegation therefore hoped that the impasse in the agenda could be resolved by reflecting that position in the work programme. The Conference must also adopt a consensus document containing specific recommendations. Very important decisions needed to be taken on non-compliance by nuclear-weapon and non-nuclear-weapon States, particularly those that were seeking to develop clandestine nuclear programmes under the guise of using nuclear energy for peaceful purposes. The consensus document must address, inter alia, nuclear disarmament, negative security assurances and regional issues, including the

establishment of a zone of peace in the Middle East. It was also essential to pronounce on the implementation of the 13 practical steps adopted in 2000, particularly those relating to the signing and ratification of the CTBT, the negotiation of a treaty aimed at prohibiting the production of fissile material, and the unrestricted application of the irreversibility principle as applied to nuclear disarmament.

78. Pursuant to the Treaty of Tlatelolco, his Government was a sponsor of the declarations of the Andean Zone of Peace and the South American Zone of Peace and Cooperation, and it believed that the Review Conference ought to recognize the importance of the establishment of nuclear-weapon-free zones as a practical step towards general and complete disarmament.

79. Peru shared the concerns over the absence of any provision in the NPT dealing with the acquisition of nuclear technology or radioactive sources that could be detonated conventionally by non-State actors. The Conference would also have to consider how to deal with the new situations created by States which had used their right under the NPT to develop nuclear technology for peaceful purposes only to withdraw from the Treaty and repudiate their non-proliferation and disarmament commitments. Non-proliferation and disarmament were mutually reinforcing regimes, and neither one could be given precedence without delegitimizing the Treaty.

80. With all its deficiencies, the NPT was still the fundamental instrument, and all States must be made to comply with the obligations they had assumed under it. The IAEA was the sole international body responsible for nuclear verification, and States should help it to achieve its objectives by concluding additional protocols with it.

The meeting rose at 6.15 p.m.

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

7 June 2005

Original: English

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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General debate (*continued*)

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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.

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

7 June 2005

Original: English

Summary record of the 4th meeting

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

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Trezza (Italy)
later: Mr. de Queiroz Duarte (Brazil)

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General debate (*continued*)

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

General debate (*continued*)

1. **Mr. Al-Shamsi** (United Arab Emirates), after endorsing the statement made on behalf of the Movement of Non-Aligned Countries (NPT/CONF.2005/SR.2), said that, despite massive and persistent efforts by the United Nations, several nuclear-weapon States were still developing both reactors and military arsenals, while many non-nuclear-weapon States were endeavouring to produce a nuclear weapon. His country's concerns were no longer limited to the arms race but reflected other dangers such as the attempts at trafficking in fissionable and other dangerous materials for the production of nuclear weapons by non-State actors — attempts which had heightened the risk of access by terrorist groups and posed a grave threat to regional and international security and stability.

2. The United Arab Emirates, which had acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Chemical Weapons Convention (CWC) out of a firm belief in the importance of the universality of such treaties, was concerned about the distinction between the nuclear States' commitment to reducing and eliminating their nuclear weapons and the right of non-nuclear States to unconditional security assurances. That distinction had created a diplomatic impasse both at Review Conferences and in the United Nations Disarmament Commission, while also affecting the credibility and universality of the NPT. He therefore called on the current Conference to reach consensus on a common international nuclear disarmament strategy binding on all States and based on international law and the United Nations Charter, resolutions, multilateral agreements and protocols, all of which called for the system of non-proliferation and elimination of weapons of mass destruction (WMD) to be strengthened. It was essential: to urge nuclear States to start negotiations leading to the full implementation of the 13 practical steps agreed at the 2000 Conference and the total destruction of nuclear and strategic weapons within a specific time frame; to urge the Conference on Disarmament to establish specialized international mechanisms to monitor the destruction of nuclear weapons, including an international agency responsible for negotiating a non-discriminatory multilateral treaty prohibiting the production of

fissionable material for the purposes of manufacturing nuclear weapons; to step up international efforts to develop an effective international instrument requiring nuclear States to provide security assurances to non-nuclear States; to demand that non-nuclear-weapon States seeking possession of such weapons review their policies and seek to resolve disputes by peaceful means; to enhance the international verification system and implementation of the Code of Practice on the International Transboundary Movement of Radioactive Waste, with a view to promoting transparency, objectivity and equality among States; and to reaffirm the alienable right of States parties to conduct research and produce nuclear power for peaceful purposes without discrimination.

3. While commending efforts to establish nuclear-weapon-free zones in many parts of the world, he condemned Israel's position regarding the establishment of such a zone in the Middle East, particularly its insistence on keeping its nuclear reactors and military arsenal beyond the scrutiny of international inspectors in order to ensure its military superiority and continue its illegitimate occupation of the Palestinian and Arab territories, in defiance of international law and resolutions. He urged States parties to take effective measures to compel Israel to eliminate its nuclear weapons and accede unconditionally to the NPT. Israel must also subject its nuclear, military and civil facilities to International Atomic Energy Agency (IAEA) supervision and safeguards in accordance with international resolutions and the resolution adopted at the 2000 Conference. Lastly, he called for scientific and technological assistance to Israel to be discontinued, as it was being used to develop nuclear facilities and threatened the Middle East peace process. He hoped that the current Conference would result in a renewed commitment by States to the NPT and would strengthen the United Nations role in that context, with a view to establishing a comprehensive multilateral approach towards disarmament and a ban on nuclear weapons.

4. **Mr. Udedibia** (Nigeria) said that, as a demonstration of its commitment to the NPT and its belief in a nuclear-free world, Nigeria had not only renounced the nuclear option, but also concluded a safeguards agreement with IAEA and ratified the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty). On the 35th anniversary of the NPT, nuclear weapons still posed a serious threat to humanity. While

the global stockpile was significantly smaller today than it had been at the height of the Cold War, it was nonetheless estimated to contain over 2,000 times the firepower experienced in the entire Second World War and, if unleashed, would still be capable of totally annihilating human civilization. Given that the NPT was the only legally binding international agreement committing nuclear-weapon States to nuclear disarmament, he urged States parties to reaffirm their commitment to fully implement all its aspects, in particular article VI. Achieving universality was also a matter of urgency. The need to confront the nuclear weapon threat was particularly relevant with the upcoming review of the Millennium Declaration, in which world leaders had resolved to strive for the elimination of WMD, particularly nuclear weapons, and keep all options open for achieving that aim, including an international conference to identify ways of eliminating nuclear dangers.

5. Pending total elimination, it was imperative to agree on a legally binding instrument whereby nuclear-weapon States undertook not to use, or threaten to use, nuclear weapons against non-nuclear-weapon States. The International Court of Justice had reinforced that principle in its advisory opinion of 8 July 1996 on the legality of the threat or use of nuclear weapons. Nigeria supported that opinion and firmly believed that nuclear non-proliferation could be sustained only if non-nuclear-weapon States that had renounced the development or possession of such weapons were given such assurances in a single, legally binding agreement. Nigeria therefore called on the current Conference to establish a subsidiary body on negative security assurances. That said, his delegation remained convinced that the total elimination of nuclear weapons was the only absolute guarantee against the threat or use thereof.

6. Nigeria reiterated its support for the Final Document of the 2000 Conference, in particular the 13 practical steps contained therein, the decision on the principles and objectives for nuclear non-proliferation and disarmament, and the resolution adopted at the 1995 Conference. His delegation was gravely concerned about the emergence of new strategic doctrines in some nuclear-weapon States and firmly believed that the current Conference offered States a unique opportunity to reaffirm their commitment to the 13 practical steps and the NPT as a whole. As a demonstration of its support for the total elimination of

nuclear testing, in 2001 Nigeria had ratified the CTBT. He stressed the importance of accession by all nuclear-weapon States to the CTBT and urged those States whose ratification was needed for it to enter into force urgently to take the necessary steps. Until such time, the States concerned should maintain their moratorium on nuclear-weapon-test explosions. While acknowledging the importance of bilateral efforts by the two major nuclear Powers to set in motion the process of reducing strategic offensive nuclear weapons, his delegation shared the view of the vast majority of Member States that such reductions were not a substitute for irreversible cuts in, and the total elimination of, nuclear weapons. Such efforts must also be transparent and verifiable. He underscored the need for negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. To be meaningful, such a treaty should contain a reliable verification mechanism that did not exclude existing stockpiles. The current Conference should call on the Conference on Disarmament to begin substantive work on the issues before it as soon as possible, including negotiation of a fissile material cut-off treaty. He reiterated Nigeria's full support for the proposal by the representatives of Algeria, Belgium, Chile, Colombia and Sweden (the so-called five Ambassadors' proposal) as a mechanism for breaking the impasse in agreeing on a work programme for the Conference on Disarmament.

7. It was regrettable that recent efforts by some States to apply the objectives of non-proliferation to the use of civilian nuclear reactors might hinder the peaceful application of nuclear technology. In that regard, he urged the Conference to adopt appropriate measures to preserve the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination. That said, all States parties needed to place their nuclear facilities under full-scope IAEA safeguards in order to build confidence in that respect. His Government had established an agency to regulate all nuclear-related activities in the country, in accordance with the NPT and the IAEA Statute. Nigeria would continue to support efforts to establish nuclear-weapon-free zones in all regions on the basis of arrangements freely arrived at by the States concerned. In that regard, his delegation welcomed the decision by the five Central Asian States to sign the

Central Asian Nuclear-Weapon-Free Zone Treaty as soon as possible, as well as Mongolia's nuclear-weapon-free status, but affirmed the need to establish a similar zone in the Middle East and achieve the goals and objectives of the 1995 resolution on that region. The establishment of various nuclear-weapon-free zones around the world was a positive step, and the recent Conference of States Parties to Treaties that Establish Such Zones, held in Mexico, had again demonstrated the resolve of the States concerned to further advance the objectives of non-proliferation. Nigeria had actively participated in that Conference and believed that its Declaration would be valuable to the current Conference. While the States parties shared a common desire to achieve all three pillars — nuclear non-proliferation, nuclear disarmament and peaceful uses of nuclear energy — caution and transparency was needed to ensure that no pillar was achieved at the expense of another.

8. **Mr. Zhang Yan** (China) said that, while there had been some encouraging developments since the 2000 Conference, the increase in non-traditional threats posed new challenges for international security. China's concerns centred on the increasing prominence of terrorism and WMD proliferation; the emergence of regional nuclear issues; the discovery of a nuclear smuggling network; the repudiation of the Anti-Ballistic Missile Treaty; the danger of the weaponization of outer space; the reduced prospects of the CTBT entering into force; the international arms control and disarmament stalemate; the current deadlock in the Conference on Disarmament; and the insistence of certain States on maintaining a cold-war mentality, pursuing unilateralism, advocating pre-emptive action, listing other States as nuclear targets, lowering the nuclear threshold, and researching and developing new types of nuclear weapons. The current Conference was crucial, as the international community was expecting States parties to reach consensus on meeting new challenges, promoting multilateral arms control and non-proliferation, maintaining international peace and security, and promoting prosperity and development. Despite challenges to the non-proliferation regime, global security and arms control, the NPT was still the cornerstone of that regime, a decisive factor for world peace and stability, and a successful multilateral model. The international community must respond to recent developments and take urgent steps to strengthen the universality, effectiveness and authority

of the NPT. To that end, all three pillars must be promoted equally.

9. China had always advocated the total elimination of nuclear weapons and exercised the utmost restraint regarding their development. Moreover, it had never taken part in a nuclear arms race, supporting instead a nuclear disarmament process based on the preservation of global strategic security and undiminished security for all. The two major nuclear-weapon States should further reduce their nuclear arsenals in a verifiable and irreversible manner, as a step towards total nuclear disarmament. The CTBT, which China was working to ratify and which it hoped all States would accede to at an early date, was a significant step in that process; pending its entry into force, the States concerned should observe the moratorium on nuclear testing. Agreement was also needed on a programme of work for the Conference on Disarmament, so that it could commence negotiations on a fissile material cut-off treaty, establish ad hoc committees and start substantive work on nuclear disarmament, security assurances and the non-weaponization of outer space. His delegation hoped that the current Conference would help break the deadlock.

10. It was more than justified for non-nuclear-weapon States to demand legally binding security assurances from nuclear-weapon States. From the moment it had possessed nuclear weapons, China had solemnly declared that it would never be the first to use nuclear weapons and had later undertaken not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones. It had consistently urged other nuclear-weapon States to do the same. China had signed all the relevant protocols to the nuclear-weapon-free zone treaties that were open for signature and had reached agreement with the ASEAN countries on the South-East Asian Nuclear-Weapon-Free Zone Treaty and its protocol, while also supporting the efforts by Middle Eastern and Central Asian States to establish nuclear-weapon-free zones.

11. China opposed the proliferation of nuclear weapons and urged States outside the NPT to join as non-nuclear-weapon States. It favoured efforts to improve the existing regime in line with new developments, believing that both symptoms and causes needed to be addressed. States should therefore respect each other's security interests; seek to build relationships based on mutual trust and benefits, equality and cooperation, thereby removing many of

the motivations for nuclear proliferation; address proliferation through dialogue and cooperation, not confrontation and exertion of pressure; reject unilateralism and double standards; and strengthen the existing regime, applying the principles of multilateralism and participation to ensure that it remained fair, reasonable and non-discriminatory and stepping up the role of the United Nations and other international organizations.

12. The proliferation of weapons of mass destruction and their means of delivery did not benefit world peace and stability or China's own security. China had therefore taken a number of key steps in that area, such as, publishing a white paper on non-proliferation policies and measures in 2003; establishing an export control system in line with international practice; improving regulations and legislation, by applying the catch-all principle and making acceptance of IAEA full-scope safeguards a condition for nuclear exports; and publicizing relevant policies and regulations to ensure effective implementation. China also participated in international non-proliferation efforts, such as, joining, in 2004, the Nuclear Suppliers Group, thereby participating in all international treaties and multilateral mechanisms on nuclear non-proliferation; completing the necessary domestic procedures for entry into force of the Additional Protocol (the first nuclear-weapon State to do so); actively participating in the development and improvement of multilateral nuclear non-proliferation regimes; participating in consultations to amend the Convention on the Physical Protection of Nuclear Material; actively engaging in bilateral and multilateral cooperation on non-proliferation; and implementing Security Council resolution 1540 (2004).

13. China also participated in international efforts to resolve proliferation issues peacefully. It would continue to work towards resolving the Korean Peninsula nuclear issue through the six-party talks and maintaining peace and stability on the peninsula. It hoped that the parties would refrain from provocative action and demonstrate more flexibility in order to create favourable conditions for a resumption of talks. China favoured resolving the Iranian nuclear issue, meanwhile, within the IAEA framework and supported efforts by Iran and the United Kingdom, France and Germany to negotiate a long-term solution.

14. Safeguarding the right to use nuclear energy for peaceful purposes was key to promoting the

universality, effectiveness and authority of the NPT. Non-proliferation efforts should not therefore undermine the legitimate rights of States, though the diversion of nuclear energy from peaceful to non-peaceful uses should, of course, be prevented. In order to enhance activities relating to peaceful uses, the international community should contribute more funds and technology and help IAEA to play a more important role in that regard. The development of nuclear energy was a key component of China's economic strategy. Guided by an approach based on people-oriented, balanced, harmonious and sustainable development, China was boosting the use of nuclear energy and technology, optimizing the energy structure, improving the environment, and promoting economic development and technological progress.

15. China attached great importance to cooperating with IAEA on nuclear safety and would intensify cooperation on information exchange and training. It supported the International Convention for the Suppression of Acts of Nuclear Terrorism and had played an active role in drafting the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, which it was taking steps to join. China had always supported international cooperation on peaceful uses of nuclear energy and attached particular importance to the IAEA role in that regard. Since joining IAEA in 1984, China had paid its contribution to the IAEA Technical Cooperation Fund in full and on time, contributing an extra US\$ 1 million in 2004 in support of related projects in developing countries. It had also signed cooperation agreements on peaceful uses of nuclear energy with almost 20 States and was engaged in various forms of cooperation. The National People's Congress had just approved China's accession to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, further demonstrating China's firm commitment to promoting multilateral arms control and world peace and prosperity.

16. In view of the upcoming sixtieth anniversary of the United Nations, his delegation firmly believed in the need further to strengthen the collective security framework and the joint promotion of peace, stability and cooperation. The complete destruction of nuclear weapons was the international community's common aspiration and an ultimate goal of the NPT. It was the responsibility of all States parties to seize the current

opportunity to promote the universality, effectiveness and authority of the NPT, reinvigorate international arms control and disarmament, and promote world peace and security. His delegation would work with all other delegations to ensure a successful outcome of the Conference.

17. *Mr. Trezza (Italy), Vice-President, took the Chair.*

18. **Mr. Fathalla** (Egypt) said that an objective evaluation of the current status of the Treaty revealed that inadequate progress had been made by nuclear-weapon States in fulfilling their obligations. Furthermore, Egypt was concerned about the increased emphasis placed by some States and alliances on nuclear weapons, including their development to render them more usable in actual military operations. There was also a lack of compliance with recent commitments, such as the absence of a verification component from proposals for a fissile material cut-off treaty.

19. Non-compliance was one of the primary challenges to the Treaty; it must be addressed in an uncompromising, just and impartial manner. The degree of overall compliance by all States must be objectively assessed. The Conference must review the policies and doctrines of some military alliances, such as “military-sharing”, to determine whether they conformed with States’ obligations under the Treaty.

20. As legal obligations to be fulfilled by non-nuclear-weapon States, comprehensive safeguard agreements were the core of one pillar of the Treaty. When considering the safeguards issue, including the Model Additional Protocol, it was essential to ask whether lax implementation of disarmament obligations could logically be rewarded by the imposition of obligations under the other pillars, including the safeguards regime. To do so would lead to the false belief that a structural imbalance between the three pillars was being redressed. Furthermore, to condone cooperation between some States while calling for restrictions to the rights of others would undermine the stated goal of universality. Implementation of the 13 practical steps should be the foremost criterion in reviewing progress in implementing the Treaty as well as the determining factor with regard to acceptance by States parties of further obligations thereunder.

21. A common commitment was needed to facilitating, rather than restricting, the implementation

of article IV. Any attempt to restrict the right to peaceful uses of nuclear energy raised fundamental questions concerning possible interpretation of the Treaty without resorting to the articles relating to its amendment.

22. In 1995 and 2000, special attention had been paid to the Middle East and the negative impact on the Treaty’s credibility caused by Israel’s remaining outside it. It was important for Israel to accede to the Treaty as a non-nuclear-weapon State and to place all its nuclear facilities under IAEA safeguards as a step towards the establishment of a nuclear-weapon-free zone. In addition, Egypt supported the establishment of a subsidiary body to implement the 1995 resolution on the Middle East, thus contributing to the Treaty’s universality.

23. **Mr. Drago** (Italy) said that nuclear non-proliferation and nuclear disarmament represented one pillar of the Treaty. Clandestine nuclear activities by States parties and the development of nuclear military capability by non-parties weakened the Treaty and were detrimental to disarmament. Nuclear proliferation was also an obstacle to the peaceful uses of nuclear energy, another pillar of the Treaty. Challenges to the non-proliferation regime and the increasing use of nuclear energy might call for the development of new regulations on the nuclear fuel cycle. Furthermore, the withdrawal of one country and the inconclusive results of the past preparatory process demonstrated an institutional weakness in the Treaty.

24. The main objectives of the Conference should be the review of the Treaty’s operation during the past five years, the decisions and resolutions adopted in 1995 and the Final Document of the Conference held in 2000 (NPT/CONF.2000/28 (Parts I and II)). In addition, those participating in the current meeting should be ambitious and try to outline consensual guidelines for the period to come, with the aim of strengthening the Treaty. Priority should be given, *inter alia*, to: negotiated solutions to all specific emerging or persistent nuclear proliferation problems in East Asia, the Middle East and South Asia, which Italy was ready to support on a national basis; preventing access to nuclear weapons by terrorist groups; and the negotiation of a fissile materials cut-off treaty.

25. **Mr. Minty** (South Africa) said that the continued vitality and effectiveness of the Treaty depended on the implementation of the Treaty regime as a whole. The

Conference should guard against the continual reopening of the debate on obligations, commitments and undertakings, which might provide the legal foundation for others to reinterpret, negate or withdraw from other parts of bargains previously struck. The Conference should also guard against adopting measures to restrict the right to the verifiable use of nuclear energy for peaceful purposes. The imposition of measures on certain States, but not on others exacerbated the inherent inequalities in the Treaty.

26. The only guarantee against the threat or use of nuclear weapons was their complete elimination and the assurance that they would never be used again. The implementation of the 13 practical steps should thus be accelerated, and in that connection South Africa strongly supported the establishment of a subsidiary body on nuclear disarmament in the Conference on Disarmament to give focused attention to the issue.

27. Nuclear weapons did not guarantee security; they distracted from it. They were illegitimate, irrespective of who possessed them. The illicit nuclear technology network had presented a serious challenge to the Treaty, and it was therefore important to review and improve controls designed to prevent illicit trafficking in nuclear materials and technologies. South Africa had for that reason been thoroughly and urgently investigating the contravention of its non-proliferation legislation and was currently prosecuting alleged law-breakers. Yet no regime, no matter how comprehensive, could guarantee against abuse. The success of such controls depended on effective information-sharing and cooperation among relevant parties. IAEA, if allowed, could play a central role in addressing the illicit trade.

28. South Africa was pleased that IAEA had so far found that Iran had not diverted its nuclear technology to military purposes. It welcomed the agreement signed in Paris on 15 November 2004 (IAEA/INFCIRC/637) and held that there was no need for a confrontation. The matter could be resolved through dialogue and negotiations.

29. The absence of a nuclear infrastructure might be the reason why many countries had not concluded a safeguards agreement with IAEA. South Africa urged those States to fulfil that Treaty obligation without delay. It welcomed steps undertaken to strengthen the IAEA safeguards system, including the negotiation of the Additional Protocol, an instrument for building confidence in the peaceful application of nuclear

energy. When used peacefully in, for example, the health and agriculture sectors, nuclear energy could improve the livelihood of many people. South Africa therefore placed a high premium on the IAEA Technical Co-operation Servicing and Co-ordination programme and was concerned about the inability of the Technical Assistance and Cooperation Fund (TCAF) to meet the needs of developing countries. In that connection, States parties were urged to pay their contributions to the Fund.

30. A holistic, rather than piecemeal, approach to implementing the Treaty was vital. His delegation wished to propose a set of interrelated measures for strengthening the Treaty in all its aspects which could serve as a blueprint for the work to be undertaken up to 2010. Those measures included: universal accession to the Treaty and the early entry into force of the CTBT; action to address the proliferation threat posed by non-State actors; further reinforcement of IAEA safeguards; confidence-building by States with nuclear-weapon capabilities; full compliance by States with their disarmament and non-proliferation commitments, coupled with their pledges to refrain from any action that could trigger a new nuclear arms race; accelerated implementation of the 13 practical steps agreed to at the 2000 Review Conference; the reduction of non-strategic nuclear arsenals by nuclear-weapon States; and a halt to the development of new types of nuclear weapons by nuclear-weapon States, in accordance with their commitment to diminish the role of nuclear weapons in their security policies. Other steps would include the completion and implementation of arrangements by all nuclear-weapon States to place fissile material no longer required for military purposes under international verification; the resumption of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable fissile material treaty, taking into account both disarmament and non-proliferation objectives; the establishment of an appropriate subsidiary body in the Conference on Disarmament to deal with nuclear disarmament; adherence to the principles of irreversibility and transparency in all nuclear disarmament measures and further development of adequate and efficient verification capabilities; and the negotiation of legally binding security assurances to be given by the nuclear-weapon States to the non-nuclear-weapon States parties.

31. After the Hiroshima and Nagasaki bombings, millions of South Africans had campaigned for the total elimination of nuclear weapons. The national liberation movement in South Africa had opposed the development of bombs by the former apartheid Government. It had supported the call of the Movement of Non-Aligned Countries for nuclear disarmament, and for rechanneling resources from nuclear-weapons programmes into poverty reduction. The Government that had replaced the apartheid regime had voluntarily decided to dismantle its nuclear-weapons arsenal in the hope that its example would be emulated. South Africa remained deeply concerned at the continued retention of nuclear weapons and the maintenance of security doctrines that envisaged their use. Non-nuclear-weapon States had the right to internationally legally binding security assurances under the NPT in line with the 1996 advisory opinion of the International Court of Justice and the preparatory process for the Review Conference. Those security assurances should be considered by a subsidiary body in Main Committee I of the Conference.

32. **Ms. Al-Mulla** (Kuwait) stressed the importance of maintaining the integrity of the Treaty and giving equal consideration to its three pillars. An integral approach should be taken to consideration of the various issues before the Main Committees of the Conference, including regional matters, nuclear disarmament, and the peaceful uses of nuclear energy. She appealed to the Conference to review the Treaty without compromising the rights of States to use nuclear energy for peaceful purposes under article IV while at the same time ensuring that those rights were not abused. In the current delicate situation, both the right to the peaceful use of nuclear energy and the legitimate right to self-defence were not absolute but rather must be subject to controls. The Conference must not be dragged into imposing new commitments without carefully looking at a number of thorny issues that required discussion and appropriate solutions. A balance between verification of States' commitments and rights under the Treaty and the need to achieve progress in nuclear disarmament must be maintained at all costs.

33. Her delegation attached special importance to the resolution on the Middle East adopted at the 1995 Review and Extension Conference. There would be no security or stability in the Middle East as long as Israel refused to subject its nuclear facilities to the IAEA

safeguards system and impeded universal accession to the Treaty. The Conference must not turn a blind eye or be lenient towards a State that refused to allow verification of its facilities and had not yet acceded to the Treaty, impeding the establishment of a nuclear-weapons-free zone. Such an unnatural situation would only encourage other States to acquire or manufacture nuclear weapons.

34. Her delegation deeply regretted the failure to convene a special forum to discuss experiences in other nuclear-weapon-free zones because it had not been possible to agree on an agenda. Such a forum would have enabled the Middle East region to take a first step towards establishing a nuclear-weapons-free zone. Her delegation welcomed the outcome of the Mexico Conference and stressed the vital role of nuclear-weapon-free zones in preventing nuclear proliferation and achieving international and regional peace and security.

35. The current Review Conference provided an opportunity for those States that had not yet done so to accede to the NPT and achieve its universality. She also called for universality of the IAEA safeguard system, and its recognition as a verification standard, in order to foster and strengthen the NPT.

36. There was clearly a need for a system of protection against smuggling and illicit trafficking in nuclear materials. Deeply concerned over such abuse, her delegation looked forward to the forthcoming discussions on amending the Convention on the Physical Protection of Nuclear Material to include a clause on nuclear terrorism. Kuwait had recently acceded to that Convention. Initiatives by States in the field of nuclear security should not be viewed as separate tools but rather as complementary with a view to strengthening both the NPT and the IAEA mandate. She called for transparent export controls and welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. In conclusion, her delegation agreed with the Director-General of IAEA on the linkage between development and security and supported his proposals for achieving nuclear disarmament and non-proliferation.

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

38. **Mr. Cerar** (Slovenia) said that, riding on the momentum generated by the high-level meeting of heads of States and Governments, held in September

2004, the Review Conference should adopt bold decisions on the basis of the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005). He called for universal accession to the Treaty and urged those States that had not already signed and ratified it to do so as non-nuclear-weapon States. His delegation was strongly in favour of preserving the balance between the three major pillars of the Treaty — non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy. Concerned at the risk of terrorists acquiring weapons of mass destruction, his delegation fully embraced the Security Council's view that terrorism constituted one of the most serious threats to peace and security. In that connection, it welcomed the adoption of Security Council resolution 1540 (2004), which filled a gap in existing multilateral non-proliferation and control regimes. He called on those States which had not yet done so to submit their national reports under that resolution as soon as possible. Slovenia stood ready to provide assistance to countries that lacked the necessary legal and regulatory infrastructure, implementation experience or resources necessary to that end.

39. Slovenia, which possessed nuclear facilities and thoroughly fulfilled its international non-proliferation obligations, attached great importance to the use of nuclear energy for peaceful purposes under article IV of the Treaty. Such activities, however, must be transparent and placed under IAEA scrutiny. In 2000, Slovenia had concluded an additional protocol to its IAEA safeguard agreement. It urged other States to do likewise. IAEA should continue to assist States in preparing model legislation, as the lack of domestic legislation in certain States parties posed a real threat to the nuclear non-proliferation regime. His delegation welcomed the Secretary-General's proposal spelled out in his report, on enhancing the role of IAEA in the field of nuclear non-proliferation, including as a guarantor for the supply of fissile material to civilian nuclear users. It urged all States that had not yet done so to sign and ratify the CTBT, particularly those listed in Annex 2 of that Treaty. Further delay in that Treaty's entry into force would not only constitute a permanent nuclear threat to the human race but could also undermine global and regional achievements in arms control and non-proliferation. Slovenia's new and stricter legislation on export controls for dual-use items, introduced in 2000, had been further amended

the previous year. To that end, Slovenia also applied the European Union Council regulation 1343/04, had begun cooperating with the European Atomic Energy Community (EURATOM) to strengthen international control over its nuclear reactors and capabilities and was a member of the Nuclear Suppliers Groups (NSG) and Zangger Committee.

40. Slovenia, which complied with all its obligations under article VI of the NPT, urged all nuclear weapon States to continue their efforts in that regard. In its view, the 13 practical steps outlined in the Final Document of the 2000 Review Conference remained valid. His delegation welcomed efforts by nuclear-weapon States to reduce their nuclear arsenals, particularly by ratifying the Strategic Offensive Reductions Treaty concluded in Moscow in 2002.

41. He expressed strong support for the European Union position concerning withdrawal from the NPT. The Conference should adopt appropriate measures to discourage States parties from withdrawing and the Security Council should play a greater role in addressing violations of Treaty obligations. In conclusion, his delegation welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which it intended to sign as soon as the Convention was open for signature in September. It called on all States to do likewise.

42. **Mr. Hannesson** (Iceland) said that, the previous month his delegation had expressed its support for the Secretary-General's proposals on strengthening multilateral disarmament and non-proliferation structures. Iceland had long believed that credible and effective verification was a key component of the NPT regime. In order to prevent violations, action must be taken to strengthen NPT compliance and verification mechanisms, as well as the role of IAEA.

43. His delegation urged the Democratic People's Republic of Korea to reconsider its nuclear weapons policies and comply with its non-proliferation and disarmament obligations under the Treaty. It also hoped that the Islamic Republic of Iran would comply with IAEA requirements for transparency in the development of its nuclear programme. Stressing the importance of the universality of the NPT, he urged all States that had not yet done so to accede to the Treaty as non-nuclear weapon States without delay. Strong measures were needed to discourage withdrawal from the Treaty.

44. In conclusion, his delegation reiterated its support for the Proliferation Security Initiative to strengthen the non-proliferation regime and for Security Council resolution 1540 (2004), which addressed concerns about the risk of non-State actors acquiring weapons of mass destruction.

45. **Ms. Vášáryová** (Slovakia) said that, in his recent address to the Conference on Disarmament, the Minister for Foreign Affairs of Slovakia, had stressed the need for balanced implementation of the NPT through the harmonization of non-proliferation measures on the basis of the Treaty's three pillars. Her delegation would be working to preserve the relevance of the Final Document of the 2000 Review Conference, focusing, in particular, on the issue of proliferation of nuclear weapons. Strict compliance with non-proliferation obligations and accountability would be necessary to ensure that nuclear technologies and material were not misused or did not fall into the hands of terrorists. The IAEA safeguards system was an essential tool for building the necessary confidence to ensure the effectiveness of the multilateral system. Her delegation believed that the conclusion of additional protocols should be developed into a verification standard and appealed for universal submission to the IAEA safeguards system.

46. Furthermore, the early entry into force of the CTBT, with its comprehensive verification regime, would be an opportunity to reinforce the non-proliferation system. An early start to negotiations on a global treaty banning the production of fissile materials for nuclear explosive devices would represent another contribution to the process, and the members of the Conference on Disarmament could do much in that respect. Export controls, as well, ranked among the effective tools for ensuring non-proliferation. Certainly, the recently revealed black market in nuclear materials confirmed the need for better controls.

47. It was crucial to recognize that non-proliferation obligations were not temporary bargaining tools for obtaining nuclear technologies and materials, in view of the fact that, regrettably, some States parties' intentions differed from those of article IV of the Treaty. A global safeguards and verification system meant that all countries respected all obligations and unconditionally implemented Security Council resolution 1540 (2004) while allowing the IAEA, through an additional protocol, to confirm that no undeclared nuclear activities were going on within

their territories. States parties had a unique opportunity and a heavy responsibility: the future of non-proliferation would look exactly as the Review Conference shaped it now.

48. **Mr. Jankauskas** (Lithuania) observed that during the past five years the NPT regime had been challenged by the withdrawal of a State party, clandestine nuclear proliferation and the threat of nuclear terrorism, all of which required a response from the Review Conference. The right to develop nuclear power for peaceful purposes must not be used as a pretext for violating the letter and spirit of the Treaty. Indeed, the use by States of that right called for stronger means of verification by the IAEA. The conclusion of an IAEA additional protocol should become a universal verification standard and a condition of supply to all non-nuclear-weapon States. Lithuania was ready to share its four-year experience of implementing such a protocol. Moreover, States should not be able to withdraw from the Treaty and then continue to enjoy the benefits of nuclear technologies acquired under it.

49. Multilateral export-control regimes, supported by robust national systems, had become important tools in the implementation of article III of the Treaty and were also an integral part of an effective response to the danger that weapons of mass destruction might fall into the hands of terrorists, especially in view of the increased black-market activity in sensitive nuclear technology and material. In that regard, serious, sustained efforts to implement the provisions of Security Council resolution 1540 (2004) were also crucial. The Proliferation Security Initiative and its interdiction principles must also be credited for marshalling the political will and the capability to prevent illegal transfers of nuclear material and equipment. The Conference must act quickly to amend the Convention on the Physical Protection of Nuclear Material as another strategy to deny access to terrorists. The adoption the previous month of the International Convention for the Suppression of Acts of Nuclear Terrorism was welcome.

50. At the end of 2004, Lithuania had shut down the first RBMK-type reactor at its Ignalina nuclear power plant and the second and last reactor was slated for shutdown by 2009 — an expensive and complicated procedure that would not have been possible without the help of European and other donors. During the decommissioning, and as a matter of practice, Lithuania gave priority to safety and security measures

to prevent any possible diversion of nuclear materials or equipment. It had received IAEA assistance in improving its national physical protection system and establishing a system for locating, securing and removing orphan sources.

51. Lithuania's national report on its implementation of the NPT had covered all the articles of the Treaty, and such comprehensive reporting by all States parties should become standard. The Review Conference should build upon the established principles of the past, and particularly upon the 13 practical steps. Priority should be given to the verifiable elimination of non-strategic nuclear weapons, in fulfilment of the 1991-1992 Presidential nuclear initiatives agreed to by the United States and the Russian Federation. By the close of the current Review Conference, the Treaty's integrity and political credibility should have been strengthened, and decisions taken aimed at overcoming the institutional deficit.

52. **Ms. Holguín Cuéllar** (Colombia) observed that nuclear proliferation was steadily increasing and proving to be a serious test of both the NPT and the broader non-proliferation system. The global situation was no less complex currently than in the 1960s when the Treaty had been conceived and adopted. Some nuclear States still remained outside the NPT and there were still global stockpiles of highly enriched uranium and plutonium. There had been a discouraging lack of progress under article VI since the previous Review Conference.

53. Colombia, a traditional advocate of total disarmament and a signatory of the CTBT, had helped negotiate the Treaty of Tlatelolco and to establish the Organization for the Proscription of Nuclear Weapons in Latin America and the Caribbean (OPANAL). Furthermore, Colombia would soon be concluding an additional protocol with the IAEA.

54. The acquisition of nuclear weapons or technology by terrorists must be prevented, as envisaged in Security Council resolution 1540 (2004), and controls should be imposed not only on horizontal proliferation but also on vertical proliferation, with sanctions applied in the case of the latter, under a strengthened NPT.

55. As one of the States involved in the five Ambassadors' proposal, Colombia had sought to revive negotiations in the Conference on Disarmament and to convince the nuclear-weapon States to reconsider their

strategies so that a nuclear disarmament committee could be established. All States parties should work to prevent any country from joining the ranks of the nuclear-weapon States and should endorse the NPT in its entirety.

56. **Mr. Jeenbaev** (Kyrgyzstan) observed that admittedly the high expectations following the 1995 and 2000 Review Conferences remained, at best, only partially fulfilled. Most of the 13 practical steps had not yet been taken, and there had even been some backsliding. The Conference on Disarmament remained stalled, the CTBT had not yet entered into force, the bilateral Treaty on the Limitation of Anti-Ballistic Missile Systems (the ABM treaty) had been repudiated, there was no visible progress in negotiating a fissile material cut-off treaty, and, if anything, nuclear weapons held a more prominent place in the security policies of some nuclear-weapon States. The 2002 Treaty between the United States and the Russian Federation on Strategic Offensive Reductions (the Moscow Treaty) represented progress but did not adequately address the dangers of non-strategic nuclear weapons. The current Review Conference should discuss ways of accelerating the transparent and irreversible reduction of all categories of nuclear weapons.

57. A positive development in non-proliferation had been the establishment of nuclear-weapon-free zones in Africa and South-East Asia. Such zones now covered nearly the whole of the southern hemisphere, in addition to the Antarctic, the seabed and outer space. Besides their expanded geographical coverage, they had also become stronger instruments of non-proliferation. His Government was pleased at the recent progress that had been made in establishing a nuclear-weapon-free zone in Central Asia: the treaty establishing such a zone had been drafted and would soon be signed by the five States involved, thus strengthening regional and global security.

58. The Non-Proliferation Treaty, the cornerstone of efforts in that area, must be adapted to the new challenges, and its States parties must take account of the new realities. In view of the horrendous terrorist attacks on several continents since the previous Review Conference, all recognized the importance of preventing terrorist from possibly acquiring and using weapons of mass destruction. Adequate safeguards and the physical protection of nuclear materials and facilities remained the first line of defence. The IAEA

had commendably strengthened the international safeguards system, and his Government was pleased to report that it had entered into a safeguards agreement with the IAEA in 2004 and would soon be concluding an additional protocol. It also supported the ongoing efforts to strengthen the Convention on the Physical Protection of Nuclear Material and to implement Security Council resolution 1540 (2004) in order to address the new proliferation challenges posed by non-State actors. Terrorists in particular should be prevented from gaining access to fissile material that could be used to fabricate dirty bombs. And the Review Conference should consider means of securing, and eventually reducing and eliminating, existing stockpiles of highly enriched uranium in the civilian nuclear sector. Export controls should be reinforced, and illicit trafficking in sensitive nuclear materials should be combated. The adoption a month earlier by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism, a Russian initiative, was a source of great satisfaction.

59. Attention should also be given to mitigating the environmental consequences of past and present nuclear-weapon programmes, and particularly of uranium stockpiles. Such environmental issues were often overlooked, although they had had a serious impact on his own and other countries. Governments and organizations with expertise in the area of clean-up and disposal should be ready to provide assistance in affected areas. It was also necessary to emphasize the vital but underutilized role that education and training could play as disarmament and non-proliferation tools, as highlighted in General Assembly resolution 59/62 and in the United Nations study on disarmament and non-proliferation education (A/57/124), whose recommendations should be taken up by the Review Conference. Although the world was a very different place, the principles and objectives articulated 10 years earlier at that Review Conference remained as compelling as before.

60. **The President** said that he was continuing his intensive consultations with delegations and groups of delegations in an effort to bridge the outstanding differences on item 16 of the agenda.

The meeting rose at 6 p.m.

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

14 June 2005

Original: English

Summary record of the 5th meeting

Held at Headquarters, New York, on Wednesday, 4 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

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

1. **Mr. Almansoor** (Bahrain) said that international and regional awareness-raising efforts had raised the hope that the world could rid itself of weapons, especially nuclear weapons. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was but one of many efforts to improve security, even though it faced many obstacles. Bahrain was committed to the Treaty, to which it had become a party on 11 October 1988. In the spirit of the Treaty, it strongly advocated arms-reduction efforts in the Middle East, with the aim of creating a zone free of nuclear weapons. However, present circumstances stood in the way of that aim, as Israel refused to heed the demands of the United Nations and the International Atomic Energy Agency (IAEA) that it should give up holding and stockpiling nuclear weapons. Israel had rejected IAEA inspections and safeguards and dismissed attempts to establish a nuclear-weapon-free zone. That arrogant attitude ran counter to its claim of pursuing peace. Its possession of nuclear weapons was a threat to international security and was incompatible with the establishment of the necessary climate of trust between Israel and its neighbours. Israel should sign the Treaty and fulfil its obligations in the Middle East so that the region's inhabitants could live fraternally and in peace.

2. All countries should become signatories to the Treaty, place their nuclear installations under the safeguards regime and begin serious bilateral negotiations to end all nuclear programmes. To that end, there should be negotiations within an ad hoc Committee. Another element of the effort to halt proliferation was the Security Council Committee established pursuant to resolution 1540 (2004), to which his own Government had reported in accordance with its obligations.

3. **Mr. Danellis** (Greece) said that Greece had been one of the first States parties to the Treaty, which provided a solid basis to work towards nuclear disarmament and a framework for the peaceful uses of nuclear energy by the States parties. Greece shared the international community's view that nuclear proliferation threatened global security, not least because of the danger of nuclear terrorism, and therefore welcomed the adoption of the IAEA Model Additional Protocols, the Proliferation Security Initiative and Security Council resolution 1540 (2004). The Treaty and the conclusion of additional protocols

must be universalized, and transfers of materials which could be used to produce weapons of mass destruction must be placed under effective international control.

4. Greece joined its European Union partners in supporting the establishment of a nuclear-weapon-free-zone in the Middle East and tightening non-proliferation measures in the Mediterranean region. It urged Iran to comply fully with all non-proliferation commitments within the IAEA framework and to suspend voluntarily all enrichment and reprocessing. It was concerned that the Democratic People's Republic of Korea had announced its intention in January 2003 to withdraw from the Treaty, and called for that country's Government to demonstrate flexibility and good faith in reaching a negotiated settlement for full alignment with the Treaty and Additional Protocol.

5. **Mr. Bródi** (Hungary) said that during the period since the 2000 Review Conference, the multilateral nuclear non-proliferation regime had been put under unprecedented pressure. The States parties should confront that situation through a series of mutually agreed steps, by reaching common understandings and by addressing the three pillars of the Treaty in a carefully balanced manner. It would be a serious mistake to hold the urgent tasks of strengthening the verification mechanism and universal compliance with the Treaty hostage to the long-term objective of nuclear disarmament. As a significant first step, the Conference should again call for universal accession to, and implementation of, IAEA safeguards: regrettably, a significant number of States parties had failed to fulfil their obligation under the Treaty to conclude a safeguards agreement. The Review Conference should follow the recommendations made by the United Nations High-level Panel on Threats, Challenges and Change, and by the Secretary-General in his report entitled "In larger freedom: towards development, security and human rights for all", affirming that the IAEA Model Additional Protocol should be taken as the verification standard.

6. Hungary was following with interest the ongoing discussion on new multilateral approaches to sensitive aspects of the nuclear fuel cycle, and commended the Director-General of IAEA for highlighting the need to discuss the dual uses of certain technologies, such as those related to uranium enrichment and reprocessing.

7. Hungary advocated the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

The Review Conference should call on all States to sign and ratify it without delay and without conditions. Hungary was pleased at the moratorium on all nuclear test explosions, urged the States concerned to maintain them pending the entry into force of the CTBT and welcomed the progress made in the establishment of the verification regime and its core, the future Comprehensive Nuclear-Test-Ban Treaty Organization.

8. **Mr. Toro Jiménez** (Bolivarian Republic of Venezuela) said that 1945 had marked a watershed in world history, as the prospect of a nuclear holocaust had shocked people into working to preserve the interests of humanity and the environment. The new humanism had prompted the peoples of Latin America and the rest of the world to establish regional nuclear-weapon-free zones and to adopt the NPT, CTBT and the International Code of Conduct against Ballistic Missile Proliferation, all of which Venezuela participated in.

9. His delegation fully associated itself with the statement made by the representative of Malaysia on behalf of the Non-Aligned Movement. General and complete disarmament was the only way to achieve peace and eliminate weapons of mass destruction under strict international verification. However, the avowed focus of the debate — non-proliferation of nuclear weapons — risked consolidating the nuclear Powers' apparently inalienable possession of the means to create mass destruction and neglected the hazards of those Powers' 50 years of accumulated stockpiles and waste.

10. The discussion must instead focus on the signs that some nuclear Powers might use nuclear weapons with a limited and controllable scope on people made defenceless by poverty, hunger and disease. Such problems as the stand-off between the United States and the Democratic People's Republic of Korea and the baseless accusations by the United States against the Islamic Republic of Iran, should not be allowed to divert attention from the real issue: the repression exercised worldwide by the United States and its effort to pave the way for its planned use of "mini-nukes", which no conventional weapons could counter.

11. Even though the Treaty was obsolescent and was cynically manipulated, no attempt should be made to alter it in such a way as to limit or ban the peaceful uses of nuclear energy. Efforts to strengthen the current regime had selectively concentrated on preventing

horizontal proliferation, without paying enough attention to protecting people against the use of nuclear weapons. The establishment of more nuclear-weapon-free zones would encourage détente and reduce political room for manoeuvre for the United States and its allies. In that regard, Venezuela encouraged the efforts being made in Central Asia and supported the establishment of such a zone in the Middle East.

12. The change in United States security policy introduced in December 2002 was based on preventive strikes and stood in the way of general and complete disarmament. Venezuela interpreted the Proliferation Security Initiative, as an escalation of imperialist aggression which would allow ships to be boarded on the pretext of inhibiting maritime trafficking in nuclear material by States or groups classified as terrorist.

13. Nuclear-weapon States should dismantle their nuclear arsenals, comply with the 1996 advisory opinion of the International Court of Justice and negotiate in good faith to achieve general and complete disarmament in accordance with article VI of the Treaty. Inadequate action had been taken in that regard: the 13 practical steps contained in the Final Document of the 2000 Review Conference should be implemented.

14. Venezuela supported the role of IAEA in implementing the NPT safeguard clauses, but stressed that such measures must never be an obstacle to the peaceful use of nuclear energy. On the contrary: technical assistance and transfers of technology should be undertaken to promote nuclear applications in research, electricity generation, agriculture and medicine, while exercising control over radioactive sources. Venezuela had worked with IAEA to establish two control centres.

15. The Treaty must be strengthened and its credibility improved. If it continued to be applied selectively, the non-proliferation regime would be weakened and the risk of vertical proliferation would increase. Efforts should be concentrated on the single objective of general and complete disarmament; research and the peaceful use of nuclear energy for the good of humanity should be stimulated, not restricted; more nuclear-weapons-free zones should be established to reduce the geopolitical opportunity for the United States of America and its allies to use nuclear weapons; the issue of shipments of nuclear waste through the zone established by the Treaty of Tlatelolco should be

addressed and the international community should be alert to the danger of using depleted uranium in conventional weapons.

16. **Mr. Sardenberg** (Brazil) said that a balanced implementation of all the commitments assumed under the Treaty was needed to preserve its integrity and that the Treaty's credibility could be strengthened through a reaffirmation by the States parties of the cogent and complementary nature of their commitments and by not allowing confidence in the review process to be eroded. The issue of non-proliferation should be addressed in a comprehensive manner. Brazil had repeatedly called on the five nuclear-weapon States to help counter proliferation through nuclear disarmament. Nuclear weapons and other weapons of mass destruction should be completely eliminated. There could be no excuse for their use, development, acquisition or indefinite possession. The Treaty was the main international instrument to achieve those ends.

17. Welcoming the announcements made on substantial reductions in nuclear arsenals, he said that the Treaty between the United States and the Russian Federation on Strategic Offensive Reductions (Moscow Treaty) was a positive step in the process of nuclear de-escalation. However, the fundamental principles of verification and irreversibility should be applied to all disarmament measures. While the NPT did not contain provisions that expressly prohibited the modernization of nuclear weapons and their means of delivery, such commitments were contained in the Final Document of the 2000 Review Conference and should be revisited with a view to their incorporation in the Treaty.

18. He deplored the announcement by the Democratic People's Republic of Korea that it possessed nuclear weapons and calling on it to reconsider the decision to continue to develop them. Owing to legitimate concerns about proliferation outside the Treaty, States parties must urge non-parties to accede to it without conditions and without delay. They must also refrain from any action that might contravene or undermine the fulfilment of the objectives of the Treaty.

19. While concerns had arisen that peaceful nuclear programmes might be used as a cover for nuclear proliferation, the success of the IAEA safeguards system should not be ignored. Further strengthening of Agency safeguards should be assessed in the light of the wider disarmament and non-proliferation context. The Agency should also maintain a balance between

verification activities and promotion of the peaceful applications of nuclear energy, including technical assistance. Proposals to severely limit or prohibit access to some proliferation-sensitive technologies, thereby creating a new gap between the haves and have-nots, deserved careful scrutiny.

20. Brazil strongly supported the establishment of nuclear-weapon-free zones, which should play an increasingly important role in building mutual confidence. Having relinquished its right under the Treaty of Tlatelolco to carry out explosions for peaceful purposes, Brazil called on the relevant nuclear-weapon States to follow suit. Brazil had consistently called for the universalization of the CTBT, and States that had not yet ratified it should do so with a view to its early entry into force.

21. **Archbishop Migliore** (Observer for the Holy See) said that the emergence of transnational terrorism and the proliferation of nuclear material had directly called into question the ability of the Treaty to respond to new international challenges. However, since it was the only multilateral legal instrument intended to bring about a world free of nuclear weapons, the Treaty must not be allowed to be weakened. To that end, the difficult and complex issues of the Review Conference should be addressed in an even-handed way and any measures taken should be guided by the overall goals of the Treaty. The Conference must not go back on past commitments but rather advance the effectiveness of the Treaty. Non-proliferation under the Treaty should be strengthened by increasing the capacity of IAEA to detect any misuse of nuclear fuel. The Treaty's compliance measures should also be strengthened.

22. The time had come to re-examine the whole strategy of nuclear deterrence. The Holy See had expressed its limited acceptance of nuclear deterrence during the cold war on the clear understanding that deterrence merely represented a step towards progressive nuclear disarmament. It had never countenanced nuclear deterrence as a permanent measure, since deterrence was responsible for the development of ever-newer nuclear weapons and actually prevented genuine nuclear disarmament. Peace could not be attained through reliance on nuclear weapons. Nor should the threat of terrorism be allowed to undermine the precepts of international humanitarian law founded on the key principles of limitation and proportionality.

23. The preservation of the Treaty demanded an unequivocal commitment to genuine nuclear disarmament. To that end, all States parties to the Treaty should uphold the integrity of the Treaty and contribute to the success of the Review Conference.

24. **Ms. Bethel** (Bahamas), speaking on behalf of the Caribbean Community (CARICOM), reaffirmed the commitment of CARICOM to the implementation of the Treaty and called on all States parties to it, and in particular the five declared nuclear-weapon States, to implement fully their obligations under article VI of the Treaty as well as all the commitments undertaken at the 2000 Review Conference. The optimism evident at the time of that Conference had waned in the face of the very limited progress made in implementing the 13 practical steps agreed by all States parties. All States should reaffirm their commitment to the implementation of those measures in pursuit of the goals of nuclear disarmament and non-proliferation. Moreover, while it was essential to address effectively the very real danger of the acquisition and use of nuclear weapons by non-State actors, including terrorists, that preoccupation should not detract from those agreed goals.

25. As States parties to the Treaty of Tlatelolco, establishing a nuclear-weapon-free zone in the region, CARICOM encouraged other States to establish similar zones. Elimination of the testing of nuclear weapons remained a critical element in the overall process of nuclear disarmament and non-proliferation. To that end, a renewed commitment was needed to promote the entry into force and the implementation of the CTBT.

26. All CARICOM member States had concluded safeguards agreements with IAEA and the process of signing additional protocols had begun in the region. The most important nuclear safety issue for CARICOM remained the transboundary movement of radioactive material. It therefore particularly welcomed the endorsement by the 2000 Review Conference of IAEA regulations for the safe transport of radioactive materials and was particularly encouraged by the Agency's adoption of a Code of Practice on the International Transboundary Movement of Radioactive Waste. All States should fully implement such instruments and provide assurances to potentially affected States that their national regulations took them into account.

27. While CARICOM States recognized the need for safety and security relating to radioactive waste shipments and the right of States under article IV of the Treaty to benefit from the peaceful uses of nuclear energy, those considerations should not be inimical to the sustainable development of other States. Furthermore, nuclear energy should be harnessed only for peaceful purposes in the service of global development.

28. CARICOM continued to call for the establishment of a comprehensive regulatory framework to promote State responsibility with respect to disclosure, prior informed consent, liability and compensation in the event of accidents. While CARICOM appreciated the steps undertaken by States to prevent the likelihood of accidents, it could not overstate the damage that would be done to the ecosystems and economies of its countries should an accident occur.

29. CARICOM welcomed the recent adoption by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism, which demonstrated the political will to meet current disarmament and non-proliferation challenges. However, without real commitments to the progressive elimination of nuclear arsenals and prevention of the proliferation of nuclear technology for non-peaceful purposes, Member States ran the unacceptably high risk of nullifying their commitments over the previous decade to social, economic and human development.

30. **Mr. Elisaia** (Samoa), speaking on behalf of the Pacific Islands Forum Group, said that the Group had encouraged its three newest members — the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau — to follow the example of its other members by acceding to the South Pacific nuclear-free-zone treaty (Rarotonga Treaty). Under three Protocols to the Rarotonga Treaty, the nuclear-weapon States had undertaken, respectively, to apply the Treaty to their territories in the region, not to use or threaten to use nuclear explosive devices against any State party and not to test such devices within the Zone. The United States was the only nuclear-weapon State not to have ratified those Protocols and was again called upon to do so.

31. The Group looked forward to the entry into force of the African nuclear-weapon-free zone treaty (Pelindaba Treaty), welcomed Mongolia's nuclear-

weapon-free status and encouraged States in South Asia and the Middle East to establish those regions as nuclear-weapon-free zones. Recent initiatives to further enhance cooperation between the zones were also welcome.

32. Despite the assurances provided by shipping States, the Group remained concerned that the arrangements for liability and compensation did not adequately address the risks posed by shipments. It therefore continued to seek further assurances from them. Forum members emphasized the need to follow up on the action taken at the 2000 Review Conference for the protection of States concerned about the risks posed by the transportation of radioactive material and, in the context of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, sought opportunities to undertake further action on their concerns in cooperation with all the States involved.

33. **Mr. Al-Sudairy** (Saudi Arabia) said that the document which his delegation had submitted during the preparatory meeting in Geneva in 2004, specifying the steps that should be taken to establish a nuclear-weapon-free zone in the Middle East (NPT/CONF.2005/PC.11/30), remained relevant.

34. Since peace and security could be achieved through cooperation and dialogue and not through possession of weapons of mass destruction, the international community must pursue development and avoid the race to possess such weapons. Possession by Israel of nuclear weapons constituted a major obstacle to peace and security in the region. Israel's justification for possession and development of weapons of mass destruction, especially nuclear weapons, clearly contradicted its claimed desire for peace with the countries and peoples of the region. Its possession of such weapons and threats to use them, along with its policies of hegemony and establishing facts on the ground, were not only a source of concern and a threat to the peoples of the region but also a threat to international peace and security.

35. As part of its efforts to advance the cause of international peace and security, Saudi Arabia had submitted its national report on weapons of mass destruction in compliance with Security Council resolution 1540 (2004), and had recently signed a Comprehensive Safeguards Agreement and Small

Quantities Protocol. He noted that negotiations between the European Union countries and Iran concerning the latter's atomic programme were facing some hurdles and causing some concern. It was important to encourage the Iranian side to continue to cooperate with IAEA to make the Middle East a zone free of weapons of mass destruction. He hoped that Iran would continue its constructive cooperation in that regard.

36. Peace and security in the region could not be achieved in the presence of destructive weapons possessed by some countries in the region. He reiterated his Government's position that nuclear disarmament was the only guarantee against the use or the threat of use of such weapons, as well as its belief that the fears of many countries not in possession of nuclear weapons should be taken seriously in light of the continuing instability in the Middle East, and that the security and stability of those countries should be guaranteed by means of an international instrument.

37. **Mr. Martínez Alvarado** (Guatemala) said that the review of the Treaty was being conducted at the right time, as circumstances had shown that it had become urgent and necessary to reaffirm the validity of its provisions and the obligations undertaken at the 1995 and 2000 Review Conferences. New challenges to the Treaty system included the possibility that nuclear weapons could be used by non-State actors, which had led to the adoption of Security Council resolution 1540 (2004); the best response, however, was the total elimination of nuclear weapons. The Treaty had suffered a number of violations and the withdrawal of one of its parties, generating a climate of mistrust. The true challenge, however, was how to preserve the multilateral approach to non-proliferation and disarmament, while adapting it to current conditions. The 13 practical steps adopted at the 2000 Review Conference should serve as a departure point. Non-proliferation and disarmament should receive equal attention, in an environment that favoured monitoring and transparency.

38. Guatemala had submitted its national report on compliance with the Treaty, and his Government had signed and was in the process of ratifying the CTBT. As a party to the Treaty of Tlatelolco, Guatemala was joining other States of the region in adopting a common policy towards the nuclear-weapon States.

39. **Mr. Labbe** (Chile) said that, from a legal perspective, the issue was not whether nuclear weapons should be eliminated, but how and when. All States parties faced the common difficulty of making their legal obligation to observe the Treaty a reality, since the implementation of article VI of the Treaty required conditions of global security and stability to which even the smallest members of the international community must contribute. Because collective security was enhanced by regional security, India, Israel and Pakistan must also become parties to the Treaty without conditions, as non-nuclear-weapon States.

40. Experience had shown that a pragmatic approach to new threats of proliferation and the use of nuclear devices by terrorists was best. Chile believed in the contribution of regional and subregional mechanisms to global security and therefore welcomed the six-party talks to deal with the question of the nuclear military programme in the Democratic People's Republic of Korea. If those efforts were unsuccessful, the Security Council would be obliged to exercise its authority to thwart any threat to international peace and security.

41. Chile claimed the right under article IV of the Treaty to benefit from all peaceful uses of atomic energy, including the generation of electricity, in keeping with the growth of its economy and corresponding increase in the demand for energy. It also believed that the risks from proliferation of weapons of mass destruction could not be dissociated from the risks from proliferation of their delivery systems. Therefore it supported the International Code of Conduct against Ballistic Missile Proliferation and other regimes against such proliferation.

42. Chile had welcomed with pride the first Conference of States Parties and Signatories to Treaties establishing Nuclear-Weapon-Free Zones just held in Mexico City, and it urged the establishment of such zones in the Middle East and Central Asia. It also supported the negotiation of a universal and legally binding instrument that provided security guarantees of non-use of nuclear weapons against non-nuclear-weapon States.

43. **Mr. Mekdad** (Syrian Arab Republic) recalled that the NPT had been concluded 35 years earlier because the world had appeared to be on the brink of nuclear war, and the nuclear-weapon States had believed that its provisions would be the basis for a

safer world. Syria had been among the pioneers in the Middle East in signing the Treaty, as it saw nuclear weapons as a destabilizing influence in the region and the world. Israel was the only State in the region that had not acceded to the Treaty. It had ignored and defied all resolutions on the subject, developing its own nuclear arsenal. His Government had called for the establishment of a nuclear-weapon-free zone in the Middle East, an objective which could not be achieved unless Israel joined the Treaty and brought its nuclear programme under IAEA oversight.

44. The necessity of the universalization of the Treaty was obvious. Even after the end of the cold war, the world was not a safer place. The guarantees by nuclear-weapon States to non-nuclear-weapon States had not alleviated concerns, and he reiterated the importance of implementing the decisions adopted at the 1995 Conference, beginning with the negotiation of a legally binding instrument providing global security safeguards for non-nuclear-weapon States.

45. **Mr. Koeffler** (Austria) said that the decision in 1995 to extend indefinitely the NPT had been the result of a careful balancing of its three pillars: non-proliferation, disarmament and peaceful use of nuclear energy. However, the integrity of the Treaty was being challenged, and the balance between those three pillars had shifted. While the overwhelming majority of non-nuclear-weapon States complied with their obligations under the Treaty, there had been alarming cases of proliferation and non-compliance, and progress in disarmament remained elusive. There had been optimism and a common sense of purpose after the 2000 Review Conference, but currently, the international community was grappling with a crisis of confidence. The current Review Conference must serve as an opportunity for recommitment to the Treaty in its entirety so that it would emerge strengthened and better able to cope with new challenges. A balanced outcome for the Conference would mean a final document that strengthened the non-proliferation and disarmament aspects of the Treaty but could not be perceived as denying access to nuclear energy for those who wished to use it for peaceful purposes.

46. Tangible results in nuclear disarmament were also needed. The 13 practical steps adopted in 2000 remained important commitments, as did the CTBT. Of equal importance was the start of negotiations on a fissile material cut-off treaty which would include a robust verification regime. The concern that nuclear

weapons were still central to strategic planning had been increased by reports of intentions to develop new nuclear weapons or alter their design for new uses. Even the affirmation that only concepts were being studied was not reassuring. Over 30,000 nuclear warheads still existed, about the same number as when the Treaty had entered into force 35 years earlier. De-alerting those warheads, as the United Kingdom had done, would greatly reduce the risk of an accidental military nuclear operation.

47. Strengthening of the IAEA safeguards system, export controls and the physical protection of nuclear materials were key measures in enforcing compliance. The conclusion of an additional protocol under article III of the Treaty should be a mandatory condition of supply. The Austrian Minister for Foreign Affairs had submitted an amendment proposal to the Convention on the Physical Protection of Nuclear Material, and a diplomatic conference for its adoption had been scheduled for July 2005. The report on possible multilateral approaches to the nuclear fuel cycle deserved wide attention. One of its options proposed that IAEA could act as a guarantor of nuclear fuel supply to civil users. It also suggested the establishment of an administrative and technical unit to service the intersessional process of the Review Conference.

48. A world free of nuclear weapons, indeed, all weapons of mass destruction, was the aim of Austrian policy. That would require a patient multilateral endeavour that eventually would lead, irreversibly and transparently, to the complete elimination of all nuclear arsenals. An alternative system of collective security must be sought from which nuclear deterrence was absent.

49. **Mr. Al-Ali** (Qatar) said that the accession of most countries to the NPT reflected their view that the Treaty was the cornerstone of the global non-proliferation system. The recent erosion of confidence in the Treaty was a matter of concern. For the Review Conference to be successful, it must act as an extension of the NPT in order to avoid such erosion. Qatar, aware of its responsibility to safeguard peace, had joined the NPT in 1989. In its national legislation, it had taken measures to accede to various treaties to combat international terrorism and ban the proliferation of nuclear weapons.

50. The resolution on the Middle East adopted at the 1995 Review Conference was an essential component of that Conference. Qatar had always sincerely supported the creation of a nuclear-weapon-free zone in the Middle East, where the presence of such arms was a threat and barrier to peace not only in the region but throughout the world. In order to establish security, all nuclear weapons and all weapons of mass destruction must be eliminated. Although all Arab countries were parties to the NPT, Israel had refused to recognize international legality and its actions posed a threat to the region. Israel continued to maintain its nuclear option, contradicting its claimed desire for comprehensive and lasting peace in the Middle East. Eliminating nuclear weapons from the Middle East was indispensable for the achievement of any lasting peace in the region.

51. Recalling that in 2004 the General Assembly had adopted resolution 59/63 on the establishment of a nuclear-weapon-free zone in the Middle East, he called on Israel, the only State in the region that had not acceded to the NPT, to become a party and to submit its nuclear facilities to IAEA safeguards, thereby contributing to universalizing the Treaty in the Middle East. Noting that the policy of double standards in the Middle East could only lead to chaotic conditions in the region, he further called for the timely establishment of a mechanism to implement the 1995 resolution on the Middle East and the recommendations of the 2000 Review Conference. Nuclear-weapon States should follow through with their responsibilities under article VI of the Treaty and conduct consultations, to be followed by measures for nuclear disarmament. In addition, adequate security assurances must be provided. As they had in 1995 and 2000, States parties needed to conduct a comprehensive review of the means by which their commitments under the Treaty could be fulfilled.

52. **Mr. Yáñez-Barnuevo** (Spain) said that the singular importance of convening the Review Conference 60 years after Hiroshima and Nagasaki had been heightened by new threats of terrorism and the complexity of the new challenges those threats implied. The proliferation of weapons of mass destruction and associated technologies, and their delivery systems, along with the real risk that terrorist groups might use such weapons, were among the most serious threats facing international peace and security. The international community was also witnessing a serious crisis in the realm of non-proliferation and

international verification, related to actions by both States parties and non-parties. Furthermore, the phenomenon of illicit trafficking in nuclear material was highly alarming.

53. The pursuit of a consistent policy of disarmament, non-proliferation and arms control was a priority for his country. Not only was Spain a party to all disarmament instruments, it was contributing to strengthening them through an active policy pursued in a variety of forums. Spain particularly wished to see a reactivated Conference on Disarmament, which required, above all, avoiding any linkage of issues. Notwithstanding the near universality of the NPT, major regional imbalances persisted because of the refusal of three countries to join the Treaty and the recent withdrawal of the Democratic People's Republic of Korea, and he firmly appealed for the universalization of the Treaty. Based as it was on a balance among the three pillars of disarmament, non-proliferation and the peaceful use of atomic energy, the disarmament thrust of the Treaty was as important as ever. It was also true, however, that the proliferation crisis had become urgent.

54. Since the 2000 Review Conference, much had been achieved in terms of non-proliferation, such as Cuba's accession to the NPT and Libya's decision to end its non-conventional arms programmes and sign the relevant international treaties. At the same time, however, the case of the Democratic People's Republic of Korea, the complexities of implementing safeguards in other countries, and the discovery of a major illicit network supplying sensitive equipment and technologies, all gave cause for alarm. The IAEA safeguards system was an indispensable instrument within the NPT and must be strengthened. Spain fully supported the quest to universalize the additional protocol and make it part of the new IAEA verification standard, and it was confident that the Conference would lend that instrument decisive impetus.

55. However, the problem of illicit trafficking networks could not be resolved solely through IAEA safeguards machinery, but also required cooperation among States. In that regard, Spain was particularly interested in export control arrangements, such as the Nuclear Suppliers Group. Close cooperation within the context of those systems was a necessary complement to general disarmament and non-proliferation. Spain had also co-sponsored Security Council resolution 1540 (2004) and had been particularly active in its

negotiation. He hailed the extensive recognition in that resolution of export controls and for closing certain international loopholes, and he appealed to all States to adopt the legislation and administrative measures envisaged in that text.

56. The Proliferation Security Initiative, of which Spain had been one of the originators, sought to establish yet another legal and political framework in the fight against the proliferation of weapons of mass destruction, and its basic principles had already been endorsed by some 60 countries. Spain also hailed the entry into force of the Treaties of Tlatelolco and Raratonga and encouraged the creation of new nuclear-weapon-free zones, particularly in the Middle East, as well as in Africa and Asia. The commitments of nuclear-weapon States to those zones had strengthened the regional systems and must be viewed as positive. Yet there was a tendency to require that non-nuclear-weapon States also take on obligations in the context of those zones outside their regions. Spain maintained extensive commitments with regard to non-proliferation, and, without prejudice to cooperation in those zones, did not contemplate subscribing to additional obligations in that regard. He called on the nuclear-weapon States to continue to adopt nuclear disarmament measures, but warned of trends towards non-compliance with commitments flowing from past Review Conferences and other international forums.

57. Fully supporting the goals of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as well as the activities of the committee preparing for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) contained in the provisions of that Treaty, Spain called on all States that had yet to sign or ratify the Treaty to do so at the earliest possible date, and to participate in the four types of scientific verification and cooperation activities envisaged in the Treaty. Spain also advocated the immediate commencement of negotiations on a universal and non-discriminatory treaty limiting the production of fissile materials as well as an immediate moratorium on the production of such materials until such negotiations had been concluded. Such negotiations should encompass commitments with regard to existing fissile materials and provisions for international verification in accordance with the mandate of the Conference on Disarmament.

58. In keeping with its support for the exercise in transparency envisioned in the 13 practical steps for

nuclear disarmament contained in the Final Document of the 2000 NPT Review Conference, Spain had submitted national documentation regarding their implementation at both the Preparatory Conference and at the Review Conference itself, and was strongly of the view that respect for the measures taken to date in that regard was indispensable if systematic progress were to be made towards the objectives of nuclear non-proliferation and disarmament.

59. While the challenges involved were complex, Spain was of the view that the problems posed by the alleged contradiction between nuclear non-proliferation and the peaceful use of atomic energy were not irresolvable; balanced solutions could be found on the basis of transparency and international verification. Spain gave high marks to the process of reflection taking place in the IAEA under Director-General El-Baradei in that regard. Spain participated actively in IAEA programmes promoting the peaceful uses of atomic energy and was the seventh-largest financial contributor to the Agency's regular budget, as well as being a major voluntary contributor to its Technical Cooperation Fund.

60. As a party to a range of international instruments related to nuclear cooperation and security, Spain welcomed the recent adoption by the United Nations General Assembly of the Convention for the Suppression of Acts of Nuclear Terrorism. Spain strongly supported the universalization and strengthening of such instruments, and hoped that the majority of countries would sign the Convention when it was opened for signature in New York in September 2005.

61. In conclusion, he stressed that it was essential to rely on dialogue as the main tool, and strengthen the multilateral environment as the best means, of achieving the goals of non-proliferation, disarmament and peaceful use of atomic energy and maintain international peace and security. Spain hoped that the present Review Conference would be remembered as a clear example of the "effective multilateralism" that represented the world's best hope.

The meeting rose at 1.10 p.m.

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

13 June 2005

Original: English

Summary record of the 6th meeting

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

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

Contents

General debate (*continued*)

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

General debate (*continued*)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The meeting rose at 4.25 p.m.

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

6 June 2005

Original: English

Summary record of the 7th meeting

Held at Headquarters, New York, on Thursday, 5 May 2005, at 10 a.m.

Chairman: Mr. de Zueiroz Duarte (Brazil)
later: Mr. Heinsberg (Vice-President) (Germany)

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General debate (*continued*)

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

General debate (*continued*)

1. **Mr. Dolhov** (Ukraine) said that, regrettably, significant gaps in the nuclear non-proliferation regime had in recent years put the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) under stress and brought its credibility into question. The current Conference must chart a course of action to improve the implementation of the NPT, meet present challenges and close the loopholes in regime. There was a need to build on the results of the historic 1995 and 2000 Review Conferences. Failure to do so would result in the further erosion of the nuclear non-proliferation regime and seriously affect international security and stability. It had been almost 11 years since Ukraine's landmark decision to forswear what had been the third largest nuclear arsenal in the world. That decision had been crucial for progress in nuclear disarmament and had been among the factors leading to the successful outcome of the 1995 NPT Review Conference. His Government continued to attach great importance to achieving the universality of and strict compliance with the NPT.

2. The adoption of Security Council resolution 1540 (2004) was vital to efforts to prevent nuclear weapons from falling into the hands of terrorists. Ukraine was committed to strict implementation of the resolution and called upon other States to follow suit.

3. His delegation noted with satisfaction the progress made in strengthening the Convention on the Physical Protection of Nuclear Material. Ukraine had been among the States that had requested the Director-General of the International Atomic Energy Agency (IAEA) in the summer of 2004 to convene a diplomatic conference to amend the Convention. Slow but steady progress had been made in the universalization of the IAEA additional protocol. An integral part of the safeguards system, the additional protocol was an extremely important tool for sustaining an environment for the peaceful use of nuclear energy without the threat of proliferation. The verification role of IAEA must therefore be strengthened. Furthermore, the safeguards system was a prerequisite for the nuclear non-proliferation regime to be effective and credible. His Government was currently completing the domestic legal procedures necessary to bring the additional protocol into force. It actively participated

in and strictly abided by all major multilateral export control regimes, which it considered should be further enhanced.

4. Concerning new measures by the international community to prevent nuclear proliferation, Ukraine was seeking ways to expand its involvement in the Global Threat Reduction Initiative, launched in 2004, as well as in the Proliferation Security Initiative, which had proved to be very effective. The Group of Eight (G-8) Global Partnership against the Spread of Weapons and Materials of Mass Destruction also had much potential for countering negative trends in nuclear non-proliferation and disarmament. His Government welcomed the progress report by the G-8 members at their Sea Island summit in June 2004 and stood ready to contribute to further development of the Global Partnership based on the experience gained in implementing the Cooperative Threat Reduction programme.

5. His Government called on nuclear-weapon States to pursue nuclear disarmament under article VI of the NPT. Reductions in nuclear arsenals, in particular under the Treaty on Strategic Offensive Reductions, should be irreversible, and the two nuclear-weapon States concerned should seek to reduce non-strategic nuclear weapons in accordance with the presidential nuclear initiatives of 1991 and 1992.

6. The problems in implementing both the non-proliferation and the disarmament clauses of the NPT should be given equal weight. There could be no progress in combating nuclear proliferation without tangible steps towards nuclear disarmament and vice versa.

7. His Government called on all States that had not yet done so to adhere to the Comprehensive Nuclear-Test-Ban Treaty (CTBT) without delay or conditions, especially the 44 States whose ratification was necessary for its entry into force. As regional facilitator of the 2003 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, Ukraine would continue to promote the early entry into force of the CTBT in accordance with the Final Declaration of the Conference and urged all States with nuclear capabilities to abide by the international moratorium on nuclear weapons tests. In addition, every effort must be made to surmount the protracted political impasse at the Conference on Disarmament

and to begin negotiations on the fissile material cut-off treaty.

8. The situation on the Korean peninsula continued to be a cause of concern. The Democratic People's Republic of Korea must relinquish its nuclear ambitions, resume cooperation with the IAEA and comply without delay with its obligations under the NPT and its safeguards agreement with IAEA. The Democratic People's Republic of Korea and the other States concerned must make every effort to resume the six-party talks to resolve the crisis.

9. Legally binding security assurances by the nuclear-weapon States to the non-nuclear-weapon States parties to the NPT would significantly strengthen the nuclear non-proliferation regime by eliminating incentives for pursuing capabilities. The establishment of zones free of nuclear weapons and other weapons of mass destruction had contributed significantly to the international nuclear non-proliferation regime and disarmament. Ukraine welcomed the efforts made by the five Central Asian States to establish a nuclear-weapon-free zone in the region.

10. Enhanced participation by civil society in the work of the NPT was important. His Government supported the working paper submitted by Egypt, Hungary, Japan, Mexico, New Zealand, Peru, Poland and Sweden on disarmament and non-proliferation education and called on the Conference to encourage States to implement the relevant recommendations of the United Nations study on disarmament and non-proliferation education (A/57/124).

11. The success of the current Review Conference would depend largely on the Parties' ability to agree on substantive measures to meet current pressing challenges. The Conference must above all ensure that the NPT remained one of the main elements of international peace and security and demonstrate the efficiency of the review process.

12. *Mr. Heinsberg (Germany), Vice-President, took the Chair.*

13. **Mr. Neil** (Jamaica) said that the current Conference provided an opportunity to assess the validity and integrity of the NPT. His delegation shared the disappointment expressed by many others at the continuing lack of any real progress in the multilateral disarmament agenda. Since the 2000 Review

Conference there had been a sense that the NPT regime was in crisis. The development of new nuclear weapons and improvements in weapons capability among nuclear-weapon States, the possibility of access by non-State actors to nuclear weapons, the withdrawal from the Treaty of one State party and accusations made against certain countries that they were part of a network of instability had contributed to a heightened sense of insecurity. Some States had also begun to place increased emphasis on the nuclear option for the purposes of self-defence, which jeopardized the delicate balance between disarmament and non-proliferation objectives envisaged by the NPT.

14. A review of the past five years had nonetheless shown a few positive developments: further steps towards universality of the NPT had been taken with the accession of Cuba and Timor-Leste; there had been additional signatories to and ratifications of the CTBT; and agreement has been reached among the Central Asian States to establish a nuclear-weapon-free zone in their region. Jamaica continued to place emphasis on the role that nuclear-weapon-free zones played in enhancing the nuclear non-proliferation and disarmament regimes. It commended the Government of Mexico for hosting the first conference of States parties to nuclear-weapon-free zone treaties in April 2005, which should be given due consideration at the present NPT Review Conference.

15. His delegation was concerned that the three pillars of the NPT — disarmament, non-proliferation and guarantees for the peaceful use of nuclear energy — were not being given equal attention. The grand bargain between non-proliferation and disarmament which had helped to establish the NPT must be adhered to in letter and spirit. The continued development and stockpiling of nuclear weapons by a few served only to incite others to challenge their supremacy, thereby undermining the goals of non-proliferation and disarmament. The main burden of responsibility for the situation must be borne by the nuclear-weapon States, which had failed to live up to their obligations under article VI. The predominance of non-proliferation concerns at the expense of disarmament must be addressed. Similarly, the Conference should consider ways to strengthen the disarmament regime through implementation of the NPT. Special group arrangements to support non-proliferation should also be subject to universal,

intergovernmental discussion before being integrated as part of the NPT regime.

16. The preservation of article IV obligations continued to be of paramount importance. In a time of diminishing resources and increased costs of energy, the benefits to be gained through the peaceful application of nuclear energy remained of value to the developing world. Such access should not be denied based on a selective and limited interpretation of events. The role of IAEA in providing the necessary monitoring and verification should be strengthened and respected. For its part, Jamaica had fully adhered to the IAEA safeguards system.

17. The NPT provided the best multilateral framework in which to address the security concerns of the international community. States parties should continue to consider ways in which to strengthen the Treaty based on broadening cooperation and promoting understanding and confidence in the NPT.

18. **Mr. Chowdhury** (Bangladesh) said that his country, which had an impeccable non-proliferation record, was committed to full compliance with the NPT and the CTBT. His Government had unconditionally opted to remain non-nuclear. Its unequivocal commitment to the full implementation of the NPT in all its aspects was based on its constitutional obligation to general and complete disarmament. Bangladesh had also concluded a safeguards agreement with the IAEA, including an additional protocol, and was a party to all disarmament-related treaties, including the Chemical Weapons Convention, the Convention on Conventional Weapons and the Biological Weapons Convention.

19. His delegation called on all States to implement the 13 steps outlined in the final document of the 2000 NPT Review Conference and was concerned at the lack of progress by the nuclear-weapon States in that regard. His Government regretted the stalemate in the Conference on Disarmament, whose working methods required a serious review, and urged States to start negotiations in good faith to conclude a non-discriminatory, multilateral and verifiable treaty to ban the production of fissile material for nuclear weapons.

20. Bangladesh welcomed the reduction of nuclear arsenals through arrangements outside the NPT. Such arrangements, however, should complement rather than substitute for the NPT. It was also concerned at the continued development of new, more sophisticated and precise types of nuclear weapons, which increased the

likelihood that such weapons would be used. Furthermore, it regretted that the CTBT had not entered into force.

21. Any new measures proposed at the current Conference must avoid limiting the rights of States parties to use nuclear energy for peaceful purposes under article IV of the Treaty.

22. His Government supported the establishment of nuclear-weapon-free zones in all parts of the world, including the Middle East and South Asia and commended the five Central Asian States for establishing such a zone in their region. It also welcomed the nuclear-weapon-free status of Mongolia. Bangladesh regretted the frustration of efforts to establish such a zone in the Middle East and called on Israel to accede to the NPT immediately and to submit its nuclear facilities to IAEA safeguards.

23. Bangladesh attached particular importance to the universalization of the NPT. It was encouraged by the decision by India and Pakistan to impose a moratorium on further nuclear testing. Nevertheless, it called on both States to accede to the NPT and submit their nuclear facilities to IAEA surveillance. His Government also welcomed the decision by Cuba and Timor-Leste to join the NPT.

24. Negative security assurances were vital to strengthening the NPT, as they discouraged non-nuclear States to opt for nuclear weapons. His Government therefore called on nuclear-weapon States to reaffirm their commitment to providing negative security assurances, which would greatly promote non-proliferation of nuclear weapons.

25. The IAEA safeguards and verification systems, together with technical assistance programmes particularly in the area of health, agriculture, environment and industry, should be strengthened. States parties must ensure that the Agency had the necessary resources to accomplish those tasks. His Government recognized the important role of the civil society organizations in raising awareness and in creating momentum on such vitally important issues and encouraged their continued participation in activities towards achieving a nuclear-weapon-free world. It supported the Mayors-for-Peace movement and their vision to bring about a nuclear-weapon-free world by 2020.

26. Because security lay not in making weapons but in making peace through establishing linkages between peoples, Bangladesh had been submitted a resolution every year on the establishment of a culture of peace and recommended that it should be reflected in the reports of the Secretary-General on United Nations reform and that a mechanism in the Secretariat should be established for that purpose.

27. **Mr. Menon** (Singapore) said that the NPT, with its system of integrated safeguards, remained the lynchpin of the global non-proliferation regime and one of the best guarantees for the security of small States like Singapore. It was the only global treaty dedicated to the containment and eventual elimination of nuclear weapons.

28. The Review Conference must build on the progress made five years earlier and ensure that the NPT remained the best defence against the spread of nuclear weapons. It must also muster the necessary political will to make progress on the 13 practical steps to disarmament and non-proliferation agreed to at the 2000 Review Conference, the CTBT and the fissile material cut-off treaty.

29. Compliance with various non-proliferation, arms control and disarmament treaties, above all the NPT, remained a key priority for Singapore. The IAEA safeguards system should be strengthened and the additional protocol should be adopted as the new non-proliferation standard. States parties that had not yet concluded comprehensive safeguards agreements with IAEA should do so without delay. His Government hoped to conclude an additional protocol at the earliest opportunity.

30. His delegation urged the Democratic People's Republic of Korea to rejoin the NPT and abide by its non-proliferation obligations, including full cooperation with the IAEA. The Conference must also explore ways of strengthening the NPT regime's ability to deal with similar cases in the future.

31. Singapore welcomed the commitment by the United States of America and Russia, under the 2002 Moscow Treaty, to reduce their strategic nuclear warheads by 2012 and encouraged them to accelerate the pace of nuclear disarmament. Singapore had consistently contributed its full assessed share of the IAEA Technical Cooperation Fund to help to share and spread the benefits of nuclear knowledge. Under the Singapore-IAEA memorandum of understanding on

Technical Cooperation, it had also conducted a host of third-country training programmes and other activities in areas such as radiation protection and nuclear medicine.

32. While Singapore supported efforts to help countries reap the benefits of harnessing the peaceful use of nuclear technology it was vital to ensure that non-proliferation and safeguards commitments in relation to peaceful nuclear technology transfer and technical cooperation activities were carried out in strict compliance with international standards on nuclear safety and security.

33. The discovery of a sophisticated and clandestine nuclear procurement network supplying nuclear material, equipment and technology was deeply worrying. It was imperative for States to exercise individual and collective efforts to counter such threats and continue to find ways to enhance international cooperation. Singapore therefore supported full and effective implementation of Security Council resolution 1540 (2004). While multilateralism should form the cornerstone of the global non-proliferation regime and promote global security, other initiatives such as the Proliferation Security Initiative were important for bolstering ongoing international counter-proliferation efforts. The work of the Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle also contributed to those efforts.

34. Equal weight must be given to all aspects of commitments undertaken by States parties under the NPT. Singapore therefore called for full and non-selective implementation of all three pillars of the Treaty: disarmament, non-proliferation and the peaceful uses of nuclear energy. The NPT was a key instrument in international efforts to prevent the proliferation of nuclear weapons and promote nuclear disarmament and required strengthening to meet the new proliferation challenges.

35. **Mr. Le Luong Minh** (Viet Nam) said that the continued absence of equal treatment of the vertical and horizontal aspects of non-proliferation would only delay the time when the world was free from nuclear weapons. While the non-proliferation regime had been strictly observed by the overwhelming majority of the more than 180 non-nuclear-weapon States, disarmament had not received the same level of emphasis by the nuclear-weapon States. Although those States had undertaken to comply fully with article VI

of the Treaty at the 2000 Review Conference, thousands of nuclear weapons still existed, many on alert status, and negotiations on a fissile material cut-off treaty had yet to resume. Alarming new security doctrines gave an even broader role to nuclear weapons, jeopardizing the authority and relevance of the Treaty.

36. Regrettably, conditions were being attached to the security assurances given by nuclear-weapon States to those States which had voluntarily opted not to acquire nuclear weapons. Early conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be given attention at the Review Conference.

37. The recent conference of members of nuclear-weapon-free zones had reaffirmed the conviction that such zones were an important disarmament measure. It was encouraging to note that over 100 States had signed treaties establishing nuclear-weapon-free zones. Efforts must continue to implement the resolution adopted at the 1995 Review Conference on establishing such a zone in the Middle East. One of the most important factors determining the effectiveness of the treaties establishing such zones was the signing of their protocols by the nuclear-weapon States. His Government welcomed China's readiness to sign the Protocol to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok).

38. The peaceful use of nuclear energy, the third pillar of the Treaty, was as important as non-proliferation and nuclear disarmament. His delegation shared the concerns over the tendency to apply undue restrictions on exports of material, equipment and technology for peaceful purposes to developing countries. While supporting and commending the work of IAEA to ensure compliance, his delegation believed there could be a better balance between its resources for safeguards and those for technical assistance.

39. The Treaty had played a vital role in preventing the proliferation of nuclear weapons, but its future was at stake. The international community must decide whether to move forward by restoring its relevance or simply to allow the confidence of States in the Treaty to continue to erode.

40. **Mr. Aranibar Quiroga** (Bolivia) said that the Treaty must be strengthened and revitalized by the Review Conference, not only because of changes in nuclear policy by some Powers, the persistent refusal

of some States to ratify it and the withdrawal by one State, but also because of the increasing danger that nuclear weapons and other weapons of mass destruction could fall into the hands of non-State actors, in particular terrorist groups. Vertical and horizontal proliferation posed a threat to the survival of all States, big and small, rich and poor, whether or not they had nuclear weapons. Yet the international community had not sufficiently recognized that danger, even though the devastating effects of a nuclear catastrophe were well known.

41. The Treaty was the best instrument available for establishing global monitoring over technological processes with a view to ensuring that nuclear energy was not used in an uncontrolled manner. Yet its potential could not be tapped to the full without the willingness of all States with nuclear technology to promote the broadest possible exchange of scientific research, information and equipment for peaceful uses of nuclear energy.

42. The Treaty should be improved and, despite the challenges it was currently facing, should remain the cornerstone of the disarmament and non-proliferation regime. The Review Conference provided an opportunity for all Parties to reaffirm their political will to continue and consolidate the progress made in 1995, and in particular the 13 practical steps adopted in 2000. Bolivia shared the growing concern at the stalemate in the Conference on Disarmament and the United Nations Disarmament Commission, which had not been able to reach consensus on a substantive agenda for several years. It welcomed the Declaration of the conference on nuclear-weapon-free zones just held in Mexico and would continue to support all initiatives to establish such zones in every region of the world. With the cooperation of IAEA, it had established the Bolivian Institute for Nuclear Science and Technology.

43. The system of collective security for the twenty-first century required the universality of the Treaty and the early entry into force of the CTBT, as tangible signs of effective multilateralism.

44. **Mr. Castellón Duarte** (Nicaragua) said that the universality of the Treaty was of the utmost importance for the future of the international community; it therefore urged those States which had not done so to accede to the Treaty, and the People's Democratic Republic of Korea to rejoin it as a full member.

Nuclear-weapon States must reduce their stockpiles in an effort to discourage proliferation and to move towards the total destruction of all nuclear weapons, the only absolute guarantee of safety. In that regard the Treaty on Strategic Offensive Reductions signed by the Russian Federation and the United States of America in 2002 was a major step forward.

45. As a non-nuclear weapon State, Nicaragua called on the nuclear-weapon States to provide adequate guarantees, including the negotiation of a binding agreement against the threat or use of such weapons against States without them. His delegation was also concerned that the CTBT had not yet entered into force, and it called on the States mentioned in its annex II to sign and ratify it without further delay.

46. The adoption of Security Council resolution 1540 (2004) had made a major contribution to the cause of non-proliferation by emphasizing the need to prevent non-State actors from gaining access to weapons technology, nuclear materials and biological and chemical agents. The recent adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism was also a positive step, and Nicaragua hoped for its early entry into force.

47. In conclusion, his delegation was convinced that the existence of nuclear weapons represented a threat to the survival of humanity and that the only true guarantee against their use or the threat of use was their total elimination.

The meeting rose at 11.25 a.m.

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

14 June 2005

Original: English

Summary record of the 8th meeting

Held at Headquarters, New York, on Thursday, 5 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)

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The meeting was called to order at 3.10 p.m.

General debate (*continued*)

1. **Mr. Freeman** (United Kingdom) said that the new global threats since 2000 and the challenges to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had served only to underline its importance and strengthen his Government's support for it. The NPT had been an international success story. The United Kingdom continued to implement the decisions of past review conferences and abide by its undertakings on non-proliferation, the peaceful uses of nuclear energy and disarmament.

2. Recent challenges to the non-proliferation regime by a few signatory States should not prevent the great majority of States parties from enjoying the benefits to be gained from the peaceful uses of nuclear energy, under article IV of the Treaty. Those which had taken advantage of that provision to develop clandestine nuclear-weapon programmes had challenged the rest to work together to contain their activities and prevent future abuses of the Treaty. The United Kingdom called on the Democratic People's Republic of Korea to stop developing nuclear weapons, declare all its past nuclear activity, and verifiably and irreversibly dismantle its entire nuclear programme, while returning to negotiations. The proliferation implications of the nuclear programmes of the Islamic Republic of Iran were also disquieting. However, France, Germany, the United Kingdom and representatives of the European Union were working with it to develop long-term arrangements to rebuild international confidence in its intentions and to persuade it to suspend all enrichment and reprocessing activity and to reconsider its decision to construct a heavy-water reactor.

3. The possibility that terrorist groups could obtain and use weapons of mass destruction was a further worrying development. Every effort must be made to dismantle any remaining elements of the clandestine international supply and procurement network that had come to light in late 2003, and to shut down other illegal nuclear suppliers and networks.

4. The work of the International Atomic Energy Agency (IAEA) underpinned the Treaty. The Agency stood in the front line against those who would evade or deny their international obligations. The United Kingdom called on all non-nuclear-weapon States to

conclude IAEA safeguards agreements and additional protocols to them, both of which should become a future condition for supply of sensitive nuclear materials. The 2005 report of the IAEA Expert Group on Multilateral Nuclear Approaches had shown that effective ways must be found to control the spread of enrichment and reprocessing technologies without compromising the benefits of legitimate civil use.

5. All Governments should employ a broad range of approaches to counter proliferation and complement the provisions of the Treaty and the excellent work of the IAEA. Strong, comprehensive export controls were necessary. State interdiction, under the Proliferation Security Initiative, of illicit transport of nuclear supplies and technologies also had a role to play. Security Council resolution 1540 (2004) and the recently adopted International Convention for the Suppression of Acts of Nuclear Terrorism offered further tools. The forthcoming amendment and strengthening of the Convention on the Physical Protection of Nuclear Material in would also help prevent the acquisition of sensitive materials by terrorists.

6. The United Kingdom welcomed the report of the High-level Panel on Threats, Challenges and Change (A/59/565) and the Secretary-General's response to it in his "In larger freedom" report (A/59/2005), in which he made recommendations for the current Review Conference that should be carefully scrutinized.

7. Recent positive developments that deserved mention included the decision of the Libyan Arab Jamahiriya to dismantle its illegal weapons-of-mass-destruction programmes. The United Kingdom called on others engaged in such programmes in clear contravention of their treaty obligations to follow that country's example.

8. As a nuclear-weapon State, the United Kingdom recognized its particular obligations and reaffirmed its unequivocal undertaking to eventually eliminate its nuclear arsenals. British nuclear weapons were for deterrence only and had a political, not a military, role. All reductions in nuclear-weapon levels, whether achieved unilaterally, bilaterally or multilaterally, hastened the final goal of global disarmament. The United Kingdom had, since the end of the cold war, reduced the explosive power of its nuclear forces by more than 70 per cent, and had completely dismantled its Chevaline warheads since 2000. It reiterated its

intention to abide by the moratorium on nuclear testing. It looked forward to the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and to the early negotiation, without preconditions, of a fissile material cut-off treaty in the Conference on Disarmament.

9. Standing by all the security assurances it had given to non-nuclear-weapon States in the past, the United Kingdom, as evidence of its support for nuclear-weapon-free zones, had ratified or would ratify the protocols to the relevant treaties establishing such zones. It would continue to work nationally, bilaterally, regionally and multilaterally to strengthen the non-proliferation regime.

10. **Mr. Kaludjerović** (Serbia and Montenegro) observed that the successful outcome of the Review Conference would buttress the entire network of international nuclear disarmament and non-proliferation agreements, of which the NPT, with its prevention and verification systems, was the cornerstone.

11. The Conference could not afford to set modest goals but rather had to achieve the broadest possible cooperation to ensure full compliance by all States parties, which shared responsibilities as well as benefits. The ultimate benefit of the Treaty, which both aimed to rid the world of nuclear weapons and fostered the use of nuclear energy for peaceful purposes, would be a more secure and more developed world. The Treaty must achieve universality; and its system of controls had to be expanded by making IAEA additional protocols part of the required standard for verification.

12. As a successor State and first-time participant in a Review Conference, Serbia and Montenegro endorsed the Treaty and all previous consensus decisions. As a non-nuclear-weapon State, it sought the elimination of all types of weapons of mass destruction. It was the obligation of the nuclear-weapon States to gradually achieve the goal of nuclear disarmament.

13. His Government attached great importance to the early entry into force of the CTBT, which it had ratified in 2004, and it supported an early start to negotiations in the Conference on Disarmament on a fissile material cut-off treaty. As part of its fruitful cooperation with IAEA, it was in the process of concluding an additional protocol and was working on

the management of radioactive waste. It also welcomed the adoption of Security Council resolution 1540 (2004) and the adoption by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism.

14. Aware of the need for a strong national export-control regime, his Government had begun to implement legislation on foreign trade in arms, military equipment and dual-use goods. It was also fully committed to the peaceful uses of nuclear energy under a strict verification regime.

15. **Mr. Own** (Libyan Arab Jamahiriya) recalled that, following the path of international dialogue and cooperation, his country had in December 2003 voluntarily agreed to get rid of all equipment and programmes leading to the production of internationally prohibited weapons. Since then, it had ceased all testing and uranium enrichment and all importing of nuclear materials; it had dismantled its equipment and systems under IAEA supervision and with the assistance of IAEA, the United States and the United Kingdom. His Government had ratified the CTBT, concluded an IAEA additional protocol retroactive to December 2003, and applied for membership in the Missile Technology Control Regime.

16. Already in 1989, his Government had officially condemned weapons of mass destruction, thereby demonstrating that it was a country dedicated to peace and security and to the goals of the NPT. The international community must take vigorous action, applicable to all States without exception, to do away with weapons of mass destruction and foster instead the development of all the world's peoples.

17. The Libyan initiative required a response from the nuclear-weapon States: the necessary assurance to the non-nuclear-weapon States that weapons of mass destruction would not be used against them. Yet tens of thousands of nuclear weapons were still in place, thousands of them in a state of full preparedness. As obligated under article VI of the NPT, the nuclear-weapon States must begin to eliminate their nuclear arsenals. The Conference on Disarmament should be urged to start negotiations immediately on a non-discriminatory fissile materials cut-off treaty, and to revive the ad hoc committee on negative security assurances that it had established in 1998.

18. All States, whether parties to the NPT or not, should forswear nuclear aggression and nuclear intimidation. In the Middle East, only Israel was not a party to the NPT, and the nuclear weapons in its possession threatened and terrorized the entire Arab region and made a mockery of the NPT. It was urgent for Israel to ratify the Treaty and place all its nuclear facilities under IAEA safeguards; and in the meantime other nuclear-weapon States should, pursuant to article I of the Treaty, refuse to supply Israel with nuclear material or assistance. All States parties should also hasten the formal establishment of a nuclear-weapon-free zone in the Middle East.

19. Under article IV of the Treaty, all States were entitled to pursue nuclear research and produce nuclear energy for peaceful purposes. The nuclear States should help the developing countries to meet their legitimate needs for nuclear energy and a free transfer of technology.

20. The Review Conference should make a number of recommendations. It should highlight the importance of the full observance of articles I and VI of the Treaty. Nuclear-weapon States should be called upon not to share or export nuclear technology or know-how except for peaceful purposes; to cease to update their own nuclear-weapon systems or produce new weapons; and to begin to eliminate their own nuclear arsenals within a specific time frame. No nuclear missiles should be kept in a state of preparedness, and all such missiles should be withdrawn from foreign military bases. Negotiations should begin on a treaty on dismantling nuclear weapons and eliminating double standards in nuclear policy. The funds currently spent on arsenals should be used instead to improve living standards, health care and education in poor countries and to achieve the Millennium Development Goals.

21. **Mr. Mahiga** (United Republic of Tanzania), after recalling decisions taken at previous Conferences, said it was regrettable that the 13 practical steps for the implementation of article VI had not been put into effect, as they provided a feasible way of moving forward and were crucial to the future of the NPT. The NPT had faced its greatest challenges in recent years. Nuclear-weapon States continued to rely on the doctrine of nuclear deterrence, upgrading both their weapons and delivery systems, while the threshold for using such weapons had been lowered. Factors such as the withdrawal of the Democratic People's Republic of Korea from the NPT in 2003 and the illegal transfer of

nuclear technology by non-State actors did not bode well for the NPT, while its indefinite extension had not brought about the expected results. Nuclear weapons needed to be eliminated, in an irreversible, transparent and verifiable manner, and the three nuclear-weapon States which had not joined the NPT should do so.

22. His Government was fully committed to the NPT objectives, as demonstrated by its ratification of the African Nuclear-Weapon-Free Zone Treaty, the CTBT and the Convention on the Physical Protection of Nuclear Material. It had also signed an IAEA Additional Protocol.

23. Nuclear proliferation needed to be curbed decisively, collectively and in a timely manner. He stressed the equal importance of the three pillars of the NPT; attempts to separate those pillars or implement the NPT selectively could have a damaging impact on the Treaty. Regrettably, there had been little progress on nuclear disarmament since 1995. The important role played by nuclear-weapon-free zones in efforts towards nuclear disarmament could not be overemphasized: they strengthened peace and security and built confidence among States. The recent Conference of States parties to treaties establishing such zones had further demonstrated the commitment of those States to a world free from nuclear weapons. He stressed the urgent need for States in the Middle East to establish such a zone and called on Israel to accede to the NPT and place its nuclear facilities under full-scope IAEA safeguards. Reaffirming support for Mongolia's nuclear-weapon-free status, he hoped that the nuclear-weapon-free zone in Central Asia would be established soon.

24. Emphasizing that negative security assurances were considered a temporary measure pending total elimination of nuclear weapons, he again called on nuclear-weapon States to honour their obligation to conclude a legally binding agreement containing such assurances. Simply signing the protocol to a nuclear-weapon-free zone treaty was inadequate and was not legally binding.

25. IAEA played a key role in enhancing nuclear safety and should be given the necessary human and financial resources to improve its performance. In addition, all States parties should sign an additional protocol, as proposed in 2000. His delegation nonetheless reaffirmed the inalienable right of States parties to develop research, production and use of

nuclear energy for peaceful purposes without discrimination. Export controls had worked against the interests of developing countries, denying them the science and technology needed for development.

26. A moratorium on nuclear testing provided no guarantee against future testing. It was therefore regrettable that the CTBT, the only true guarantee, had not yet entered into force. He called on States that had not yet done so to ratify it as soon as possible, particularly those whose ratification was required for its entry into force. It was every State party's obligation to ensure that the current Conference had a successful outcome, as its success was a crucial step towards achieving freedom from fear, as outlined in the Secretary-General's report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), and reforming the United Nations for enhanced international peace and security.

27. **Mr. Carrera** (Cuba) said that his Government had deposited its instrument of accession to the NPT in 2002, demonstrating its political will and commitment to strengthening multilateralism and international disarmament treaties and contributing to efforts to safeguard the United Nations and preserve global peace and security, even though the world's major nuclear Power maintained a policy of hostility towards Cuba that did not exclude the use of armed force. Cuba had previously had reservations concerning the NPT because it considered it to be a discriminatory mechanism under which States had unequal rights and commitments. It was regrettable that the small percentage of States parties possessing nuclear weapons had not fulfilled their NPT obligations regarding nuclear disarmament or their unequivocal undertaking to total elimination made at the 2000 Conference. As a State party to the NPT, Cuba's position remained unchanged, only now it would work from within the Treaty to attain the total elimination of nuclear weapons. For Cuba, the NPT was only a step towards that goal.

28. Military doctrines based on the possession of nuclear weapons were unsustainable and unacceptable. The new strategic defence doctrines of the United States and the North Atlantic Treaty Organization (NATO), including international security concepts based on military alliances and nuclear deterrence policies and the expansion of the right to use, or threaten to use, force in international relations, were very worrying, particularly for poor and non-aligned

countries. Indeed, the so-called strategic pre-emptive doctrine contradicted the very spirit of the NPT. The only way to avoid the disastrous consequences of using nuclear weapons was to negotiate a comprehensive and multilateral Convention encompassing disarmament, verification, assistance and cooperation. The Conference on Disarmament was the appropriate framework for such negotiations, which Cuba was ready to start immediately. Although Cuba had only recently joined the NPT, his Government had never had the intention to develop or possess nuclear weapons, nor had it based its defence plans on the possession thereof. Indeed, the principles of the 1959 Revolution were diametrically opposed to anything contributing to their existence. Cuba was interested only in the peaceful use of nuclear energy under IAEA verification. It would therefore continue to defend the inalienable right of States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and to receive transfers of material, equipment and information to that end, and it would fulfil all its NPT obligations. Cuba's Safeguards Agreement with IAEA, and its Additional Protocol, had entered into force in June 2004.

29. His Government rejected the selective implementation of the NPT, whereby disarmament and peaceful uses were neglected in favour of horizontal non-proliferation, and called for Conference discussions and documents to reflect a balance between the three pillars, with particular emphasis on reviewing the implementation of article VI. The Conference was a unique opportunity for nuclear-weapon States to reaffirm their unequivocal undertaking to eliminate their nuclear arsenals and for all States parties to set new goals to that end. Priority must also be given to negotiating a universal, unconditional and legally binding instrument in which nuclear-weapon States undertook not to use, or threaten to use, nuclear weapons against non-nuclear-weapon States, an issue which the Conference must address.

30. His Government was concerned about the deterioration in recent years of the multilateral disarmament machinery owing to the unilateral and obstructionist attitude of the main nuclear Power, which infringed international law and disregarded multilateral disarmament and arms control treaties. It was worried about a number of new initiatives, such as the Proliferation Security Initiative (PSI), which claimed to combat the nuclear terrorism threat but was

actually a non-transparent and selective mechanism that violated the fundamental principles of international law, the Charter and the United Nations Convention on the Law of the Sea. Such initiatives were detrimental to multilateralism and international cooperation, and aimed to dismantle existing international disarmament, arms control and non-proliferation treaties and bodies. While his Government shared the general concerns about weapons of mass destruction falling into terrorist hands, a selective and discriminatory approach that focused on horizontal proliferation while ignoring vertical proliferation and disarmament was not the solution; the only guarantee was the total elimination of all weapons of mass destruction.

31. Terrorism must be fought without double standards. A crusade could not be waged against international terrorism while the leader of that crusade harboured terrorists in its own territory; international terrorism could not be eliminated if some types of terrorist act were condemned, while others were silenced, tolerated or justified. Cuba was in favour of an international coalition against terrorist use of weapons of mass destruction, but only within the framework of international cooperation, the United Nations and the relevant international treaties. Respect for international law and the Charter was the only guarantee for international peace and security. The world must be governed by a collective security system offering full guarantees for all, not by the law of the jungle or doctrines and initiatives that violated the Charter.

32. **Mr. Chem** (Cambodia) said that Cambodia's Constitution prohibited the manufacture, use and storage of nuclear, chemical or biological weapons. Cambodia had actively participated in the 37th ASEAN Ministerial Meeting in 2004 and reiterated its full support for efforts to boost implementation of the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok), urging the nuclear-weapon States to sign its Protocol at the earliest opportunity. Like many States parties, Cambodia believed that IAEA played a fundamental role in applying, and verifying compliance with, the international safeguards obligation laid down in article III and in strengthening the regime. Moreover, the Model Additional Protocol was the ideal instrument for making the IAEA system more efficient and effective. In the light of past experience, the international community should make

every effort to rid the world of the threat of nuclear weapons. In that regard, Cambodia reiterated its full support for the total elimination of such weapons for the sake of future generations.

33. **Mr. Capelle** (Marshall Islands) said that, situated in a part of the world where three global Powers had tested nuclear weapons, the Marshall Islands had a unique and credible voice on the importance and urgency of non-proliferation. His delegation shared the view expressed by the Director-General of IAEA that the core of the NPT could be summed up in two words: security and development. Security for all by reducing — and ultimately eliminating — the nuclear threat, and development for all through advanced technology. His delegation acknowledged the development priorities and security concerns of States parties, but wished to emphasize human rights issues. For most people, security meant healthy land and resources and a healthy body, not the presence of weapons. Global leaders did not have the right to take away the security of others in order to feel more secure themselves. The Marshall Islands had experienced nuclear war 67 times, with more radiation being released there than anywhere else on the planet. Needless to say, it was still suffering from the adverse consequences of nuclear testing. Non-proliferation was one of his country's fundamental goals, as non-proliferation of weapons also meant non-proliferation of illness, forced relocation, environmental degradation and profound disturbances in social, cultural, economic and political systems. The Marshall Islands knew that from first-hand experience. The nuclear era had affected his country so profoundly that its inhabitants had even had to develop new words to describe the gross abnormalities that exposure to radiation had caused to the environment, animals and human beings. The Marshall Islands would not wish that fate on anyone and had therefore devoted itself to nuclear non-proliferation.

34. His delegation called on the United Nations to address the damage caused in the Trust Territory of the Pacific Islands by detonation of nuclear weapons by the Administering Authority. The trust territory relationship had been terminated following reports by that Authority that the damage and injuries caused by the testing programme were minor and limited. In the light of declassified documents revealing that not to be the case, he urged the current Conference to recommend that the former Authority fully address all

the said damages and injuries. His delegation would push for such language to be included in the Conference's final report. The Pacific Island Forum leaders in 2004 had called for the United States fully to meet its obligations to provide fair and adequate compensation and ensure the safe resettlement of displaced populations. They had also urged States that had tested nuclear weapons in French Polynesia and Kiribati to take full responsibility for the impact of their activities on the local people and environment.

35. While still suffering from the lingering consequences of radiation exposure, the Marshall Islands welcomed the fact that, as a result of long-term cooperation, fewer nuclear weapons existed and fewer States possessed them than in the past and that the NPT had been improved, updated and extended. His country had recently signed an IAEA Safeguards Agreement and Additional Protocol. It also recognized the importance of the Proliferation Security Initiative, Security Council resolution 1540 (2004) and the Global Threat Reduction Initiative.

36. The Heads of State of the Pacific island countries maintained a strong communal interest in the reduction and eventual elimination of nuclear weapons and in protecting the Pacific region from environmental pollution. The Marshall Islands applauded the efforts of the Pacific Islands Forum to work with nuclear shipping States on prevention, response, liability and compensation and continued to seek their assurances that the Pacific region would not have to deal on its own with the aftermath of accident. His delegation hoped that progress would be achieved on the 2005 Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, which emphasized the need to develop and strengthen international regulatory regimes for the transport of radioactive material by sea.

37. While States parties were entitled to develop nuclear energy for peaceful purposes, the rights guaranteed by article IV of the Treaty must not be misused to justify the development of uranium enrichment and processing capabilities. It joined others in favouring restraints on the use of modern technology for purposes that might be in contravention of non-proliferation commitments under the Treaty.

38. In conclusion, he stressed the role of education in improving citizens' understanding of nuclear weapons

and their effects and said that, as former President of the College of the Marshall Islands, he had established a programme to serve that purpose. He looked forward to working with other interested parties on education-related issues.

39. **Mr. Rivasseau** (France) said that the questions of the universality of the NPT, its effective implementation and the repercussions of withdrawal should be highlighted at the Conference. He called for a productive approach towards non-proliferation and the prevention of terrorist risks through, inter alia, strengthened national and international instruments. In that connection, his delegation welcomed the adoption of the European Union Strategy against Proliferation of Weapons of Mass Destruction, the Group of Eight Action Plan adopted at Sea Island, Georgia; Security Council resolution 1540 (2004); the International Convention for the Suppression of Acts of Nuclear Terrorism; and the Proliferation Security Initiative. He urged those States parties which had not already done so to accede to the Convention on the Physical Protection of Nuclear Material.

40. Together with Germany and the United Kingdom, and with the support of the Secretary-General of the Council of the European Union, France was addressing the problem of the clandestine nuclear programme in the Islamic Republic of Iran. It was also supporting diplomatic efforts by other States to resolve the situation in the Democratic People's Republic of Korea and had put forward ideas and proposals within the framework of the Conference, the European Union, the Group of Eight and IAEA.

41. While many States parties feared that strengthening the non-proliferation regime would infringe on the right to use nuclear energy for peaceful purposes, the real danger lay in uncontrolled proliferation by a handful of States, often with the support of clandestine networks. States parties, including developing countries, that failed to meet their non-proliferation obligations, to implement IAEA safeguards or to use nuclear energy for exclusively peaceful purposes should not be entitled to the benefit provided under article IV of the Treaty. France was in favour of a number of measures designed to strengthen the non-proliferation regime, including recognition of IAEA comprehensive safeguards agreements and additional protocols as a verification standard (France and the other European Union countries had concluded additional protocols on 30 April 2004) and a

strengthened multilateral system with a stronger role for the Security Council. In that connection, it supported closer cooperation between the Council and IAEA, which might take the form of regular reports to the Security Council by the Director-General of IAEA, as proposed by the High-level Panel on Threats, Challenges and Change.

42. States must also assume greater responsibility for the transfer of nuclear items. Where non-proliferation obligations were not honoured, nuclear cooperation should be denied pending the application of appropriate remedial measures under IAEA supervision. While recognizing the need to tighten controls over the export of sensitive technology, his delegation did not advocate a total ban on the export of fuel cycle technologies but rather the adoption of criteria for common controls. The Conference should also recognize the useful role played by supplier groups. His delegation supported the expansion of those groups and urged them to share their experience in export controls with non-members and with the Security Council Committee established pursuant to resolution 1540 (2004). The rules governing the transfer of less sensitive equipment and facilities, particularly to developing countries with considerable energy needs, should not be unnecessarily restrictive or hamper economic growth and sustainable development. Countries conducting electronuclear programmes for peaceful purposes should be guaranteed access to the fuel cycle or fuel itself at market prices.

43. The Conference should consider the consequences of withdrawal from the Treaty and hold State parties accountable for any violations committed prior to their withdrawal. The Security Council should be notified of a State party's intention to withdraw and examine each case, and intergovernmental agreements on the transfer of nuclear items should prohibit the use of previously transferred nuclear materials, facilities, equipment or technologies in the event of withdrawal from the NPT. States withdrawing from the Treaty must be required to freeze, under IAEA control, and then dismantle and return, nuclear items purchased from a third country for peaceful uses prior to withdrawal.

44. Reiterating the importance attached to universality by the European Union in its common position of 11 November 2003 and its Common Strategy of 12 December 2003, he called on India, Israel and Pakistan to make every effort to comply with

international standards on non-proliferation and export control.

45. While the 2005 Review Conference should accord priority to proliferation crises threatening international peace and security, disarmament obligations must not be overlooked. Since its accession to the Treaty, France had taken a number of steps in the field of nuclear disarmament and general and complete disarmament. He stressed his country's commitment to the provisions of article VI of the Treaty and to the programme of action for implementing it outlined in decision 2 on the principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference. It was unfortunate, however, that at a time when nuclear-weapon States were undertaking strong commitments, a number of States parties were accelerating the development of their illegal nuclear programme.

46. France had signed the CTBT in 1996 and ratified it in 1998. It had dismantled its nuclear testing centre in the Pacific and, as early as 1996, had halted the production of fissile materials for nuclear weapons, shut down its fissile-material production plants in Pierrelatte and Marcoule and begun the lengthy process of dismantling them. It had drastically cut its nuclear arsenal, eliminating all its surface-to-surface nuclear weapons, reducing the number of its ballistic-missile nuclear submarines and decreasing its total number of delivery vehicles by two thirds since 1985. In conclusion, he called for the universalization and entry into force of the CTBT, and for the initiation of negotiations on a fissile material cut-off treaty.

47. **Mr. Koonjul** (Mauritius) expressed concern at the selective implementation of NPT provisions. Non-proliferation was apparently being given higher priority than the other two pillars, particularly disarming. Plans by nuclear-weapon States to develop new types of nuclear weapon systems or improve nuclear weapon technology caused uneasiness among non-nuclear-weapon States. In that connection, he highlighted the importance of legally binding instruments that provided effective guarantees against the use or threat of force, particularly the protocols to the treaties establishing nuclear-weapon-free zones and the July 1996 advisory opinion of the International Court of Justice. Lack of progress in the Conference on Disarmament had also sown scepticism among the non-nuclear-weapon States. A fissile material cut-off treaty that banned production for nuclear weapons and other

nuclear explosive devices would be a catalyst to nuclear disarmament and, at the same time, provide security guarantees to non-nuclear-weapon States. Negotiations on a non-discriminatory, multilateral, internationally and effectively verifiable treaty should begin as soon as possible under the auspices of the Conference on Disarmament.

48. His delegation welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism as a deterrent to illicit trade in highly sensitive nuclear equipment and material and called for enhanced cooperation to strengthen regional and national capacities aimed at preventing deadly nuclear materials and weapons from falling into the wrong hands.

49. Nuclear science played a key role in economic and social development — including in the fields of medicine, agriculture and industry — and the transfer of nuclear technology for peaceful purposes must be guaranteed. A climate of cooperation in the international community at large would encourage States to provide objective guarantees that their nuclear programmes were being used for exclusively peaceful purposes, and to take other confidence-building measures. IAEA must also be given the necessary resources and technical expertise to verify compliance with Treaty obligations, enhance its safeguard system and promote the peaceful uses of nuclear science and technology through its technical cooperation programmes.

50. His delegation strongly advocated the establishment of nuclear-weapon-free zones and had participated in the recent Conference of States Parties of Signatories of Treaties that Establish Nuclear-Weapon-Free Zones, held in Mexico City. Mauritius had been one of the first countries to sign and ratify the Treaty of Pelindaba, aimed at establishing an African nuclear-weapon-free zone, for which nine additional ratifications were still required. He hailed the adoption by the five Central Asian States parties of a negotiated text on the establishment of a nuclear-weapon-free zone and expressed the hope that a similar instrument would soon be agreed to for the Middle East.

51. The transport of radioactive materials and waste by sea posed a particularly grave threat to small island developing States. Accidents could cause irreparable damage to the ecological system and affect the economic survival of small island States dependent on

fisheries and marine-related activities. The Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States adopted at the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Mauritius January 2005, highlighted the need for regulatory regimes to monitor the transport of hazardous waste.

Election of Vice-Presidents (*continued*)

Credentials of representatives to the Conference (*continued*)

(a) Appointment of the Credentials Committee (*continued*)

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee (*continued*)

52. **The President** said that the Group of Non-Aligned and Other States had nominated candidates from Bangladesh, Malaysia, Mexico, the Philippines and Senegal to serve as Vice-Presidents.

53. If he heard no objection, he would take it that the Conference wished to approve those candidatures.

54. *It was so decided.*

55. **The President** said that, at its 1st meeting, the Conference had appointed five out of six members of the Credentials Committee. On the recommendation of the Group of Non-Aligned and Other States, he wished to propose that Guyana should become the sixth member of the Credentials Committee.

56. *It was so decided.*

57. **The President** informed the Conference that three posts of Vice-President, the post of Chairman of the Credentials Committee and posts of Vice-Chairman of Main Committee I and Main Committee II and the Drafting Committee were still vacant. He appealed to States parties to submit candidates for the remaining posts as soon as possible.

58. *The meeting rose at 5.20 p.m.*

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

6 June 2005

Original: English

Summary record of the 9th meeting

Held at Headquarters, New York, on Friday, 6 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

Adoption of the agenda

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

General debate (*continued*)

1. **Mr. Badji** (Senegal) said that, although many had hoped for a world free of the nuclear menace when the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had entered into force in 1970, the world had not ceased to be haunted by the threat of nuclear catastrophe. However, the Treaty could still rid the world of nuclear weapons, provided that the States parties — both nuclear-weapon and non-nuclear-weapon States — rapidly fulfilled their respective commitments on the basis of the Treaty's three pillars: disarmament, non-proliferation and the right to peaceful uses of nuclear technology.

2. Whereas vertical non-proliferation continued to be a subject of great concern, considerable progress had been made in the area of horizontal non-proliferation, as reflected notably in the continued development of nuclear-weapon-free zones. In that regard, the Government of Mexico should be congratulated for organizing the April 2005 Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones. Those African States that had not yet ratified the African nuclear-weapon-free zone treaty (Treaty of Pelindaba) should do so as soon as possible in order to ensure its rapid entry into force. Moreover, Israel should ratify the NPT and submit its facilities to the comprehensive safeguards system of the International Atomic Energy Agency (IAEA) in order to facilitate the establishment of a nuclear-weapon-free zone in the Middle East.

3. Recalling his country's accession to the 1991 Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, he urged all States — particularly those that conducted nuclear programmes — to comply strictly with the provisions of General Assembly resolution 58/40 on the prohibition of the dumping of radioactive wastes (A/RES/58/40).

4. Considerable work remained to be done in the areas of vertical non-proliferation and nuclear disarmament, in accordance with article VI of the NPT. All States parties to the Conference on Disarmament, especially nuclear-weapon States, should demonstrate the flexibility and commitment required to ensure that the Conference functioned effectively. His delegation

continued to support the programme of work proposed by the group of five ambassadors, which offered a credible basis for negotiations.

5. Senegal fully endorsed the Final Document of the 2000 Review Conference, which stated that the only real guarantee against the use or threat of use of nuclear weapons remained their complete elimination. Implementation of the 13 steps on nuclear disarmament agreed at the 2000 Review Conference would help achieve that objective, and notable in that regard was the agreement to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. It was also imperative that the Comprehensive Nuclear-Test-Ban Treaty (CTBT) should enter into force as soon as possible. Lastly, his delegation wished to reaffirm the right of States to exploit nuclear energy and technology for peaceful purposes, in accordance with article IV of the NPT.

6. **Mr. Baatar** (Mongolia) said that the NPT was the most important legally binding instrument available to the international community to achieve the elimination of nuclear weapons. Attaining absolute universality of the Treaty was crucial to the global non-proliferation regime. The accession of Cuba and Timor-Leste to the Treaty was to be welcomed, and India, Israel and Pakistan should join the Treaty as non-nuclear States as soon as possible.

7. It was regrettable that the 13 steps on nuclear disarmament set forth in article VI of the NPT had not yet been fully implemented, and the 2005 Review Conference provided a welcome opportunity to make further progress in that regard. His delegation wished to reiterate its strong support for the CTBT, as well as the importance of its early entry into force and universality, and called on all States that had not yet signed and/or ratified that Treaty to do so as soon as possible.

8. Negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices were long overdue, and the scope of such a treaty should include pre-existing stocks. It was regrettable that the related resolution (resolution 59/81), which was traditionally adopted by consensus, had required a vote for its adoption at the General Assembly's fifty-ninth session. Mongolia welcomed the commitment made by the United States of America and the Russian Federation under the 2002 Strategic

Offensive Reductions Treaty (“Moscow Treaty”), and joined the Secretary-General in urging the two parties concerned to pursue arms control agreement that entailed not just dismantlement but also irreversibility.

9. Mongolia fully agreed with previous speakers that the global non-proliferation regime faced many challenges. Ownership and control of weapons of mass destruction and their delivery systems was no longer confined to States, and in that regard, his delegation had been dismayed at the revelations concerning the clandestine procurement network of Abdul Qadeer Khan. A number of international initiatives had been taken with a view to reversing that dangerous trend, notably Security Council resolution 1540 (2004). Mongolia also welcomed the adoption by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism.

10. The credibility of non-proliferation, arms control and disarmament measures depended to a large extent on the effectiveness of their verification regimes. In that regard, Mongolia wished to reaffirm its commitment to the IAEA comprehensive safeguards system and its additional protocols. It also wished to underscore the inalienable right of non-nuclear-weapon States to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.

11. Nuclear-weapon-free zones were a crucial element of the global non-proliferation regime. Mongolia had been consistent in its support of the existing zones and commended the Government of Mexico for organizing the April 2005 Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones, at which representatives had expressed their recognition and full support of Mongolia’s international nuclear-weapon-free status. The outcome of the Conference had also been welcomed by the Non-Aligned Movement. Lastly, Mongolia was a vocal advocate of a nuclear-weapon-free Korean peninsula, and therefore strongly supported the multilateral process aimed at resolving the issue peacefully.

Adoption of the agenda

The meeting was suspended at 10.40 a.m. and resumed at 11.50 a.m.

12. **The President** drew attention to the provisional agenda and the related statement of the President (NPT/CONF.2005/CRP.1 and CRP.2, respectively), which had been endorsed by the members of the General Committee. If there was no objection, he would take it that the meeting wished to adopt the two documents.

13. **Mr. Abdelaziz** (Egypt) said that, to reach consensus, all points of view must be taken into consideration. The shift in approach reflected in the provisional agenda and the accompanying President’s statement would be acceptable to Egypt with two minor amendments. First, to reflect previously used wording, the phrase “in the light of” in the first line of the President’s statement should be replaced with the words “taking into account”. Secondly, in the second line of the statement the words “and the outcomes” should be inserted after the word “resolution”.

14. **The President** said he regretted that his proposal could not be adopted by consensus. However, he was confident that the Conference would continue to rely on his services as President to achieve consensus on the agenda. It was vital to begin working on substantive issues as soon as possible, and he therefore called on all interested delegations to continue consultations with a view to finding a solution to the current impasse as soon as possible.

The meeting rose at noon.

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

15 June 2005

Original: English

Summary record of the 10th meeting

Held at Headquarters, New York, on Friday, 6 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

Election of Vice-Presidents

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

General debate (*continued*)

1. **Mr. Ugarte** (Costa Rica) said that, while the declared nuclear Powers and other States with nuclear capability or aspirations were mainly responsible for the lack of progress in non-proliferation and disarmament since the 2000 Review Conference, the responsibility was shared to some extent by all States. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had no active mechanism for implementation except the Review Conferences held every five years. His delegation therefore supported the proposal contained in the working paper of Canada (NPT/CONF.2005/PC.III/WP.1) to hold annual meetings to take any necessary action on issues relating to the Treaty and to authorize the Bureau to call emergency sessions in the event of a threat to its integrity or viability.

2. The Treaty also lacked mechanisms for verification and execution, with the exception of article III, which required States parties to sign safeguards agreements with the International Atomic Energy Agency (IAEA). Although the Treaty did not expressly give a mandate to the Security Council, the Statute of the IAEA gave its Board of Governors the authority to refer cases of non-compliance with safeguards to the Security Council. Although the case of the Democratic People's Republic of Korea had been brought before the Security Council in 1993 and 2003, it had taken no action because of divergent views among the five permanent members. The adoption of resolution 1540 (2004) had been a positive step, but it should be borne in mind that the Council could adopt binding measures only with reference to specific situations or disputes. The additional protocols were essential for transparency and mutual trust, but regrettably only 66 States had signed such instruments, and of the 77 States with significant nuclear programmes 11 still had not signed a protocol. The international community must establish more rigorous verification systems through every available legal avenue.

3. The slow progress in implementing the 13 practical steps adopted at the 2000 Review Conference was a cause for concern, as was the lack of commitment shown by the nuclear Powers in the area of disarmament. Costa Rica called for the de-alerting and dismantling of nuclear arsenals and rejected any

justification for delay based on the concept of nuclear deterrence. Such reasoning ran counter to the Treaty and undermined efforts to achieve non-proliferation.

4. The Treaty of Tlatelolco, establishing the first inhabited region free of nuclear weapons, was an example to the world. Costa Rica encouraged efforts to establish such zones in Central Asia and the Middle East.

5. As the first country to comply fully with General Assembly resolution 41 (I) of 14 December 1946 on Principles governing the general regulation and reduction of armaments, Costa Rica welcomed the advisory opinion of the International Court of Justice to the effect that an obligation existed to hold negotiations in good faith aimed at achieving complete nuclear disarmament under a strict and effective international verification system. It deeply regretted that neither the resolution nor the Court's opinion had been implemented and would therefore, along with the delegation of Malaysia, once again submit a working paper to follow up on the Court's opinion.

6. In conclusion, he expressed his delegation's unconditional support for the recommendations contained in the Secretary-General's report "In larger freedom", which provided a framework for action for replacing a peace based on the deterrent power of terror with a genuine peace.

7. **Mr. Celarie** (El Salvador) said that, especially in the years since the 2001 terrorist attacks on the United States of America, a transition had taken place towards a new global consensus on security, which had come to be viewed as interdependent with human rights, peace, development and democracy. Only through collective action could the international community respond immediately and effectively to global problems.

8. However, the aspirations of the majority of States to a world free from fear and the threat of weapons of mass destruction had to contend with the real world, where some States had the ability and advanced technological development to design new and more powerful weapons of mass destruction, including nuclear weapons. Those States supported and implemented their doctrines and policies through military might, to the detriment of the common interests of humanity.

9. From the point of view of his delegation, a more secure world for both nuclear-weapon and non-nuclear-

weapon States could be achieved only through the total elimination of nuclear and other weapons of mass destruction. The United Nations could not be held responsible for the lack of progress in disarmament, as it must be stressed that the Member States were truly responsible for their actions and must demonstrate the political will to reach that objective. If denuclearization was to succeed, all States must comply fully with the treaties they had signed and must take new steps to revitalize the multilateral framework to address those threats. Moreover, Security Council resolution 1540 (2004) should provide a basis for negotiating a binding international instrument to prevent non-State actors from gaining access to weapons of mass destruction.

10. It should always be kept in mind that the entire planet would be affected by the devastating effects of nuclear weapons. There would be no winners or losers in a nuclear conflict; no political objective could justify their use. Therefore, nuclear disarmament should be an absolute and universal priority.

11. In conclusion, he paid tribute to the Government of Mexico for hosting the first Conference of States Parties and Signatories to Treaties establishing Nuclear-Weapon-Free Zones.

Election of Vice-Presidents

12. **The President** said that the Group of Non-Aligned and Other States had endorsed the candidacy of Gabon for the post of Vice-President.

13. *The candidacy of Gabon for the post of Vice-President of the Conference was approved.*

The meeting rose at 3.50 p.m.

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

16 June 2005

Original: English

Summary record of the 11th meeting

Held at Headquarters, New York, on Tuesday, 10 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Heinsberg (Vice-President) (Germany)
later: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

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

General debate (*continued*)

1. **Mr. Baichorov** (Belarus) said that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remained the fundamental key to the maintenance of international security. Although the incremental approach to nuclear disarmament was both realistic and balanced, it should not be regarded as a justification for inaction or for actions that were incompatible with the Treaty. The continued development of new nuclear weapons and defensive doctrines rationalizing their use were not consistent with the Treaty's strategic goals.

2. The lack of progress towards fulfilment of the 13 steps on nuclear disarmament agreed at the 2000 Review Conference was a matter for serious concern, and it was regrettable that only limited progress had been made in bringing the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force. Moreover, the Conference on Disarmament should immediately open negotiations on: a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices; nuclear disarmament; negative security assurances; and prevention of an arms race in outer space.

3. Belarus deeply regretted the decision of the Democratic People's Republic of Korea to withdraw from the NPT. That country's renewed participation in the Treaty should be resolved solely on the basis of international law. Efforts to promote accession to the Treaty by States operating non-safeguarded nuclear facilities had proved futile, but the provision of negative security assurances to non-nuclear-weapon States might offer such States an additional incentive. The accession to the Treaty of Cuba and Timor-Leste was a welcome development.

4. The decision of Belarus to renounce its military nuclear capabilities made sense only if all the States parties implemented their obligations under the Treaty on an unconditional basis and if nothing undermined the role of the International Atomic Energy Agency (IAEA) in verifying States' compliance with their commitments. Belarus strongly supported initiatives aimed at strengthening the nuclear non-proliferation regime and attached great importance to the introduction of the safeguards system based on additional protocols to safeguards agreements.

5. States parties to the Treaty should adapt their non-proliferation strategies and tactics to emerging threats and challenges, particularly the growing threat of the acquisition of nuclear weapons by non-State actors, including terrorist organizations, as well as the emergence of black markets for nuclear and missile technologies. Additional arrangements should be made to control the spread of dual-use materials and technologies which might be used for nuclear-weapons-related purposes. Belarus was ready to cooperate fully with the United Nations Security Council committee established pursuant to resolution 1540 (2004), and it welcomed other international instruments such as the Proliferation Security Initiative and the Russian Federation's initiative for the development of nuclear technologies capable of resisting proliferation.

6. Belarus recognized the specific role of international export-control regimes as an effective means for containing the proliferation of materials, equipment and related technologies that could be used to produce nuclear weapons, and fully adhered to the guidelines of the Nuclear Suppliers Group.

7. **Mr. Kittikhoun** (Lao People's Democratic Republic) said that the current international situation was far from stable because the commitment made by the international community in 1970 had not been fulfilled. Nuclear weapons had grown significantly in quantity and quality, and the rise in the number of nuclear-weapon States posed a grave danger to international peace and security and increased the risk that weapons of mass destruction would fall into the hands of terrorists. All States concerned should therefore make significant efforts to conclude negotiations leading to comprehensive nuclear disarmament.

8. Although in 1995 the non-nuclear-weapon States had agreed not to develop or acquire nuclear weapons, and the nuclear-weapon States had agreed to achieve nuclear disarmament, the implementation of those agreements had left much to be desired. The NPT was crucial to efforts to halt the vertical and horizontal proliferation of nuclear weapons. The strategic-defence doctrine that set out the rationale for the use of nuclear weapons was a matter of considerable concern, and the unequivocal commitment made by nuclear-weapon States at the 2000 Review Conference to achieve the total elimination of their nuclear arsenals should be fully and effectively implemented.

9. It was regrettable that negotiations on banning the production of fissile materials for nuclear weapons and other explosive devices had not yet begun. The Conference on Disarmament should conclude negotiations on the fissile material cut-off treaty as soon as possible, and the proposal to establish an ad hoc committee on nuclear disarmament was a very welcome one. The 2005 Review Conference should lay the foundations for States parties to the NPT to negotiate and conclude a legally binding instrument to protect the non-nuclear-weapon States against the use or threat of use of nuclear weapons, and focus on the issue of security assurances.

10. The Lao People's Democratic Republic welcomed the outcome of the April 2005 Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and supported efforts to establish nuclear-weapon-free zones in all regions of the world. It was of urgent importance that the CTBT should enter into force and that all States not yet having done so should ratify the CTBT without delay. Non-proliferation control arrangements should be transparent and open to participation by all States and should not impose restrictions on access to the material, equipment and technology for peaceful purposes required by developing countries. States parties to the NPT had an inalienable right to develop, research, produce and use nuclear energy for peaceful purposes without discrimination, in accordance with article IV of the Treaty.

11. **Mr. Kariyawasam** (Sri Lanka) said that the NPT should not be exploited for the purpose of political posturing. Sixty years after the end of the Second World War, nuclear weapons continued to be developed and refined, and nuclear stockpiles included weapons thousands of times more powerful than those dropped on the cities of Hiroshima and Nagasaki; participants at the current Conference must bear those facts in mind. The successful outcome of the Conference depended on a balanced approach aimed at achieving the Treaty's three underlying goals of disarmament, non-proliferation and the right to peaceful uses of nuclear technology.

12. Participants might be guided in their deliberations by the relevant recommendations and observations contained in chapter V of the report of the High-level Panel on Threats, Challenges and Change, in the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for

all" (A/59/2005), and in the 1996 advisory opinion of the International Court of Justice, which had expanded the scope of article VI of the Treaty by insisting on States parties' obligation, not just to negotiate, but to negotiate towards a final conclusion.

13. The challenge facing the 2005 Conference was to narrow the gap between the commitments made in 2000 and the actual progress achieved in implementing the 13 steps on nuclear disarmament. Despite certain positive developments, such as Cuba's accession to the Treaty and the signing of the 2002 Strategic Offensive Reductions Treaty ("Moscow Treaty") by the United States of America and the Russian Federation, there were serious concerns about the implementation of several aspects of the Treaty.

14. Because of the relentless pace of globalization and technological progress, the success of any regional or global initiative depended on widespread legitimacy, which could be guaranteed only through multilateral actions implemented through the United Nations system. The international community must decide whether it was truly committed to the NPT regime and whether it had taken enough care to ensure due implementation of the Treaty in all its aspects. Conference participants should also consider whether the lack of a permanent or semi-permanent monitoring mechanism constituted an institutional deficit in the Treaty.

15. **Mr. Petersen** (Norway) said that, with the Treaty under serious strain and with new challenges to face, the necessary compromises must be made to ensure that the Review Conference produced a strengthened non-proliferation regime, building on the previous Review Conferences and reaffirming an undertaking to halt the spread of nuclear weapons. Failure was not an option.

16. The Treaty was almost universal, with only three countries outside it. Until they were brought into the NPT regime as non-nuclear-weapon States, they must be moved closer to it in pragmatic ways. One State party, the Democratic People's Republic of Korea, had announced its withdrawal from the Treaty. Withdrawal must not be seen as a practical formality that was without consequences. There were justified concerns about the nuclear programme of the Islamic Republic of Iran which could be resolved only by the satisfactory reporting of nuclear activities and full cooperation with IAEA.

17. The Conference should: call for Security Council resolution 1540 (2004) to be implemented in full, as it was crucial to efforts to prevent non-State actors from acquiring nuclear and other weapons of mass destruction; reaffirm that export controls were an essential instrument of non-proliferation, rejecting the false assumption that they impeded cooperation and the transfer of technology; and welcome the role of the Proliferation Security Initiative in upholding the non-proliferation regime.

18. Some countries feared that there was too little emphasis on the disarmament dimension of the Treaty, as opposed to the non-proliferation dimension. The Review Conference should strive for balance, but neither dimension should be hostage to the other. The more nuclear weapons and material that were available, the greater the chance that they would fall into the wrong hands, even into the hands of global terror networks. A moratorium on the production and use of highly enriched uranium for civilian use should be negotiated, with a total ban as a long-term objective. International efforts to secure and remove fissile material not under adequate control, such as the Group of Eight (G-8) Global Partnership against the Spread of Weapons and Materials of Mass Destruction, must continue. Disarmament and non-proliferation supported each other: irreversible and verifiable disarmament was one of the most important non-proliferation measures.

19. Early entry into force of the CTBT was essential to prevent the development of new weapons and diminish the role of nuclear weapons in security policies. Despite the considerable reduction in nuclear arsenals since the end of the cold war, more and deeper cuts were needed. Removing and destroying nuclear weapons was part of an effective and sustainable non-proliferation strategy. Moreover, greater transparency — through regular reporting on action to implement disarmament obligations — was essential to sustain the credibility of the Treaty. Reporting was an obligation, not a choice.

20. Verification was also crucial to the credibility of the non-proliferation regime. The Review Conference should send a clear message that the additional protocols to IAEA safeguards agreements were part of the verification standard and should become mandatory for all States parties. All relevant IAEA instruments on nuclear security and safety must be made universal. Civilian use of nuclear energy and technology must become fully resistant to proliferation, with better

mechanisms for controlling the nuclear fuel cycle. The recent report from the IAEA expert group on multilateral approaches to the nuclear fuel cycle should guide those efforts.

21. The time had also come to start negotiations on a treaty banning the production of fissile materials for weapons purposes and also, ideally, addressing the issue of existing stocks. Pending such a treaty, all nuclear-weapon States should reaffirm their moratoriums on the production of fissile materials and place existing fissile material designated by each of them as no longer required for military purposes under IAEA arrangements for disposal.

22. Although the Treaty was a core pillar of collective global security, it lacked the institutional machinery to deal with new and emerging challenges as they arose. Meeting every five years was not enough. The States parties must take an ambitious approach to the Review Conference, and see it as an opportunity to roll back the erosion of confidence in the Treaty and move forward towards the goal of a more stable, safe and secure world.

23. **Ms. Laohaphan** (Thailand) said that there had been many developments since the previous Review Conference. On the positive side, Cuba and Timor-Leste had acceded to the Treaty, the Libyan Arab Jamahiriya had renounced its weapons of mass destruction programme, Mongolia had further institutionalized its nuclear-weapon-free status, negotiations on the nuclear programme of the Islamic Republic of Iran were continuing with France, Germany and the United Kingdom, and the General Assembly had adopted the International Convention for the Suppression of Acts of Nuclear Terrorism. On the negative side, the integrity of the Treaty and the broader nuclear disarmament and non-proliferation regime had been threatened by the withdrawal of the Democratic People's Republic of Korea, which also claimed to possess nuclear weapons, the discovery of A. Q. Khan's black market nuclear supply network, acts of terrorism throughout the world which raised concerns about the involvement of nuclear devices and weapons of mass destruction, and the lack of progress in implementing the 13 practical steps towards the elimination of nuclear arsenals.

24. Views on the course of action to cope effectively with new challenges diverged, with questions about whether disarmament measures should be implemented

as a prerequisite to non-proliferation measures or the other way round, resulting in a stalemate. Her delegation believed that both disarmament and non-proliferation should be addressed constructively on an equal footing. Both nuclear-weapon States and non-nuclear-weapon States were equally responsible for playing a role.

25. As a non-nuclear weapon State, Thailand had undertaken not to develop, acquire, test or transfer nuclear weapons and valued the part which the Treaty played in preventing proliferation of nuclear weapons, promoting disarmament and supporting peaceful use of nuclear energy. It not only supported the implementation of Security Council resolution 1540 (2004) but also cooperated fully with other friendly countries in opposing nuclear proliferation and illicit trafficking and improving export-control capacities. Non-State actors and terrorist groups must be prevented from acquiring nuclear and radioactive materials for non-peaceful uses. In that regard, Thailand was taking action to accede to the Convention on Physical Protection of Nuclear Material as rapidly as possible.

26. Additional protocols to IAEA safeguards agreements were a confidence-building measure and an effective method of international verification, providing assurances that nuclear equipment and dual-use goods were being put to peaceful uses. Thailand was finalizing domestic procedures for such an additional protocol. As a country benefiting from uses of nuclear energy for peaceful purposes, Thailand supported the right of all States to engage in research, production and utilization of nuclear energy for peaceful purposes without discrimination, as provided under article IV of the Treaty.

27. The CTBT reinforced the NPT and should enter into force as rapidly as possible. To that end, Thailand was in the process of completing domestic ratification procedures. Until the day when nuclear weapons could be eliminated, a universal, unconditional and legally binding instrument on negative security assurances to non-nuclear-weapon States would help to create a climate of trust among States parties. Her delegation supported rapid codification of security assurances, which was in keeping with the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons.

28. Nuclear-weapon-free zones were a means of preventing proliferation and promoting complete disarmament, and Thailand supported their establishment in every region, including Central Asia, South Asia and the Middle East. Thailand had joined the other members of the Association of South-East Asian Nations (ASEAN) in establishing the South-East Asia Nuclear-Weapon-Free Zone (SEANWFZ), and urged the nuclear-weapon States to accede to the Protocol to the SEANWFZ Treaty. It was important for the Democratic People's Republic of Korea, which had withdrawn from the Treaty, to return to the non-proliferation regime and resume safeguards activities. Thailand supported a peaceful solution to the issue in the six-party talks, and a nuclear-weapon-free Korean peninsula.

29. The validity and strength of the Treaty depended on political will. The States parties should set aside their preoccupations and reach agreement on concrete action, ensure that the existing obligations of the Treaty and all previous Review Conferences were fulfilled, and take steps to restore confidence and credibility by dealing effectively with new threats to the Treaty.

30. *Mr. Heinsberg (Germany), Vice-President, took the Chair.*

31. **Mr. Tafrov** (Bulgaria), said that the Treaty's significance as a constant stabilizing factor must be reiterated and efforts to challenge its integrity rejected. The substance of all three of its pillars must be re-examined with a view to giving the Review Conference a balanced outcome.

32. The recent increased risk of proliferation of nuclear weapons and their means of delivery was accompanied by the threat that non-State actors, might gain access to nuclear, radiological, chemical and biological weapons and sensitive material. The international community must at all costs ensure that such efforts had no chance of success. Security Council resolution 1540 (2004) must be effectively implemented. Bulgaria had contributed towards counter-measures by establishing an effective national export-control system, by participating in all multilateral export-control regimes and by joining the Proliferation Security Initiative.

33. Universalization of, and strict compliance with, the Treaty were vital means towards the same aim. The Review Conference must urgently consider the issue of

withdrawal from the Treaty. It must also reaffirm the necessity of the commitment to conclude IAEA safeguards agreements, including the additional protocol, which should be proclaimed an indispensable verification standard.

34. It was regrettable that the CTBT, a major instrument in strengthening non-proliferation and disarmament, had not yet entered into force. The Review Conference should reaffirm its significance, and all States should accede to it as early as possible. As another contribution to strengthening non-proliferation and disarmament, negotiations should begin for a non-discriminatory and comprehensive fissile material cut-off treaty. In addition, Bulgaria supported making the Middle East a nuclear-weapon-free zone, as such zones were confidence-building measures which played an important part in safeguarding regional peace and security.

35. Prince Zeid Ra'ad Zeid **Al-Husseini** (Jordan) said that the Treaty must be implemented strictly, with balanced and equal force applied in the case of all three pillars. The 13 practical steps for the implementation of article VI must be reaffirmed and even strengthened. Progress must be made on establishing criteria for monitoring compliance under article VI, and a calendar must be established to guide the effort. The CTBT must be brought into force without delay and negotiations must begin, without pre-conditions or linkages, for a fissile material cut-off treaty.

36. The States parties must reconcile themselves to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons. The Treaty must be made universal. Jordan once again joined the international community in demanding that its neighbour, Israel, the only Middle East country which was not a party to the Treaty, should accede to the NPT and place itself under full-scope IAEA safeguards. Jordan also hoped that India and Pakistan would do the same. All withdrawals from the Treaty were a cause for concern. Article IV of the Treaty remained important. Though there might be perceived security concerns regarding the nuclear fuel cycle, they would be viewed in the light of the overall lack of progress in implementing article VI.

37. Other steps should be taken to strengthen the non-proliferation regime. The Conference on Disarmament should establish a subsidiary body as soon as possible to draft a legally binding instrument

on negative security assurances. A subsidiary body could also be set up to chart the course for a nuclear-weapon-free zone for the Middle East. The International Atomic Energy Agency should be strengthened and supported, particularly where its safeguards work was concerned.

38. **Mr. Kafando** (Burkina Faso) said that present circumstances had weakened the aims of the Treaty, with international security threatened by a headlong rush to produce weapons of mass destruction and small arms. Proliferation must be halted, first and foremost by careful monitoring. In that connection, the IAEA Code of Conduct on the Safety and Security of Radioactive Sources was a welcome step. Burkina Faso had unhesitatingly agreed to organize a regional seminar on non-proliferation for the members of the Economic Community of West African States (ECOWAS) in Ouagadougou in February 2004 and had called on the participants to accept IAEA safeguards, as a confidence-building measure.

39. Burkina Faso had itself acceded to the Treaty in the 1970s and the safeguards agreement and additional protocol which it had signed had entered into force in April 2003. It had also built up a legislative and regulatory structure governing nuclear security and protection from ionizing radiation, in order to provide the basis for effective monitoring of the peaceful use of nuclear materials.

40. Recent international developments demanded that multilateral cooperation on nuclear non-proliferation should be stepped up, preferably through a legal framework. The Conference must strengthen the Treaty without jeopardizing the right of States parties to put nuclear energy to peaceful uses.

41. **Ms. Aghajanian** (Armenia) said that the NPT had been a cornerstone for international security by mobilizing international efforts to prevent the spread of nuclear weapons. Much progress had been made since the previous Review Conference, including the accession of Cuba and Timor-Leste to the NPT, the establishment of a fully-fledged nuclear-weapon-free zone in Latin America and the Caribbean, with Cuba's accession to the Treaty of Tlatelolco, the encouraging efforts made by the Central Asian States to establish such a zone in their region, the entry into force of the Moscow Treaty and the decision by the Libyan Arab Jamahiriya to abandon its nuclear weapons programme. Many issues, however, remained unresolved. The entry

into force of the CTBT, for example, was still pending and negotiations had not yet begun on a fissile material cut-off treaty.

42. Nuclear safety was a priority for Armenia, which had been the first country of the Commonwealth of Independent States to sign a comprehensive safeguards agreement and additional protocol with IAEA. Her delegation supported the IAEA Director-General's statement that the current Conference should acknowledge that the additional protocol was an integral part of the Agency's safeguards. Her Government abided by its obligation under the Treaty to place all nuclear activities under IAEA safeguards. All States that used or were planning to use nuclear energy for peaceful purposes must be subject to IAEA monitoring.

43. Armenia fully endorsed the IAEA efforts to enhance the safety and security of radioactive sources. Her Government was committed to observing the Code of Conduct on the Safety and Security of Radioactive Sources and encouraged other States to do likewise. Armenia had submitted its national report at the third review meeting on the Convention on Nuclear Safety and had been commended for its open and transparent collaboration with IAEA. In addition, Armenia had been recognized as a participant in the global partnership against the spread of weapons and materials of mass destruction.

44. Efficient export controls had grown increasingly important with the rising threat of international terrorism compounded by the risk of proliferation of weapons of mass destruction through the acquisition of those weapons by non-State actors. International export control regimes played an important role in the promotion of disarmament and nuclear non-proliferation goals. Armenia had adopted legislation to strengthen its national export control system, incorporating international non-proliferation criteria into national law to guarantee the legitimate use and trade of dual-use items and technologies.

45. Disarmament and non-proliferation objectives could be achieved only through vigorous and concerted efforts at the bilateral, regional and international levels. The events of 11 September 2001 were a constant reminder of the need to step up efforts on disarmament, non-proliferation and arms control through strict observance of the existing international instruments and strengthening of multilateralism.

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

47. **Mr. Al-Bader** (Qatar), speaking on behalf of the League of Arab States, said that conditions at the current Conference were different from those prevailing in 2000 and 1995. Despite some positive developments, there had been several setbacks to advancing the objectives of the Treaty, including the deadlock in the Conference on Disarmament, the lack of progress on the fissile material cut-off treaty, the continued existence of large nuclear arsenals, and the decision of a State to violate the basic principles of the non-proliferation regime. A balance must be struck between the three pillars of the NPT: disarmament, non-proliferation and guarantees for the peaceful use of nuclear energy. The non-proliferation aspect of the Treaty must not be emphasized at the expense of the two other aspects. The 13 practical steps adopted at the 2000 Conference should be taken to achieve a verifiable and irreversible reduction in nuclear weapons in the world. Furthermore, a legally binding instrument on negative security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community. There was also a need for multilateral dialogue between nuclear-weapon and non-nuclear weapon States aimed at general and complete disarmament.

48. The League of Arab States supported the efforts of IAEA to strengthen safeguards through the mechanisms available under the additional protocols. There should be no interpretation of the Treaty that would jeopardize the inalienable right of States to develop research, production and use of nuclear energy for peaceful purposes. His delegation noted with concern the restrictions which had been placed on the export of nuclear technology and equipment necessary for the development of non-nuclear-weapon States, thereby violating their rights under article IV of the Treaty.

49. At the regional level, continued support to achieve universality of the Treaty was essential. The States members of the League had sponsored resolutions on the establishment of a nuclear-weapon-free zone in the Middle East in a number of international forums, including the United Nations and IAEA. A standing committee should be established in the Conference on Disarmament with the mandate to negotiate an effective, universal, unconditional and legally binding instrument on security assurances to

non-nuclear-weapon States. The League called on the international community to refrain from transferring equipment, materials and scientific and technological information to Israel so long as it was not a party to the NPT or subject to IAEA safeguards. All Arab States supported the objective of establishing a region free from weapons of mass destruction, including nuclear weapons. The international community should make every effort to help them to achieve that goal, which would promote greater peace and security in the region and the world.

50. **Mr. Owade** (Kenya), affirming his Government's commitment to nuclear disarmament and non-proliferation, said that Kenya had been among the first countries to sign and ratify the NPT. The non-nuclear-weapon States had given up their sovereign right to receive, manufacture or otherwise acquire nuclear weapons on the understanding that there would be a corresponding commitment by nuclear-weapon States to disarm. Regrettably, the nuclear-weapon States had backtracked on their commitment. Unless there was complete nuclear disarmament, the use or proliferation of nuclear weapons would remain a threat.

51. His delegation supported the 13-step approach to the implementation of article VI of the NPT adopted by the 2000 Conference. Such an approach presented a comprehensive road map to a nuclear-weapon-free world. There was a need for legally binding security assurances to non-nuclear-weapon States. The African Group had advocated multilateral negotiations on a convention prohibiting the development, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and calling for their total elimination. Nuclear non-proliferation, nuclear disarmament and peaceful use of nuclear energy should be given equal treatment. Non-proliferation requirements should be balanced by comparable commitments to nuclear disarmament in accordance with article VI of the NPT.

52. His delegation welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. It noted with concern, however, that the Conference on Disarmament was still unable to agree on an agenda for nuclear disarmament. His delegation urged the Conference to start negotiations on a fissile material cut-off treaty, which would serve as both a disarmament and non-proliferation tool. The establishment of a subsidiary body within the Conference to begin negotiations on a

non-discriminatory, multilateral treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices would strengthen controls over nuclear material.

53. The international community must work towards universal adherence to disarmament and non-proliferation instruments. His delegation urged States that were not parties to the Treaty, especially those with nuclear capability or possessing nuclear weapons, to join the NPT. The entry into force of the CTBT would give impetus to the nuclear disarmament process. Kenya was contributing to the international monitoring regime by hosting two international monitoring stations, which were networked with 321 other such stations worldwide under the auspices of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. His Government had ratified the CTBT in 2000 and urged States that had not yet ratified it, especially those listed in annex 2 to the Protocol, to do so in order to expedite the Treaty's entry into force.

54. No State party to the NPT should be unduly limited in the exercise of its right to the peaceful use of nuclear energy. An effective and non-discriminatory safeguards system could eliminate the risk of diversion of nuclear materials intended for peaceful use. The 2000 Conference had recognized the need to give preferential treatment to developing countries in all activities designed to promote peaceful uses of nuclear energy. For a developing country such as Kenya, access to nuclear technology was vital and must be made available in a guaranteed and predictable manner.

55. Nuclear-weapon-free zones contributed significantly to the promotion of nuclear non-proliferation. The Pelindaba Treaty, to which Kenya was a signatory, was a symbol of Africa's commitment to nuclear disarmament and non-proliferation. His delegation encouraged regions that had not established nuclear-weapon-free zones to do so in accordance with the declaration adopted at the recent conference in Mexico.

56. Illicit trafficking in nuclear materials in a number of developing countries was a matter of growing concern. Most developing countries could not afford the detection and monitoring equipment for carrying out surveillance at their border entry points. His delegation therefore called for strengthened technical cooperation to assist developing countries in

monitoring nuclear materials and for the establishment of strict controls to regulate nuclear waste disposal activities.

57. All Member States should demonstrate the necessary flexibility to overcome current challenges, since the international community owed it to future generations to bequeath to them a nuclear-free world.

58. **The President**, referring to rule 44, paragraph 1 (b), of the rules of procedure, said that a request for observer status had been received from Palestine. He took it that the Conference wished to accede to that request.

59. *It was so decided.*

The meeting rose at 12.10 p.m.

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

15 June 2005

Original: English

Summary record of the 12th meeting

Held at Headquarters, New York, on Wednesday, 12 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting
Committee and the Credentials Committee

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

General debate (*continued*)

1. **Mr. Hassan** (Sudan) said that, although the Sudan was very pleased with the progress made towards implementing the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) during the 35 years since its adoption, it was deeply concerned at the failure to establish a nuclear-weapon-free zone in the volatile Middle East region and believed that it would be impossible to establish such a zone as long as Israel refused to submit its nuclear facilities to International Atomic Energy Agency (IAEA) safeguards.

2. Multilateral arrangements were key to the effective implementation of the Treaty. Accordingly, all nuclear-weapon States should take the initiative in that respect by destroying their nuclear arsenals and diverting their nuclear technologies towards peaceful uses. The success of international conventions required that States parties not only sign them, but also fulfil their commitment to implement them. In that regard, all delegations should start serious negotiations with a view to convening the United Nations Conference on Disarmament.

3. **Mr. Romulo** (Philippines) said that despite the spread of democracy following the end of the cold war mankind continued to live under the threat of weapons of mass destruction, and nuclear weapons had spread beyond the confines of the nuclear Powers. The influence of the NPT had thus far limited the number of nuclear Powers to 10, but it was urgently important to close the remaining loopholes in the Treaty in order to prevent that number from rising. More progress should be made towards implementing the resolution on the Middle East adopted at the 1995 Review and Extension Conference.

4. The NPT was facing the most critical challenges in its history, including horizontal proliferation, vertical proliferation, the continued absence of de facto nuclear-weapon States from the scope of the Treaty, developing States' access to nuclear technology, paralysis in the multilateral disarmament machinery and the withdrawal from the Treaty of the Democratic People's Republic of Korea. Moreover, plans to develop new nuclear-weapon technology and the failure to bring the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force seriously undermined the Treaty's foundations.

5. On the positive side, several States had renounced nuclear weapons, and that process should be encouraged and sustained. Those States that had not yet signed safeguards agreements should do so without delay in order to help build confidence. Furthermore, four nuclear-weapon-free zones had been created, there was growing adherence to the NPT and the CTBT, and the adoption of Security Council resolution 1540 (2004) and the International Convention for the Suppression of Acts of Nuclear Terrorism was also an encouraging sign.

6. However, total disarmament could not be achieved until deterrence was replaced by diplomacy and dialogue, and by collective security and the rule of law. Nuclear-weapon States must commit themselves to irreversible and transparent cuts in their nuclear arsenals, de-alert their weapons and provide non-nuclear-weapon States with negative security assurances.

7. Regional organizations played a key role in preventing proliferation. In that context, the Democratic People's Republic of Korea should adhere to the spirit and letter of the NPT and return to the six-party talks. Moreover, the Islamic Republic of Iran's efforts to reach agreement on objective guarantees that its nuclear programme was intended exclusively for peaceful purposes were welcome. India, Pakistan and Israel should accede to the NPT as non-nuclear-weapon States. Regional action should also take the form of specific mechanisms to address other aspects of possible proliferation. In that context, the creation of the Asian Atomic Energy Community (ASIATOM), proposed by the Philippines in 1996, was more urgent than ever.

8. Although the preparatory process leading to the current Conference had failed to yield agreements, many creative formulas had been presented and were worthy of consideration. The institutional framework of the NPT should be strengthened, and his delegation recommended serious consideration of the Model Additional Protocol on safeguards. A way must be found to prevent States that were in breach of the Treaty from trying to escape their obligations simply by withdrawing.

9. International commitments on the treatment of nuclear materials should be strictly observed, and the Convention on the Physical Protection of Nuclear Material strengthened. In the absence of progress in negotiations for a fissile material cut-off treaty, arrangements might be made to establish a five-year moratorium on additional facilities for uranium

enrichment and plutonium separation. The Conference should also make progress towards implementing the 13 steps on nuclear disarmament agreed at the previous Review Conference and the decision on principles and objectives for nuclear non-proliferation and disarmament agreed at the 1995 and 2000 Review Conferences. Furthermore, nuclear-weapon States should consider adhering to the Protocol of the South-East Asian nuclear-weapon-free-zone treaty.

10. As participants at the current Conference worked to achieve a credible and effective Treaty, they should not overlook the fact that billions of dollars were being spent on nuclear-weapon research and the maintenance of arsenals which could instead be used for disease prevention and the alleviation of hunger. Clearly, much remained to be done to construct a free and peaceful world.

11. **Mr. del Rosario Ceballos** (Dominican Republic) said that the future of nuclear disarmament was inextricably linked to compliance with the NPT and the CTBT. The Dominican Republic believed in the right to use nuclear energy for peaceful purposes, subject to strict safeguards, as set forth in article IV of the Non-Proliferation Treaty. The most important of the safeguards were the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, and any similar treaty yet to be agreed.

12. Despite all that had been achieved in the area of nuclear disarmament, efforts must still be made in certain areas, notably the transporting of nuclear waste by sea. In that regard, the Dominican Republic fully endorsed the statement made by the representative of the Bahamas on behalf of the Caribbean Community (CARICOM). The transporting of radioactive waste through the Caribbean Sea posed a grave danger to security, tourism, marine life and the environment. Despite the welcome safeguard mechanisms established by IAEA, the potential dangers of the practice remained a matter of concern, and due implementation of the NPT and other relevant treaties offered the only definitive solution to the problem. New measures should be adopted to complement existing security mechanisms, particularly in regard to guarantees against pollution of the marine environment, the exchange of information about routes and effective mechanisms and laws governing responsibility for damages.

13. **Mr. Wenaweser** (Liechtenstein) said that in the light of certain events over recent years the NPT was clearly in urgent need of strengthening. Although the

indefinite extension of the Treaty in 1995 had been a complex and crucial diplomatic achievement, the Treaty was now suffering a crisis of confidence. The current Conference must lead to an outcome that restored the balance between the Treaty's three core objectives of non-proliferation, disarmament and the right to the peaceful use of nuclear energy. In that regard, full commitment to, and reaffirmation of the existing non-proliferation and disarmament regime were of paramount importance.

14. Liechtenstein urged all 106 States that had not yet concluded an additional protocol to their safeguards agreements to do so with a view to strengthening IAEA verification mechanisms. It also supported the proposal of Canada to hold annual conferences of States parties to the NPT and to create a standing bureau which would be able to react to emergencies efficiently and effectively.

15. Sadly, almost 10 years after its adoption, the CTBT was still not in force. The possibility of future tests by any one of the nuclear-weapon States remained a great risk to international security, and Liechtenstein therefore wished to see a strengthening of their commitment to the moratorium on testing. Moreover, negotiations on the fissile material cut-off treaty had not yet started, and Liechtenstein was disappointed that no side seemed willing to take the initiative.

16. The 13 steps on nuclear disarmament agreed at the 2000 Review Conference remained important commitments, even though progress towards their implementation had been disappointing. In view of the various challenges faced by the NPT over recent years, States parties must seek to rebuild faith in its effectiveness. The outcome of the current Conference would also have a strong impact on the already difficult discussions on United Nations reform.

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee

17. **The President** said that the Group of Non-Aligned and Other States had nominated Mr. Owade (Kenya) to be Chairman of the Credentials Committee. He took it that the Conference wished to approve the nomination.

18. *Mr. Owade was elected Chairman of the Credentials Committee.*

The meeting rose at 11 a.m.

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

29 June 2005

Original: English

Summary record of the 13th meeting

Held at Headquarters, New York, on Wednesday, 11 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Heinsberg (Vice-President) (Germany)
later: Mr. de Queiroz Duarte (President) (Brazil)

Contents

General debate (*continued*)

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The meeting was called to order at 3.10 p.m.

General debate (*continued*)

1. **The President** welcomed the representatives of 119 NGOs throughout the world who had come to participate in the 2005 Review Conference and express their organizations' views on nuclear proliferation and disarmament. Just the week before, he had met representatives of Mayors for Peace and *Hibakusha* (atomic-bomb survivors), and had received petitions from the Mayors for Peace campaign (known as the 2020 Vision Campaign) for the abolition of nuclear weapons by 2020 and from the Citizens Campaign. NGOs played a key role in strengthening the global non-proliferation regime, and their expertise and dedication were crucial in the effort to reach a world free from the threat of nuclear weapons. The current meeting, convened pursuant to the agreement reached at the third session of the Preparatory Committee and in conformity with the Final Document of the 2000 Review Conference, provided another opportunity to hear grass-roots concerns. He was convinced that the joint voice of civil society would give further impetus to the Conference's efforts to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

2. **Ms. Hall** (International Physicians for the Prevention of Nuclear War), speaking on behalf of all the NGOs participating in the Conference, said that NGOs played an important role in international decision-making, as they allowed citizens across the globe to partake in the political process and make their voices heard. The NGOs present today represented millions of people worldwide who wanted to live in a nuclear-weapon-free world where Governments were mature enough to resolve conflicts through more effective, non-lethal methods. They endorsed the 2020 Vision Campaign. Year after year, nuclear disarmament NGOs had participated in the NPT Review Conference in order to promote a nuclear-weapon-free world with equal emphasis on all three pillars of the Treaty. Contrary to some people's opinions, it was extremely important to acknowledge that the NPT was in crisis — as the High-level Panel on Threats, Challenges and Change itself had done — if it was to work as intended. Indeed, NGOs and States parties had a common responsibility to stop the further erosion of, and strengthen, the NPT, which had set the global norms for non-proliferation and disarmament for 35 years and remained a fundamental stepping stone

towards a nuclear-weapon-free world. After appealing to all States parties to work tirelessly to preserve and strengthen the Treaty, she urged the Conference to consider the reasons why the various NGOs present had concluded that nuclear weapons in today's world were of no use at all and their consequent recommendations.

3. Despite the end of the cold war thousands of nuclear weapons remained on hair-trigger alert and could go off by accident or through unauthorized use, and despite the NPT there were now nine nuclear-weapon States. Nuclear technology was already available on the black market. If the NPT regime fell apart, there would doubtless be dozens of nuclear-weapon States and no controls. As long as some States had nuclear weapons, it was difficult to tell others not to acquire them. And yet the nuclear-weapon States were modernizing their arsenals, planning new types of nuclear weapons and reducing the threshold for their use. The major threats facing the world today — such as life-threatening diseases, poverty, climate change and civil war — could not be averted through possession of nuclear weapons.

4. One had only to recall the Asian tsunami of 2004 to question why billions were being spent on missile defence and nuclear weapons rather than being invested in technology to promote human security. Every disarmament measure built confidence and freed up resources for real security measures, while possession of nuclear weapons made States a nuclear target themselves. In the event of nuclear war, health services would break down and many people would die a terrible death without medical relief. People who were prepared to give their life for a cause would not be deterred by any threat, including a nuclear threat. At the same time, the very existence of nuclear weapons and fissile materials made the world more vulnerable to attack by non-State actors. Though it might seem a long way off, abolition was the only way and the sooner steps were taken towards it, the sooner it would be achieved. The more closely NGOs and States parties worked together, the more likely it was that they would achieve their common goals of peace, security and sustainability.

5. *Mr. Heinsberg (Germany), Vice-President, took the Chair.*

6. **Ms. Sundberg** (Women's International League for Peace and Freedom) said that it was essential to

build confidence in universal, not selective, compliance with the Treaty. The best way to do that was to increase transparency, which was not only an obligation for States under the 13 practical steps, but also in their own interests, as it enabled them to indicate the steps they had taken to further the Treaty's goals. Contrary to some critics' opinions, the reports submitted so far provided substantive and detailed information, thereby increasing transparency and demonstrating that States took their NPT obligations seriously. The three Preparatory Committee sessions held since the adoption of the reporting obligation in 2000 had achieved a much greater degree of transparency. Although the institutionalization of reporting was progressing slowly, 39 of the 188 NPT States parties, including 25 of the 40 NPT States parties listed in annex 2 to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), had submitted at least one report. However, while all the nuclear-weapon States offered some form of information exchange, to date none of them had submitted an official report. Official reports were important as they were translated and included in the meeting record, a much more effective way of increasing transparency. In that regard, she called on all States parties, particularly the nuclear-weapon States and annex 2 States, to submit substantive reports detailing steps taken to implement the Treaty and to endorse the reporting obligation at the current Conference. She also called on nuclear-weapon States to report on national holdings of warheads (both within and outside national borders), delivery vehicles and fissile materials; operational status of nuclear weapons; disarmament initiatives and reduction strategies; strategic doctrine; and security assurances.

7. The other way to improve transparency was to increase access by, and participation of, NGOs in the review process. Civil society provided a critical link between Governments and the general public. As a 2003 Canadian working paper had noted, the contribution of nuclear disarmament NGOs was key in nurturing public concern and political will, advancing global norms, enhancing transparency, monitoring compliance, framing public understanding and providing expert analysis. The 2004 report of the Cardoso Panel on United Nations Relations with Civil Society had also concluded that enhancing dialogue and cooperation with civil society would make the United Nations more effective. However, despite their important contribution, nuclear disarmament and non-

proliferation NGOs had less access to international meetings than NGOs focusing on issues such as human rights, disabilities and humanitarian affairs, and NGO access had been further restricted at the current Conference: NGOs had been allocated only one three-hour session during a four-week conference, while the decision to hold meetings in the General Assembly Hall had prevented their representatives from engaging in consultations or leaving materials on the tables provided specifically for that purpose. She welcomed the fact that NGOs had been granted access to the cluster debates for the first time in 2004 and looked forward to greater access to both proceedings and delegates when the Main Committees began to meet. She called for: all meetings not devoted to negotiations to be held in open session; NGOs to be provided with appropriate seating and all documentation during open sessions; NGOs to be given additional opportunities to participate in thematic discussions; increased dialogue between Governments and NGOs; and NGOs from underrepresented regions to be given financial and logistical support by the Conference secretariat and/or States parties. Such practices should be codified in the Final Document of the current Conference. Global support and understanding of disarmament and non-proliferation was key to ensuring compliance with the NPT and could not be achieved without increased transparency so that Governments could be held accountable for the full implementation of all their NPT obligations by the people they claimed to represent.

8. **Mr. Ellsberg** (Nuclear Age Peace Foundation), paying tribute to a man who had acted courageously in support of transparency, said that in 1986 Mordechai Vanunu, a technician at Israel's secret nuclear weapons production facility at Dimona, had rightly revealed truths about Israel's nuclear activities that had long been denied by his Government. He had revealed not only that Israel was a nuclear-weapon State, as had been known for over a decade, but also that the international community had substantially underestimated the pace and scale of Israel's secret production of nuclear materials and warheads. New estimates based on his revelations put the Israeli arsenal in 1986 at some 200 warheads (rather than 20) and currently at close to 400, which would make Israel the fourth largest nuclear power after France, and possibly the third largest after the United States and Russia.

9. Surely, Israeli citizens and the international community as a whole had deserved to know the facts and Vanunu's example of truth-telling, at great personal risk, should be emulated. The nuclear scientist Joseph Rotblat had long argued that confidence in inspection and enforcement agreements on nuclear disarmament could and must rest in part on "societal verification", in other words, on the courage and conscience of scientists, technicians and officials who could reveal to inspectors activities violating those agreements. Unhappily, since the NPT had entered into force, there had been few such examples, even though the potential value of such revelations was increasingly clear. Had an Indian citizen with knowledge of his Government's secret preparations for nuclear testing spoken out in time, both the Indian test and the Pakistani one that it had been sure to provoke could have been averted. Though the person concerned might well have received a long prison sentence, such an act would surely have deserved a Nobel Peace Prize, for which Rotblat had nominated Vanunu repeatedly.

10. Currently, a year after serving his full 18-year sentence, Vanunu was facing a return to prison for violating restrictions on his freedom of speech that clearly violated his fundamental human rights. He would, however, continue to speak out in favour of a nuclear-weapon-free zone in the Middle East and the global abolition of nuclear weapons, telling whatever he knew to support those objectives. Claims that further revelations could undermine Israel's national security were absurd, as no such damage had been identified since his revelations in 1986. Rather, the fact that he was prohibited from speaking to foreign citizens on any matters or to Israeli citizens on nuclear matters was clearly intended to punish him indefinitely. In a world where more people like Vanunu were desperately needed, above all in nuclear-weapon States violating their article VI obligations, such a clear deterrent message should not go unchallenged. In the interests of vital transparency and future societal verification, the international community should protest Vanunu's new indictment and the restrictions on his speech and travel. In that regard, he urged those present to lodge their protest with the Oslo office of the International Peace Bureau.

11. It was time for the rest of the world to join Mordechai Vanunu in demanding that Israel should recognize its status as a nuclear-weapon State with a large and growing arsenal and that all nuclear-weapon

States, in particular the United States and Russia, should negotiate a definite timetable towards the global, verified abolition of nuclear weapons.

12. Lastly, he felt compelled to add that he regretted profoundly that he had not released the documents that he himself had written while working as a consultant on nuclear war plans and nuclear command and control at the Pentagon in the early 1960s, as they would have revealed the true nature of those war plans to the world. The idea of such action had not occurred to him until Vanunu had set the example. He urged States parties to bring pressure to bear on Israel and to demand that Mordechai Vanunu should be released so that he could work for the cause of abolition.

13. **Ms. Cabasso** (Western States' Legal Foundation) said that the optimistic claim by France, the Russian Federation, the United Kingdom and the United States ahead of the 1995 Conference that the nuclear arms race had ceased had proved false. While the quantitative trend was currently downward, nuclear Powers, with the possible exception of China, were engaged in the qualitative modernization of nuclear forces. Any claim by them that modernization was the inevitable by-product of the replacement of existing systems would suggest that they had no intention of eliminating their nuclear weapons for decades to come. Moreover, in some cases modernization clearly amounted to an arms race. Both the CTBT and the proposed fissile material cut-off treaty would have capped the arms race if they had been agreed to at an early date, as intended. Even today, they could help prevent an arms race. Moreover, the nuclear-weapon States had neither taken initiatives to stop the modernization of nuclear forces, nor made an effort to increase transparency or lower the readiness of forces. Such steps could and should be taken by the United Kingdom, France and China, who tended to hide behind the argument that global elimination must await deep reductions in United States and Russian Federation forces.

14. In the United Kingdom, the submarine-launched Trident missile, equipped with three to four warheads, was the only remaining operational nuclear weapon system. According to its most recent annual report, the mission of the Atomic Weapons Establishment was to maintain a capability to provide warheads for a successor system without recourse to nuclear testing. A decision on whether or not to replace the Trident system would most likely be made in the newly elected

Parliament. France, meanwhile, continued to design and build new weapon systems for use through 2040 — including a new submarine-launched missile and longer-range cruise missile, both equipped with new warheads — and had a highly advanced programme to develop the capability to design and manufacture modified or new nuclear weapons without explosive nuclear testing. China was currently replacing its 20 silo-based long-range missiles with a longer-range variant and was developing a new mobile intermediate-range intercontinental ballistic missile (ICBM), which could be deployed by the end of the decade, as well as a longer-range variant. As for its ballistic missile submarine force, it was currently working to replace the experimental missile with a more reliable, medium-range missile and was developing a new submarine.

15. The Russian Federation was developing a new manoeuvrable warhead capable of avoiding missile defences and continued to manufacture single-warhead silo-launched missiles, with the deployment of a road-mobile multiple-warhead variant scheduled for 2006. While slowly retiring multiple-warhead land-based nuclear missiles, it was building up single-warhead missiles. Development of a new-generation ICBM, capable of carrying up to 10 warheads, was reportedly under way, while a nuclear variant of a new bomber-carried cruise missile might be deployed in 2005, and a new submarine-launched missile would be deployed on two submarines under construction. The Russian Federation was restructuring its deployed strategic force as it and the United States reduced towards 2,200 deployed strategic warheads by 2012, as required by the Moscow Treaty. However, the Russian Federation was also clearly modernizing and replacing existing systems, apparently with the intention of relying on nuclear forces indefinitely. The United States spent about \$40 billion annually on nuclear forces, more than the total military budget for almost every other country. Its modernization programme covered, inter alia, existing Minuteman land-based missiles and their supporting infrastructure, Trident submarine-launched ballistic missiles and nuclear-capable long-range bombers, while research was under way on new delivery systems, such as more accurate alternatives to land-based ICBMs. The goal of the programme was to maintain United States qualitative superiority in nuclear war-fighting capabilities in the 2020-2040 time frame. The lifetime of a number of warheads had been or would be extended, while funding had been granted for research into a reliable replacement warhead and

requested for a Robust Nuclear Earth Penetrator. Work was also progressing on technology upgrades to increase United States capabilities to plan and execute nuclear strikes, including software to assess likely “collateral damage”. Lastly, the United States intended to maintain indefinitely sufficient “responsive infrastructure” to enable timely reconstitution to larger force levels, if needed, field new or modified nuclear weapons to respond to a stockpile “surprise” or meet new requirements, and ensure readiness to conduct an underground nuclear test, if necessary. To that end, the United States was spending billions of dollars on sophisticated research facilities and planned to build a new factory to produce plutonium pits (the spheres at the core of hydrogen bombs). Over 12,000 pits from dismantled nuclear weapons were currently in storage, ready to be used if new nuclear weapons were produced. Production of radioactive hydrogen-tritium had also resumed.

16. Given such a vast array of activities, it was safe to conclude that, led by the United States, the nuclear-weapon States were modernizing their nuclear arsenals, to the extent of engaging in an arms race, and planned to retain large nuclear forces for many decades to come.

17. **Mr. Spies** (Lawyers’ Committee on Nuclear Policy), referring to the practical steps adopted in 2000 as an indispensable guide in respect of the requirement under NPT article VI of good-faith negotiations on effective measures towards nuclear disarmament, said that those steps, and the principles of verification, transparency and irreversibility underpinning them, were currently as relevant as they had been at the time of their adoption. Noting that States should not go back on their freely given word, he stressed that the practical steps had been agreed by consensus.

18. While the nuclear-weapon States had failed to agree on the establishment of a body to deal with nuclear disarmament in the Conference on Disarmament, there were two commitments entered into in 2000 that were essential in that regard. The first was the commitment to specific agreed measures to further reduce the operational status of nuclear-weapons systems, on which he noted that there had been little progress. The second and particularly important commitment was to a diminishing role for nuclear weapons in security policies to minimize the risk that those weapons would ever be used and to facilitate the process of their total elimination. While

China had honoured that commitment, the same could not be said of France, Russia, the United Kingdom or the United States. Indeed, in the case of the last-mentioned country, the range of circumstances in which nuclear weapons might be used had actually been enlarged. He quoted in that connection official sources advocating an enhanced role for nuclear weapons in the country's security. He emphasized that it was invidious to the peoples of the world for supposed security to rest on a morally repugnant nuclear balance of terror.

19. **Mr. Burroughs** (Lawyers' Committee on Nuclear Policy) highlighted the obligation recognized by the International Court of Justice for States to pursue in good faith negotiations leading to nuclear disarmament under strict and effective international control, which would itself represent progress towards the achievement of general and complete disarmament. He said that some nuclear-weapon States still made progress towards nuclear disarmament dependent on progress on other aspects of disarmament and security, even though there was no legal link between elimination of nuclear arsenals and comprehensive demilitarization. There were however practical links in that both a verification regime for the ban on biological weapons and a regime preventing the weaponization of outer space would give the nuclear-weapon States greater confidence in moving towards the elimination of nuclear arsenals.

20. Clearly, the United States was not well placed to lecture other States about obligations of general and complete disarmament having put an end in 2001 to seven years of negotiations on a verification protocol for the Biological Weapons Convention and currently continuing to develop conventional weapons. If the United States wished to insist on the importance of progress towards general and complete disarmament for the achievement of nuclear abolition, it should first look to itself. He noted in conclusion that article VI provided an excellent road map for nuclear disarmament and that, as such, it should be reaffirmed by the Review Conference.

21. *Mr. de Queiroz Duarte (Brazil), President, took the Chair.*

22. **Ms. Caldicott** (Nuclear Policy Research Institute), warning against the imminent danger of annihilation facing the world through the use and development of nuclear technology, said that, contrary

to what was claimed, nuclear power was not emission-free and that it contributed to global warming. Nor was sufficient attention given to the cost, not only of uranium enrichment, but also, and more particularly, of a nuclear accident, the decommissioning of all existing and new nuclear reactors, and the transporting and storage of radioactive waste for between 250 and 500 millenniums. While Belgium, Germany, Spain and Sweden had decided to phase out their nuclear reactors, China, the United Kingdom and the United States were planning to construct more of them.

23. Nuclear power was neither green nor clean. Massive quantities of radioactive isotopes were regularly released into the air and water by nuclear reactors, causing genetic disease. Radioactive waste was steadily building up at reactor sites throughout the world, none of which had plans for preventing the release of toxic carcinogenic material into the biosphere, where it would contaminate the food chain for the rest of time. Moreover, radioactive waste offered an attractive target for terrorist sabotage.

24. She described the long-lasting and devastating effects of four of the most dangerous elements made in nuclear power plants, namely, iodine 131, strontium 90, caesium 137 and plutonium 239, pointing out moreover that the amount of plutonium produced by each nuclear-power plant in a year could be used to manufacture 40 nuclear bombs.

25. In conclusion, she called for a supplementary protocol to the NPT which would enable the signatory States to fulfil their article IV obligations by supplying technical aid in the form of renewable-energy technologies and would serve as a basis for an international renewable energy agency.

26. **Mr. de Brum** (Lolelaplap Trust), speaking out of personal experience, described the traumatic effects of the United States atomic and thermonuclear testing programme in the Marshall Islands, which had sustained the equivalent of 1.6 Hiroshima explosions every day for the 12 years of its duration. Those effects were not confined to detonations but were extended through the experimental exposure of the population to radiation. Following the atomic tests, and despite its initial claims that there was no positive link between the tests and the physical health of the Marshallese, the United States had recently predicted a 50 per cent rise in the resulting incidence of cancer in the Marshall Islands.

27. Although the testing had ended 48 years before, the effects of radiation exposure, including malformations, abnormal diseases and birth anomalies, were still being felt, as was the social disarray attendant upon evacuation. He alleged that the United States nuclear activities in the Marshall Islands had been self-serving and irresponsible and that the United States had withheld scientific information for fear that the Marshallese might make overreaching demands on it if the full facts were known about the damage done, in particular to Enewetak.

28. He also called into question the assurances given by the United States Government that, following the termination of the United Nations trusteeship which it had administered, it would continue to be responsible for the affected communities.

29. After years of ICBM testing, the Marshall Islands was currently hosting the United States Government's anti-missile shield testing programme, which again was impacting every aspect of the lives of the local people and their natural environment. The people of Kwajalein had consequently been removed from their homeland and crowded into the excessively confined and squalid space of a neighbouring island, while the surrounding seas were being harmed by depleted uranium and other substances, despite protests from the Kwajalein leadership.

30. Speaking on behalf of the indigenous communities, which he said were having to pay disproportionately for the creation, deployment and storage of weapons, he called on the international community to assist the people of the Marshall Islands in overcoming the legacy of the nuclear age and in alleviating the burden of serving as testing-ground for weapons of mass destruction. The security of indigenous people consisted in their right to healthy land, resources and bodies, and the world's leaders could not be allowed to take that right away in the interests of their own security.

31. **Mr. Zeller** (Blue Ridge Environmental Defense League) said that reprocessing plutonium waste for fuel placed public safety and the environment at serious risk and undermined the goal of nuclear non-proliferation. The Blue Ridge Environmental Defense League was deeply troubled by the provisions of a bilateral plutonium disposition agreement between the United States of America and the Russian Federation that allowed each nation to use 34,000 kilograms of

plutonium waste from nuclear warheads in civilian nuclear electric power plants.

32. Near the Savannah River Site in South Carolina, which had been polluted by five decades of atomic-weapons manufacturing, the death rate was 19.8 per cent above normal, largely from heart disease and cancer, both of which were associated with ionizing radiation. A similar problem was caused by the Mayak industrial complex, which had produced plutonium for the first Soviet atomic bomb, and the Siberian Chemical Combine within the complex, which had pumped radioactive poisons into underground aquifers for over 40 years. While many residents of the area had been evacuated, the nearby town of Muslumovo remained inhabited and its people feared they had been singled out as Muslim "guinea pigs" in a horrible radioactive experiment. The League was concerned about plans by the Ministry for Atomic Energy of the Russian Federation (Minatom) to build a new plutonium fuel factory on the site of the Siberian Chemical Combine, using technology supplied by the French firm COGEMA, and the United States Nuclear Regulatory Commission's recent decision to authorize the construction of a similar factory at the Savannah River Site in South Carolina.

33. Plutonium fuel production would create enormous amounts of radioactive waste and would require the transportation of weapons-grade plutonium and fresh fuel across thousands of miles of open country, creating a serious risk of railway accidents that could result in plutonium contamination of the environment. Plutonium utilization in ageing Russian reactors could lead to proliferation from civil reactor sites. In the United States, Duke Energy, which had been granted an exemption from post-11 September security measures to operate its plutonium fuel test reactor, would be depending on unreliable baskets of ice for cooling during an emergency.

34. Immobilization provided an alternative to plutonium fuel, which was difficult to handle, store and transport. Mixing the plutonium with liquid glass and radioactive waste would avoid risks to human health, save hundreds of millions of dollars and pave the way for a more sensible non-proliferation policy. Plutonium must not be used as fuel in civil reactors, must be kept at well-protected sites and must be immobilized in order to prevent smuggling and reuse in nuclear weapons.

35. The 13 practical steps to implement article VI of the Treaty set out by the 2000 Review Conference, particularly the tenth step regarding fissile material, formed a basis for opposing plutonium reprocessing. Under the Surplus Plutonium Disposition Program of the United States and the Russian Federation, however, fissile material would be transferred from public management to private, commercial control and no longer be subject to effective international verification. It was the League's view that the scope of a fissile materials cut-off treaty should be expanded to include a ban on civilian plutonium production. It also urged Japan to abandon its plans to open the Rokkasho Reprocessing Plant in 2007 as the first commercial-scale plant in a non-nuclear-weapon State.

36. Nuclear non-proliferation would be undermined by the circulation of plutonium fuel in the commercial sector. It would increase the risk of diversion, and there was no way to ensure that plutonium processing facilities for electric power would not be used for military purposes.

37. **Ms. Wasley** (International Peace Pilgrimage) and **Ms. Keim** (NPT Youth Action), delivering a joint statement on behalf of the youth of the world, reminded States parties to the Treaty of their primary obligation under the Charter of the United Nations to save future generations from the scourge of war. Unfortunately, the moral and democratic values implanted in children at school, at home, and by books and the media were not upheld by those in power. Indeed, the five permanent members of the Security Council with the right of veto were also the declared nuclear-weapon States. The youth of the world recommended a restructuring of the Security Council that would be equitable and maintain the democratic process.

38. It was particularly regrettable that long-standing nuclear-weapon States, such as the United States, were adopting new doctrines in support of proliferation and were planning the development of new nuclear weapons. In general, nuclear arsenals around the world were being developed in defiance of the disarmament obligations enshrined in the NPT.

39. The youth of the world called for an end to the deadlock in the Conference on Disarmament through the negotiation of a nuclear-weapons convention, the implementation of the 13 practical steps agreed to five years earlier and the establishment of a subsidiary body

to monitor compliance with disarmament commitments. The adoption of the 2020 Vision Campaign of the Mayors for Peace — the only plan that included a specific timetable and target date for the abolition of all nuclear weapons — would be an even more effective step. Children learned in school that rules were to be obeyed and laws must be respected, and yet the mighty and powerful in the international community disregarded the ruling of their own International Court of Justice, putting their national interests first.

40. The youth of the world aspired to a future in which nations were bound by mutual respect and international law. They called for an immediate, unqualified and total abolition of all nuclear weapons for the well-being of all peoples and future generations.

41. **Ms. Naughton** (British-American Security Information Council) said that the Council regarded the nuclear forces deployed by the North Atlantic Treaty Organization (NATO) as highly contentious and counterproductive. In addition to the strategic weapons provided by the United States, France and the United Kingdom and the substrategic or tactical nuclear weapons of the United States, five non-nuclear-weapon States — Belgium, Germany, Italy, the Netherlands and Turkey — had entered into nuclear-sharing arrangements with the United States, while the United Kingdom was host to both United States nuclear weapons and aircraft and pilots of the United States Air Force.

42. Recently, however, other European States had begun to question nuclear sharing. The Council welcomed the call by Belgium parliamentarians, and others in Denmark, Germany and the Netherlands, for the removal of NATO nuclear weapons from Europe. In their opening statements, the representative of Malaysia, speaking on behalf of the Movement of Non-Aligned Countries, and the representative of Egypt had also been critical of NATO nuclear-sharing arrangements.

43. For one thing, the sharing arrangements were an apparent breach of article II of the Treaty, which prohibited non-nuclear States from receiving the transfer of nuclear weapons. The United States interpretation, namely, that the sharing arrangement did not constitute a transfer until such time as war was declared, had been called into question by Mexico and

the Non-Aligned Movement at the 1995 Review and Extension Conference, and a few years later by Egypt and the New Agenda Coalition.

44. The Final Document of the 2000 Review Conference contained a number of commitments that were relevant to NATO, including further unilateral reductions in nuclear arsenals, increased transparency, further reduction of non-strategic nuclear weapons, further reduction in the operational status of nuclear-weapon systems and a diminished role for nuclear weapons in security policies.

45. Noting that the number of United States nuclear warheads based in Europe had remained static since 1994, she said that the NATO nuclear posture interfered with negative security assurances and the establishment of a nuclear weapon-free zone in Europe. Its refusal to rule out first use of nuclear weapons was a major obstacle to strengthening negative security assurances as proposed by the 1995 Review and Extension Conference. The United States and the United Kingdom had renewed their bilateral mutual defence agreement in 2004 for another ten years, and the United States had a mutual defence agreement with France as well.

46. The Council called on the United States to withdraw all remaining nuclear weapons from Europe. The weapons were militarily obsolete and no longer relevant to trans-Atlantic relations. It also urged NATO to consider a diminished role for nuclear weapons and a commitment to no-first-use of nuclear weapons as a first step towards their complete removal from European soil. The United States and the Russian Federation should negotiate a viable treaty on the elimination of all substrategic or tactical nuclear weapons, and France, the Russian Federation and the United Kingdom should terminate all nuclear-weapon modernization and replacement programmes. Lastly, the Review Conference should declare that the Treaty was binding at all times and in all circumstances.

47. **Mr. Fellmer** (International Law Campaign) said that the interrelationship between non-proliferation and disarmament was inherent in the basic promise of the Treaty, and that there were time constraints on disarmament. Abolition was the key to building confidence among the negotiating partners and to preventing the rise of clandestine nuclear programmes. He urged the current Review Conference not to conduct further debate on the 13 practical steps,

including the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, but rather to discuss means of ensuring their implementation.

48. The inherent flaw in the Treaty was to be found in article IV, as pointed out in the 1946 Acheson-Lilienthal Report. Safeguarding could only accomplish so much; where there was free trade in nuclear technology and materials, abuse was inevitable, as it was impossible to account for all the material in large reprocessing plants like Sellafield, the Hague or Rokkashaw. All enrichment and reprocessing facilities must be placed under multilateral control, and a complete moratorium must be declared on the enrichment of uranium and the separation of plutonium.

49. IAEA should not be promoting the use of nuclear energy in any form. While many countries equated nuclear programmes with development, in fact, truly developed countries were investing in cleaner and renewable sources of energy. There was a pressing need to establish an international agency for renewable energy to assist countries in building up energy supplies that did not rely on nuclear energy or fossil fuels.

50. North Atlantic Treaty Organization partners should not offer encouragement to nuclear-weapon States by agreeing to the deployment of nuclear weapons in their territory or to nuclear-sharing and planning arrangements. States should adopt legislation that went beyond Security Council resolution 1540 (2004) by criminalizing State, as well as non-State, actors, for engaging in activities related to weapons of mass destruction. He stressed the urgency of initiating negotiations on a nuclear-weapons convention to supplement the NPT, and provide the legal basis for the universal criminalization of nuclear-weapons activities already declared illegal under international law and by the International Court of Justice in its 1996 advisory opinion. The International Law Campaign was of the view that, since weapons of mass destruction had already been declared illegal under international law, nuclear weapons, by their very nature, were also illegal.

51. **Ms. Perlman** (Psychologists for Social Responsibility), after noting the paradoxical nature of nuclear weapons, which allowed humankind to coexist with the threat of annihilation while at the same time

feeling safer, said that the psychic numbing, denial and fear induced by the magnitude of the danger, coupled with overconfidence and delusions of control, interfered with optimal thought and action and could have irreversible unintended consequences. Reaction under stress to a perceived attack was conducive to poor judgement and ignored undesirable long-term consequences. The effect of States' policies on other States often played into the latter's fears and fantasies. Thus, nuclear-weapon-States were providing incentives for other nations to develop weapons to deter a perceived threat of attack. Threats, violence and coercion were seen as more effective than non-violent strategies.

52. The desire for nuclear weapons was a symptom of something deeper, of a belief that the possession of nuclear weapons and power were inextricably linked. Weaker actors could be provoked into military action or nuclear terrorism — an asymmetrical response to asymmetrical power. While the safeguarding of fissile materials addressed the supply side of terrorism, it was also necessary to address the demand side of terrorism. Since threats and intimidation only increased paranoia, recruitment to terrorism and popular support for nuclear weapons, the better tactic and real path to security was to make one's enemy more secure. Failure to disarm created an atmosphere of bad faith, demoralization, intimidation and humiliation. It was time to replace war by more effective methods of tension reduction, violence prevention and conflict transformation.

53. **Mr. Konishi** (Nihon Hidankyo), issuing an appeal on behalf of atomic-bomb survivors (*Hibakusha*), called for the implementation of the unequivocal undertaking set out in the Final Document of the 2000 Review Conference and for immediate action to eliminate all nuclear arsenals. At the age of 16 years, he had seen the blinding flash of the atomic bomb in Hiroshima and had watched the city become engulfed in flames. He could still hear the cries of tens of thousands of mothers and children and the voice of a dying man begging for water. The cruel and inhuman after-effects of that hell on earth were still being felt and would be for generations to come.

54. Survivors were horrified by reports that the United States was developing "usable" or "combat" nuclear weapons. It called on all Governments to heed the lessons of Hiroshima and Nagasaki and to begin multilateral negotiations immediately on a convention

with a view to the total elimination of nuclear weapons. He concluded by reading out one of the poems of Sankichi Toge, a deceased Hiroshima poet.

55. **Ms. Mohtasham** (Nuclear Weapons Non-Proliferation and International Safeguards System) observed that the concerns about the Islamic Republic of Iran's nuclear programme had arisen because it had breached its IAEA safeguards agreement by failing for two decades to report the technical details of the programme, and they had been heightened by accusations, by the United States and its allies, that the Islamic Republic was a sponsor of terrorism. In the country itself, there had been no public debate over how national security interests related to the question of terrorism, or to the Israeli-Palestinian dispute, yet an open debate would surely improve its relations with the West.

56. On the other hand, there were positive signs of the Islamic Republic of Iran's commitment to the NPT. It had, after all, actively cooperated with the IAEA to rectify its past failures, as evidenced in its detailed report to the Agency in 2003 and its signing of an IAEA additional protocol that same year, with assurances of immediate implementation. It had voluntarily suspended uranium enrichment in 2003. Its first report under the additional protocol, submitted in 2004, had provided voluminous information about its nuclear programme, and in January 2005 IAEA inspectors had been given access to a number of military sites suspected of nuclear activities. Moreover, negotiations since 2003 with several members of the European Union had shown a willingness on its part to work to resolve problems.

57. To assuage any political and technological concerns, the Islamic Republic of Iran should increase transparency in all areas of its nuclear programme, including its civilian nuclear capacity, and explain the exact nature of its relations with groups classified as terrorist by the West. The international community's emotional and psychological concerns about the Islamic Republic's political system and its commitment to peace must also be dealt with.

58. Like other non-nuclear-weapon States, the Islamic Republic of Iran wanted from the nuclear-weapon States negative security assurances and tangible movement towards disarmament. There was a widely held perception among Iranians that in the entire Middle East, South and Central Asia and the

Caucasus theirs was the only major country with inadequate security protection, and some Iranians had viewed its civilian nuclear programme as constituting a latent nuclear deterrent, similar to the full nuclear-fuel-cycle facilities in Japan. It was therefore vital in any discussion of its nuclear programme to take a wider perspective and to take its legitimate security concerns fully into account.

59. A military attack on known Iranian nuclear facilities would generate further security problems for the whole region and would cause the Islamic Republic of Iran to withdraw from the NPT and embark unreservedly on a nuclear-weapons programme. Clearly, diplomatic solutions must be pursued instead.

60. **Mr. Smylie** (World Conference of Religions for Peace) said that for more than 30 years the interfaith community had come together in various configurations to advocate both an end to war and an end to the weapons and systems with which wars were fought. The core texts and traditions of the religions of the world were the basis of common commitments of religious people. The World Conference's periodic assemblies had issued affirmations about all aspects of human life in the community, sustainable development and the environment, the viability of international instruments of governance and order, and human rights and justice. Yet no right seemed more fundamental than the right to peace and security.

61. General and complete disarmament was the ultimate goal and therefore religions had regularly called for: an end to nuclear proliferation, both vertical and horizontal; the abolition and dismantling of all nuclear weapons and the cessation of weapons research; the cessation of all nuclear testing in all environments; an end to the production of fissionable materials for weapons purposes; non-use assurances by the nuclear-weapon Powers pending final elimination of nuclear weapons; support for existing nuclear-weapon-free zones and the creation of new ones in the Middle East and Central and North-East Asia; a reduction of military expenses by all countries and the redirection of the resources towards human development; and the designation of the production, sale and use of weapons of mass destruction as crimes against humanity, with judicial mechanisms to hold offenders accountable.

62. The World Conference of Religions for Peace called on Governments and intergovernmental bodies

to pursue conflict resolution by non-violent means and to renew their commitment to the quest for peace through justice.

63. **Mr. Cheong Wooksik** (Peace Depot) said that the hostility between the United States and the Democratic People's Republic of Korea had reached crisis proportions since the last Review Conference, with dire consequences for the NPT process. In 2000, a historic inter-Korean summit meeting had raised high hopes of ending the cold war on the Korean peninsula, but that positive development had come to a full stop with the change of leadership in the White House in 2001. The Bush Administration had unilaterally repudiated the new relationship between the United States and the Democratic People's Republic of Korea to which the Clinton Administration had been committed, and the situation had steadily deteriorated from then on until, in 2003, the Democratic People's Republic of Korea had withdrawn from the Treaty and, in 2005, had announced that it had manufactured nuclear weapons for self-defence. Both countries bore full responsibility for the current proliferation crisis in North-East Asia, but especially the Bush Administration because of its hard-line, hostile policy, which had undoubtedly raised fears of a possible attack, given the recent illegal United States invasion of Iraq. It was incumbent therefore upon the United States, to undertake confidence-building measures to remove the deep distrust and fear in the Democratic People's Republic of Korea.

64. The Government of the Democratic People's Republic of Korea must return to the indispensable six-party talks on that nuclear crisis as soon as possible; but the two main antagonists must engage in direct talks as well, and it was to be hoped that the United States would show flexibility in negotiating and make a realistic offer to a Government that had expressed its willingness in the past to give up its nuclear-weapons programme.

65. It was disappointing that Japan, following the obsolete approach of clinging to dependence on United States nuclear protection, had decided to join in the United States missile defence system and that his own Government, the Republic of Korea, was about to follow suit. His organization urged all States in the area to establish an innovative regional cooperative security system, eventually discarding bilateral military security agreements. The Government of Japan and his own Government, working with their civil societies,

must take the lead in establishing a new kind of nuclear-weapon-free zone in the region. In 2004, a number of NGOs and experts of the region had developed a draft Model Treaty for the North-East Asia Nuclear-Weapon-Free Zone, as a first step: it was a six-party treaty involving the Democratic People's Republic of Korea, the Republic of Korea and Japan as the central players, and three nuclear-weapon States — China, the Russian Federation and the United States — as supporting players that would provide negative security assurances. Further negotiations on such a zone could proceed in the context of the six-party talks.

The meeting rose at 5.50 p.m.

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

16 June 2005

Original: English

Summary record of the 14th meeting

Held at Headquarters, New York, on Wednesday, 11 May 2005, at 6 p.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

Adoption of the agenda

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The meeting was called to order at 6.05 p.m.

Adoption of the agenda

1. **The President** informed the Conference that his intensive consultations on the agenda had been successful and that the States parties had agreed to adopt the provisional agenda as set out in document NPT/CONF.2005/CRP.1.

2. *The agenda was adopted.*

3. **The President** said that, as agreed during the consultations, he would read out a statement regarding agenda item 16, "Review of the operation of the Treaty":

"It is understood that the review will be conducted in the light of the decisions and the resolution of previous Conferences, and allow for discussion of any issue raised by States Parties".

That statement would be issued as document NPT/CONF.2005/31, and item 16 would bear an asterisk referring to it.

4. The agenda would be issued as document NPT/CONF.2005/30.

5. **Ms. Husain** (Malaysia),* speaking on behalf of the Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), welcomed the adoption of the agenda, which established the framework for conducting the review of the operation of the Treaty in accordance with article VIII, paragraph 3, of the Treaty and with the decisions and the resolution of previous Review Conferences, in particular those of 1995 and 2000 and the decision of the 2000 Review Conference to adopt its final document by consensus.

6. The Non-Aligned States parties reaffirmed their commitment to implement in good faith their obligations under the Treaty, as well as the commitments agreed upon by consensus at the 1995 and 2000 Review Conferences, and urged all States parties to do the same.

7. **Mr. Freeman** (United Kingdom), speaking on behalf of the Group of Western European and Other States, thanked the President for his patient and untiring efforts to achieve consensus on the agenda and

expressed satisfaction at the outcome. He assured the President of his Group's continued support as the substantive work of the Conference began.

8. **The President** thanked delegations for their understanding and cooperation during the consultations. While upholding the interests of their Governments, all had displayed the necessary degree of cooperation and accommodation to allow the agenda to be adopted. It was his sincere hope that the momentum generated would permit the Conference to proceed without delay to the next stage.

The meeting rose at 6.15 p.m.

* The full text of this statement will be issued as document NPT/CONF.2005/32.

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

15 June 2005

Original: English

Summary record of the 15th meeting

Held at Headquarters, New York, on Monday, 16 May 2005, at 4 p.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

Election of Vice-Presidents (*continued*)

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting
Committee and the Credentials Committee (*continued*)

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The meeting was called to order at 4.15 p.m.

Election of Vice-Presidents *(continued)*

1. **The President** said that the Group of Non-Aligned Countries had proposed the candidacies of Egypt and Uganda for the two remaining vacancies for Vice-President of the Conference.
2. *Egypt and Uganda were elected Vice-Presidents of the Conference.*

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee *(continued)*

3. **The President** said that the following candidates had been endorsed by the respective Groups: Mr. Vitek (Czech Republic) for the post of Vice-Chairman of Main Committee I; Ms. Majali (Jordan) for the post of Vice-Chairman of Main Committee II; Mr. Rowe (Sierra Leone) for the post of Vice-Chairman of Main Committee III; and Mr. Ibrahim (Egypt) for the post of Vice-Chairman of the Drafting Committee.
4. *Mr. Vitek (Czech Republic) was elected Vice-Chairman of Main Committee I; Ms. Majali (Jordan) was elected Vice-Chairman of Main Committee II; Mr. Rowe (Sierra Leone) was elected Vice-Chairman of Main Committee III; and Mr. Ibrahim (Egypt) was elected Vice-Chairman of the Drafting Committee.*

The meeting rose at 4.25 p.m.

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

30 June 2005

Original: English

Summary record of the 16th meeting

Held at Headquarters, New York, on Tuesday, 17 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

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The meeting was called to order at 10.50 a.m.

General debate (*continued*)

1. **Mr. Al-Anbuki** (Iraq) said that the Iraqi delegation would cooperate in order to achieve consensus on the recommendations and decisions of the Conference. His country was in the process of creating modern institutions that would reflect the aspirations of all Iraqi citizens, whose determination to build a democratic, pluralistic country at peace with itself, its neighbours and the world on the basis of mutual respect, common interests, non-intervention in domestic matters and rejection of violence and terrorism had been evident in the general elections held on 30 January 2005. Iraq would spare no effort to exert its influence through its deep and diverse cultural heritage, which had contributed much to human civilization. Although the past three decades had been painful, it was now possible to look forward to a secure future in which the region was rid completely of weapons of mass destruction.

2. In conformity with article 27 (e) of the Administration for the State of Iraq Act of 8 March 2004, senior Iraqi officials were convinced of the need for universal accession to and compliance with the international conventions and treaties on the eradication of weapons of mass destruction Iraq would accede to and respect conventions and treaties on disarmament and non-proliferation, support international initiatives such as the Proliferation Security Initiative and work to promulgate laws and legislation that could achieve that purpose.

3. He welcomed the adoption of Security Council resolution 1540 (2004) and the establishment of the 1540 Committee, to which his country had submitted a national report pursuant to paragraph 4 of the same resolution. An Iraqi institution to ban weapons programmes proliferation and an Iraqi centre for science and industry had been established, both of which worked with experts and scholars previously engaged in restricted programmes.

4. Efforts that would ensure the effectiveness of the treaties and conventions on disarmament and non-proliferation were needed. Cooperation was a duty in order to prevent the evident threat posed to collective security by terrorist networks from becoming a reality.

5. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) formed the cornerstone of the global non-proliferation system and had been acceded to by numerous States. The review conferences had strengthened and expanded global acceptance of the Treaty and enabled it to keep abreast of international change. The Arab States had all rejected the nuclear option and acceded to the Treaty, convinced that it could contribute to regional security through the establishment of a zone free from weapons of mass destruction and, in particular, nuclear weapons. However, the refusal of Israel to accede to the Treaty called into question its universal nature. A mechanism for implementation of the resolution adopted by the 1995 Review and Extension Conference on the establishment in the Middle East of a zone free from nuclear and other weapons of mass destruction was needed and would unite the efforts that had been made by the League of Arab States since 1994.

6. It had been made clear in the report prepared by the High-level Panel on Threats, Challenges and Change (A/59/565) that nuclear, radiological, chemical and biological weapons would pose a significant threat to the entire world in coming decades and that it was important to implement the 13 practical steps towards nuclear disarmament committed to by nuclear-weapon States in 2000.

7. **Mr. Smith** (Australia), speaking on behalf of the Group of 10 (G-10), which also included Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden, introduced the working paper on article V, article VI and preambular paragraphs 8 to 12 of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) (NPT/CONF.2005/WP.9) and suggested that it should be submitted to Main Committees I and III.

8. **Mr. Husain** (Malaysia), speaking on behalf of the Group of Non-Aligned States parties to the NPT, introduced four working papers: the first dealt with procedural and other arrangements for the effective and successful outcome of the current Conference (NPT/CONF.2005/WP.17); and the second, third and fourth concerned substantive issues to be considered by Main Committee I (NPT/CONF.2005/WP.18), Main Committee II (NPT/CONF.2005/WP.19) and Main Committee III (NPT/CONF.2005/WP.20) respectively. He drew attention also to the Group's omnibus working paper (NPT/CONF.2005/WP.8), which had been introduced at the 2nd meeting, on 2 May 2005.

9. The five working papers submitted by the Group represented a comprehensive outline of its positions on various questions pertaining to the operation and functioning of the NPT. They also contained recommendations for consideration by States parties to the Treaty which would help to strengthen the review process and the full implementation of the provisions of the Treaty, taking into account the decisions and resolution adopted during the 1995 Review Conference as well as the Final Document of the 2000 Review Conference.

10. **Mr. Mine** (Japan) introduced a working paper, submitted by his delegation, proposing further measures for strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2005/WP.21). Other such measures, proposed jointly by the NPT, Japan and Australia, which covered issues for submission to Main Committee I, were to be found in document NPT/CONF.2005/WP.34.

11. Progress must be made on each of the three pillars of the NPT, namely nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy, in order to strengthen the credibility and functioning of the NPT regime. Working papers Nos. 21 and 34 put forward specific wording on those three aspects of the Treaty. His delegation hoped that the working papers would help the Conference to issue robust and clear messages that would enable the NPT regime to be further consolidated.

12. Speaking also on behalf of Egypt, Hungary, Mexico, New Zealand, Peru, Poland and Sweden, he introduced a working paper on disarmament and non-proliferation education (NPT/CONF.2005/PC.III/WP.17), which built on earlier working papers submitted by the foregoing countries on the same subject. Such education played an invaluable role in the international community's efforts to implement its obligations under the NPT and ensured that Governments, diplomats and international institutions remained accountable for their actions in that regard. It also assisted in increasing awareness of the ever-present dangers of nuclear weapons and in creating a deeper understanding of the NPT regime as a whole. A steadfast approach was needed to tackle current challenges, and disarmament and non-proliferation education provided the necessary impetus to move the international community's efforts forward.

13. His delegation particularly welcomed the valuable input from the NGO community during the current Conference. The efforts of NGOs played an essential role in the promotion of disarmament and non-proliferation. Working paper No. 17 of the Preparatory Committee was aimed at encouraging Governments, international organizations, regional organizations, civil society, academic organizations and the media to promote implementation of the recommendations contained in United Nations studies on disarmament and non-proliferation education and to take specific steps towards that end. It contained a series of concise and practical recommendations to further the aims of the NPT.

14. His delegation welcomed the strong support expressed by Argentina, Canada and Kyrgyzstan for the working paper, which called on States to voluntarily share information during the Review Conference on efforts they had been making in the area of disarmament and non-proliferation, and in particular to implement the recommendations in the United Nations study on disarmament and non-proliferation education (A/57/124).

15. **Mr. Rock** (Canada) introduced the working paper in document NPT/CONF.2005/WP.38.

16. **Mr. Kayser** (Luxembourg), speaking on behalf of the European Union and the acceding countries Bulgaria and Romania, said that the European Union was concerned that time was running out for the consideration of substantive issues. It remained committed to a substantive outcome of the Conference and appealed to all delegations to deal expeditiously with the procedural issues that remained outstanding.

17. He introduced the working paper in document NPT/CONF.2005/WP.32, entitled "Withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons", which he was submitting on behalf of the European Union.

18. **Mr. Bafidi Nejad** (Islamic Republic of Iran), speaking on a point of order, said it had been the understanding of his delegation that the list of speakers for the current meeting was limited to the representatives of Iraq and Australia. While the working papers being introduced were very interesting, it appeared that the meeting was becoming an extension of the general debate, which was no substitute for real negotiation on the substantive issues before the Review Conference.

19. **The President** said that, at the previous meeting, he had invited any delegation that wished to do so to introduce a working paper in the plenary meeting.

20. **Mr. Fathallah** (Egypt) introduced the working paper submitted by his delegation (NPT/CONF.2005/WP.36) on the implementation of the 1995 resolution and 2000 outcome on the Middle East, which addressed the question of the establishment of a nuclear-weapon-free zone in the Middle East.

21. **Mr. Hu Xiaodi** (China) introduced document NPT/CONF.2005/WP.2, entitled “Nuclear disarmament and reduction of the danger of nuclear war”, for incorporation in the report of Main Committee I; document NPT/CONF.2005/WP.3, entitled “Non-proliferation of nuclear weapons”, for incorporation in the report of Main Committee II; and document NPT/CONF.2005/WP.6, entitled “Peaceful Uses of Nuclear Energy”, for incorporation in the report of Main Committee III.

The meeting rose at 11.45 a.m.

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

15 June 2005

Original: English

Summary record of the 17th meeting

Held at Headquarters, New York, on Wednesday, 18 May 2005, at 10.30 a.m.

President: Mr. de Queiroz Duarte (Brazil)
later: Mr. Býlica (Vice-President) (Poland)
later: Mr. de Queiroz Duarte (Brazil)

Contents

General debate (*continued*)

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The meeting was called to order at 10.50 a.m.

General debate (*continued*)

1. **Mr. Paulsen** (Norway), introducing document NPT/CONF.2005/WP.23 entitled “NPT — a dynamic instrument and core pillar of international security”, said that article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was an essential part of the NPT bargain. Disarmament was an effective non-proliferation strategy and necessary for the NPT to function well. The States parties to the NPT must therefore build on the achievements of the earlier Review Conferences.

2. The nuclear-weapon States must reduce their nuclear arsenals irreversibly and diminish the role played by such weapons in their security and defence policies. His delegation called for the full implementation and gradual codification of the presidential nuclear initiatives of 1991 and 1992. Nuclear disarmament involved more than a mere reduction in the number of nuclear weapons, however. States must also curb the development of new types of nuclear weapons as provided for by the Comprehensive Nuclear-Test-Ban Treaty (CTBT). His Government would like to see the entry into force of the CTBT as soon as possible and urged all countries, particularly those declared nuclear-capable, to ratify the Treaty as soon as possible.

3. A fissile material cut-off treaty banning future production of fissile materials for weapons purposes would have a positive effect on non-proliferation and disarmament efforts. For such a treaty to be effective in promoting disarmament, it must also address the question of existing stocks. Meanwhile, his delegation urged all nuclear-weapon States to place their fissile material under the verification regime of the International Atomic Energy Agency (IAEA).

4. Norway urged the three countries which remained outside the NPT to join the Treaty as non-nuclear-weapon States and reiterated its support for the establishment of a nuclear-weapon-free zone in the Middle East. In addition, his Government advocated increased transparency in the implementation of disarmament commitments through regular reporting.

5. There were justified concerns about the nuclear programme of Iran. In view of its long record of concealment and disinformation, there was a heavy

burden on Iran to demonstrate that its nuclear programme was peaceful. Norway supported the ongoing negotiations between Iran and the European Union and called on Iran to implement all relevant resolutions adopted by the IAEA Board of Governors.

6. With respect to the application of sensitive materials in civilian nuclear programmes, the continued use of highly enriched uranium was particularly worrisome. Such uranium was the material of choice for terrorists. Current efforts to reduce the risk of terrorists’ obtaining such material were inadequate. Every effort must be made to eliminate all uses of highly enriched uranium in civilian nuclear programmes. Equally important was the need for more secure management of existing stocks of fissile materials. While the perceived threat of nuclear terrorism had risen considerably, partnership programmes against the spread of weapons of mass destruction had not grown accordingly. The international community must seek far more adequate means to avert such a threat.

7. It was essential that all Member States should implement Security Council resolution 1540 (2004), including the three countries that had chosen not to join the NPT. His delegation firmly supported that resolution and welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. His Government also welcomed the adoption of relevant IAEA instruments and Code of Conduct on the Safety and Security of Radioactive Sources and the conference to strengthen the Convention on the Physical Protection of Nuclear Material. Furthermore, it urged all countries to provide financial resources to the IAEA Nuclear Security Fund.

8. Lastly, his delegation noted with appreciation the working papers on the subject of withdrawal from the NPT, which was an important element of the paper submitted by Norway. The present Conference should identify the appropriate disincentives to be applied in future in the event that a State party indicated its intent to withdraw from the Treaty.

9. **Mr. Hu Xiaodi** (China) introduced document NPT/CONF.2005/WP.7 entitled “Security assurances”, for incorporation in the report of Main Committee I; document NPT/CONF.2005/WP.4 entitled “Nuclear-weapon-free zone”, for incorporation in the report of Main Committee II; and document NPT/CONF.2005/WP.5 entitled “Nuclear issues in the Middle East”, for incorporation in the report of Main Committee II.

10. **Mr. Gala López** (Cuba), noting that his delegation had submitted its national report on the implementation of article VI of the NPT, introduced document NPT/CONF.2005/WP.26 entitled “Proliferation Security Initiative: legal consequences from the standpoint of international law”, which included remarks on Security Council resolution 1540 (2004) and put forward Cuba’s position on the way in which the issue of terrorism and weapons of mass destruction should be addressed. Some parts of the Initiative violated basic principles of international law, such as the prohibition against interference in the internal affairs of States and against the threat or use of force against the territorial integrity of States, as well as the provisions of the United Nations Convention on the Law of the Sea. Furthermore, the Initiative undermined multilateralism and international cooperation in the area of disarmament, arms control and non-proliferation under existing international treaties and within the mandates of the relevant international organizations.

11. He also introduced document NPT/CONF.2005/WP.24 entitled “Transparency, verification and irreversibility: essential principles in the process of nuclear disarmament”. He said that those principles should be incorporated in the framework of any agreement or action to reduce or eliminate any category of nuclear weapons, including with respect to non-strategic nuclear weapons and launching systems. The nuclear-weapon States had an obligation, pursuant to the provisions of the Treaty and jointly with the other States parties, to hold negotiations on nuclear disarmament in accordance with those principles.

12. Lastly, he introduced document NPT/CONF.2005/WP.25 entitled “Peaceful uses of nuclear energy”. Pursuant to article IV of the NPT, the unilateral restrictions put in place by some States parties to the Treaty, in most cases for political reasons, which impeded other States parties’ peaceful uses of nuclear energy were a violation of the Treaty and should cease. Equally unacceptable was the existence of export-control regimes which relied on selective and discriminatory criteria and which, in practice, seriously hampered the inalienable right of all States to use for peaceful purposes the various nuclear-related resources and technologies available, violated the spirit and letter of the NPT and constituted an obstacle for IAEA to discharge its mandate fully and effectively.

13. **Mr. Al-Nisf** (Qatar), speaking on behalf of the States members of the League of Arab States, introduced the working paper contained in document NPT/CONF.2005/WP.40 on the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference.

14. **Mr. Caughley** (New Zealand), speaking also on behalf of Brazil, Egypt, Ireland, Mexico, South Africa and Sweden (the seven members of the New Agenda Coalition), introduced the working paper in document NPT/CONF.2005/WP.27 on nuclear disarmament. The Principles and Objectives for Nuclear Non-Proliferation and Disarmament agreed on in 1995, the advisory opinion of the International Court of Justice of 1996 and the Final Document of the 2000 Review Conference (NPT/CONF.2000/28) formed the basis of the international community’s expectations that the nuclear-weapon States would make meaningful progress towards nuclear disarmament. His purpose today was to outline the New Agenda Coalition’s proposals for taking forward such action on nuclear disarmament.

15. The New Agenda called on India, Pakistan and Israel to accede to the Treaty as non-nuclear-weapon States and reverse all policies pursuing nuclear weapons development or deployment. The ban on nuclear testing was another fundamental component. Despite the international community’s frustration concerning the status of the CTBT, the determination of States to see it enter into force had been demonstrated by their efforts to build an unprecedented network of monitoring stations, laboratories and the International Data Centre in Vienna, which, once completed, would be able to detect nuclear explosions anywhere. In the meantime, he called on all States to respect the moratorium on nuclear testing and on those States that had not yet done so to follow France’s example and close their nuclear testing sites. He also called on the United States to reconsider its approach to the CTBT and on China to bring forward its ratification process.

16. The Conference on Disarmament must continue to serve as the negotiating forum for disarmament and non-proliferation treaties. Given the numerous efforts to break the deadlock, the increasing impatience of most of its members and current threats to security, its continued inaction was unsustainable. While many States regarded the negotiation of a treaty banning the production of fissile material for non-peaceful uses as

the next logical step for the Conference on Disarmament, he believed that there was still insufficient political will to drive the issue forward, something which was all the more difficult to understand given concerns regarding non-State actors gaining access to fissile material. Recent policy shifts that contested the proposal for a verifiable treaty on the matter overlooked the considerable knowledge and experience acquired in developing the verification regime for the IAEA safeguards system. He called on those nuclear-weapon States that had not yet done so to follow France's example and close down their fissile material production facilities, and on China to follow the example of other nuclear-weapon States and declare a moratorium on fissile material production. The New Agenda had repeatedly called for the Conference on Disarmament to address nuclear disarmament and remained flexible as to the nature of discussions and the end result. Its flexibility had not, however, been reciprocated.

17. The starting point for changing the perception that nuclear weapons equalled security and political power was to address the central role of nuclear weapons in the military doctrines of nuclear-weapon States. By amending their strategic doctrines and abandoning plans to develop new types of nuclear weapons, such States would make a significant contribution to the principle of irreversibility and signal their intent on moving towards nuclear disarmament. Referring to the call in the Final Document of the 2000 Conference for concrete agreed measures to further reduce the operational status of nuclear-weapon systems, he welcomed the Moscow Treaty, which was an encouraging step towards that goal and diminished the risk that those nuclear weapons could be used. Concrete measures could include confidence-building measures for de-alerting, removing nuclear warheads from delivery vehicles and withdrawing nuclear forces from active deployment.

18. The Moscow Treaty needed to be supplemented with provisions on irreversibility, transparency and verification, the key principles agreed at the 2000 Conference, with a view to the complete elimination of nuclear weapons. For the purposes of verification — which was essential if non-nuclear-weapon States were to be assured that nuclear weapons had actually been destroyed — it would be appropriate to extend the verification provisions of the Start I Treaty beyond 2009. Reductions in nuclear weapons, though

significant, fell short of the New Agenda's expectations. For there to be real momentum towards fulfilling article VI obligations, the nuclear-weapon States must continue to strive towards eliminating their nuclear arsenals. The New Agenda remained deeply concerned that the Russian Federation continued to contemplate the use of non-strategic weapons as a possible defence against conventional weapons. Such weapons were particularly dangerous, as they were likely to be deployed away from central control and were therefore less secure. The removal of non-strategic weapons would represent significant savings in terms of security and storage costs, constitute a valuable contribution to nuclear disarmament and improve regional and international security.

19. Full acknowledgement of purported progress in nuclear disarmament required greater transparency. A first step would be regular submission of article VI reports, as agreed at the 2000 Conference. While full transparency might not be achievable, enhanced transparency could be developed collectively or within the NPT framework. He welcomed the working papers submitted by the United Kingdom on the subject of verification of nuclear disarmament and would welcome similar information from other nuclear-weapon States. The commitment made in 1995 for further steps on security assurances, including an internationally legally binding instrument, remained unfulfilled.

20. Referring to the various proposals on negative security assurances — including those contained in a New Agenda working paper (NPT/CONF.2005/PC.II/WP.11) and General Assembly resolution 58/51 entitled "Towards a nuclear-weapon-free world: a new agenda" — he said that the New Agenda's goal was to ensure that the issue was taken forward in line with the collective commitments made in 1995. The recommendations before the Conference were intended to engage States in negotiation, in an effort to make real progress towards nuclear disarmament and fulfil the NPT objectives.

21. **Mr. Park In-kook** (Republic of Korea) introduced the working paper contained in document NPT/CONF.2005/WP.42, entitled "Views on substantive issues of the 2005 Review Conference". He hoped that the working paper would encourage fruitful discussion and help the States parties to have a better understanding of his Government's views on substantive issues.

22. **Ms. Bridge** (New Zealand), speaking also on behalf of Australia, introduced the working paper contained in document NPT/CONF.2005/WP.16 on article X (NPT withdrawal). The implications of the withdrawal of any party from the Treaty could be extremely serious. The Treaty strictly limited the circumstances in which withdrawal was possible, but the implications were so grave that Australia and New Zealand believed that some common understandings should be reached on a prompt and appropriate international response in the case of any further withdrawals. They were not suggesting any amendment to article X, but they were suggesting that the parties should not be able to evade their obligations and commitments under the Treaty simply by withdrawing from it.

23. Their proposal was that, first, any State withdrawing from the Treaty should remain accountable for any breach of its obligations while still a party. Second, immediate steps to be taken following an announcement of withdrawal should include automatic referral to the Security Council and calling an extraordinary meeting of States parties to the Treaty. Third, there should be agreed consequences of withdrawal, whereby nuclear equipment, technology or material acquired for peaceful uses should remain subject to Treaty obligations.

24. There were similarities in the working paper on the subject submitted by the European Union, but one difference in the approaches was the role of the depositary States in the event of notice of withdrawal. Her delegation welcomed a free and interactive exchange of views on that critically important issue.

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

26. **Mr. Meyer** (Canada) introduced the working paper contained in document NPT/CONF.2005/WP.39 on achieving permanence with accountability. Most participants in the preparatory committee sessions leading up to the Review Conference had been dissatisfied with the lack of results and the inability of the committee to take decisions in its own right. Canada therefore saw the need for an annual Conference of States Parties to meet between Review Conferences and for the establishment of a standing bureau of the Conference with a mandate extending until the subsequent Review Conference. The working paper also addressed ways to enhance the participation

of civil society, which was a vital partner in the NPT regime.

27. **Mr. Wilke** (Netherlands), speaking also on behalf of Belgium, Norway, Lithuania, Spain, Poland and Turkey, introduced the working paper contained in document NPT/CONF.2005/WP.35. The working paper offered building blocks that sought to cover middle-ground positions on the topics of preservation of the integrity of the Treaty, safeguards and verification, accountability and transparency, fissile material, peaceful uses, the CTBT, negative security assurances, non-strategic nuclear weapons and nuclear disarmament.

The meeting rose at 12.10 p.m.

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

14 June 2005

Original: English

Summary record of the 18th meeting

Held at Headquarters, New York, on Wednesday, 18 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

Introduction of working papers (*continued*)

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

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The meeting was called to order at 3.20 p.m.

Introduction of working papers

(continued) (NPT/CONF.2005/WP.10, WP.11, WP.13 and WP.37)

1. **The President** invited States parties to introduce their working papers.
2. **Ms. Göstl** (Austria), speaking also on behalf of Australia, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden, introduced working paper NPT/CONF.2005/WP.13, entitled “Physical protection and illicit trafficking”, for submission to Main Committee II.
3. **Mr. Kop** (Netherlands), speaking also on behalf of Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden, introduced working paper NPT/CONF.2005/WP.11, entitled “Cooperation in the peaceful uses of nuclear energy”, for submission to Main Committee III.
4. **Mr. Casterton** (Canada), speaking also on behalf of Australia, Austria, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden, introduced working paper NPT/CONF.2005/WP.10, entitled “Compliance and verification”, for submission to Main Committee II.
5. **Mr. Kayser** (Luxembourg) introduced working paper NPT/CONF.2005/WP.37, entitled “Cooperative Threat Reduction-Global Partnership Initiative”, on behalf of the European Union, the acceding countries Bulgaria and Romania, and the candidate countries Croatia and Turkey.

The meeting rose at 3.45 p.m.

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

14 June 2005

Original: English

Summary record of the 19th meeting

Held at Headquarters, New York, on Wednesday, 18 May 2005, at 5.15 p.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

Organization of work

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 5.30 p.m.

Organization of work

*Allocation of items to the Main
Committees of the Conference
(NPT/CONF.2005/CRP.3)*

*Draft decision on subsidiary bodies
(NPT/CONF.2005/CRP.4)*

Chairmanship of subsidiary bodies

1. **The President** suggested that conference room papers NPT/CONF.2005/CRP.3, entitled “Allocation of items to the Main Committees of the Conference”, and NPT/CONF.2005/CRP.4, entitled “Draft decision on subsidiary bodies”, should be adopted as official documents of the Conference.

2. *It was so decided.*

3. **The President** read out the following statement:

“It is understood that each of the three Main Committees will allocate within themselves time to their subsidiary bodies in a balanced manner based on the proportional ratio applied in the last Review Conference.”

He suggested that the statement should be adopted by the Conference.

4. *It was so decided.*

5. **The President** suggested the following distribution of chairmanships for the subsidiary bodies established under the Main Committees of the Conference: Main Committee I would be chaired by the New Agenda Coalition, Main Committee II by the Western European and Other Group, and Main Committee III by the Non-Aligned Movement.

6. *It was so decided.*

The meeting rose at 5.40 p.m.

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

14 June 2005

Original: English

Summary record of the 20th meeting

Held at Headquarters, New York, on Thursday, 26 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

- Credentials of representatives
- (b) Report of the Credentials Committee
- Organization of work
- General debate (*continued*)

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.30 a.m.

Credentials of representatives

(b) Report of the Credentials Committee (NPT/CONF.2005/CC/L.1)

1. **Mr. Piperkov** (Bulgaria), speaking as Vice-Chairman of the Credentials Committee, introduced the interim report of the Credentials Committee (NPT/CONF.2005/CC/L.1), which contained information on the status of credentials received as of 23 May. The Committee had met three times to examine the credentials of representatives participating in the Conference. On the basis of the information received from the Secretary-General of the Conference, the Committee had decided to accept the credentials of 149 States parties participating in the Conference, on the understanding that those delegations which had not presented their credentials in the form required by rule 2 of the rules of procedure would do so as soon as possible. The Committee would continue to review the receipt of credentials and was tentatively scheduled to meet later that day to update itself on the situation.

Organization of work

2. **The President** said that, as he had already informed participants at the 1st meeting of the General Committee, four intergovernmental organizations — namely, the League of Arab States, the Organization of the Islamic Conference, the Organization for the Prohibition of Chemical Weapons and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization — had requested permission to address the Conference. Since some representatives of intergovernmental organizations had already left New York, he wondered whether the Conference wished to deal with the issue in accordance with the last sentence of rule 44, paragraph 3, of the rules of procedure and invite the observer agencies to submit their views in writing, which would then be circulated as conference documents.

3. *It was so decided.*

General debate (continued)

4. **Mr. Yoshiki Mine** (Japan), presenting an urgent appeal by Mr. Nobutaka Machimura, Minister for Foreign Affairs of Japan, said that, given the serious challenges currently facing the nuclear non-

proliferation regime, it was an urgent task of States parties to maintain and strengthen the authority and credibility of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). To that end, on the very first day of the current Conference, the Minister had delivered his statement expressing Japan's strong hope that the Conference would issue a robust message enabling the NPT regime to be further consolidated. The time remaining was limited and the task ahead tremendous. Each State party shared a responsibility to make the Conference a success. With creative and cooperative efforts, a consensus document was still achievable. Japan would not spare any efforts to that end.

5. **Mr. Kayser** (Luxembourg) said that the Ministers for Foreign Affairs of the States members of the European Union had given his delegation the same mandate to work towards achieving consensus at the end of the Conference. The European Union was therefore completely in line with Japan in that regard.

6. **The President** said that all parties had worked diligently throughout the Conference and would continue to do so in the last remaining hours with a view to achieving consensus.

7. **Mr. Fathala** (Egypt), speaking as coordinator of the Arab Group within the Movement of Non-Aligned Countries, said that he fully endorsed the statements made by the representatives of Japan and the European Union and was willing to cooperate with a view to achieving consensus at the end of the Conference.

The meeting rose at 10.45 a.m.

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

19 July 2005

Original: English

Summary record of the 21st meeting

Held at Headquarters, New York, on Friday, 27 May 2005, at 10 a.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

- Organization of work
- Report of the Credentials Committee (*continued*)
- Reports of the Main Committees (*continued*)
- Consideration and adoption of Final Document(s)

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The meeting was called to order at 10.45 a.m.

Organization of work

1. **The President**, referring to rule 44, paragraph 3, of the rules of procedure, said that a request for observer status had been received from the European Commission. He took it that the Conference wished to accede to that request.

2. *It was so decided.*

Report of the Credentials Committee

(continued) (NPT/CONF.2005/CC/1)

3. **Mr. Piperkov** (Bulgaria), speaking as Vice-Chairman of the Credentials Committee, introduced the final report of the Credentials Committee (NPT/CONF.2005/CC/1), which indicated that 90 States parties had submitted formal credentials in due form, 32 had submitted provisional credentials in the form of telefax copy from their Head of State or Government or Minister for Foreign Affairs, and 28 had communicated the designation of representatives by notes verbales or letters from their Permanent Mission in New York. Since the preparation of the report, formal credentials had been received from Finland, Guatemala and Ukraine, and an addendum would be issued to that effect. The Committee had decided to accept the credentials of all States parties participating in the Conference on the understanding that original credentials in the form required by rule 2 of the rules of procedure would be forwarded to the Secretary-General of the Conference as soon as possible.

4. **The President** said he took it that the Conference wished to take note of the report of the Credentials Committee.

5. *It was so decided.*

Reports of the Main Committees

(continued)

Report of Main Committee I

6. **Mr. Parnohadiningrat** (Indonesia), speaking as Chairman of Main Committee I, introduced the report of that Committee (NPT/CONF.2005/MC.I/1). Main Committee I had held six formal meetings and a number of informal meetings between 19 and 25 May 2005. After an initial general exchange of views on the

agenda items allocated to it, it had considered various proposals. Its subsidiary body, established by the Conference and chaired by Ambassador Caughley (New Zealand), had focused on nuclear disarmament and security assurances. The Committee had discussed various issues within its mandate but had been hindered in its progress by time constraints. States parties had submitted documents and proposals reflecting the entire spectrum of the Committee's work, and delegations had made themselves available for numerous informal meetings in addition to their attendance of formal meetings. As stated in paragraph 9 of the report, the Committee had been unable to reach a consensus on the text of the Chairman's Working Paper of Main Committee I (NPT/CONF.2005/MC.I/CRP.3) and the Working Paper of the Chairman of Subsidiary Body 1 (NPT/CONF.2005/MC.I/SB/CRP.4), as they did not reflect fully the views of all States parties. Nevertheless, the Committee had agreed to annex the papers to the report.

7. **The President** said he took it that the Conference wished to take note of the report of Main Committee I.

8. *It was so decided.*

Report of Main Committee II

9. **Mr. Molnár** (Hungary), speaking as Chairman of Main Committee II, introduced the report of that Committee (NPT/CONF.2005/MC.II/1). As stated in the report, between 19 and 24 May 2005, there had been three plenary meetings of the Committee, two meetings of its subsidiary body and one meeting proportionally shared between the two. At its meeting of 24 May 2005 (NPT/CONF.2005/MC.II/SR.4), the Committee had taken note of the oral report of the Chairman of the subsidiary body. He noted that the last sentence of paragraph 7 of the report should be amended as follows: "The Committee took note of his oral report." At the same meeting, he had made a statement to the effect that the Committee had not reached consensus on attaching the Chairman's draft (NPT/CONF.2005/MC.II/CRP.3) to its final report and forwarding it to the Conference for further consideration. The Committee had taken note of the Chairman's statement and agreed to adopt its final report.

10. **The President** said he took it that the Conference wished to take note of the report of Main Committee II, as orally revised.

11. *It was so decided.*

Report of Main Committee III

12. **Ms. Borsiin Bonnier** (Sweden), speaking as Chairman of Main Committee III, introduced the report of that Committee (NPT/CONF.2005/MC.III/1). Main Committee III had focused on articles III(3) and IV of the Treaty, while its subsidiary body, chaired by Ambassador Labbe (Chile), had focused on articles IX and X. Although both the Committee and its subsidiary body had worked in a spirit of consensus until the end, no consensus had been reached on the substantive parts of the draft report of Main Committee III (NPT/CONF.2005/MC.III/CRP.4). Consequently, the report now before the Conference was primarily technical in nature.

13. **The President** said he took it that the Conference wished to take note of the report of Main Committee III.

14. *It was so decided.*

Consideration and adoption of Final Document(s) (NPT/CONF.2005/DC/1)

15. **Mr. Costea** (Romania), speaking as Chairman of the Drafting Committee, reported orally on the work of that Committee. In accordance with rule 36 of the rules of procedure, the Conference had established a Drafting Committee composed of representatives of the States represented in the General Committee. Also in accordance with that rule, members of other delegations had participated in its deliberations. Mr. Ibrahim (Egypt) and Mr. Paulsen (Norway) had served as Vice-Chairmen. The draft final document contained in NPT/CONF.2005/DC/CRP.1 had been submitted to the Committee. In its one formal meeting on 25 May 2005 and in open-ended informal consultations under the guidance of the Conference President, the Committee had considered and agreed to recommend to the Conference for adoption the draft Final Document of the 2005 Review Conference (NPT/CONF.2005/DC/1).

16. **The President** said he took it that the Conference wished to take note of the oral report of the Drafting Committee.

17. *It was so decided.*

18. **The President** said he took it that the Conference wished to adopt the draft Final Document section by section.

19. *It was so decided.*

20. *The section entitled "Introduction" was adopted.*

21. *The section entitled "Organization of the Conference" was adopted.*

22. *The section entitled "Participation in the Conference" was adopted.*

23. **The President** said that the section entitled "Financial arrangements" would be deferred until the afternoon pending finalization of the schedule of division of costs contained in NPT/CONF.2005/51.

24. *The section entitled "Work of the Conference" was adopted.*

25. *The section entitled "Documentation" was adopted.*

26. *The section entitled "Conclusions and recommendations of the Conference" was adopted.*

27. **The President** said it was regrettable that the Conference had been unable to reach consensus in either the Main Committees or their subsidiary bodies and, therefore, to make any recommendations. The document currently under consideration would become part I of the Final Document, while part II would contain documents issued at the Conference and part III would contain summary records of the public meetings of the Conference and its Main Committees and a list of participants. As requested by the representative of France, the adoption of the Final Document as a whole would be deferred until the afternoon when it would be available in all the official languages.

28. **Mr. Meyer** (Canada) noted that, at the beginning of the current Conference, the Secretary-General of the United Nations had warned against complacency and had reminded participants of the ever-present danger of a nuclear-weapon explosion despite the great security benefits that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had bestowed for more than 35 years. Regrettably, the Conference had not risen to the Secretary-General's call. The pursuit of short-term, parochial interests had overridden the collective long-term interest in sustaining the Treaty's authority and integrity, precious time had been squandered by

procedural brinkmanship, more than one State had displayed intransigence on pressing issues, with the priorities of the many being subordinated to the preferences of a few. A delinquent State's refusal to be held accountable by its peers and a State's defection without sanction had weakened the NPT community. The Conference had been hampered by a lack of will to break with the status quo and adopt new ways of conducting business. The Review Conference must not be reduced to a theatre in which delegations played at nuclear non-proliferation.

29. If there was a silver lining in the otherwise dark cloud of the Conference's failure, it lay in the hope that leaders and citizens would mobilize for prompt remedial action. In that regard, it was important to realize that if the Treaty's authority was to be sustained the disarmament and non-proliferation challenges facing the world in other forums needed to be tackled urgently.

30. NPT States parties must honour their political commitments. To deny or denigrate past agreements was to undermine political commitments made in implementation of the Treaty and to cast doubt upon their credibility. If Governments simply ignored or discarded commitments whenever they proved inconvenient, they would never be able to build an edifice of international cooperation and confidence in the security realm.

31. With regard to nuclear disarmament, reactivation of multilateral activity was a key priority. The impasse at the Conference on Disarmament needed to be overcome immediately so that crucial NPT-related issues, such as the proposed fissile material cut-off treaty (FMCT), could be advanced. If that proved impossible, consideration would need to be given to taking forward some of its work in other multilateral institutions. His Government would also be consulting with other concerned States in preparation for the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty in September 2005, to ensure that it was fully activated.

32. In the realm of nuclear non-proliferation, his Government would: consistently promote adoption of the International Atomic Energy Agency (IAEA) Comprehensive Safeguards Agreement and Additional Protocol as the safeguards standard under the NPT and as a condition of supply; lend practical support to strengthening national export controls, especially on

proliferation-sensitive technologies, and to international cooperation in that regard, thereby encouraging legitimate nuclear trade and putting an end to clandestine supply networks; and support the development of new multilateral nuclear fuel cycle initiatives that addressed non-proliferation concerns while reinforcing the benefits to all States of the peaceful use of nuclear energy.

33. His Government would work with like-minded partners from all regions to overcome the problems facing the NPT and hoped that other States parties would be similarly motivated by the disappointing showing of the Conference and join in a collective effort to avoid the apocalyptic fate ever latent in the nuclear threat. His Government was not prepared to stand idly by while the crucial pillars of the NPT were undermined. To that end, an authoritative meeting on the NPT should be held for at least one week each year to enable States parties to discuss matters more frequently. The issues that had divided the Conference would need to be addressed by political leaders. The United Nations summit to be held in September 2005 would provide a good opportunity in that regard. Solutions to the problems of disarmament and non-proliferation already existed; all that was needed was the political will to implement them. It was important to look ahead to what could and must be accomplished.

34. **Mr. Mine** (Japan) said that the States parties should take the extremely regrettable outcome of the Conference seriously and renew their determination to explore ways of strengthening the credibility and authority of the NPT regime. That said, the Conference had not been entirely unsuccessful. High-level delegates from many States parties had come together to exchange views on the challenges facing the NPT, with a large number of States parties taking the view that the nuclear issue in the Democratic People's Republic of Korea posed a serious threat to the international community. The NPT regime, now more than ever, was of immense importance to international peace and security. Its further universalization and reinforcement was imperative. States parties should therefore redouble their efforts to strengthen the NPT regime so that the lack of a consensual final document would not erode its authority and credibility. The period leading up to the next Review Conference was crucial in that regard.

35. His Government called on the Democratic People's Republic of Korea to dismantle all its nuclear programmes in a permanent, thorough and transparent manner subject to international verification. It would continue to work with other partners to resolve the issue peacefully through the six-party talks. The Islamic Republic of Iran, through its negotiations with France, Germany and the United Kingdom, must also agree to provide sufficient objective guarantees that its nuclear programme was exclusively for peaceful purposes. Japan would continue to work collectively and individually towards the total elimination of nuclear weapons. To that end, his Government would: continue to submit to the General Assembly a draft resolution identifying practical and incremental steps towards the total elimination of nuclear weapons; make every effort to bring about the early entry into force of the CTBT and the immediate commencement of FMCT negotiations; seek to strengthen IAEA safeguards by promoting the universalization of the Additional Protocol and strengthening export controls; continue its efforts with regard to the Asian Senior-Level Talks on Non-Proliferation (ASTOP), which it had hosted twice; promote disarmament and non-proliferation education to gain the understanding and support of young people and civil society as a whole; join collective efforts to prevent nuclear terrorism by promoting full implementation of Security Council resolution 1540 (2004), strengthening the Convention on the Physical Protection of Nuclear Material by amendment and bringing into effect the International Convention for the Suppression of Acts of Nuclear Terrorism; promote the implementation of the 1995 Resolution on the Middle East through dialogue and cooperation with the countries in the region; and work towards further universalization of the NPT, calling on India, Pakistan and Israel to accede to the NPT as non-nuclear-weapon States promptly and without conditions.

36. **Mr. Rastam** (Malaysia), speaking on behalf of the Movement of Non-Aligned Countries, said that the non-aligned States parties had come to the Conference with every hope that a consensus could be reached both on outstanding procedural issues, and on substantive questions regarding the three pillars of the Treaty. In five working papers and various statements, the non-aligned countries had formulated the positions determined at their Thirteenth Summit held in Kuala Lumpur in February 2003. They had stressed the importance of maintaining a balanced approach to the three pillars of the NPT and of non-selective

implementation of the Treaty. They had also called for universal accession to the Treaty. The non-aligned countries had made concessions, offered compromises and worked for consensus. They had reaffirmed their commitment to implementing their obligations under the Treaty and those emanating from the 1995 and 2000 Conferences, and they expected other States parties to do likewise. Those considerations had governed their approach to, inter alia, the agenda, the programme of work and the establishment of subsidiary bodies of the Review Conference. It was regrettable indeed that a consensus could not be reached on the outcome document, owing to States parties' diverging views on fundamental questions.

37. **Mr. Fathalla** (Egypt) expressed regret that the Review Conference had been unable to achieve an agreed outcome that reflected States parties' commitment to strengthening the objectives of the Treaty. In the interest of achieving a consensus, Egypt had maintained from the outset, that the agenda should be a road map for fair, balanced and impartial treatment of all the issues before the Conference. Throughout the Conference, it had stressed the importance of non-selective implementation of the three pillars of the Treaty. It had also called for a just, impartial and comprehensive review of the implementation of the NPT, with special emphasis on universal accession and full implementation by States parties of their obligations under the Treaty, and of the outcomes of the 1995 Review and Extension Conference and the 2000 Review Conference. Such a comprehensive review would include examination of new developments related directly to the implementation of the Treaty. In conclusion, he said that the political will of States parties and an objective approach would be crucial to the success of future review conferences.

38. **Mr. Paranhos** (Brazil) said that his delegation shared the deep sense of frustration felt by many others. The Conference should have reaffirmed the commitments undertaken at previous Conferences and sent a strong message on the central Treaty's central role and States parties' determination to work towards the balanced implementation of its three pillars. Unfortunately, a precious opportunity had been missed, owing to lack of will, inflexibility and selective approaches. The international community should reflect on its collective responsibility to uphold the

NPT regime and take a vigorous multilateral approach to questions related to international peace and security.

39. **Mr. Caughley** (New Zealand) said that, like the representative of Canada, he was reminded of the Secretary-General's warning that visions of a world "in larger freedom" could be put beyond the reach of humankind by a nuclear catastrophe. The circumstances in which the Conference was being held called for collective attention. Unresolved procedural questions, differences over the status of the agreed outcome of previous Conferences and inefficiencies in the preparatory process had held up progress, as had failure to utilize the rules of procedure to facilitate the work of the Conference. His delegation was deeply frustrated by the lack of any practical means of addressing profound proliferation concerns and by the limited return on efforts to build on the 13 practical steps and to accelerate their implementation.

40. Greater progress should have been achieved in determining the implications and consequences of withdrawal from the Treaty. The outcome of the Review Conference must be viewed in the context of the broader malaise and paralysis in multilateral diplomacy. The Treaty would be undermined unless those circumstances were rectified and civil society was allowed to play a greater role in disarmament issues. The lost opportunity at the Conference should serve as a wake-up call to the international community, in particular, regarding the need to make further progress in the Conference on Disarmament.

41. **Mr. Kayser** (Luxembourg) speaking on behalf of the European Union, the acceding countries (Bulgaria and Romania), the candidate countries (Croatia and Turkey), the stabilization and association process countries (Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), and, in addition, the European Free Trade Association country member of the European Economic Area, Norway, said that the common position adopted by the Ministers of Foreign Affairs of the 25 Member States of the European Union could have provided the basis for a consensus. That common position, presented during the Conference, advocated a structured and balanced review of the operation of the NPT, including the implementation of undertakings by the States parties and the identification of areas for achieving further progress in future. The European Union had not only introduced proposals in the three Main Committees but had also submitted working

papers on the issues of withdrawal and the Cooperative Threat Reduction-Global Partnership initiative established by the Group of Eight.

42. The European Union attached particular importance to the three pillars of the Treaty, the situations in the Islamic Republic of Iran and the Democratic People's Republic of Korea and in South Asia and the Middle East, the nuclear-weapon-free zones, the question of withdrawal from the Treaty, security assurances and universalization of the Treaty, all of which deserved considerable attention. It was therefore disappointing that a number of States parties had prevented the substantive proposals before Main Committees II and III from receiving the same treatment as those before Main Committee I, ruling out a balanced reflection of the Treaty's three pillars in the Conference documents. The European Union regretted that, despite its consistently flexible and constructive approach, it had not been possible to resolve procedural issues more quickly or to reach a consensus outcome. Nonetheless, the Conference had managed to hold an in-depth and comprehensive debate and the Main Committees had been able to examine substantive issues on the basis of the working papers before them, including those submitted by the European Union on its common position.

43. The European Union reaffirmed its support for the decisions and resolution adopted at the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference. The Final Document and the programme of work just adopted provided a framework for the preparatory process for the next review conference, in which the European Union would participate with the same sense of responsibility it had always shown. In conclusion, he suggested that the first session of the Preparatory Committee in 2007 should be held in Vienna, to mark the 50th anniversary of IAEA, and that the second and third sessions should be held in New York and Geneva, respectively.

44. **Mr. Streuli** (Switzerland), expressed his delegation's deep disappointment at the meagre results of the Review Conference and, in particular, the stubborn defence of certain national positions. Failure to achieve the obligations under the three pillars of the NPT posed a global threat. Nuclear-weapon and non-nuclear States alike would pay the price for slowness to implement disarmament initiatives: the risk of accidents would increase and the incentives for

proliferation would be greater. The breach of non-proliferation obligations would undermine trust between States and weaken the multilateral system. Proliferation would also impede cooperation for the peaceful uses of nuclear energy and retard development in developing countries. His delegation hoped that the lessons learned from the 2005 experience would motivate States parties to overcome narrow national positions and encourage them to take a global view of the issues. It called for the rapid initiation of negotiations in the Conference on Disarmament on the fissile material cut-off treaty as a first step in that direction.

45. **Ms. Paulsen** (Norway) expressed her delegation's profound disappointment at the lack of a strong substantive outcome. At a time when the integrity of the global arms control regime was being challenged, the international community should have been able to address such issues as non-compliance, defection from the NPT and acquisition of weapons of mass destruction by terrorists. It was regrettable that the overemphasis on procedural issues by certain delegations had delayed and undermined the substantive deliberations of the Conference, precluding genuine negotiations of the final declaration.

46. Her Government remained a strong advocate of multilateralism and hoped that the issues before the Conference would be revisited at the High-level Plenary meeting of the General Assembly in September.

47. **Ms. Sanders** (United States of America) observed that much had changed since the 2000 Review Conference. After committing numerous violations of its international legal obligations, North Korea had summarily withdrawn from the Treaty on the Non-Proliferation of Nuclear Weapons and had declared itself a nuclear-weapon State. Iran's nuclear weapons programme and its violations of its obligations as a member State of IAEA had been exposed and, after having pursued a clandestine nuclear programme in breach of the Treaty, Libya had made the strategic decision to give up its weapons ambitions in 2003. While the illicit A. Q. Khan network, which had been supporting those regimes, had been shut down, the North Korean and Iranian programmes were still in existence and other sources of supply remained open for business. In addition, the possibility of weapons of mass destruction falling into

the hands of terrorists had become the most immediate security challenge facing the world.

48. Within the framework of its National Strategy to Combat Weapons of Mass Destruction, the United States was taking robust and comprehensive measures to counter the threat posed by the acquisition of weapons of mass destruction by dangerous regimes or terrorists. The Proliferation Security Initiative had been launched in May 2003 in order to deter or impede proliferation through the prohibition of certain shipments of weapons of mass destruction. More than 60 countries had indicated their support for that initiative and the United States was working with partner countries to broaden and deepen international cooperation. It was also fully committed to the implementation of Security Council resolution 1540 (2004) and urged States that had not yet done so to make every effort to comply with their relevant reporting requirements.

49. Iran's single-minded pursuit of uranium enrichment capability raised a key question for States parties to the Treaty, since the fact that enrichment and reprocessing equipment and technology provided access to weapons-grade nuclear material clearly added to the danger of weapons proliferation. Consequently, in February 2004, President Bush had suggested that States should take action to close a loophole in the Treaty which permitted States to pursue enrichment and reprocessing activities for peaceful purposes while planning to use that capacity to manufacture nuclear weapons. The Nuclear Suppliers Group and the Group of Eight were currently discussing that proposal and the Director-General of IAEA had convened a panel to study multilateral approaches to the nuclear fuel cycle. The Group of Eight had also launched its own initiative, entitled the Global Partnership against the Spread of Weapons and Materials of Mass Destruction.

50. In order to reinforce the global nuclear non-proliferation regime, the United States had, in 2004, called on all States to press for universal adherence to the IAEA Additional Protocol and for recognition of that instrument as the new enhanced standard for nuclear safeguards and as a criterion for nuclear support. In that connection, the Agency should establish a special committee on safeguards with a view to preparing a comprehensive plan for strengthened safeguards and verification.

51. Article IV of the Treaty acknowledged the benefits of peaceful nuclear cooperation, and the United States fully supported such activities through substantial funding and technical cooperation. However, peaceful nuclear programmes pursued by States parties to the Treaty must conform to the obligations set forth in articles I, II and III. Any right to receive benefits under article IV was also conditional on the fulfilment of the Treaty's non-proliferation obligations.

52. Although the 2005 Review Conference had not been able to reach consensus, it had broken new ground. It had been the first Conference to examine in detail indicators of non-compliance with article II and had also explored the linkages between the right to the peaceful use of nuclear energy and the obligations contained in articles I, II and III. An exchange of views had taken place on how States parties, IAEA and the Security Council should go about holding States accountable for failure to comply with their obligations under the Treaty and, for the first time, the issue of notifications of withdrawal had been seriously discussed.

53. Furthermore, notwithstanding the absence of specific recommendations, there had been serious consideration of, and often broad agreement on, steps to strengthen the implementation of the Treaty. Although efforts to bring to the plenary Conference the discussion of the serious challenges to security and the non-proliferation regime posed by the non-compliance of Iran and North Korea with their obligations had been blocked, records of that discussion remained. Many delegations, including her own, had voiced their support for efforts undertaken by the United Kingdom, France and Germany, supported by the European Union, to reach a diplomatic solution to the Iranian nuclear problem. Such a solution must include the permanent cessation of all enrichment and reprocessing efforts as well as the dismantlement of related equipment and facilities. In addition, States parties had expressed their support for the Six-Party Talks and, in that context, the United States had submitted a proposal that addressed the stated concerns of North Korea and provided for the complete, verifiable and irreversible dismantlement of the latter's nuclear programmes. Lastly, the Conference had addressed the important topic of article IV and her delegation had taken that opportunity to make clear its abiding commitment to fulfil its obligations under that article.

The United States had reduced the role of nuclear weapons in its deterrence strategy and was in the process of cutting its nuclear stockpile almost in half.

54. Her delegation hoped that the important discussions that had taken place at the Conference would continue in other forums and would make a lasting impression on the global non-proliferation regime. Building a political consensus took time and the United States would cooperate with all States parties committed to strengthening the Treaty and the nuclear non-proliferation regime.

55. **Mr. Meric** (Turkey) expressed his great disappointment at the failure of the Conference to produce a substantive outcome. States had missed an opportunity to address the current challenges facing the Treaty and to restore its relevance, and he hoped that that experience would not set a precedent for future review conferences and preparatory meetings. However, despite the negative outcome of the Conference, the Treaty was still a unique and irreplaceable multilateral instrument which should continue to play a vital role. States must continue to support the regime established by the Treaty and make every effort to protect its integrity and credibility.

56. **Mr. Gala López** (Cuba) said that his delegation wished to associate itself with the statement made by the representative of Malaysia on behalf of the Non-Aligned Movement. Cuba attached great importance to the issue of nuclear disarmament and took the view that the only safe and effective method of preventing the proliferation of nuclear and other weapons of mass destruction was to ensure their total elimination. However, non-proliferation was not an end in itself but rather a step towards nuclear disarmament. Questions relating to proliferation should be resolved by political and diplomatic means within the framework of international law, including the Charter of the United Nations. His delegation rejected the selective application of the Treaty, which revolved around the three essential pillars of non-proliferation, disarmament and the peaceful use of nuclear energy.

57. Cuba had participated actively in the work of the Conference and had, in particular, sought the adoption of a final document which reaffirmed and expanded upon the unequivocal commitment of nuclear-weapon States to eliminate all their nuclear arsenals in a transparent, irreversible and verifiable manner. Unfortunately, that had not been possible.

58. The 2005 Review Conference had dedicated a great deal of its allotted meeting time to procedural issues, which had meant that less time had been available for the discussion of substantive issues. Furthermore, discussions on agenda item 16 had been undermined by the decision of the primary nuclear Power to call into question the explicit mention of the outcomes of the 1995 and 2000 Review Conferences, which had been reached by consensus. That situation was a further illustration of the complexity of the modern, unipolar world, which was characterized by unilateralism and the tendency of some to hold up certain selective and discriminatory measures, such as the Proliferation Security Initiative, which contravened the fundamental principles of international law and the Charter of the United Nations, as examples of so-called effective multilateralism.

59. The events of the 2005 Review Conference reflected a regrettable trend observed in similar multilateral forums which had also been influenced by the hegemonic and obstructive attitude of the primary nuclear Power, which had employed a variety of manoeuvres to disguise its lack of political will to move towards general and complete disarmament, in particular nuclear disarmament, under strict international control. In the face of such a situation, it was all the more necessary to preserve multilateralism and to conduct international relations on the basis of strict respect for the principles of international law and the Charter of the United Nations.

60. **Mr. Baali** (Algeria) said that his delegation wished to associate itself with the statement made by the representative of Malaysia on behalf of the Non-Aligned Movement. It was regrettable that, given the numerous threats and challenges facing the Treaty and in spite of the efforts deployed by all participants, the Conference had not lived up to States' expectations. His delegation had taken part in the Conference with an open and constructive spirit and had been guided by its longstanding commitment to the Treaty as the cornerstone of nuclear disarmament and non-proliferation and by the achievements of the 1995 and 2000 Review Conferences. Accordingly, it would have liked to see a more substantive outcome that would have allowed for an effective review of the Treaty and enabled States parties to pursue the cause of nuclear disarmament.

61. Algeria reaffirmed its full commitment to the Treaty and was determined to spare no effort to

preserve its three essential pillars, since the only way to guarantee the authority and credibility of the Treaty was to pursue the full implementation of all its provisions and to ensure its universality. It was hoped that States parties would continue to show the political will necessary to create better conditions for the review process. Nuclear weapons were and would continue to be the most dangerous threat to mankind, and their elimination must therefore remain States' primary objective.

62. **Mr. Antonov** (Russian Federation) said that it might have been possible to reach consensus on a final document had there been sufficient flexibility and resolve on the part of certain delegations. Despite the lack of such consensus, the work accomplished had been useful. Both the statements by participants and the working papers distributed to delegations had shown a wide range of views on ways of meeting the States parties' obligations under the NPT, which was natural given the significant changes that had taken place during the past few years in the area of international security. At the same time, many fundamental points united all parties in support of the Treaty, and, no one had said that the Treaty was obsolete or proposed drafting a new instrument to replace it. On the contrary, everyone had emphasized the importance and value of the Treaty as the basis for the nuclear non-proliferation regime.

63. Of equal importance had been the emphasis placed by all States parties on their commitment to strict observance of their obligations in the areas of non-proliferation, disarmament and cooperation in the peaceful use of nuclear energy. An especially important general conclusion that had emerged from the Conference was that the new challenges recently posed to the nuclear non-proliferation regime must be met on the basis of the NPT. Delegations had also underscored the need to strengthen the IAEA safeguards system, which was important for building confidence in the peaceful uses of nuclear energy and promoting the non-proliferation regime.

64. His Government considered the NPT to be an important element of the international security system. For 35 years, the Treaty had proved effective first and foremost in preventing the proliferation of nuclear weapons. In his greetings to the Conference, President Vladimir Putin had noted that the Russian Federation was fulfilling all its disarmament obligations. The Government was successfully concluding agreements

in that area and was prepared to take further constructive steps.

65. During the past month, the Conference had succeeded in making an objective and balanced analysis of the functions of the Treaty. On that basis, State parties would be able to continue to work together to fulfil the obligations under the NPT and further strengthen the Treaty. His delegation stood ready to take part in such work.

66. **Mr. Park** In-kook (Republic of Korea) said that the Review Conference had failed to reach a consensus on substantive elements of the Final Document. It was regrettable that such fundamental gaps in perceptions of and approaches to substantive matters had appeared and had prevented the Conference from addressing the urgent matters before it, including issues relating to North Korea, in an effective manner. In that connection, he re-emphasized the importance of the Six-Party Talks and called upon North Korea to return to them as soon as possible.

67. It was also unfortunate that procedural matters designed to facilitate the Review Conference had instead become obstacles to it. However, he did not believe that the failure to agree on a Final Document was a failure of the Treaty itself, since it had become apparent in recent years that its importance as a cornerstone of the non-proliferation regime was increasing rather than diminishing. The Conference had provided States parties with a good opportunity to reaffirm their diverging views on substantive issues and progress had also been made with regard to article X of the Treaty. In that connection, the entire outcome of the Conference, particularly the record of discussions on substantive matters, should be used constructively in the context of the next review process.

68. **Mr. Smith** (Australia) said he was deeply disappointed that delegations had been unable to reach consensus on a substantive outcome to the Conference. It was most regrettable that a lengthy debate on procedural issues had prevented the Conference from commencing its substantive discussions and that, once those discussions had begun, there had been insufficient time or, in some cases, will, to deal effectively with key issues of interest to all. States parties had been denied an opportunity to deal more effectively with the grave threats posed by proliferation and to advance nuclear disarmament. In addition,

Australia was particularly disappointed that the considerable efforts made by the Vienna Group of 10 to develop what should have been broadly acceptable language on non-proliferation and peaceful use issues had been thwarted.

69. Nevertheless, the failure to agree on a substantive outcome did not undermine the ongoing contribution of the Treaty to international peace and security. With 189 States parties, it continued to be the most widely supported multilateral arms control treaty in existence and had established an international set of standards that outlawed the spread of nuclear weapons and provided a framework for their eventual elimination. Notwithstanding its disappointment at the outcome of the Conference, Australia stood ready to redouble its efforts to tackle ongoing proliferation challenges.

The meeting rose at 12.40 p.m.

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

14 June 2005

Original: English

Summary record of the 22nd meeting

Held at Headquarters, New York, on Friday, 27 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte (Brazil)

Contents

- Credentials of representatives of the Conference
- (b) Report of the Credentials Committee
- Adoption of arrangements for meeting the costs of the Conference
- Consideration and adoption of Final Document(s)

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3.20 p.m.

Credentials of representatives to the Conference

(b) Report of the Credentials Committee

1. **The President** said that the delegations of Angola, Uruguay and Zambia, having submitted their respective notifications of participation, had requested to be included in the list of States parties participating in the Conference. The requests had been brought to the attention of the Acting Chairman of the Credentials Committee.

2. He took it that the Conference wished Angola, Uruguay and Zambia to be added to the list of participating States parties.

3. *It was so decided.*

Adoption of arrangements for meeting the costs of the Conference (NPT/CONF.2005/51)

4. **The President** drew attention to document NPT/CONF.2005/51 containing the schedule of division of costs based on the actual participation of States parties in the Conference. The document should be seen in conjunction with rule 12 of, and the appendix to, the rules of procedure adopted by the Conference on 2 May 2005. The addition of Angola, Uruguay and Zambia to the States parties participating in the Conference would be factored into the estimated costs borne by participants.

5. He took it that the Conference wished to adopt the schedule of division of costs as contained in document NPT/CONF.2005/51.

6. *It was so decided.*

Consideration and adoption of Final Document(s)

7. **The President** drew attention to the draft Final Document of the Conference, contained in document NPT/CONF.2005/DC/1. The only outstanding section of the document, entitled "Financial arrangements", reflected the adoption by the Conference of the cost-sharing formula contained in document NPT/CONF.2005/51.

8. He took it that the Conference wished to adopt the section entitled "Financial arrangements".

9. *It was so decided.*

10. **The President** said that since all sections of the draft final document had been adopted, he took it that the Conference wished to adopt the draft Final Document as a whole, as contained in document NPT/CONF.2005/DC/1.

11. *It was so decided.*

12. **Mr. Yáñez-Barnuevo** (Spain) said that his delegation fully endorsed the statement made by the representative of Luxembourg as President of the European Union.

13. **Mr. Rowe** (Sierra Leone) said that his delegation wished to associate itself with the statement made during the previous meeting of the Conference by the representative of Malaysia on behalf of the Group of Non-Aligned States Parties to the Treaty. In the spirit of multilateralism, the Group had conceded far more than necessary in an effort to ensure that the Conference produced, not a perfect document, nor a series of repetitive statements, but rather a realistic, balanced and forward-looking strategy designed to improve the safety of all States parties.

14. In view of the grave threat posed by nuclear weapons, it was essential that States parties should evaluate the work of the Conference from the global perspective. The Conference had emphasized that the Treaty on the Non-Proliferation of Nuclear Weapons was a multilateral instrument which concerned not only the proliferation of nuclear weapons but also disarmament and the peaceful uses of nuclear energy. Unless all States, particularly nuclear-weapon States, worked assiduously to achieve complete disarmament and non-proliferation, it would not be surprising if future Review Conferences concluded in the same manner as the 2005 Review Conference.

15. Sierra Leone wished to pay tribute to the representatives of civil society and the individuals who had made an important contribution to the work of the Conference by reminding States parties of their moral obligation to rid mankind of the threat of nuclear weapons. It was to be hoped that the outcome of the Conference would be duly taken into account at the forthcoming sessions of the Conference on Disarmament and the United Nations Disarmament Commission.

16. **Mr. Hu Xiaodi** (China) said that the 2005 Review Conference had taken place against the backdrop of a complex international security situation. The

non-proliferation regime faced new challenges as the result of the current difficulties of the multilateral arms control and disarmament processes. The issue of the peaceful uses of nuclear energy also faced new challenges.

17. Although it was regrettable that the 2005 Review Conference had failed to produce a substantive final document, the exchanges between States parties had reflected the importance that they attached to the Treaty, as well as their political determination to maintain and strengthen the non-proliferation regime. The Treaty continued to play a crucial role in maintaining the regime and reducing the nuclear threat to world peace and security, and it also provided a model for the international community in its efforts to solve security concerns through multilateralism. China firmly believed in the Treaty's universality, effectiveness and authority and remained committed to its three major goals of nuclear disarmament, non-proliferation and the peaceful use of nuclear energy.

18. **Mr. Parnohadiningrat** (Indonesia) said that his delegation fully endorsed the statement made by the representative of Malaysia on behalf of the Group of Non-Aligned States Parties to the Treaty. The review process would hopefully strengthen and deepen the existing consensus on non-proliferation, disarmament and the peaceful use of nuclear energy, and return to the central themes of the consensus documents adopted in 1995 and 2000.

19. It was regrettable, however, that the Conference had spent too much time on procedural matters while relegating substantial issues to the margins. Participants had not adopted a results-based process, and had evaded their responsibilities and commitments. As a result, it had not proved possible to adopt a consensus-based substantive document. Much, therefore, remained to be done. In the meantime, however, States parties must send a clear and unequivocal statement of their continued commitment to the Treaty in all its aspects.

20. The threat to security posed by nuclear weapons and other weapons of mass destruction had also become a matter of concern in the context of regional cooperation. In that regard, he would draw the attention of participants to the Declaration on the New Asian-African Strategic Partnership, adopted at the Summit Meeting of the Leaders of Asian and African

Countries, held in Jakarta in April 2005, in which the signatories recognized that issues of common concern, such as weapons of mass destruction, were fundamental to ensuring peace, stability and security. Indonesia remained convinced that, in view of the continued threat posed by weapons of mass destruction, preserving and strengthening the Treaty was vital to international peace and security.

21. **Mr. Minty** (South Africa) said that his delegation fully endorsed the statement made by the representative of Malaysia on behalf of the Group of Non-Aligned States Parties to the Treaty, as well as the remarks made by the representative of Indonesia concerning the Summit Meeting held in Jakarta. South Africa also welcomed the outcome of the talks held in Geneva between Iran and the three European Union countries, France, Germany and the United Kingdom, and hoped that they would continue their discussions in the context of the Paris Agreement of 15 November 2004.

22. South Africa urged States parties to guard against continually reopening the debate on obligations, commitments and undertakings, because, in doing so, they provided others with the grounds for reinterpreting, negating or withdrawing from other parts of agreements reached. Nuclear-weapon States should therefore reaffirm the commitments and unequivocal undertakings they had made at the previous Review Conferences to eliminate their nuclear arsenals systematically and progressively.

23. The primary objective of non-proliferation was the elimination of all nuclear weapons. Article VI of the Treaty required that non-nuclear-weapon States should not acquire such weapons and that nuclear-weapon States should eliminate them. It was regrettable that the Conference had missed the opportunity to make progress on the most pertinent challenges facing the Treaty. Such progress would be made, not by tinkering with procedures, but by mobilizing the necessary political will to build on previous undertakings and commitments.

24. **Mr. Scherba** (Ukraine) said it was unfortunate that the Conference had concluded with modest results, and without having achieved a breakthrough. States parties were far from having achieved a common understanding regarding the threats and challenges to the non-proliferation-treaty regime and the decisions that must be taken to close the loopholes in the Treaty

and strengthen its credibility. It was more urgent than ever that substantive measures should be taken to reconcile States parties' divergent interests, with a view to preserving the integrity of the Treaty and honouring the commitments made at the 1995 and 2000 Review Conferences. Erosion of the Treaty's credibility would have serious repercussions for world security and stability.

25. **Mr. Labbe** (Chile) said that his delegation felt both frustration and regret at the failure of the Conference. Its frustration stemmed from the fact that, as the result of procedural manoeuvres, the Conference had failed to agree on a final document reflecting the majority view. Its sense of regret derived from the fact that the political will of an overwhelming majority of States parties had been frustrated by the deadening effect of the use of the consensus principle.

26. The outcome of the Conference demonstrated that all States parties enjoyed a de facto right of veto and that certain delegations were ready to use that right. It might be wondered whether multilateralism could ever succeed if the overwhelming majority of participants could ultimately be rendered impotent and if democracy was not practised within multilateral institutions and forums. Multilateralism should ultimately be reflected, not in words, but in deeds, in the capacity for leadership, and in the willingness to share in the desires and needs of other States. Chile was ready to join with other, like-minded States in exploring ways to give voice to the frustrated majority.

27. **Mr. Zarif** (Islamic Republic of Iran) said that the consensus achieved at the 2000 Review Conference had been based partly on a solemn undertaking by nuclear-weapon States to pursue systematic efforts to reduce and eliminate nuclear weapons. The 2005 Review Conference could, and should, have represented a turning point on the road towards a nuclear-free world.

28. The fact that the 2005 Conference had failed to achieve a positive outcome, despite the good intentions of many States around the globe, was no reflection on those States. Far more serious was the fact that the world's only remaining super-Power, the United States of America, had relentlessly pursued certain goals and actions without the slightest regard for the rest of the international community.

29. By adopting its Nuclear Posture Review the United States had broken its commitment to

irreversibility, to a diminished role for nuclear weapons, and to the lowering of their operational status. It had also replaced the principle of destruction with that of decommissioning, and had abrogated the Anti-Ballistic Missile (ABM) Treaty, which was recognized as the cornerstone of global strategic stability. It continued to deploy nuclear forces in other territories and to provide a nuclear umbrella for non-nuclear-weapon States parties to the Treaty, and had signed a nuclear cooperation agreement with Israel, whose nuclear arsenal represented the gravest danger to peace and stability in the Middle East. It had also rejected the Comprehensive Nuclear-Test-Ban Treaty, as well as the inclusion of the element of "verifiability" in a future fissile material cut-off treaty. It therefore appeared that nuclear weapons were in the most dangerous hands.

30. The Treaty remained the cornerstone of nuclear disarmament, nuclear non-proliferation and the ability to develop and pursue nuclear energy for peaceful purposes. The United States had wanted the Review Conference to fail so that it could pursue its own unilateral initiatives and priorities. That must not be allowed. States parties to the Treaty should join non-governmental organizations in strengthening ways to achieve the objectives of the Treaty by vigorously pursuing the decisions and resolutions of the 1995 and 2000 Review Conferences.

31. The main concerns of States parties were to ensure full universality of the Treaty, to strengthen the collective efforts of States parties to check proliferation, to help the International Atomic Energy Agency improve the supervision of nuclear activities and its guarantees against proliferation, to emphasize security assurances for non-nuclear-weapon States, and to enable States parties to exercise their full rights to develop and produce nuclear energy for peaceful purposes. The Islamic Republic of Iran was committed to the Treaty and to the non-proliferation regime, and would spare no efforts in that regard.

32. **The President** said that the proceedings of the Conference had strengthened his conviction that the Treaty enjoyed the full support of all States parties.

33. He declared the Conference closed.

The meeting rose at 4.05 p.m.

B. Main Committee I

**Summary records of the 1st to 3rd meetings and 6th meeting
of Main Committee I**

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

24 July 2006

Original: English

Main Committee I

Summary record of the 1st meeting

Held at Headquarters, New York, on Thursday, 19 May 2005, at 10 a.m.

Chairman: Mr. Parnohadiningrat (Indonesia)

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Organization of work

General exchange of views

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The meeting was called to order at 10 a.m.

Organization of work

1. **The Chairman** drew attention to the proposed programme of work contained in document NPT/CONF.2005/MC.I/INF.1 and made an oral revision to it.

2. *The programme of work, as orally revised, was adopted.*

General exchange of views

3. **Mr. Kayser** (Luxembourg), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia and Turkey; the stabilization and association process countries Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro; and, in addition, Norway, introduced working paper NPT/CONF.2005/WP.43, entitled "Working paper based on the European Union statement for Main Committee I".

4. **Mr. Rivasseau** (France) said that his Government had greatly contributed to the global efforts aimed at nuclear disarmament and general and complete disarmament and had reaffirmed its commitments under article VI of the Treaty. His Government was guided, in particular, by the programme of action adopted at the 1995 Review Conference, including with respect to the conclusion of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and negotiations on the fissile material cut-off treaty (FMCT).

5. His Government had renounced nuclear testing and had acceded to the CTBT. France had dismantled its testing centre in the Pacific, and no longer had any nuclear testing facilities. His Government regretted that the CTBT had still not entered into force. France had also abandoned the production of fissile materials for use in nuclear weapons and other nuclear explosive devices. Following its announcement that it had ceased to produce plutonium and highly enriched uranium for use in nuclear weapons, his Government had decided in February 1996 to close and dismantle its Pierrelatte and Marcoule facilities. The ongoing dismantling of the facilities was a long, complex and costly process, which would stretch over many years. France was alone among the nuclear Powers to have taken such steps.

6. France had advocated launching negotiations on an FMCT at the Conference on Disarmament. Pending signature of such a treaty, his delegation called on all States concerned to declare a moratorium on the production of fissile materials for use in nuclear weapons.

7. France had also contributed greatly to the reduction of nuclear weapons in general. His Government based its nuclear deterrence policy on the principle of strict sufficiency. It had reduced the number of its delivery systems by two thirds since 1985. Further details on other disarmament efforts could be found in the brochure entitled "Lutte contre la prolifération, maîtrise des armements, et désarmement: l'action de la France".

8. France supported the ongoing efforts to bring about a global reduction in nuclear arsenals, especially the process launched by the United States of America and the Russian Federation. France had always underlined the considerable imbalance between the strategic nuclear forces of the Russian Federation and the United States of America and its own such force. If the imbalance was redressed by successive reductions, his Government could envisage responding accordingly. In addition, France planned to contribute technically and financially to the Russian plutonium disposal programme within the framework of the agreement currently being negotiated within the multilateral plutonium disposition group.

9. In accordance with article VI of the NPT, his Government made efforts in all areas of general and complete disarmament, including with respect to biological and chemical weapons, small arms and light weapons and mines.

10. With respect to negative security assurances, his Government's doctrine of deterrence strictly linked its nuclear weapons to the safeguard of the vital interests of the nation while ruling out their use as combat weapons to advance a military strategy. Furthermore, the French President had stated that currently no French nuclear deterrent forces were aimed at a specific target. France had also given negative security assurances to all States parties to the NPT in a unilateral declaration of 6 April 1995.

11. Finally, one important path to nuclear disarmament and non-proliferation lay in the regional approach. Therefore, his Government had supported the establishment of nuclear-weapon-free zones and

given security assurances to more than 100 States. France was thus a party to the Protocols to the Tlatelolco, Rarotonga and Pelindaba Treaties, respectively. It stood ready to make further efforts to support the establishment of more such nuclear-weapon-free zones.

12. In view of the progress achieved to date by nuclear-weapon States since the end of the cold war, thorough discussions on the issue of negative security assurances would be appropriate within the Conference on Disarmament and, above all, the United Nations Disarmament Commission, where States which were not parties to the NPT were represented.

13. During the past two decades, States parties in sufficient numbers to undermine the Treaty had violated their obligations, developed illegal nuclear programmes and made false statements before the 1995 and 2000 Review Conferences. Their actions and those of the networks that had helped them would have continued had it not been for the common determination to strengthen the nuclear non-proliferation regime. For its part, France remained determined to pursue the application of all NPT provisions.

14. **Ms. Sanders** (United States of America) said that on 7 March 2005 President Bush had urged all parties to the NPT to take strong action to confront the threat of non-compliance with the NPT. States parties should work together at the Conference and in the Committee to recognize the amplitude of the problem and to agree on the main principles of their response.

15. The consistent violations by the Democratic People's Republic of Korea before the announcement of its intention to withdraw from the NPT, and its 10 February 2005 assertion that it had manufactured nuclear weapons, had created great instability in North-East Asia and had threatened the NPT regime. States in the region were confronted by a country with a history of provocation and belligerency. The Democratic People's Republic of Korea should return expeditiously and without preconditions to the six-party talks and commit to the complete, verifiable and irreversible dismantlement of its nuclear programme.

16. Her delegation applauded the Libyan Arab Jamahiriya for deciding to meet its NPT obligations. By doing so, it had set an important standard for how countries in violation of their non-proliferation

undertakings could voluntarily return to compliance and strengthen global confidence and security.

17. Regrettably, the Iranian regime's long-term secret effort to acquire a fissile material production capability could give the Islamic Republic of Iran nuclear weapons, in violation of its NPT and International Atomic Energy Agency (IAEA) safeguards undertakings. The security consequences for the Middle East of that development were grave. Her Government encouraged the Islamic Republic of Iran to respond positively to the call by Germany, France and the United Kingdom to fully suspend and permanently cease all enrichment-related and reprocessing activities, to dismantle equipment and facilities related to such activities, to bring into force and implement the Additional Protocol to the NPT, and to cooperate fully with the IAEA to resolve outstanding questions and meet all IAEA Board of Governors requests. The Islamic Republic of Iran should provide objective and verifiable guarantees in order to demonstrate that it was not using a purportedly peaceful programme to hide a nuclear weapons programme or to conduct additional clandestine nuclear work elsewhere in the country. Her Government shared the desire of European Governments to secure the Islamic Republic of Iran's adherence to its NPT obligations through peaceful and diplomatic means.

18. To fulfil the obligations under article I of the Treaty, the nuclear-weapon States must establish and implement comprehensive and effective export controls, including on dual-use items. The nuclear-weapon States had a special responsibility as they had had nuclear weapons infrastructures for decades. Given the interest of certain non-nuclear-weapon States and non-State actors in seeking the means to build nuclear weapons, the nuclear-weapon States must effectively protect against theft or unauthorized transfer of technology, equipment and material useful in the development and manufacture of nuclear weapons.

19. Fulfilment of the obligations under article II required non-nuclear-weapon States to refrain from activities designed to develop nuclear weapons capability. Further, they should provide sufficient transparency in their activities to demonstrate their peaceful purpose and should have in place the necessary laws and regulations to enforce their article II obligations.

20. NPT supplier States, both nuclear- and non-nuclear-weapon States, should not authorize the export of any nuclear-related item unless they were satisfied that the transfer would not contribute to the proliferation of nuclear weapons. When in doubt about a possible diversion risk, it was best to forgo the export. By doing so, NPT supplier States could avoid inadvertently assisting a possible future NPT violator to acquire capabilities useful for a nuclear weapons programme. If a State had violated the NPT's non-proliferation obligations, then all nuclear cooperation with that State should terminate.

21. The revelations associated with the Abdul Qadeer Khan nuclear procurement network had made clear that all States must be vigilant to prevent their territories from being used to further nuclear weapons acquisition. In accordance with Security Council resolution 1540 (2005), all States must establish effective national legal and regulatory measures to criminalize the proliferation of weapons of mass destruction, their delivery systems and related materials. Full implementation of the resolution by all States would strengthen enforcement of articles I and II of the NPT.

22. Another activity that could help to ensure that parties to the NPT did not inadvertently assist a State to acquire nuclear weapons was to take action against an illegal export during the transport phase. States should take cooperative action to prevent illicit nuclear trafficking. The Proliferation Security Initiative could play an important role in preventing nuclear items from reaching State or non-State actors of nuclear proliferation concern.

23. The International Convention for the Suppression of Acts of Nuclear Terrorism would help to strengthen the international legal framework to combat nuclear terrorism upon its entry into force. Her Government strongly supported the ongoing effort to include non-proliferation transport offences and a shipboarding regime which complemented the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. That effort would significantly expand the international legal basis to impede, prosecute and punish persons or entities involved in the maritime transport of proliferation-related shipments.

24. To strengthen the article II ban on the manufacture or acquisition of nuclear weapons, States parties must have strong declaratory policies that

established the necessity of compliance with the NPT. They should also seek to halt the use of nuclear material or equipment acquired or produced by a State party as a result of a material violation of NPT undertakings. Such items should be eliminated or returned to the original supplier. States parties should affirm their willingness to report cases of non-compliance with article II to the Security Council. The Council should act promptly in such circumstances to determine a response, particularly where international peace and security were threatened.

25. Any lifting of punitive measures must be strictly linked to verifiable actions and be phased in over a period of time. Among the actions that must be taken by the non-compliant party was the full implementation of the IAEA Additional Protocol. Moreover, States parties were fully justified in insisting on certain limits in the offender's future nuclear programme, even after it had returned to full compliance.

26. Finally, States parties should understand that the prohibition in article II against the manufacture or acquisition of a nuclear weapon could apply to more than just an assembled nuclear weapon. In an extreme case, a State party might have manufactured an entire mock-up of the non-nuclear shell of a nuclear explosive while continuing to observe its safeguards obligations on all nuclear material. It would be folly for States parties to fail to act in such circumstances. Whether or not there had been a safeguards violation under article III, it was also important to determine whether all the facts of a case pointed towards an intent to manufacture or acquire nuclear weapons. Examples of activities of concern included: seeking certain fuel cycle facilities of direct relevance to nuclear weapons, such as enrichment or reprocessing, with no clear economic or peaceful justification; clandestine facilities and procurements; committing safeguards violations and failing to cooperate with the IAEA to remedy them; and using denial and deception tactics to conceal nuclear-related activities.

27. The Islamic Republic of Iran had sought to acquire an enrichment programme in secret and in violation of its safeguards obligations under the NPT. In the light of the willingness of another State to provide fuel for the Bushehr reactor and any future reactor, the Islamic Republic of Iran's enrichment programme had no conceivable civil purpose. Moreover, its uranium reserves were too small to

provide an independent fuel supply for its nuclear power programme, but large enough to support a weapons programme. It was painfully clear that the Islamic Republic of Iran was determined to acquire an enrichment plant to give itself the capability to manufacture nuclear weapons, which it could pursue either through further violation of or withdrawal from the NPT. The intent of those activities was therefore the manufacture of nuclear weapons, in violation of article II.

28. The NPT should be an essential element of international efforts to create a global environment hostile to the spread of weapons of mass destruction. It would lose much of its effectiveness if States parties were not strongly committed to compliance with non-proliferation undertakings under the NPT and to strong action against those who were not.

29. **Mr. Aboul-Einein** (Egypt) said that Egypt had adopted the working papers on the substantive issues to be considered by Main Committee I (WP.18) and on nuclear disarmament (WP.27). In order to reaffirm the place of NPT as the cornerstone of the non-proliferation and nuclear disarmament regime, strong political will was needed from all parties. Negative regional and international developments affected the credibility and effectiveness of the Treaty. The Treaty had entered into force 35 years previously and had been extended indefinitely in 1995, but its goals were still far from being achieved.

30. Nuclear-weapon States were still delaying the full implementation of their obligations. NPT was merely an intermediate step towards the higher goal of the total elimination of nuclear weapons under effective and stringent international monitoring within a short, clearly stated time frame. The 2000 Review Conference had recommended a number of practical steps to implement the provisions of article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament. Nuclear-weapon States must fully implement those measures, since failure to do so affected the credibility of the Treaty and reinforced the widespread notion that it strengthened the status of the nuclear-weapon States while placing more constraints on the non-nuclear-weapon States, which violated both the letter and spirit of the Treaty.

31. While NPT was one of the most successful disarmament and non-proliferation regimes, two key elements prevented the achievement of the Treaty's goals. The first was that three States, namely, Israel, India and Pakistan, remained outside of the Treaty, thereby preventing the achievement of the goals of disarmament and non-proliferation and posing an obstacle to the universalization of the regime. The second was the failure of the nuclear-weapon States to disarm in accordance with article VI of the Treaty, despite the end of the cold war and the 1996 advisory opinion of the International Court of Justice and the decisions of the 1995 and 2000 Review Conferences.

32. The continuation of strategic policies that relied on nuclear weapons and offered new justifications for their continued possession and development was a matter of concern, since to continue along that path would undermine the credibility of the Treaty. Efforts aimed at concluding an international convention that contained clear and binding commitments on the negative security guarantees that nuclear-weapon States must make to non-nuclear-weapon States must also be supported and accorded the highest priority in the work of the Committee.

33. Regional and international nuclear disarmament were essential, since genuine regional and international security and stability were impossible to achieve as long as there were nuclear weapons. Egypt was disappointed at the failure of the Conference on Disarmament to establish an appropriate subsidiary body to deal with nuclear disarmament and to begin negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The Conference should adopt a programme of action providing for immediate negotiations on such a treaty.

34. Egypt was concerned at efforts to limit the scope of negotiations on the drafting of a treaty to prohibit the manufacture of fissile materials. The Conference should clearly and objectively review the extent to which nuclear-weapon States were fulfilling their NPT obligations and promptly begin multilateral negotiations on disarmament that included both the five nuclear-weapon States and the non-nuclear-weapon States.

35. Nuclear-weapon States should implement the principles of irreversibility, transparency, and

accountability with regard to their nuclear arsenals as well as measures to reduce their arsenals of nuclear weapons, including the creation of additional investigatory capabilities.

36. The issue of complete compliance with the provisions of the Treaty posed major challenges. Egypt had repeatedly emphasized that all of the Treaty's provisions were binding on all parties, in all conditions, and at all times. True compliance meant the reciprocal implementation of obligations by all States parties, whether nuclear or non-nuclear. Questions remained about the so-called "nuclear sharing" in the context of existing military alliances to determine the extent to which it was in violation of or in compliance with articles I and II of the Treaty.

37. Egypt attached great importance to awareness-raising and education in the fields of nuclear disarmament and non-proliferation and, together with a number of other States, it had participated in the preparation of the working paper on disarmament and non-proliferation education (WP.30).

38. **Mr. Hu Xiaodi** (China) said that preservation and strengthening of the NPT through the faithful implementation of all of its articles by all States parties were vital for meeting common security challenges. Over the years, China had strictly implemented its nuclear disarmament obligations under the NPT.

39. China stood for the complete prohibition and thorough destruction of nuclear weapons and the conclusion of relevant international legal instruments to that end. It had pledged not to be the first to use nuclear weapons and not to use nuclear weapons against non-nuclear-weapon States under any circumstances. It had signed and ratified relevant protocols to the Tlatelolco, Rarotonga and Pelindaba Treaties and hoped that the parties concerned could reach an early agreement on the outstanding questions related to the Bangkok Treaty and the Central Asian Nuclear-Weapon-Free Zone Treaty. China stood ready to sign the relevant protocols to those Treaties. It called upon all nuclear-weapon States to renounce the policy of nuclear deterrence based on the first use of nuclear weapons, to pledge not to be the first to use nuclear weapons, and to reduce the role of nuclear weapons in their national security policies. China had never taken part in the nuclear arms race nor deployed nuclear weapons abroad. Instead, it had contributed to the international nuclear disarmament

process by unilaterally assuming the above-mentioned international obligations.

40. The key to international arms control and disarmament lay in breaking the deadlock in the Conference on Disarmament. China supported the Conference's efforts to reach consensus on the programme of work based on the "Five Ambassadors' Proposal" so as to begin substantive work at an early date on nuclear disarmament, a treaty banning the production of fissile materials for nuclear weapons, prevention of an arms race in outer space, and security assurances for non-nuclear-weapon States. It called upon the parties concerned to demonstrate the necessary political will.

41. China supported the early entry into force of the CTBT and was committed to ratifying the Treaty at an early date. It actively supported and participated in the work of the Preparatory Commission for the CTBT Organization.

42. Efforts to prevent the weaponization of and an arms race in outer space and to advance nuclear disarmament were mutually reinforcing. The deployment of weapons systems in outer space would disrupt the global strategic balance and stability and provoke arms races, including nuclear ones. Such a scenario should not be allowed to become a reality. To that end, China, the Russian Federation, and other countries had consistently supported the negotiation in the Conference on Disarmament of an international legal agreement on the prohibition of deployment of weapons in outer space, and of the threat or use of force against objects in outer space.

43. The Final Document of the 2000 Review Conference outlined a number of principles and measures concerning nuclear disarmament. The reduction of nuclear weapons should be effectively verifiable, irreversible and legally binding. Nuclear disarmament measures, including intermediate measures, should promote international strategic stability, preserve security for all, and foster the promotion of international peace and security. Those principles should be reflected in the Final Document of the 2005 Review Conference.

44. Nuclear disarmament should be a just and reasonable process of gradual reduction towards a lowered balance. States possessing the largest and most advanced nuclear arsenals bore special and primary responsibility for nuclear disarmament and should

therefore take the lead in drastically reducing their nuclear arsenals and in making their reduction commitments legally binding. All nuclear weapons removed from their arsenals should be destroyed rather than stored.

45. China favoured intermediate measures towards the goal of nuclear disarmament and was ready to consider implementing relevant measures at the appropriate time and under the appropriate conditions.

46. In order to promote nuclear disarmament, reduce the danger of nuclear war and diminish the role of nuclear weapons in national security policy, nuclear-weapon States should abandon policies of nuclear deterrence based on the first use of nuclear weapons and on lowering the threshold for their use. They should also honour their commitment not to target their nuclear weapons against any countries, nor to list any countries as targets of a nuclear strike. All nuclear-weapon States should pledge that at no time and under no circumstances would they be the first to use nuclear weapons, or to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones, and should conclude appropriate international legal instruments to that end. States should withdraw and repatriate all nuclear weapons deployed outside their own territories, abandon “nuclear umbrella” and “nuclear sharing” policies and practices, and refrain from developing easy-to-use low-yield nuclear weapons. Nuclear-weapon States should take all necessary steps to avoid accidental or unauthorized launches of nuclear weapons.

47. The Chinese delegation hoped that the ideas contained in the working paper on nuclear disarmament and reduction of the danger of nuclear war (NPT/CONF.2005/WP.2) could be reflected in the report of the Committee and in the final document of the Conference.

48. China believed that fostering a security concept based on mutual trust and benefit, equality and cooperation and on the creation of a favourable international environment were conducive to nuclear disarmament. It would continue to work with the international community towards the lofty goal of eliminating the threat of nuclear weapons and ridding the world of such weapons.

49. **Mr. Mine** (Japan) said that the NPT was a key instrument for achieving global nuclear non-proliferation and disarmament. To bolster the

regime, nuclear-weapon and non-nuclear-weapon States alike must fulfil their obligations and commitments under the Treaty and promote both nuclear non-proliferation and disarmament.

50. His delegation recalled States parties’ obligations under article VI to pursue negotiations in good faith on disarmament measures; their commitment to the 1995 NPT Review and Extension Conference decision on principles and objectives for nuclear non-proliferation and disarmament; and the unequivocal undertaking to accomplish the total elimination of nuclear weapons, one of the 13 practical steps agreed upon at the 2000 Conference.

51. Japan commended the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II) and encouraged both the Russian Federation and the United States of America to work towards its full implementation. His delegation called upon all nuclear-weapon States to take further steps towards nuclear disarmament in a transparent and irreversible manner, including deeper reductions in all types of nuclear weapons.

52. Japan attached great significance to the early entry into force of the CTBT, which had been an integral part of the package of decisions adopted at the 1995 Review Conference to allow for the indefinite extension of the NPT. Japan called upon the remaining 11 countries whose ratification was necessary for the Treaty’s entry into force to sign and ratify it without delay. Moratoriums on nuclear weapons testing should be continued pending the entry into force of the Treaty. Efforts to develop the CTBT verification regime, including the international monitoring system, should also be continued.

53. The conclusion of an FMCT would be a crucial element in efforts aimed at the total elimination of nuclear arsenals and contribute to the prevention of nuclear proliferation. It would also serve as an effective tool in dealing with the terrorist threat. His delegation noted with regret the ongoing impasse at the Conference on Disarmament and failure to begin negotiations on an FMCT, despite the commitments made at the 1995 and 2000 Review Conferences. The current Review Conference must send a clear message underlining the importance of beginning negotiations immediately. Japan called upon all nuclear-weapon States and States which were not parties to the NPT to declare moratoriums on the production of fissile

material for any nuclear weapons pending the entry into force of an FMCT.

54. The failure of India, Israel and Pakistan to accede to the NPT was a matter of serious concern. They should be urged to accede to the Treaty as non-nuclear-weapon States without delay, to refrain from acts that violated the Treaty, and to implement practical measures towards disarmament and non-proliferation. His delegation drew attention to the working paper entitled “Further measures to be taken for strengthening the Treaty on the Non-Proliferation of Nuclear Weapons” (NPT/CONF.2005/WP.21).

55. Japan attached the utmost importance to disarmament and non-proliferation education and had submitted a working paper entitled “Japan’s Efforts in Disarmament and Non-Proliferation Education” (NPT/CONF.2005/WP.31). Furthermore, Japan, jointly with Egypt, Hungary, Mexico, New Zealand, Peru, Poland and Sweden, had submitted to the current Review Conference a working paper which contained concrete recommendations for promoting disarmament and non-proliferation education (NPT/CONF.2005/WP.30).

56. The international community should be fully aware of the inhumane nature of nuclear weapons. All States parties should undertake concrete activities to implement the recommendations contained in the report of the Secretary-General on disarmament and non-proliferation education (A/59/178 and Add.1 and 2) and to share information on the efforts they had been undertaking to that end.

57. 2005 marked the sixtieth anniversary of the tragedies in Hiroshima and Nagasaki. There were strong voices among the citizens of Japan and the international community affirming that such devastation should never be repeated and that nuclear weapons should be abolished. His delegation called on all States parties to renew their commitment to the total elimination of nuclear weapons.

58. **Mr. Agam** (Malaysia), speaking on behalf of the Group of Non-Aligned States parties to the NPT, said that the Group remained fully committed to its obligations undertaken under the Treaty and to the agreements reached at the 1995 and 2000 Review Conferences. He introduced working paper NPT/CONF.2005/WP.18, entitled “Substantive issues to be considered by Main Committee I of the 2005 Review Conference of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons”, which reaffirmed the Group’s position on three issues within the purview of the Committee: nuclear disarmament; nuclear testing; and security assurances. It also contained recommendations for consideration by the Committee, which would help greatly to achieve the objectives of the Treaty.

59. The Group of Non-Aligned States had called for the establishment of two subsidiary bodies, one on nuclear disarmament, to focus on fulfilment of the obligations under article VI, and the other on security assurances, to consider legally binding security assurances by nuclear-weapon States to non-nuclear-weapon States. The Group had nevertheless joined the consensus, in the spirit of compromise, on the proposals put forward by the President to establish a single subsidiary body, on nuclear disarmament and security assurances. It was the understanding of the Group that the subsidiary body would focus on the fulfilment of the obligation under article VI of the Treaty and the 13 practical steps agreed upon at the 2000 NPT Review Conference and consider legally binding security assurances by nuclear-weapon States.

60. **Mr. Minty** (South Africa) said that the Committee had the opportunity to make a significant contribution to the strengthening of nuclear disarmament. The 2000 NPT Review Conference had made it clear that, as in the case of other weapons of mass destruction, the elimination of nuclear weapons was a milestone on the road to general and complete disarmament.

61. The commitment made by nuclear-weapon States at the 2000 NPT Review Conference to the total elimination of their nuclear arsenals had confirmed his delegation’s long-held view that the possession of nuclear weapons by the nuclear-weapon States was only temporary. Those States had agreed to 13 practical steps for nuclear disarmament, which constituted a solemn reaffirmation of their obligations under article VI of the Treaty.

62. The international community was increasingly concerned that nuclear-weapon States were not doing enough to achieve nuclear disarmament and, in some areas, were reversing the gains made by the Treaty regime. That situation was exacerbated by a tendency to reinterpret, negate or withdraw from the obligations undertaken at previous conferences. The NPT was a credible multilateral framework for enhancing nuclear

disarmament. The concept of multilateralism should inform the international community's approaches to the Treaty.

63. The lack of political will had been a serious impediment to nuclear disarmament. Nuclear-weapon States continued to reject any proposed language within multilateral forums calling on them to implement their nuclear disarmament obligations. In general, nuclear-weapon States had systematically opposed all attempts to be involved in a substantive engagement on nuclear disarmament in the NPT preparatory process, the First Committee and the Conference on Disarmament.

64. Any presumption of the indefinite possession of nuclear weapons by the nuclear-weapon States was incompatible with the integrity and sustainability of the nuclear non-proliferation regime and with the broader goal of the maintenance of international peace and security. Continuous and irreversible progress in nuclear disarmament and other related nuclear arms control measures remained fundamental to the promotion of nuclear non-proliferation. The complete elimination of nuclear weapons and the guarantee that they would never be produced again therefore remained the only assurance against their use.

65. The lack of progress on security assurances was yet another cause of great concern to his delegation. South Africa would continue to reiterate its call for negotiations on a legally binding instrument on the non-use of nuclear weapons against non-nuclear-weapon States parties to the NPT which could be in the form either of a separate agreement reached in the context of the NPT or of a protocol to the Treaty. Nuclear-weapon States must fully respect their existing commitments on security assurances pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States.

66. The development of new types of nuclear weapons or rationalizations for their use contradicted the spirit of the NPT and went against the agreement reached at the 2000 NPT Review Conference for a diminishing role for nuclear weapons in security policies. The modernization of nuclear weapons raised concerns that nuclear testing might be resumed, which would have a negative impact on international peace and security. His delegation therefore favoured maintaining the moratorium on nuclear weapon test

explosions or any other nuclear explosions, pending the early entry into force of the CTBT.

67. His delegation regretted that the emphasis by some States on non-proliferation appeared to be an attempt to curtail the inalienable right of States parties to use nuclear technology for verifiable peaceful purposes. It would be unfair to place more restrictions on non-nuclear-weapon States' access to nuclear technology without genuine movement towards nuclear disarmament.

68. The crisis threatening the NPT could be avoided if nuclear-weapon States acknowledged the necessity of accelerating implementation of the 13 practical steps. All States parties must fully comply with their commitments on the subjects of nuclear disarmament and nuclear non-proliferation and must refrain from acting in any way that might lead to a new nuclear arms race.

69. **Mr. Sardenberg** (Brazil) said that global security depended on the total elimination of nuclear weapons and the assurance that they would never be produced or used again. In 2000, his delegation had welcomed the reiteration by nuclear-weapon States of their commitment to nuclear disarmament and the total elimination of their nuclear arsenals. It noted with regret, however, that progress by nuclear-weapon States on the path to nuclear disarmament had fallen short of expectations.

70. Brazil, which welcomed both unilateral and bilateral disarmament measures, regarded the Treaty of Moscow as a positive step. Nevertheless, his Government remained concerned about the overall modest progress in reducing nuclear arsenals and considered that the principles of transparency, international verification and irreversibility must be applied.

71. The reaffirmation of security doctrines that continued to rely on nuclear weapons, and the ongoing reluctance of nuclear-weapon States to extend unconditional, legally binding negative security assurances to non-nuclear weapon States, were disturbing, while indications of interest in the development of new kinds of nuclear weapons were of even greater concern. The aforementioned situation had eroded confidence in the NPT-based regime.

72. The pursuit of nuclear disarmament was also necessary to alleviate the international community's

concern about proliferation. Disarmament and non-proliferation were mutually reinforcing processes requiring progress on both fronts. Progress in nuclear disarmament was all the more important in a world in which non-State actors might seek to acquire weapons of mass destruction. Therefore, the international community's focus must be on systematic, continuous and progressive efforts to implement the obligations contained in article VI.

73. The following points, which would facilitate the ultimate goal of a world free of nuclear weapons, should be given due consideration. First, the Conference should undertake a thorough review of the implementation of the 2000 NPT Final Document, in particular the 13 practical steps towards nuclear disarmament, and reaffirm the need for their further implementation. Secondly, the Conference should call for the prompt entry into force of the CTBT and the expeditious negotiation, in the Conference of Disarmament, of a verifiable fissile material treaty. Thirdly, the Conference should send a strong message that the development of new kinds of nuclear weapons was incompatible with the commitments to nuclear disarmament. Fourthly, the Conference should recommend that nuclear-weapon States review their military doctrines in order to reduce the importance and role of nuclear weapons. Fifthly, the Conference should secure a commitment from nuclear-weapon States not to use nuclear weapons as a first step in a process leading to the negotiation of a convention banning their production and use. Sixthly, the Conference should ask the nuclear-weapon States to carry out, within an agreed time frame and in transparent and internationally verifiable conditions, additional measures aimed at the destruction of their nuclear arsenals. Lastly, the Conference should reiterate the need for comprehensive, systematic and regular reports to be submitted as official documents of the Conference by the nuclear-weapon States regarding their implementation of article VI.

74. **Mr. Kharazi** (Islamic Republic of Iran), introducing working paper NPT/CONF.2005/WP.47, entitled, "Working paper submitted by the Islamic Republic of Iran for Main Committee I", drew attention to a paragraph in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2000/28 (Parts I and II)) which reaffirmed that the total elimination of nuclear weapons was the

only absolute guarantee against the use or threat of use of nuclear weapons. The 2000 Review had also agreed that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States parties to the NPT would strengthen the nuclear non-proliferation regime. It had called upon the Preparatory Committee to make recommendations to the 2005 Review Conference on that subject, but unfortunately the Preparatory Committee had not been able to do so. His delegation therefore proposed the establishment of an ad hoc committee to draft a legally binding instrument on the provision of negative security assurances by the nuclear-weapon States to the non-nuclear-weapon States parties to the Treaty. The Committee would submit a report on that instrument to the next Review Conference for consideration. As suggested by the NGO community, the present Conference should adopt a decision to prohibit the threat of use or use of nuclear weapons by nuclear-weapon States.

75. His delegation was disappointed and dismayed that the United States of America, rather than focusing on the efforts of his Government to fulfil the obligations undertaken under the Treaty, had levelled false accusations against it which completely contradicted the reports and decisions of the IAEA and its Board of Governors. No IAEA document referred to non-compliance with the NPT. On the contrary, the IAEA had concluded in one of its main documents that, following extensive inspections of all relevant nuclear facilities in the country, it had found no trace of the diversion of nuclear material to non-peaceful uses. His delegation regretted that the representative of the United States had denied that it had any obligations under article VI of the Treaty and had used every possible forum during the Conference to make politically motivated accusations against the Islamic Republic of Iran.

The meeting rose at 1 p.m.

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

19 June 2006

Original: English

Main Committee I

Summary record of the 2nd meeting

Held at Headquarters, New York, on Thursday, 19 May 2005, at 3 p.m.

Chairman: Mr. Parnohadiningrat (Indonesia)

Contents

General exchange of views (*continued*)

Introduction of subsidiary body by its Chairman

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3 p.m.

General exchange of views (*continued*)

1. **Ms. Martinic** (Argentina) said that her delegation welcomed the progress achieved regarding the three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT): non-proliferation, disarmament and peaceful uses of nuclear energy. However, the international climate had changed dramatically over the past five years, and the agreements reached at the 2000 Review Conference had been undermined by attempts to blur the meaning of the commitments made.

2. The Democratic People's Republic of Korea's withdrawal from the Treaty and the subsequent disclosure that it possessed nuclear weapons had been two of the most unfortunate events ever faced by the Review Conference process. The international community must respond decisively to the development of nuclear weapons outside the Treaty and to instances of non-compliance, and the Security Council should demonstrate stronger commitment in that regard.

3. With regard to the 13 practical steps for the systematic and progressive implementation of article VI of the Treaty, agreed at the 2000 Review Conference, her delegation was concerned at the lack of progress made in the implementation of steps one, three, four, five and seven. Moreover, nine years after its adoption the Comprehensive Nuclear-Test-Ban Treaty (CTBT) had still not entered into force because certain countries had not yet ratified it. Argentina was also concerned that the Conference on Disarmament had still not begun negotiations on a fissile material cut-off treaty (FMCT).

4. Argentina welcomed the common position of the Council of the European Union, set forth in document NPT/CONF.2005/MC.I/WP.1, calling upon nuclear-weapon States to reaffirm existing security assurances contained in Security Council resolution 984 (1995) and to sign and ratify the relevant protocols on nuclear-weapon-free zones.

5. Her delegation wished to draw attention to the role of the New Agenda Coalition in reminding States parties of the threat posed to international security by tactical weapons and of the need to incorporate such weapons in disarmament and arms-control agreements. In that regard, Argentina regretted the development of new security doctrines that failed to exclude the use of nuclear weapons.

6. Argentina hoped that the Review Conference would lead to the strengthening of reporting and transparency, a clear mandate for the work of the Conference on Disarmament, and a renewed commitment on the part of the five nuclear Powers to arms control and disarmament. It also trusted that the Review Conference would be conducted in an atmosphere of openness, dialogue and cooperation, aimed at achieving consensus.

7. **Mr. Agam** (Malaysia), speaking on behalf of Bolivia, Costa Rica, Malaysia, Nicaragua, Timor-Leste and Yemen, introduced a working paper entitled "Follow-up to the Advisory Opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*: Legal, technical and political elements required for the establishment and maintenance of a nuclear weapon-free world" (NPT/CONF.2005/WP.41).

8. **Ms. Camejo** (Cuba) said that her delegation wished to associate itself with the statement made by the representative of Malaysia on behalf of the Group of Non-Aligned States parties to the Treaty. Although the Treaty was regarded in many quarters as an end in itself, Cuba saw it as just one step along the road to nuclear disarmament. No State or group of States could claim a monopoly on the possession of nuclear weapons, and there was certainly no legitimate reason for the further development of such weapons by the exclusive club of five nuclear-weapon States.

9. The only way to overcome the Treaty's fundamental flaws was to achieve the total elimination of nuclear weapons, thereby guaranteeing the security of all peoples. As a State party to the Treaty, Cuba would continue to assert that the application of the principle of non-proliferation was not sufficient to eliminate nuclear weapons. Only the application of a systematic approach, which included the components of disarmament, verification, assistance and cooperation, could guarantee their total elimination.

10. Although the Treaty clearly aimed to achieve nuclear disarmament, the lack of concrete progress in implementing its article VI was a matter of profound concern. Nuclear-weapon States were primarily responsible for its implementation, and Cuba deeply regretted the failure to make concrete progress in the implementation of most of the 13 practical steps agreed at the 2000 Review Conference. Some of those steps had become impracticable because of the unilateral action of the world's premier nuclear Power.

11. Cuba had long advocated the establishment of a committee on nuclear disarmament within the Conference on Disarmament and the immediate start of negotiations on a phased programme for the total elimination of nuclear weapons within a specific period of time, including the development of a nuclear-weapons convention. Moreover, Cuba called for the immediate start of negotiations within the Conference on Disarmament on a non-discriminatory, multilateral and effectively verifiable treaty that banned the production of fissile material for the manufacture of nuclear weapons and other nuclear explosive devices. It was essential that such a treaty should include not only non-proliferation measures but also nuclear-disarmament measures.

12. Cuba deeply regretted the failure of the nuclear-weapon States to make concrete progress in fulfilling their unequivocal commitment to the total elimination of their nuclear arsenals. Since the 2000 Review Conference, the process had been marked by a number of serious setbacks. The five nuclear-weapon States mentioned in the Treaty together possessed more than 21,000 nuclear weapons. The decision of the United States to withdraw unilaterally from the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) and to begin preparations for the deployment of a new national missile defence system had very negative implications for disarmament and arms control and was a regrettable setback to nuclear-disarmament efforts.

13. Cuba noted the commitments made by the Russian Federation and the United States in 2002 to reduce their stockpiles of non-strategic nuclear weapons. Those commitments should be formalized through a legally binding instrument guaranteeing that the measures adopted would be irreversible and verifiable. The United States and the Russian Federation should resume the implementation of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II Treaty) and conclude negotiations on a future START III Treaty. They should also work together on a programme for the control of their non-strategic nuclear weapons by formalizing and verifying the related measures adopted by the two States in 1991 and 1992.

14. The nuclear-weapon States parties to the NPT should ensure the non-operational status of their nuclear arsenals and their simultaneous and irreversible reduction and should begin negotiations on a legally binding international instrument by which they guaranteed not to use or threaten to use such weapons against non-nuclear-weapon States.

15. The most effective way to ensure that weapons of mass destruction, including nuclear weapons, were not used by terrorists was to secure their total elimination. Moreover, such concerns should be addressed within the framework of the existing international instruments on disarmament and non-proliferation and the relevant international treaties and institutions, notably the NPT and the International Atomic Energy Agency (IAEA).

16. The imposition of selective, non-transparent mechanisms outside the framework of the United Nations and international treaties was not the proper response to international terrorism or to the link between international terrorism and weapons of mass destruction. The so-called Proliferation Security Initiative (PSI) therefore undermined the international unity that should exist with regard to non-proliferation and the fight against terrorism, and it in effect sought to supplant the United Nations and the relevant existing international treaties and intergovernmental agencies. Moreover, in its conception and application, the PSI was a violation of the fundamental principles of the Charter of the United Nations and of the United Nations Convention on the Law of the Sea.

17. The 2005 Review Conference offered an excellent framework within which to reaffirm and build upon the unequivocal commitment made by nuclear-weapon States to eliminate all their nuclear weapons in a transparent, irreversible and verifiable manner. It also offered an opportunity for all States parties to the Treaty to adopt new measures towards that end.

18. **Mr. Heinsberg** (Germany) said that German policy remained focused on achieving a nuclear-weapon-free world. There was general agreement on the final goal of the nuclear-disarmament process, which was to achieve the total elimination of nuclear weapons. That goal had been made explicit in the principles and objectives adopted by the 1995 Review and Extension Conference and in the Final Document of the 2000 Review Conference. The Treaty had faced several serious challenges since 1995 with respect to non-compliance with the Treaty's non-proliferation provisions, and the Review Conference would have to address those issues carefully.

19. However, the situation regarding new opportunities in nuclear disarmament had not changed since 1995, and full use of those opportunities should continue to be made. First, the Conference should strongly reaffirm its commitment to implement the decisions taken at the 1995

Review and Extension Conference and in the Final Document of the 2000 Review Conference with respect to nuclear disarmament. The 13 practical steps must remain the benchmark for further progress in that regard. Second, the Conference should acknowledge that the total elimination of nuclear weapons could not be achieved in one step and should endorse the concept of a step-by-step approach as already enshrined in the 13 practical steps. There should be common agreement on the concept of an incremental approach which would gradually lead to the total elimination of nuclear weapons. Third, the Conference should, while recognizing the progress already made towards disarmament since the end of the cold war, underline the need to create a new momentum in efforts to achieve their total elimination.

20. One of the most important steps was to restore the process of the Conference on Disarmament, which was the sole permanent multilateral body for disarmament negotiations and which should be brought rapidly back to work. The unblocking of the Conference would represent a visible sign of a willingness to continue the global nuclear disarmament process in a decisive manner. The seriousness of any decisions taken by the Review Conference would otherwise be jeopardized.

21. Germany remained particularly committed to the early entry into force of the CTBT and called on all States that had not yet done so — especially those whose ratification was necessary to its entry into force — to sign and ratify the CTBT without delay. In the meantime Germany expected the nuclear-weapon States to maintain their moratoriums on nuclear testing and also expected China rapidly to introduce its own moratorium. There should be no doubt that nuclear testing was a thing of the past.

22. The next important step towards the total elimination of nuclear arsenals was the rapid start of negotiations on an FMCT, without preconditions. Germany had from the outset supported the objective of a non-discriminatory, universally applicable and verifiable cut-off treaty. The further reduction in the number of sub-strategic or tactical nuclear weapons should be pursued on the basis of a step-by-step approach. The complete implementation of the respective unilateral commitments made by the Russian Federation and the United States in 1991 and 1992 should be a first step in that regard and should be followed by agreed transparency measures leading to the formalization and verification of those unilateral commitments.

23. It was irrelevant to discuss when a nuclear-weapon-free world could be achieved. Instead, the Review Conference should devote all its efforts to making continued, sustained progress towards that end, and there should be no room for doubt that the world was moving irreversibly forward.

24. **Mr. Benryane** (Morocco), after associating himself with the statement made by the representative of Malaysia on behalf of the Group of Non-Aligned States parties to the Treaty, said that States parties to the Treaty must recognize that the crisis affecting the non-proliferation regime was due largely to the paralysis of the main disarmament mechanisms. By honouring their commitments under the Treaty, all States parties, especially the nuclear Powers, would give the non-proliferation regime more credibility.

25. Morocco, like all States parties to the Treaty, attached great importance to the valuable and considerable progress made at the 1995 Review and Extension Conference and at the 2000 Review Conference. The Committee should therefore seek to reaffirm the full support of all States parties to the commitments made at those conferences and determine ways and means to achieve general and complete disarmament. In that context, Morocco wished to reiterate its desire for the rapid entry into force of the CTBT and the opening of negotiations on an FMCT.

26. The international community should, through the transparent and irreversible implementation of all relevant international instruments, reduce the role played by nuclear weapons in the definition of security policies and ensure that nuclear energy was used for peaceful purposes only. His delegation also wished to support the establishment, within the Committee, of a subsidiary body on nuclear disarmament and negative security assurances.

27. **Mr. Paulsen** (Norway) said that his delegation wished to underline the importance of the principles and objectives adopted at the 1995 Review and Extension Conference and to reaffirm the relevance of the concrete, systematic steps agreed at the 2000 Review Conference. Although considerable progress had been made since the end of the cold war, there were still far too many nuclear weapons in the world and those that were insufficiently protected could fall into the wrong hands. Irreversible cuts were therefore in the interests of all parties.

28. Norway had welcomed the Treaty on Strategic Offensive Reductions (“the Moscow Treaty”) as an

important contribution to stability and to disarmament. However, it had also urged the Russian Federation and the United States to make deeper cuts, and to do so on the basis of transparency, irreversibility and verifiability. The 2000 Review Conference had called for further reductions in the number of non-strategic nuclear weapons and for the gradual codification of the relevant presidential initiatives of 1991 and 1992.

29. Nuclear disarmament was about more than simply reducing the number of nuclear weapons. It also required that the development of new types of weapons should be curbed. His delegation therefore wished to see the rapid entry into force of the CTBT and had urged all countries to ratify it as soon as possible. Pending its entry into force the nuclear-weapon States must adhere to their unilateral test moratoriums, and the Preparatory Commission of the CTBT Organization must be given adequate funding.

30. An FMCT would have a positive impact on non-proliferation and disarmament efforts. However, a future cut-off treaty must also address the question of existing stocks, and Norway urged all nuclear-weapon States to place fissile material no longer required for military purposes under the IAEA verification regime.

31. Transparency was essential to effective nuclear disarmament, and reporting was a clear obligation. Norway therefore welcomed the regular reports provided by the nuclear-weapon States and looked forward to their continuation during the next review cycle. Legally binding negative security assurances would diminish the role played by nuclear weapons in national security policies, and his delegation therefore hoped that the Review Conference would reaffirm the provisions of Security Council resolution 984 (1995) and make further progress towards achieving such legally binding assurances.

32. Lastly, he recalled that Norway had introduced a working paper (NPT/CONF.2005/WP.23), entitled “NPT — a dynamic instrument and core pillar of international security”, which addressed issues of great relevance to the Committee. He therefore hoped that it would be taken into consideration in the Committee’s report.

33. **Mr. Reimaa** (Finland) said that the outcome of the 2000 Review Conference, including the agreed common position on non-strategic weapons, had been encouraging. Moreover, the working papers, statements and discussions of delegations during the present Review Conference had demonstrated recognition of the need for

serious and substantial deliberations. Finland supported many of the positions raised in those various contributions and wished to associate itself in particular with the statement made by Luxembourg on behalf of the European Union.

34. The presidential declarations made by the Russian Federation and the United States in 1991 and 1992 had created a basis for unilateral reductions in nuclear-weapons stockpiles. Although subsequent statements had strengthened expectations that the declarations would be fulfilled, that had not yet proved to be the case. It was regrettable that the dismantling of tactical weapons had not taken place in line with the joint goals set forth at the 2000 Review Conference. The two parties concerned had specific obligations, and also very special responsibilities, to increase the openness of the process as a confidence-building measure.

35. The present global security situation demonstrated the need for closer international cooperation and underlined the importance of fighting against the threat of nuclear weapons, including non-strategic weapons. It was to be hoped that the present review process would lead to stronger measures and efforts, not only in the field of nuclear arms control and disarmament, but also in the fight against terrorism and in nuclear safety. The issue of non-strategic nuclear weapons must be considered in all its aspects.

36. **Mr. Asmady** (Indonesia) said that the 2000 Review Conference had produced an unequivocal undertaking to accomplish the total elimination of nuclear weapons, leading to nuclear disarmament, and the adoption of the 13 practical steps had provided a road map for achieving that objective. Taken together with article VI of the Treaty, those two decisions had provided an essential basis for ridding the world of the threat of nuclear weapons. The lack of a discernible shift in the positions of the nuclear-weapon States on that critical issue had led to a growing pessimism.

37. Past legal and political commitments were being treated as matters of political convenience rather than as binding obligations. It was unlikely that the CTBT would enter into force in the foreseeable future, although it remained an indispensable goal. The logical next step — the start of negotiations on an FMCT — had yet to become a reality. Moreover, it was unlikely that the Conference on Disarmament would soon establish subsidiary bodies to deal with that subject or the subject of nuclear disarmament.

38. States parties were faced with an unsustainable arms-control agenda which focused on non-proliferation rather than on nuclear disarmament. Problems relating to irreversibility, accountability and verifiability remained. There was no doubt that the nuclear-weapon States had the solemn obligation to dismantle their nuclear arsenals at an early date. That obligation was not subject to self-serving and casuistic interpretations. The failure to comply fully with Treaty obligations had undermined the credibility of the non-proliferation regime, and efforts should be made to build equitable regimes that addressed the legitimate needs of those non-nuclear-weapon States that had fulfilled their commitments.

39. None of the 13 practical steps had been implemented, and some had been totally ignored. They should be pursued because they would reduce the incentive to acquire nuclear weapons, address the concern of all States to agree on a legally binding international convention against the use and threat of use of nuclear weapons, encourage the observance of international law and establish a mechanism for the implementation of nuclear-disarmament obligations within the agreed time frame, thus restoring the Treaty's viability and effectiveness.

40. All nuclear and related issues should be addressed at the same time. They were global problems which required multifaceted solutions, achieved under multilateral auspices. The three non-signatory States had, to varying degrees, undermined the Treaty-based regime, thus highlighting the need for de facto nuclear-weapon States to accept their obligations with respect to non-proliferation. The concept of reporting should also be developed at the Review Conference as an institutional component of the Treaty.

41. States parties to the Treaty would then be able to reach the appropriate conclusions regarding current and future nuclear-weapons policies and plans. The linkage between non-proliferation, disarmament and education was particularly urgent in the present very worrying international security climate, and would therefore require a sustained response from national Governments, international organizations and civil society.

42. **Mr. Park In-kook** (Republic of Korea) said that the disarmament obligations of nuclear-weapon States, as set forth in article VI of the Treaty, were fundamental to the Treaty's full implementation. The unequivocal undertaking by nuclear-weapon States to achieve the total

elimination of their nuclear arsenals was among the Treaty's key commitments.

43. Nuclear disarmament and non-proliferation were mutually reinforcing components of the Treaty's implementation. Nuclear-weapon States should therefore attach the same importance to disarmament as they attached to the Treaty's other two pillars: non-proliferation and peaceful uses of nuclear energy. While pursuing their non-proliferation commitments, nuclear-weapon States must simultaneously take steps towards disarmament. By doing so they would enhance their moral authority to deter potential proliferators.

44. Respective national, regional and global security environments were important factors in determining the nature and characteristics of nuclear disarmament, since different environments often called for different approaches. In that context his delegation supported practical steps towards the systematic and gradual achievement of nuclear disarmament. Moreover, it was imperative that the international community should foster a favourable environment for that process, preferably through a combination of unilateral, bilateral, multilateral and global initiatives.

45. While his delegation welcomed the progress made thus far by nuclear-weapon States in reducing their nuclear stockpiles, and also welcomed their commitments to further reductions, it expected them to make good on their promises. There was a growing gap in the perceptions of nuclear and non-nuclear-weapon States concerning the implementation of disarmament obligations. Narrowing that gap would enhance the moral authority and political legitimacy of nuclear-weapon States.

46. In that regard his delegation wished to underscore the need to implement faithfully the principles and objectives adopted at the 1995 Review and Extension Conference and the 13 practical steps agreed at the 2000 Review Conference. It was essential that the CTBT should enter into force at an early date, and those States that had not yet signed or ratified that Treaty — especially those States whose ratification was necessary for its entry into force — should do so without delay. In the meantime it was imperative to maintain the moratoriums on nuclear testing.

47. Furthermore, negotiations on an FMCT should begin as soon as possible and should be rapidly concluded. In the meantime, his delegation called on all nuclear-weapon States and non-Treaty States to declare

and abide by a moratorium on the production of fissile material for nuclear-weapons purposes. The Conference on Disarmament should resume its work as soon as possible, and nuclear-weapon States should demonstrate enhanced accountability and transparency in fulfilling their disarmament obligations.

48. Nuclear-weapon States should report their disarmament progress to the international community on a regular basis, and non-nuclear weapon States should also report on their nuclear stockpiles and inventories. However, given the current divergence of views on the modalities for reporting, there should be a degree of flexibility. Non-proliferation efforts, which should be strengthened and enhanced, would be most effective if they addressed the root causes of proliferation.

49. The best way to prevent proliferation was to eliminate incentives for acquiring nuclear weapons while ensuring that nuclear arsenals were ultimately negative to the security interests of the proliferators. His delegation supported the concept of negative security assurances and believed that nuclear-weapon States should provide strong and credible assurances to non-nuclear-weapon States that were in compliance with their obligations regarding safeguards. There was also value in providing enhanced security assurances and other incentives to States parties that voluntarily accepted additional non-proliferation commitments.

50. Lastly, he wished to draw to the Committee's attention his Government's working paper, which was entitled "Views on substantive issues of the 2005 Review Conference" and was contained in document NPT/CONF.2005/WP.42.

51. **Mr. Freeman** (United Kingdom) said that the United Kingdom had always been committed to the ultimate goal of verifiable nuclear disarmament, and it remained so. It had played a full role in achieving consensus on the Final Document of the 2000 Review Conference and continued to support the relevant disarmament measures contained both in that document and in the decisions of the 1995 Review and Extension Conference.

52. Over the past 12 years the United Kingdom had made substantial progress with regard to its global nuclear disarmament obligations under article VI of the Treaty. It was the only nuclear-weapon State to have reduced its nuclear arsenal to a single nuclear-weapon system, and it had effectively reduced the explosive

power of its nuclear weapons by 70 per cent since the end of the cold war.

53. Since 2000 the United Kingdom had also been pursuing a programme to develop expertise in verifying the reduction and elimination of nuclear weapons internationally. The overall aim of its research programme was to examine and test potential methodologies for use in a future nuclear-disarmament verification regime. The work was part of the United Kingdom's commitment to meeting the requirements of the Treaty's disarmament provisions and should be seen in the context of the Final Document of the 2000 Review Conference.

54. The latest results of the research programme had been published as a working paper of the Review Conference, contained in document NPT/CONF.2005/WP.1. The United Kingdom would continue its research and would explore the possibility of exchanges with other countries.

55. The United Kingdom was committed to the maximum degree of transparency concerning its nuclear and fissile material stockpiles, in accordance with its national security requirements. It had halted the production of fissile material for nuclear weapons and other nuclear explosive devices. It welcomed the fact that several other nuclear-weapon States had taken the same step, and called on other States, including States that were not parties to the Treaty, to follow that example. The United Kingdom had been the first State voluntarily to declare the total size of its stockpiles. It had voluntarily placed all fissile material no longer required for defence purposes under international safeguards and remained committed to transparency with respect to fissile material.

56. The United Kingdom continued to support the negotiation of an FMCT and had been working actively in the Conference on Disarmament to draw up a programme of work agreeable to all parties. It had signed and ratified the CTBT and remained firmly committed to it. It had not conducted a nuclear explosive test since 1991, and its commitment had been demonstrated by its continued support for the CTBT Organization and its activities. The United Kingdom welcomed the increase in the number of States parties to the CTBT and urged all other States to sign and ratify the CTBT as soon as possible.

57. He wished to reaffirm the United Kingdom's positive and negative security assurances. The United

Kingdom also fully supported the principle of nuclear-weapon-free zones and played an active and constructive role in their development. It continued to work with the Association of Southeast Asian Nations (ASEAN) to produce an agreed protocol to the Treaty of Bangkok and hoped that ASEAN would continue consultations with the nuclear-weapon States. It also supported the proposal for a weapon-free zone in Central Asia and believed that the way forward was to make further progress with the nuclear-weapon-free-zone treaties and protocols.

58. The United Kingdom had thus made significant progress towards the goals set forth in article VI of the Treaty, but also continued to encourage mutual, balanced and verifiable reductions in the number of nuclear weapons worldwide. When the United Kingdom was satisfied that sufficient progress had been made (for example, through further deep cuts in the nuclear forces of the Russian Federation and the United States) to make it possible to include its nuclear weapons in any multilateral negotiations without endangering its security interests, it would do so. In that context, it warmly welcomed the entry into force, in 2003, of the Treaty on Strategic Offensive Reductions between the Russian Federation and the United States.

59. **Mr. Dolgov** (Russian Federation), emphasizing the firm commitment of the Russian Federation to disarmament in accordance with article VI of the Treaty, said that the complete elimination of nuclear weapons must be achieved step by step, using a comprehensive approach involving all the nuclear-weapon States, and in a manner which preserved strategic stability. Key steps towards that goal were the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty), which had entered into force indefinitely on 1 June 1988, and the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I), which had entered into force on 5 December 1994, following the removal of all the nuclear weapons of the former Soviet Union to the territory of the Russian Federation, and the accession of Belarus, Kazakhstan and Ukraine to the NPT as non-nuclear-weapon States. The Russian Federation had fulfilled, and in some cases exceeded, its obligations under the INF and START I Treaties. Since the previous Review Conference alone, the Russian Federation had eliminated over 350 launchers and reduced total warhead numbers to 1,740.

60. The Strategic Offensive Reductions Treaty between the United States of America and the Russian Federation, which had entered into force on 1 June 2003 and had been hailed by the General Assembly in its resolutions 57/68 and 59/94, was a substantial advance in nuclear disarmament. The President of the Russian Federation, Vladimir Putin, had reaffirmed repeatedly the willingness of the Russian Federation to continue reducing its strategic nuclear arsenal even further.

61. The Russian Federation had cut back the number of tactical nuclear weapons to less than a quarter of the total inherited from the former Soviet Union and would continue to reduce its stock. Remaining weapons from all over the former Soviet Union had been collected at central storage sites in the Russian Federation to ensure their physical and technical safety and integrity. Comprehensive plans had been developed and implemented to prevent terrorist action involving nuclear sites. As an example, the armed forces and the Federal Atomic Energy Agency had held a large-scale exercise in the Murmansk *oblast* in August 2004, with 48 observers from 17 States members of the North Atlantic Treaty Organization in attendance. The exercise had given the international community an accurate picture of the arrangements for secure storage and transportation of nuclear weapons in the Russian Federation and of rapid-reaction teams' high state of preparedness to cope with unforeseen incidents. The transparent conduct of a sensitive exercise demonstrated the effectiveness of the Russian Federation's action to keep nuclear weapons secure. In addition, it was methodically fulfilling its treaty obligations to cut back and destroy conventional and chemical weapons, at considerable financial cost.

62. The Government of the Russian Federation encouraged efforts to establish nuclear-weapon-free zones in various parts of the world as a step towards meeting new challenges and threats, consolidating nuclear non-proliferation measures, building confidence between States, boosting international stability and security and helping to sustain the momentum of global and regional disarmament. It placed great value on the Comprehensive Nuclear-Test-Ban Treaty and hoped for its rapid entry into force, despite the current slow pace of ratification. As part of its progress towards nuclear disarmament, the Russian Federation had considerably altered the structure of its weapons sector. On the grounds that output capacity exceeded defence needs, it had been halved. The production of uranium for weapons had long since been halted, while the graphite-moderated

reactors which had produced weapons-grade plutonium were being shut down with the assistance of the United States of America, and a commitment had been made to make the plutonium in question unusable for weapons. Finally, the Russian Federation continued to oppose the placing of any kind of weapon in space, as doing so would seriously threaten international stability and security and arms-control efforts. The risk of a new arms race, either in space or on earth, and the risk of proliferation of weapons of mass destruction and their means of delivery, must be countered. To that end, the Russian Federation had joined China and other States in proposing an international agreement to prevent the stationing of weapons in space. It called on all States with space programmes to join such efforts.

63. **Mr. Trezza** (Italy) said that Italy supported the objectives set forth in article VI of the Treaty and would encourage good-faith negotiations on effective measures for the early cessation of the nuclear arms race, on nuclear disarmament, and on a treaty on general and complete disarmament. Italy, together with its partners in the European Union, looked forward to further systematic and progressive efforts to achieve nuclear disarmament.

64. Italy had finalized its report on the implementation of article VI of the Treaty and on paragraph 4 (c) of the 1995 Review Conference decision on principles and objectives for nuclear non-proliferation and disarmament. Although much remained to be done to achieve nuclear disarmament, the progress already achieved should not be minimized or dismissed.

65. He wished to note that the delegation of Luxembourg had submitted, on behalf of the European Union, a working paper entitled “European Union common approach: Cooperative Threat Reduction — Global Partnership Initiative”, contained in document NPT/CONF.2005/WP.37.

66. The significant reductions made in nuclear weapons stocks over recent decades, through multilateral, bilateral and unilateral treaties and processes, had shown the international community that disarmament negotiations were meaningless unless the weapons involved were either physically destroyed or disposed of appropriately. Over the past decade many countries had worked together under the Cooperative Threat Reduction initiative to secure and dismantle nuclear, biological and chemical weapons materials, carriers and infrastructure. Those efforts had culminated in the Global Partnership agreed

by the leaders of the Group of Eight (G-8) countries in June 2002.

67. At a time when nuclear proliferation was becoming a growing threat to international peace and security, and in view of the risk that terrorists might seek to possess fissile material or nuclear weapons, the Cooperative Threat Reduction initiative should be seen as a new way to address the problem of nuclear disarmament and nuclear non-proliferation. It strengthened trust between States and facilitated the cessation of the manufacture of nuclear weapons, in accordance with the Treaty. It also accelerated the nuclear-weapons reduction process and facilitated accession to the Treaty, thereby strengthening the nuclear non-proliferation regime.

68. In conclusion, Italy fully supported the invitation of the European Union presidency to “recognize the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and the elimination of nuclear weapons and the elimination of fissile material as defined under the G-8 Global Partnership” and wished that language to be included in the Final Document of the Review Conference.

69. **Ms. Hobbs** (New Zealand), speaking on behalf of the New Agenda Coalition, said that the objective of the Coalition at the Review Conference was the achievement of real progress towards nuclear disarmament. In that regard she would draw the Committee’s attention to three documents which outlined essential elements of the Coalition’s position: the text of the statement made to the plenary Review Conference by New Zealand on behalf of the Coalition; the working paper submitted by New Zealand on behalf of the Coalition, contained in document NPT/CONF.2005/WP.27, entitled “Working paper on nuclear disarmament for Main Committee I”; and the New Agenda Coalition’s working paper on security assurances, originally submitted to the second Preparatory Committee as document NPT/CONF.2005/PC.II/WP.11. The Coalition would be drawing on those papers and making contributions on specific subjects throughout the Review Conference.

70. **Mr. Streuli** (Switzerland) said that Switzerland supported all multilateral disarmament and arms-control initiatives aimed at achieving concrete and verifiable results. It attached particular importance to the implementation of article VI of the Treaty as well as to respect for the commitments that had led to the signing of the Treaty by States that had agreed to renounce their

own nuclear ambitions in return for commitments by nuclear-weapon States to pursue negotiations in good faith towards nuclear disarmament.

71. The vast majority of non-nuclear-weapon States parties had respected their commitment not to acquire nuclear weapons, and nuclear-weapon States should continue to work towards the gradual fulfilment of their obligations. Since the last Review Conference there had been positive developments. The Moscow Treaty, for example, would produce a significant reduction in strategic nuclear weapons and should therefore be welcomed as a step in the right direction.

72. However, in order to be credible, any bilateral or unilateral disarmament measure should adopt the principles of transparency, irreversibility and verifiability. Whereas the implementation of non-proliferation measures was subject to the IAEA multilateral verification regime, nuclear-disarmament measures were not subject to any verifiable multilateral regime. In that regard, he welcomed the studies conducted by the United Kingdom in the area of verification. In the field of non-strategic nuclear weapons, progress remained somewhat mixed. There was a significant disparity between promises made on a unilateral basis and their effective implementation.

73. His delegation supported all the commitments made in the Final Documents adopted at the 1995 Review and Extension Conference and the 2000 Review Conference. Together, the two documents constituted a set of established laws and practices which underpinned the credibility and value of the Treaty as the cornerstone of international security. His delegation wished to emphasize in particular the need to respect the nuclear non-proliferation and disarmament principles and objectives agreed at the 1995 Review and Extension Conference. However, it should be noted that not all the decisions taken at that Conference a decade earlier had yet been implemented. He therefore called on the States concerned to assume their related responsibilities.

74. In that regard, his delegation wished to make a number of points. First, in order to safeguard the CTBT it was essential that States whose ratification was necessary for its entry into force should proceed to ratify it as soon as possible. In the meantime, they should maintain their moratoriums on nuclear testing. Second, a special committee should be set up within the Conference on Disarmament, aimed at facilitating the opening of negotiations on a fissile material cut-off treaty. His

delegation shared the view that States which produced fissile materials for military purposes should introduce a moratorium on the production of such materials and place existing stocks under IAEA control.

75. Third, the negative security assurances provided by nuclear-weapon States parties to the Treaty remained inadequate because they were generally accompanied by reservations. Regardless of whether they belonged to a nuclear-weapon-free zone, non-nuclear-weapon States parties had a legitimate right to security assurances against the use and threat of use of nuclear weapons. His delegation therefore requested that, in accordance with the recommendations contained in the principles and objectives agreed in 1995, a binding multilateral instrument on security assurances should be negotiated within the Conference on Disarmament. Furthermore, it welcomed the efforts made by Mexico to that end.

76. The 13 practical steps adopted at the 2000 Review Conference also constituted a set of established laws and practices, and it was a matter of regret that only limited overall progress had been made towards their implementation. His delegation would support any proposals reaffirming the unequivocal commitment of States parties to the 13 steps, and urged the Review Conference to focus on strengthening some of the steps. In that context, it welcomed the proposals made by Canada on the implementation of article VI, and would note that it had submitted its own report on the same subject.

77. Unfortunately, the achievement of the nuclear disarmament goals set forth in article VI of the Treaty remained a very distant prospect. The Final Document of the Review Conference should therefore contain a strong message reiterating the need for all States parties to respect all their Treaty obligations. Switzerland expected nuclear-weapon States parties to make a new and unequivocal commitment to the ultimate goal of the total elimination of their nuclear arsenals.

78. **Mr. Smith** (Australia) said that his country remained committed to a nuclear-weapon-free world. As one of the vast majority of States parties to the Treaty that had forsworn nuclear weapons, it expected the nuclear-weapon States vigorously to pursue their disarmament commitments under the Treaty. Australia had joined Japan in putting forward ideas for further progress on nuclear disarmament, which had been circulated as working paper NPT/CONF.2005/WP.34 entitled "Further

measures to be taken to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons regime”.

79. It was also important to recognize the substantial progress made in the area of nuclear disarmament. A major development since the 2000 Review Conference had been the conclusion of the Moscow Treaty between the United States and the Russian Federation. The reductions contemplated under that agreement were significant and undeniable. However, the two States should continue their efforts to reduce strategic and non-strategic nuclear weapons in both deployed and reserve holdings.

80. Australia also wished to acknowledge the nuclear disarmament steps taken by the United Kingdom and France. The fact that American and Russian nuclear arsenals were many times larger did not excuse nuclear-weapon States with smaller arsenals from honouring their commitments under the Treaty. The significance of the Treaty lay not just in its quantitative reductions but also in its having established a more cooperative arms-control relationship between the two main nuclear Powers.

81. Australia welcomed the steps taken to reduce the operational readiness of nuclear-weapon systems, including de-targeting and reducing the alert status of certain nuclear-weapon systems. It looked to the nuclear-weapon States to pursue further reductions in the operational status of nuclear-weapon systems in ways that promoted international stability and security.

82. As long as the nuclear-weapon States continued to possess nuclear weapons, they had a responsibility to ensure that their nuclear-weapon policies did not detract from the global non-proliferation norm. Otherwise, the Treaty’s basic foundation might be eroded. In particular, nuclear-weapon States must ensure a reduced role for nuclear weapons in their national security policies.

83. A key outcome of the 2000 Review Conference was that the principle of irreversibility should apply to nuclear disarmament. Australia recognized that progress had been made on irreversibility, and also welcomed the work being done by the United Kingdom on means of verifying the reduction and elimination of nuclear weapons. Effective verification would be central to irreversible nuclear disarmament.

84. All States parties must demonstrate their commitment to practical steps to facilitate nuclear disarmament. Australia placed particular importance on the entry into force of the CTBT. It should not be

forgotten that the CTBT International Monitoring System (IMS) delivered real security and other benefits, including a possible role in a global tsunami warning system. The Review Conference should urge those countries that had yet to sign or ratify the CTBT to do so as soon as possible. Until the CTBT entered into force, existing moratoriums on nuclear testing must be maintained, and strong support should continue to be given to development of the IMS.

85. Capping the amount of fissile material available for nuclear weapons was an essential step towards irreversible nuclear disarmament. And yet, negotiations on an FMCT had still not begun because of the deadlock in the Conference on Disarmament. The failure of the Conference on Disarmament to fulfil its mandate in that regard raised doubts as to its usefulness as an effective disarmament forum. The Review Conference must serve as a catalyst for an immediate start to negotiations on a fissile material cut-off treaty and to its early conclusion. To be credible and effective, such a treaty should include appropriate measures to verify that parties were complying with their obligations.

86. Australia welcomed the moratorium introduced by most nuclear-weapon States on the production of fissile material for nuclear weapons. It hoped that China would join the other nuclear-weapon States in announcing its own moratorium and would urge India, Pakistan and Israel to do the same.

87. Australia placed great importance on nuclear-weapon-free zones as a vehicle for providing binding negative security assurances to non-nuclear-weapon States parties to the Treaty. Over the past decade the signing by nuclear-weapon States of the protocols to nuclear-weapon-free zones had increased the number of non-nuclear-weapon States benefiting from legally binding negative security assurances, and, in cases where nuclear-weapon States had not yet signed or ratified such protocols, Australia encouraged discussions aimed at enabling them to do so.

88. Universality remained essential to the full realization of the Treaty’s objectives, and while it was certainly a long-term goal, it was not unattainable. History had shown that nuclear proliferation was reversible. Pending their accession to the Treaty as non-nuclear-weapon States, the non-Treaty States — India, Pakistan and Israel — should refrain from taking actions contrary to the universal norms embodied in the Treaty. In particular, they must support the global nuclear non-

proliferation norm by ensuring that strict domestic controls were kept on their nuclear materials, equipment, technology and knowledge.

89. The non-Treaty States should also support practical progress on nuclear disarmament, and it was a matter of concern that India and Pakistan had not yet signed the CTBT and that Israel had not yet ratified it. For each of those countries the CTBT was an opportunity to take a significant confidence-building measure in a region of tension.

90. It should never be forgotten that the Treaty played a central role in maintaining global peace and security, even while nuclear disarmament remained a work in progress. Furthermore, it should always be acknowledged that nuclear disarmament could not be considered in isolation from other aspects of the Treaty or from the wider international security environment. Movement on nuclear disarmament should not be a precondition for further improvements to the non-proliferation regime.

91. **The Chairman** said that he had been approached by the representative of China, who wished to exercise his country's right of reply under rule 19 of the rules of procedure of the Review Conference.

92. **Mr. Hu Xiaodi** (China) said that he wished to clarify his delegation's position in the light of the statement made by the representative of Germany. China had in fact introduced a moratorium on nuclear testing many years ago. It had always firmly supported the CTBT and had actively participated in the relevant negotiations. As a nuclear-weapon State, and as one of the annex-II countries to the CTBT, China was well aware of its special responsibility to promote the Treaty's entry into force and to maintain its own test moratorium. The Chinese National People's Congress was presently reviewing the Treaty, in accordance with the relevant procedures. He therefore wished to stress, once again, that China had always honoured its commitment to its moratorium on nuclear-weapon testing, and would continue to do so.

Introduction of subsidiary body by its Chairman

93. **Mr. Caughley** (New Zealand) said that the subsidiary body would focus its work on nuclear disarmament and security assurances and would hold two meetings during the Review Conference, focusing on each topic in turn. He wished to encourage a dialogue and a certain degree of interactivity and fluidity in the subsidiary body's proceedings. If delegations wished to

put forward proposals, he would encourage them to provide the Secretariat with written statements. Lastly, he would be open to receiving advice and to engaging in consultations, although delegations should try to focus on practical proposals.

94. **Mr. Zarif** (Islamic Republic of Iran) wondered whether the members of the subsidiary body would receive a preparatory text ahead of the two meetings, as such a text would greatly facilitate their discussions.

95. **Mr. Caughley** (New Zealand) said that he would prefer to listen to the various statements in the Main Committee before attempting to prepare such a text, although he would be guided by delegations' wishes in that regard.

The meeting rose at 5.10 p.m.

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

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Main Committee I

Summary record of the 3rd meeting

Held at Headquarters, New York, on Friday, 20 May 2005, at 10 a.m.

Chairman: Mr. Parnohadiningrat (Indonesia)

Contents

General exchange of views (*continued*)

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The meeting was called to order at 10 a.m.

General exchange of views (*continued*)

1. **Mr. Mekdad** (Syrian Arab Republic) said that both nuclear-weapon States and non-nuclear-weapon States were given rights and responsibilities under the Treaty on the Non-Proliferation of Nuclear Weapons. Non-nuclear-weapon States had accepted that arrangement in exchange for guarantees that nuclear weapons would not be used against them. Nuclear-weapon States had started to distance themselves from that promise; some had stated that they would not hesitate to use nuclear weapons against non-nuclear-weapon States. The efforts of some of those States to destroy multilateralism and its mechanisms in order to monopolize power and control the destinies of other nations and peoples had worsened the situation. Those same States applied double standards to the non-proliferation issue, thereby increasing the threat to international peace and security.

2. The Treaty had not succeeded in giving the world's peoples a sense of security because nuclear weapons could be used against them at any time. Nuclear-weapon States had stubbornly resisted giving real and legally binding guarantees to non-nuclear-weapon States. Instead, some nuclear-weapon States had behaved irresponsibly and had regularly violated the Treaty's provisions by assisting States and entities that were not parties to it. In the future, some nuclear-weapon State might not hesitate to put its weapons at the disposal of non-State actors in order to impose terror and chaos on international relations.

3. The resolutions and decisions adopted at previous Review Conferences had become part of the Treaty and should be taken seriously. The extension decided upon at the 1995 Review and Extension Conference had been an extension of the time allowed for pursuing the goal of nuclear disarmament, not for possessing nuclear weapons.

4. At the current Review Conference, States should adopt a clear position on the Treaty's universalization and should seriously address the violations committed by some nuclear-weapon States that had transferred nuclear weapons, expertise and assistance to States not parties to the Treaty. One example was Israel, which maintained a huge nuclear arsenal that had been supplied and developed by certain nuclear-weapon States. Those same States had provided Israel with

international protection and had justified its defiance of international law.

5. The Conference should also adopt a firm stance on negative security guarantees and call on nuclear-weapon States to put an end to delays, double standards and irresponsibility. All States should adopt a moral policy in accordance with the Treaty's goal of international peace and security without the threat of nuclear weapons.

6. **Mr. Świtalski** (Poland) said that his delegation advocated a balanced approach to nuclear disarmament and nuclear non-proliferation. The preservation of the Treaty's integrity and effectiveness was a matter for concern, given the possibility that some States might withdraw from the Treaty or fail to comply with safeguards agreements. In order to enhance international security, bilateral and multilateral mechanisms had been established in the areas of conflict prevention, disarmament and non-proliferation agreements and export controls. His Government participated in the Proliferation Security Initiative, launched in May 2003, and had hosted the first anniversary meeting of that Initiative in 2004. His Government also participated in the Global Partnership against the Spread of Weapons and Materials of Mass Destruction and was actively involved in implementing the European Union policy on non-proliferation. Security Council resolution 1540 (2004), which called on Member States to report on implementation measures, had helped to promote transparency in the area of non-proliferation.

7. The national security interests of States would best be served by the universalization of the Treaty. Multilateralism provided States with the assurance of equal treatment and the opportunity to contribute to common goals. In the post-cold-war era, the Treaty remained the cornerstone of international security. If universally adopted, the model additional protocol would remain an essential non-proliferation tool. The priorities for States included enhancing the capacity of the International Atomic Energy Agency (IAEA) and strengthening its financing mechanisms, ensuring the accession of all States to the Treaty and promoting the universal implementation of comprehensive safeguards agreements and additional protocols. States should make every effort to ensure the success of the diplomatic meeting to be held in Vienna from 4 to 8 July 2005 to consider amendments to the Convention on the Physical Protection of Nuclear Material. His

delegation advocated the earliest possible ratification of the Comprehensive Nuclear-Test-Ban Treaty and the initiation of negotiations on the proposed fissile material cut-off treaty.

8. **Ms. Sanders** (United States of America) said that her delegation was fully committed to the Treaty and believed that all States must comply with their obligations thereunder. Her Government fully complied with article VI and was interested in knowing how other States were advancing the goals of that article, which applied to both nuclear-weapon and non-nuclear-weapon States parties. The strengthening of international trust had enabled her Government to undertake measures pursuant to article VI, both multilaterally within the North Atlantic Treaty Organization (NATO) and bilaterally (with the Russian Federation). However, there were new proliferation challenges, including the violation of non-proliferation agreements by States seeking to acquire nuclear weapons, as well as revelations of non-State actor involvement in the trafficking of nuclear material. Those challenges threatened international peace and security and the viability of the Treaty, and the prime objective of the 2005 Review Conference should be to endorse measures to combat those proliferation threats.

9. Her Government had established an enviable record of article VI compliance by dismantling more than 13,000 nuclear weapons since 1988 and approving a plan to cut the nuclear stockpile by almost half from its 2001 level. Non-strategic nuclear weapon storage sites in Europe had been reduced by 80 per cent and significant reductions in nuclear delivery systems had been effected since the end of the cold war. The United States had not enriched uranium for nuclear weapons since 1964 and had not produced plutonium for nuclear weapons since 1988, and had no plans to do so in the future. Her delegation supported the initiation, in the Conference on Disarmament, of negotiations on a fissile material cut-off treaty.

10. Since 1992, her Government had allocated more than \$9 billion to non-proliferation and threat reduction assistance to the former Soviet Union. Her Government had agreed to contribute half of the \$20-billion pledge that had been made by the Group of Eight leaders for threat reduction assistance to the Russian Federation over the next 10 years. Her Government continued to observe a nuclear testing moratorium and encouraged other States to do likewise. It did not support the Comprehensive Nuclear-Test-Ban Treaty but continued

to work with the Provisional Technical Secretariat on the international monitoring system. Her Government no longer targeted any country with nuclear weapons on a day-to-day basis. Significant steps had been taken to contribute to article VI goals and to confidence-building among States.

11. Following its 2001 Nuclear Posture Review, her Government had redefined the role of nuclear weapons in the national defence strategy, in line with its resolve to implement article VI of the Treaty. It had established a new triad of strategic capabilities that placed far less reliance on nuclear weapons and included nuclear and non-nuclear forces, active and passive defences and a research and development infrastructure. Although the Treaty did not prohibit the nuclear-weapon States from modernizing their nuclear forces, her Government was not developing new nuclear weapons. The 2001 Nuclear Posture Review had merely identified shortfalls in capabilities where new conventional or nuclear weapons might be required. In that connection, while research on advanced weapon concepts had been carried out, there had been no decision to move beyond the study stage. One of the goals of that research was to ensure that the nuclear stockpile remained safe and reliable. Her Government balanced its obligations under article VI with its obligations to maintain national security.

12. Compliance with all the objectives of the Treaty was very important and should be a shared goal. It was untenable to assert that compliance with non-proliferation obligations was linked to compliance with disarmament obligations, that the non-proliferation obligations under the Treaty were any less binding than the disarmament obligations or that the non-proliferation obligations should not be strengthened or enforced. While the Review Conference served a vital function by facilitating an exchange of views and reaffirming Treaty obligations, it was not an amendment conference. Any declarations or decisions emanating from the Conference did not in any way modify the explicit legal obligations of all States parties to the Treaty.

13. Her delegation believed that many States parties had made little effort to pursue good-faith negotiations on general and complete disarmament under article VI. That aspect of article VI was often overlooked, even though the Treaty clearly implied that efforts towards nuclear disarmament should be linked to efforts towards general and complete disarmament. During the

course of the Review Conference, her delegation would welcome full engagement and discussion on article VI. The excessive focus on nuclear disarmament was diverting attention from the non-proliferation articles of the Treaty and from the crisis of compliance to which that imbalance of attention had contributed.

14. **Mr. Meghlaoui** (Algeria) said that the balanced implementation of the Treaty's three cornerstones of disarmament, non-proliferation and the right to peaceful uses of nuclear energy was a basic condition for its credibility and effectiveness. The 1995 Review Conference had adopted basic principles for nuclear disarmament in accordance with article VI, and the 2000 Review Conference had embodied those principles in the 13 practical steps for nuclear disarmament set out in its Final Document. But no progress had been made in the implementation of those steps or in the area of nuclear disarmament generally. Similarly, the 1996 Comprehensive Nuclear-Test-Ban Treaty had not yet entered into force, and there had been no progress in negotiations on a fissile material cut-off treaty. In view of certain military doctrines that incorporated nuclear weapons into their strategy, a legally binding international instrument protecting non-nuclear States against the use or threat of use of nuclear weapons was essential.

15. The natural multilateral cooperative framework within which to address those problems was the Non-Proliferation Treaty Review Conference, and the lack of progress reflected a lack of political will and a conflict of interests and priorities among States parties to the Treaty. Algeria urged the States parties to build on the "Five Ambassadors" proposal, which addressed the four basic issues of nuclear disarmament, negative security assurances, prohibition of the production of fissile material for nuclear weapons and nuclear explosive devices, and prevention of an arms race in outer space.

16. Nuclear-weapon-free zones were an important transitional step towards comprehensive disarmament. The 1995 Review Conference had adopted a resolution on the establishment of a nuclear-weapon-free zone in the Middle East, but Israel had obstructed that goal by remaining outside the Treaty and refusing to submit its nuclear installations to the IAEA safeguards regime. The Conference should adopt the necessary resolutions and recommendations to induce Israel to accede to the Treaty and rid the Middle East of nuclear weapons.

17. Algeria, in the interest of international peace and stability, had acceded to all international instruments relating to disarmament and the non-proliferation of weapons of mass destruction, signed a comprehensive safeguards agreement with IAEA and expressed its intention to sign an additional protocol.

18. **Mr. Al-Shamsi** (United Arab Emirates) said that the danger of nuclear proliferation was not limited to the nuclear-weapon States' maintenance of their nuclear arsenals, but also included efforts in recent years by other States to produce or acquire nuclear weapons, secretly or openly, as part of national defence strategies dating back to the cold war. Lack of progress towards limiting the spread of offensive strategic nuclear weapons and towards universalization of the Treaty not only eroded trust among nations, but also placed obstacles in the way of peace, security and development in the new millennium.

19. The principle of multilateralism in the disarmament and non-proliferation processes needed to be reaffirmed. That required continued strengthening of the review process, of the regular reporting mechanism provided for by the Final Document of the 2000 Review Conference and of non-proliferation education. Second, mechanisms were needed to ensure compliance by nuclear-weapon States with their commitments to complete disarmament, including implementation of the 13 practical steps for nuclear disarmament set out in the Final Document of the 2000 Review Conference, according to a timetable agreed to within a multilateral framework in accordance with article VI of the Treaty. Third, the necessary guarantees should be provided to non-nuclear-weapon States, including a legally binding international instrument whereby nuclear-weapon States would undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon States. Fourth, the necessary recommendations should be adopted to strengthen the Conference's mandate to deal with the challenges standing in the way of agreement on a phased programme for the elimination of all nuclear weapons. Fifth, nations which had not acceded to the Treaty, foremost among them Israel, should be required to do so as soon as possible without preconditions, and to submit their nuclear installations to IAEA safeguards. Sixth, the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty should be regarded as one of the most important of the 13 practical steps set out in the Final Document of the 2000 Review Conference.

The United Arab Emirates hoped that the deliberations of the current Review Conference would contribute to a safe, secure and stable global environment conducive to sustainable development.

20. **Miss Majali** (Jordan) said that the world was further than ever from realizing the principles and objectives of the Non-Proliferation Treaty. Large nuclear stockpiles remained, no tangible progress had been made towards nuclear disarmament or towards halting the horizontal and vertical proliferation of nuclear weapons, the objective of universal adherence to the Treaty was still to be achieved and the Comprehensive Nuclear-Test-Ban Treaty had yet to enter into force. The Conference should call for the early adoption of a treaty prohibiting the production of fissile materials for nuclear weapons, and negotiations should begin on the drafting of a binding document providing negative security assurances to the non-nuclear-weapon States parties to the Treaty.

21. The 2005 Review Conference should call upon the nuclear-weapon States to implement the unanimous advisory opinion of the International Court of Justice regarding the obligation to pursue negotiations leading to nuclear disarmament in all its aspects. The Conference should also call for the total prohibition of the transfer of nuclear-related equipment, information, materials and facilities and a ban on the extension of assistance in the nuclear field to States not parties to the Treaty. It was important to make every effort to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty. It was necessary for nuclear-weapon States to comply fully with article VI of the Non-Proliferation Treaty.

22. **Mr. Bauwens** (Belgium), speaking also on behalf of Lithuania, the Netherlands, Norway, Poland, Spain and Turkey, drew attention to working paper NPT/CONF.2005/WP.35, in which the seven sponsors had attempted to outline middle-ground positions for consideration at the current Review Conference. The working paper contained language on preserving the integrity of the non-proliferation regime, safeguards and verification, accountability and transparency, fissile material, peaceful uses of nuclear energy, the Comprehensive Nuclear-Test-Ban Treaty, negative security assurances, non-strategic nuclear weapons and nuclear disarmament. The sponsors hoped that the document would serve as an input for the final document of the 2005 Review Conference.

23. **Mr. De Alba** (Mexico) said that, as one of the sponsors of the working paper on disarmament and non-proliferation education, Mexico associated itself fully with the statement on that subject made earlier by the representative of New Zealand.

24. A measure of the success of the Treaty was the degree to which nuclear-weapon States fulfilled their unequivocal commitment to nuclear disarmament, which had been a major achievement of the successive Review Conferences. Unfortunately, the Moscow Treaty on Strategic Offensive Reductions was perhaps the sole concrete result in that regard. Even that Treaty had shortcomings: it was not irreversible, and compliance was difficult to verify. Mexico had noted that most of the disarmament commitments made by nuclear-weapon States predated the year 2000, and therefore also the unequivocal undertaking made that year.

25. Mexico shared the recent worldwide concern over a number of cases of failure to comply with non-proliferation commitments, as they threatened international peace and security, and hoped that the present Review Conference would address those cases objectively and comprehensively. The Review Conference should also evaluate compliance with all three pillars of the Treaty, and ensure that States Parties' right to peaceful uses of nuclear energy was guaranteed in an environment of strengthened safeguards. Such an evaluation should be based on the wording of the Treaty itself and on the commitments freely entered into at previous Review Conferences.

26. The evaluation of compliance would strengthen, rather than alter, the Treaty, as its effectiveness depended on observing the principle of *pacta sunt servanda*. An evaluation would make it possible not only to examine past achievements, but also to determine what remained to be done. Mexico favoured regular written reports on compliance, an approach advocated at the 2000 Review Conference as one of 13 practical steps to promote implementation of article VI of the Treaty, and had submitted such a report itself in the interests of improving transparency and easing concerns over non-compliance. It hoped that the opportunity to make progress in disarmament would not be jeopardized by the diverging views on the fulfilment of Treaty undertakings, and would be contributing proposals for more objective compliance yardsticks.

27. Lastly, Mexico supported the working paper submitted by Bolivia, Costa Rica, Malaysia, Nicaragua, Timor-Leste and Yemen on the legal, technical and political elements required for the establishment and maintenance of a nuclear-weapon-free world (NPT/CONF.2005/WP.41).

28. **Ms. Hobbs** (New Zealand) said that the important role of civil society in the implementation of the Treaty should be kept in mind. Education in disarmament and non-proliferation was essential for strengthening the links between the Treaty regime and the international community. The full implementation of the Treaty would require active cooperation between Governments and all sectors of civil society.

29. New Zealand had had the honour of being represented in the Secretary-General's Group of Governmental Experts on disarmament and non-proliferation education, which had been set up in 2002 after the adoption of General Assembly resolution 55/33 E, "United Nations study on disarmament and non-proliferation education". New Zealand supported the recommendation of the study and urged all States to implement them fully. New Zealand was one of the sponsors of a working paper on disarmament and non-proliferation education (NPT/CONF.2005/WP.30), which recommended steps for the further development of disarmament and non-proliferation initiatives. Two representatives of NGOs had been included in the New Zealand delegation to the current Review Conference to strengthen links between Governments and civil society.

30. **Mr. Al-Otaibi** (Kuwait) said that the Treaty was a key instrument in efforts to halt the vertical and horizontal proliferation of nuclear weapons and an essential foundation for nuclear disarmament, and renewed its call on the nuclear-weapon States to fulfil their undertaking at the 2000 Review Conference to work for complete disarmament through negotiation and by fully implementing the 13 practical steps for nuclear disarmament set out in the Final Document of that Conference. Thus far, the desired progress had not been made owing to a lack of political will to comply with international agreements. Out of its concern about the dangers of weapons of mass destruction, Kuwait had ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological

(Biological) and Toxin Weapons and on Their Destruction, a comprehensive safeguards agreement and additional protocol with IAEA, and the Comprehensive Nuclear-Test-Ban Treaty. In the interest of nuclear safety, Kuwait had ratified the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

31. His delegation urged all States that had not yet done so to sign a comprehensive safeguards agreement and an additional protocol with IAEA. All States parties to the Non-Proliferation Treaty should comply with their obligations thereunder. Kuwait welcomed Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and had submitted its national report to the relevant Committee. It believed that international monitoring mechanisms to ensure non-proliferation should be enhanced. An objective evaluation of nuclear-weapon States' compliance with the Treaty and the outcomes of the 1995 and 2000 Review Conferences was essential. The current Conference was a perfect time for States that had not yet done so to announce their intention to accede to the Treaty and work towards a world free of weapons of mass destruction.

32. **Mr. Adekanyen** (Nigeria) said that Nigeria had renounced the nuclear option, concluded safeguards arrangements with IAEA and ratified the Treaty of Pelindaba on an African nuclear-weapon-free zone. Nigeria had always called on States parties to reaffirm their commitment to the full implementation of the Treaty, especially article VI. That call was in keeping with the international community's resolve, set out in the Millennium Declaration, to strive for the elimination of weapons of mass destruction. It was crucial for States parties to agree on the establishment of a legally binding international instrument under which the nuclear-weapon States would undertake not to use or threaten to use nuclear weapons against non-nuclear-weapon States. That was the only way that non-proliferation could be meaningfully sustained.

33. Nigeria supported the final document of the 2000 Review Conference and the 13 practical steps set out therein, which would hasten progress towards the total elimination of nuclear arsenals.

34. Nigeria was concerned at the emergence of new strategic doctrines in some nuclear-weapon States which had raised doubts about the implementation of

important disarmament commitments. Nigeria supported the total elimination of nuclear tests and had ratified the Comprehensive Nuclear-Test-Ban Treaty in 2001.

35. Bilateral efforts by the two major nuclear Powers to reduce strategic nuclear defences represented a positive step towards nuclear disarmament. However, reductions in deployment or operational status were no substitute for irreversible cuts or the total elimination of nuclear weapons. It was necessary to commence negotiations on a non-discriminatory, multilateral, internationally and effectively verifiable treaty banning the production of fissile materials for nuclear weapons.

36. Appropriate measures should be adopted to preserve the right of all parties to the Treaty to use nuclear energy for peaceful purposes under full IAEA safeguards. Nigeria had created or participated in national and regional institutional frameworks in that regard. It supported efforts to establish nuclear-weapon-free zones in all regions of the world and reaffirmed the need to establish a nuclear-weapon-free zone in the Middle East.

37. **Ms. Pollack** (Canada) stated Canada's support for the working paper on disarmament and non-proliferation education (NPT/CONF.2005/WP.30). Canada had fully supported General Assembly resolution 55/33 E, and already had several national measures in place which were in keeping with the recommendations in the resolution, such as support for independent, graduate-level research and sponsorship of the production of an education module on disarmament and non-proliferation for students and teachers at the secondary level.

38. Canada had included representatives of civil society in its delegations to Non-Proliferation Treaty meetings and had held annual conferences with civil society representatives on disarmament and non-proliferation. Canada looked forward to learning about how other parties were advancing the goals of article VI of the Treaty.

39. **Mr. Chowdhury** (Bangladesh) said that the reluctance of nuclear-weapon States to implement article VI of the Treaty was disappointing, as was the fact that the Comprehensive Nuclear-Test-Ban Treaty had not yet entered into force. The posture of some nuclear-weapon States which had prevented the Conference on Disarmament from establishing an ad

hoc committee on nuclear disarmament was deeply regrettable.

40. Bangladesh had an impeccable non-proliferation record and had opted to remain nuclear-weapon-free. The country attached great importance to full adherence to articles I and II of the Treaty and to the rights of States parties to use nuclear energy for peaceful purposes. Nuclear non-proliferation was not practically achievable in the absence of total nuclear disarmament. Arrangements concluded outside the Treaty with a view to reducing nuclear arsenals were welcome, as long as they complemented the Treaty and did not attempt to replace it.

41. A major achievement of the 2000 Review Conference had been the commitment of the nuclear-weapon States to provide negative security assurances to the non-nuclear-weapon States. It was important to maintain those assurances as they would encourage States to remain nuclear-weapon-free. It was regrettable that that arrangement had been diluted in recent years.

42. **Mr. Nejad** (Islamic Republic of Iran) said that at the end of the cold war, serious attempts had been made to reduce the nuclear threat and a new positive atmosphere had been created. Unfortunately, that trend had been discontinued. A representative of one of the nuclear-weapon States had recently said that article VI of the Treaty did not refer to nuclear-weapon States and that there were no deadlines for nuclear disarmament. Some new policies adopted by nuclear-weapon States ran counter to the obligations undertaken by those States under the Treaty. Such policies included the possibility of targeting non-nuclear-weapon States or developing new warheads.

43. Israel's nuclear arsenal was a threat to the Middle East region. Cooperation extended to Israel had increased its nuclear weapon capability and was in violation of the Treaty. Such transfers, deployments and training posed serious threats.

44. **Ms. Notutelan** (South Africa) said that the International Maritime Organization had recently concluded negotiations on proposed amendments to the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and its Protocol relating to fixed platforms. That development could have negative implications for the implementation of States parties' obligations under the Non-Proliferation Treaty. A diplomatic conference to

adopt the proposed amendments to the 1988 Convention and Protocol was scheduled for October 2005.

45. The most controversial aspect of the proposed amendments was a so-called savings clause specifying that it would not be an offence under the Convention to transport items or materials intended for the delivery system of a nuclear weapon or other nuclear explosive device of a State party to the Non-Proliferation Treaty, where the holding of such weapon or device was not contrary to that State party's obligations under the Treaty. The proposed amendments were in direct conflict with South Africa's policy on nuclear non-proliferation and disarmament, which reflected its obligations under articles II and III of the Treaty. If the provisions in question were not brought into line with the Treaty, South Africa would not be able to become a party to the amended instrument.

46. Not only was the savings clause contrary to articles I and II of the Treaty, which prohibited the transfer or receipt of nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices; it also sought to reinterpret States parties' obligations under the Treaty and had the effect of further entrenching the unequal legal regime for nuclear-weapon States under the Treaty, contrary to their disarmament obligations. If adopted, some of the provisions might affect States' right to use nuclear energy for peaceful purposes.

47. South Africa had requested that the proposed amendments should include language consistent with article 4, paragraph 4, of the recently adopted International Convention for the Suppression of Acts of Nuclear Terrorism, which read, "This Convention does not address, nor can it be interpreted as addressing, in any way, the issue of the legality of the use or threat of use of nuclear weapons by States". Moreover, in view of its concerns about attempts to reinterpret the Treaty and to adopt measures contrary to its provisions in other international bodies not responsible for nuclear disarmament and non-proliferation, South Africa proposed that the final document of the Conference should include a sentence reading, "States parties reaffirm their commitment to the non-proliferation of nuclear weapons and to their obligations under articles I and II of the Treaty and undertake not to effect the transfer to any recipient, or to receive the transfer from any transferor whatsoever, of nuclear weapons or other nuclear explosive devices or their parts, control over

such weapons, parts or explosive devices directly, or indirectly; and not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons, their parts or other nuclear explosive devices, or control over such weapons, parts or explosive devices".

48. **Mr. Al-Bader** (Qatar) said that Qatar considered the Treaty the cornerstone of regional and international peace and security and believed that universalization of the Treaty was within reach if appropriate pressures were applied to the three States that had not yet signed it. Qatar called on nuclear-weapon States to give up their reliance on nuclear deterrence, in implementation of article VI, and for non-nuclear-weapon States to be given the requisite safeguards. Qatar called on Israel, the only State in the Middle East not to have signed the Treaty and the only obstacle in the way of implementing General Assembly resolution 59/63 on the establishment of a nuclear-weapon-free zone in the Middle East, to accede to the Treaty and submit its nuclear installations to the IAEA safeguards regime. Transparent and non-discriminatory implementation and the provision of guarantees to non-nuclear-weapon States were crucial to the Treaty's success.

49. **Mr. Journès** (France) said, with respect to the working paper on disarmament and non-proliferation education (NPT/CONF.2005/WP.30), that anything that could spread awareness of the stakes and the challenges of non-proliferation was a step in the right direction. Such awareness-raising activities should target young people, civil society and the research and academic community working on related subjects. France was in full agreement with the working paper's recommendations, although the reference to visits to Hiroshima and Nagasaki should have been the subject of a separate paragraph. Furthermore, there remained the question of funding: who would actually pay for all those worthwhile activities?

50. **Mr. Köffler** (Austria) said that the oft-cited "crisis of compliance" with the Treaty had two components: the disarmament side and the non-proliferation side. The two sides were equally important and mutually reinforcing, and one could not be held hostage to the other. A new dimension was the twin issue of terrorism and non-State actors. If the Treaty was in a crisis of confidence alongside its crisis of compliance, efforts should be made to restore trust among its States parties.

51. Significant progress had been made in reducing the number of nuclear weapons and their state of alert and deployment. However, the issue of tactical nuclear weapons, which had been on the agenda for years, needed to be resolved. Despite the progress made, it was regrettable that nuclear weapons still had a place, sometimes a central place, in strategic planning and military doctrines. Austria was also concerned about reports of intentions to develop new nuclear weapons from existing ones or to alter their design for new uses. The assertion that such plans were only at the theoretical stage was not very reassuring. The cold-war concept of nuclear deterrence was still in use long after the end of the cold war, but the effectiveness of nuclear deterrence against non-State actors, to give just one example, was highly doubtful.

52. The common goal of the States parties to the Treaty — the vision of a safer world free of nuclear weapons and weapons of mass destruction — had been expressed by consensus both in the principles and objectives adopted at the 1995 Review Conference and in the 13 practical steps adopted at the 2000 Conference. Those commitments by States parties remained as valid as ever, and Austria fully subscribed to the three concepts put forward by the countries of the New Agenda Coalition — irreversibility, transparency and verification — as the basis of the non-proliferation process.

53. The almost universal support for the entry into force of the Comprehensive Nuclear-Test-Ban Treaty was a major factor in efforts to build a world of peace and security. Austria called upon all States that had not yet done so, especially those listed in annex 2 to that Treaty, to sign and ratify it without delay. With regard to the proposed fissile material cut-off treaty, there was also widespread support for commencing negotiations without preconditions. Austria favoured a non-discriminatory, universally applicable and verifiable treaty. In addition, the IAEA safeguards system needed to be strengthened. Safeguards agreements should be supplemented with additional protocols, and acceptance of such additional protocols should be made a condition of supply for all exports of nuclear material and technology.

54. In the context of nuclear safety, States should be urged to make every effort to ensure the positive outcome of the diplomatic conference for the adoption amendments to the Convention on the Physical Protection of Nuclear Material. Austria noted with

interest the report of the IAEA Expert Group on Multilateral Approaches to the Nuclear Fuel Cycle and looked forward to discussing the Group's recommendations, which could provide an important complement to existing non-proliferation regimes and measures.

The meeting rose at 12.50 p.m.

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

28 June 2005

Original: English

Main Committee I

Summary record of the 6th meeting

Held at Headquarters, New York, on Wednesday, 25 May 2005, at 10 a.m.

Chairman: Mr. Parnohadiningrat (Indonesia)

Contents

Draft report of Main Committee I

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.25 a.m.

Draft report of Main Committee I

(NPT/CONF.2005/MC.I/CRP.2, CRP.3 and CRP.4)

1. **The Chairman** said that the meeting would be suspended to allow the continuation of informal consultations on the draft report of Main Committee I.

The meeting was suspended at 10.25 a.m. and resumed at 12.25 p.m.

2. **The Chairman** invited Committee members to consider the draft report of Main Committee I (NPT/CONF.2005/MC.I/CRP.2), which would be submitted to the plenary Conference, and, in that context, his working paper (NPT/CONF.2005/MC.I/CRP.3), which reflected a middle ground among the many statements, conference room papers, working papers and proposals that had been discussed in the Committee, and the working paper of the Chairman of Subsidiary Body 1 (NPT/CONF.2005/MC.I/SB/CRP.4).

3. **Mr. Caughley** (New Zealand), speaking as Chairman of Subsidiary Body 1, introduced his working paper on the Subsidiary Body's discussions of nuclear disarmament and security assurances (NPT/CONF.2005/MC.I/SB/CRP.4). In two meetings and three informal consultations, he had made every effort to help the Subsidiary Body achieve consensus on the issues before it; however, that had not been possible in the time available.

4. **The Chairman** invited Committee members to adopt the draft report of Main Committee I paragraph by paragraph.

Paragraphs 1 to 3

5. *Paragraphs 1 to 3 were adopted.*

Paragraph 4

6. **The Chairman** said that the final sentence of paragraph 4 should read: "The outcome of its work is contained in paragraph 9 below".

7. *Paragraph 4, as amended, was adopted.*

Paragraph 5

8. **Mr. Heinsberg** (Germany) noted that the section entitled "Documents before the Committee" did not include a number of documents still in production and

sought assurances that they would be added to the final version of the report.

9. **The Chairman** said that those documents would be included.

10. *Paragraph 5 was adopted, on the understanding that a number of additions would be made to it.*

Paragraph 6

11. **Mr. Rogosaroff** (Department for Disarmament Affairs) said that all working papers that had not yet been issued, including four submitted by the United States of America (NPT/CONF.2005/MC.I/WP.57, WP.58, WP.59 and WP.60), would be included in the final version of the report under paragraph 6.

12. *Paragraph 6 was adopted, on the understanding that a number of additions would be made to it.*

Paragraph 7

13. *Paragraph 7 was adopted.*

Paragraph 8

14. **The Chairman** said that "(NPT/CONF.2005/MC.I/SR.1-4)" should be inserted after "relevant summary record".

15. *Paragraph 8, as amended, was adopted.*

Paragraph 9

16. **The Chairman** said that, as discussed in informal consultations prior to the meeting, the paragraph would read:

"The Committee was not able to reach a consensus on the text of the Chairman's working paper of Main Committee I (NPT/CONF.2005/MC.I/CRP.3) and the working paper of the Chairman of Subsidiary Body 1 (NPT/CONF.2005/MC.I/SB/CRP.4), as they do not reflect fully the views of all States parties. Nevertheless, the Committee agreed to annex the papers to this report for further consideration by the Conference."

17. *Paragraph 9, as amended, was adopted.*

18. *The draft report of Main Committee I as a whole, as amended, was adopted.*

19. **Mr. Luaces** (United States of America) said that his delegation wished to comment on the statement made by the representative of South Africa on 20 May concerning articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). His delegation respectfully disagreed with the assertion that certain of the proposed amendments to the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation of the International Maritime Organization (IMO) had “potential negative implications for the NPT”.

20. The proposed amendments to the Convention were fully in keeping with the letter and spirit of the NPT. A large number of countries had worked diligently in IMO to formulate non-proliferation transport offences for inclusion in the Convention that would further the efforts of the world community to halt the proliferation of nuclear, chemical and biological weapons. Their initiatives were consistent with, and in furtherance of, their obligations under and the objectives of the NPT, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention) and Security Council resolution 1540 (2004). Since the offences had been drafted to take into account the differing scopes of the three Conventions, a clause exempting legitimate commercial activities that did not violate the NPT should be added.

21. Such a clause would neither dilute the obligations of NPT parties nor increase their legal rights, including with regard to the possession or transfer of nuclear weapons, their components or means of delivery. The relevant language in the Convention was to be found in article 3 bis (2) of the proposed Protocol. That provision clearly applied only to NPT States parties and only to the extent that the transfers or receipts resulting from the transport of the item or material were not contrary to the obligations of the NPT States parties involved. The provision in no way authorized the transfer of nuclear weapons or of control over such weapons to non-nuclear-weapon States, which would be contrary to the NPT.

22. Those provisions of the Convention were fully consistent with the NPT. The Convention did not

obligate any country to transport any particular item or to refrain from prohibiting the transport of items or materials on its flagship. Parties to the Convention would be obligated to criminalize in their domestic law offences at least equivalent to those in the proposed Protocol, but would not be precluded from adopting or maintaining domestic law provisions more stringent than those in the Convention.

23. The United States urged countries to support the proposed non-proliferation amendments to the Convention, which would complement the NPT and strengthen collective efforts by the international community to combat the spread of weapons of mass destruction.

24. **Mr. Samad** (South Africa) said that his delegation had taken note of the views expressed by the representative of the United States in response to its statement on amendments to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf and their potential negative implications for the NPT. It was his delegation’s view that the amendments to that Convention and its Protocol, in particular the proposed savings clause, were contrary to the specific provisions of articles I and II of the NPT, which compelled both nuclear-weapon States and non-nuclear-weapon States not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly. Insofar as the transfer of such items intended for nuclear weapons programmes of the five nuclear-weapon States were excluded as an offence in the savings clause, the amendment to the Convention implicitly sought to reinterpret States parties’ obligations under the NPT. The proposed amendments to the Convention contained no explicit reference to the delicate balance established under the NPT and consequently further entrenched the unequal legal regime for nuclear-weapon States under the NPT, contrary to their obligation to disarm.

25. His delegation therefore wished to reiterate its concern that the proposed amendments to the Convention were contrary to the letter and spirit of the NPT, which might have undesirable or unintended consequences for the non-proliferation and disarmament regime as a whole.

26. **Mr. Hasmy** (Malaysia), speaking on behalf of the Movement of Non-aligned Countries, said that it would have been preferable to adopt a consensus report; however, the Non-Aligned Movement recognized the enormous difficulties involved and fully believed that the report just adopted constituted the best possible outcome under the circumstances. The Non-Aligned Movement had participated in the discussions in an open, constructive and accommodating spirit, which it had demonstrated whenever possible, despite its major concerns during the deliberations.

27. **Mr. Mine** (Japan) delivered an urgent appeal by the Minister for Foreign Affairs of Japan, Mr. Nobotaka Machimura. Given the serious challenges currently faced by the NPT regime, it was urgent for States parties to maintain and strengthen the authority and credibility of the Treaty. To that end, the Minister for Foreign Affairs had delivered a statement on the first day of the Review Conference, expressing his country's strong hope that the Conference would issue a robust message enabling the NPT regime to be further consolidated. In the limited time that remained, and in the face of such a formidable task, it was incumbent on each State party to ensure the success of the Conference and to channel its creative and cooperative energy into achieving an agreed document. Japan would spare no effort to that end.

28. **Mr. Luaces** (United States of America) said that he had been planning to make some additional remarks; however, it was pointless to do so, in view of the statements just made by the representative of South Africa and the representative of Malaysia on behalf of the Non-Aligned Movement.

29. **Mr. Kayser** (Luxembourg), speaking on behalf of the European Union, thanked the Chairman of the Committee and the Chairman of Subsidiary Body 1 for their efforts.

30. **Mr. Paranhos** (Brazil) also thanked the Chairman of Main Committee I and the Chairman of Subsidiary Body 1 for their efforts to help reach a consensus. While his delegation would have preferred a report that took note of the working papers of both Chairmen, the final outcome was acceptable.

The meeting rose at 12.55 p.m.

C. Main Committee II

Summary records of the 1st to 4th meetings of Main Committee II

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

Distr.: General
1 August 2006

Original: English

Summary record of the 1st meeting

Held at Headquarters, New York, on Thursday, 19 May 2005, at 10 a.m.

President: Mr. Duarte (Brazil)
later: Mr. Molnar (Hungary)

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Organization of work
General debate

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.05 a.m.

Organization of work

1. **The President** welcomed members to the initial meeting of Main Committee II. He noted that the Chairmen of the Main Committees and their subsidiary bodies were selected to serve in their personal capacity. The Chairmen of the Main Committees and their subsidiary bodies met with him daily for coordination and served as the Bureau of the Conference.

2. **The Chairman** said that Main Committee II had the task of dealing with articles 16 (c), paragraphs 1 to 3, and article 17 of the Convention. In addition, the plenary Conference had established a subsidiary body to examine regional issues and the Middle East, including the resolution on the Middle East adopted at the 1995 Review and Extension Conference. He drew attention to the proposed timetable for the Committee's work contained in document NPT/CONF.2005/INF/5. The Committee had been allotted six meetings and time would be reserved for the subsidiary body on a basis of strict proportionality.

3. *The programme of work was adopted.*

General debate

4. **Mr. Semmel** (United States of America) said that the controls placed on nuclear materials, equipment and technology, whether in domestic use or international commerce, were critical to providing a framework for ensuring that international cooperation in peaceful nuclear activities would not contribute to proliferation, although some complained that those measures had the effect of impeding the development of peaceful nuclear programmes.

5. The International Atomic Energy Agency (IAEA) safeguards system was essential to providing the international community with confidence that nuclear material was not diverted from peaceful uses to nuclear weapons or related activities. Yet there had been three grave cases of safeguards non-compliance since the previous Review Conference. In December 2002, the Democratic People's Republic of Korea had expelled IAEA inspectors and disabled their equipment. In November 2003, after investigations conducted in Iran, the Director of IAEA had cited multiple failures by Iran to meet its safeguards obligations and a policy of concealment that had led it to breach those obligations.

Despite Iran's commitment to cooperate fully with IAEA, additional deceptions had come to light during investigations conducted in 2004. The Iranian Government still had not provided a complete account of key aspects of its nuclear programme and continued to restrict access by IAEA inspectors. Unfortunately, the Board of Governors had yet to report Iran's serious and longstanding non-compliance with safeguards requirements to the Security Council, a step which was long overdue.

6. By contrast, in December 2003, Libya had decided to acknowledge and, with international assistance, to eliminate its nuclear weapons programme. It had opted to cooperate fully with IAEA efforts to verify the full scope of its programme and to ensure that any remaining nuclear activities were fully safeguarded. Libya was a success story of a country's return to full compliance with the NPT, which had helped it to end its international isolation and to make it more secure and prosperous.

7. The international community must be united and determined in responding to non-compliance, and must demonstrate that nothing would be gained by pursuing nuclear weapons aspirations. Most parties to the NPT had fulfilled their safeguards obligations by concluding comprehensive safeguards agreements with IAEA. However, 39 parties had not yet done so. That still represented progress, although the pace was disappointing. For its part, the United States of America would accept the same safeguards on all civil nuclear facilities and activities as non-nuclear-weapon States under the Treaty and the Additional Protocol, excluding only those activities, locations and information of direct national security significance. The common goal must be to return to the next Review Conference with all States parties in full compliance with the NPT and a stronger, more resilient and universal safeguards system. In order for IAEA to carry out its safeguards responsibilities, however, it needed the political, financial and technical support of its member States.

8. The safeguards system worked hand in hand with the nuclear export control system. Just as the Additional Protocol had established a new standard for effective safeguards, it should also become the standard for nuclear supply arrangements. The spread of enrichment technology through secret procurement networks to support clandestine enrichment programmes in Iran, Libya and the Democratic

People's Republic of Korea clearly demonstrated the need for stronger controls on such technologies. There was no sound economic reason to pursue enrichment and reprocessing capabilities, since nuclear fuel services were readily available on the international market. Halting the spread of such capabilities would not harm the legitimate peaceful nuclear activities of any country.

9. Recognizing that the threat of nuclear proliferation was a threat to international peace and security, the Security Council had adopted resolution 1540 (2004) to address gaps in the non-proliferation regime. Under the resolution, States were required to enact and enforce legal and regulatory measures to prevent proliferation, with a particular focus on the activities of non-State actors. To enable all States to respond effectively, the resolution invited States to request assistance in implementing their obligations and to report on measures taken towards implementation. Unfortunately, however, many States had not yet provided the requested reports and few had made requests for assistance.

10. The measures adopted by responsible States to control nuclear technology did not impede its peaceful use. On the contrary, they provided a measure of confidence that those technologies would not be misused, which was essential if the benefits of peaceful nuclear cooperation were to be fully enjoyed. Without such confidence, the security of all would be greatly diminished.

11. **Ms. Rajmah Hussein** (Malaysia), speaking on behalf of the Group of Non-Aligned States Parties to the Treaty, said that the Group continued to consider the establishment of nuclear-weapon-free zones as a positive step towards attaining the objective of global nuclear disarmament and welcomed efforts aimed at establishing such zones in all regions of the world. It was essential that nuclear-weapon States should provide unconditional assurances against the use or threat of use of nuclear weapons to all States in such zones and the Group urged those States to become parties to the protocols to the treaties establishing nuclear-weapon-free zones. It welcomed the decision by all five Central Asian States to sign the Central Asian Nuclear-Weapon-Free Zone Treaty as soon as possible and supported the initiative to convene an international conference of States parties and signatories to the Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba in support of the common

objectives established in those treaties and to promote closer cooperation among them.

12. The Group also expressed its concern at the growing resort to unilateralism and strongly affirmed that multilateralism provided the only sustainable means of addressing disarmament and international security issues. In that regard, it stressed the importance of the IAEA safeguards system. However, it did not desire to see international efforts towards achieving universality of comprehensive safeguards wither away in favour of pursuing additional measures and restrictions on non-nuclear-weapon States. It strongly rejected attempts by any Member State to use the technical cooperation programme of IAEA as a tool for political purposes. Its work with regard to safeguards and verification must be conducted in accordance with the provisions of its Statute and relevant safeguards agreements, including the Model Additional Protocol. A clear distinction must be drawn between legal obligations and voluntary confidence-building measures.

13. IAEA was the competent authority for verifying and assuring compliance by States parties with their treaty obligations and concerns regarding non-compliance with safeguards agreements should be directed to the Agency. Worldwide application of the safeguards system must be achieved, and nuclear-weapon States parties to the Treaty should accept full-scope safeguards. Data could thus be provided for future disarmament and for preventing further diversion of nuclear technology from peaceful uses to weapons.

14. The resolution on the Middle East had been an essential outcome of the 1995 Review and Extension Conference, and the Group noted with regret that since 2000 no progress had been achieved with regard to Israel's accession to the Treaty, the extension of full-scope safeguards to that State's nuclear facilities, or the establishment of a nuclear-weapon-free zone in the Middle East. The Group recalled that nuclear-weapon States, in conformity with article I of the Treaty, had undertaken not to transfer nuclear weapons directly or indirectly to Israel. Time should be allotted during the Preparatory Committee meetings for the 2010 Review Conference to review the implementation of the resolution on the Middle East. A standing committee composed of members of the Bureau of the 2005 Review Conference should be established to follow up between sessions on the implementation of the

recommendations concerning the Middle East and to report thereon to the 2010 Review Conference and its Preparatory Committee.

15. **Mr. Sardenberg** (Brazil) said that his delegation was concerned at nuclear proliferation both within and outside the scope of the Treaty and shared the perception that action was required. Clandestine nuclear programmes and unreported activities gave warning of the risk of nuclear weapons falling into the hands of non-State actors. In light of those new challenges, full and strict compliance with the Treaty and with IAEA safeguards and universalization of the NPT were vitally necessary.

16. The IAEA safeguards system provided credible assurances that nuclear materials would not be diverted. All States parties should enter into comprehensive agreements as a first step towards higher safeguards and verification standards. IAEA should be equipped with the means to ensure that undeclared nuclear activities were not taking place. The Model Additional Protocol was such a supplementary confidence-building measure that States could use on a voluntary basis. States should also tighten export controls and introduce security standards and measures for the physical protection of nuclear materials. One aspect which was often overlooked was monitoring to forestall financial transactions related to nuclear activities.

17. The stakes were high for all nations that were part of the NPT regime, and a broader, multilateral approach was needed to questions of non-proliferation.

18. **Mr. Sersale di Cerisano** (Argentina) said that his Government strongly supported the international non-proliferation regime and was committed to working towards its universal and effective implementation. Among the pillars of that regime were regional agreements like the Treaty of Tlatelolco, the System of Accountability and Control of Nuclear Materials established between Argentina and Brazil, and the Comprehensive Nuclear-Test-Ban Treaty.

19. With regard to international safeguards, more experience was needed in the implementation of enhanced safeguards before further changes were made. Non-compliance with safeguards obligations must be addressed in accordance with reasonable criteria in each case. In the years since the adoption of the Model Additional Protocol, some progress had been made towards incorporating its provisions into

traditional safeguards agreements, which was a confidence-building measure for those States parties whose nuclear programmes were under review by the Board of Governors of IAEA.

20. Greater attention should be paid to national and regional safeguards systems, and in particular to the effective utilization of the findings of IAEA following a verification exercise by the Agency in a particular State party. A special committee on safeguards could make a useful contribution to ensuring compliance with obligations under article III of the NPT and his delegation would submit proposals in that regard.

21. With regard to non-proliferation as it related to potential terrorist activity, Argentina had placed additional safeguards on its research reactors to prevent spent fuel and other nuclear materials from being diverted and used by terrorist groups. The adoption of Security Council resolution 1540 (2004) concerning weapons of mass destruction had made a major contribution to the cause of non-proliferation and the fight against terrorism.

22. **Mr. Takasu** (Japan) said that the potential threat of nuclear terrorism was a challenge to the non-proliferation regime. The international community had adopted a series of countermeasures, including strengthening of the IAEA safeguards system and universalization of the comprehensive safeguards agreement and the Additional Protocol. International cooperation on non-proliferation had been significantly enhanced through the adoption of Security Council resolution 1540 (2004), the Global Threat Reduction Initiative and the Proliferation Security Initiative. Efforts were being made to strengthen export controls through the Zangger Committee and the Nuclear Suppliers Group.

23. Under the nuclear non-proliferation regime, no additional States should be permitted to possess nuclear weapons. Therefore, all nuclear weapons programmes in the Democratic People's Republic of Korea must be completely dismantled under credible international verification. That State's decision to withdraw from the NPT and the indefinite suspension of the six-party talks were extremely regrettable. The international community must clearly state that no development, acquisition, possession, test or transfer of nuclear weapons would be accepted. The six-party talks remained the most appropriate framework for a

peaceful resolution of the issue and should be fully utilized.

24. Iran must comply with all of the requirements of the IAEA resolutions, in particular the suspension of all enrichment-related reprocessing activities, and must cooperate with IAEA in providing complete information and access. Ratification of the Additional Protocol and the provision of objective guarantees would constitute the most effective assurance that Iran's nuclear programme was exclusively for peaceful purposes. Japan welcomed Libya's decision in December 2003 to abandon its weapons of mass destruction programmes and to cooperate with IAEA in the verification activities related to its past undeclared nuclear programmes.

25. Ensuring nuclear non-proliferation through the application of IAEA safeguards was an essential component of the NPT regime. The cases of Iraq and the Democratic People's Republic of Korea in the early 1990s, however, demonstrated that verification through safeguards only on declared activities and materials did not provide sufficient assurance. Verification on undeclared nuclear materials and activities was also essential to ensure non-diversion for military purposes and the Additional Protocol had been introduced for that purpose. The modalities of effective safeguards evolved along with technological progress and changes in the international situation. The Additional Protocol could play a vital role in increasing the transparency of a State's nuclear activities and its universalization therefore remained the most realistic and effective means of strengthening the current international non-proliferation regime, especially with regard to undeclared nuclear activities. All States parties to the Treaty should therefore accede to the Additional Protocol and conclude comprehensive safeguards agreements without delay.

26. Export controls over nuclear-related materials, equipment and technology were not a mechanism for hindering a State's right to the peaceful use of nuclear technology or its access to the free market. Rather, export control regimes created confidence and thus facilitated the peaceful use of nuclear energy. Multinational export control regimes, such as the Zangger Committee and the Nuclear Suppliers Group (NSG), were voluntary in nature and had limited membership. However, the published Zangger Committee Understandings and the NSG Guidelines were useful for all States as a basis for establishing

national export control systems. The Review Conference should acknowledge the crucial contributions those regimes had made to non-proliferation.

27. Strengthened nuclear security measures had particular importance in the fight against terrorism and Japan welcomed the discussion of an amendment to the Convention on the Physical Protection of Nuclear Material. All States parties to that Convention should participate in the Conference of Plenipotentiaries to consider amendments aimed at strengthening the Convention.

28. Japan firmly supported efforts to establish and promote nuclear-weapon-free zones, and regretted the lack of progress towards the establishment of such a zone in the Middle East. It called on Israel to accede to the NPT as a non-nuclear-weapon State, thereby helping to build confidence in the region. It also welcomed the forthcoming establishment of a nuclear-weapon-free zone comprised of the five Central Asian States. The nuclear weapon capabilities of both India and Pakistan made peace and stability in South Asia more vulnerable. India and Pakistan should accede to the NPT as non-nuclear-weapon States, continue their commitment to the moratorium, and move towards signing and ratifying the Comprehensive Nuclear-Test-Ban Treaty.

29. Challenges to the NPT could be overcome only by the political will of the States parties. However, improvements in the institutional aspects of the review process could help to strengthen the NPT regime and ensure its effectiveness.

30. **Mr. Hu Xiaodi** (China) said that the causes of nuclear proliferation were complex and closely related to questions of international and regional security. The fundamental purpose of non-proliferation was to preserve and promote international peace and security, which required joint efforts by all members of the international community. Concerns about the proliferation of nuclear weapons must be addressed through political and diplomatic means within the framework of international law. Countries must refrain from the threat or use of force, double standards on non-proliferation issues, and pursuing other agendas in the name of non-proliferation. Any efforts to strengthen the non-proliferation regime should rely on multilateralism and a democratic decision-making process within the United Nations and other relevant

international organizations. IAEA safeguards should be strengthened through promotion of the full-scope safeguards agreements and the Additional Protocol. However, efforts to promote non-proliferation should not undermine the legitimate rights of States to use nuclear energy for peaceful purposes. China was committed to reinforcing the universality, effectiveness and integrity of the NPT and urged all countries that had not yet done so to accede to the Treaty as non-nuclear-weapon States.

31. The establishment of nuclear-weapon-free zones was one of the steps towards a world free of nuclear weapons. China had undertaken unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States and had ratified the protocols to the existing treaties establishing nuclear-weapon-free zones. It supported efforts by the Association of Southeast Asian Nations (ASEAN) and the five Central Asian States to establish nuclear-weapon-free zones and hoped that the objective of establishing such a zone in the Middle East would soon be achieved through consultations.

32. China saw the six-party talks as the most effective way to achieve the goal of denuclearization of the Korean Peninsula. Three rounds had been held, and China was actively working towards an early launch of the fourth round in the process. The Democratic People's Republic of Korea and the United States of America were the key parties, and China hoped that they would demonstrate flexibility, sincerity and patience in building trust, rather than the current situation of mistrust and lack of communication. His delegation hoped that the Review Conference would help to resolve the issue of the denuclearization of the Korean Peninsula as well.

33. **Mr. Kayser** (Luxembourg), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia and Turkey; the stabilization and association process countries Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, and Serbia and Montenegro; and, in addition, Norway, said that the European Union made every effort to maintain the authority and integrity of the NPT as the irreplaceable multilateral instrument for the maintenance and reinforcement of international peace, security and stability. To strengthen its implementation, in December 2003 the European Union had adopted its Strategy against the Proliferation of Weapons of Mass

Destruction and hoped that the Strategy would be universally adopted. It continued to believe that a multilateral approach to international security was the best way to maintain peace and stability.

34. In the past, some non-nuclear-weapon States which had comprehensive safeguards agreements in force had still managed to develop clandestine nuclear weapons programmes that inspections had failed to detect. The international community had taken the initiative to strengthen the safeguards system by adopting the Model Additional Protocol. Yet eight years after its adoption in 1997, more than 100 States had not yet ratified it, a failure that was a major weakness of the non-proliferation regime. Making the Additional Protocol universal would strengthen the international non-proliferation and disarmament regime and contribute to the security of all States. The European Union also supported the recommendations contained in the report of the United Nations High-level Panel on Threats, Challenges and Change.

35. The European Union deplored the announcement by the Democratic People's Republic of Korea that it intended to withdraw from NPT and urged it to return to full compliance with its international non-proliferation obligations under the Treaty and its IAEA safeguards agreement. It also hoped that the six-party talks would resume without delay.

36. The European Union was united in its determination not to allow Iran to acquire military nuclear capabilities and to see the proliferation implications of its nuclear programme resolved. Iran had signed the Additional Protocol and had pledged full cooperation and transparency with IAEA. It should therefore re-establish trust by respecting the provisions of the Paris Agreement of 15 November 2004 and the relevant resolutions of the Board of Governors of IAEA.

37. All States warmly welcomed the fact that Libya had brought its nuclear programme to the attention of IAEA and that it was cooperating with the Agency. The dismantling of Libya's weapons of mass destruction programme was recognized by the international community as a very positive precedent.

38. The illicit trade in nuclear equipment and technology was a matter of serious concern to the European Union and all States parties to the NPT. Strong national and internationally coordinated export controls were needed to complement the non-

proliferation obligations of States parties. Recent revelations had demonstrated the need to reinforce efforts to tackle illicit trafficking and procurement networks and to address the issue of the involvement of non-State actors in the proliferation of nuclear technology. Security Council resolution 1540 (2004) stressed the determination of the international community to confront the threat that such arms or materials could fall into the hands of terrorists or other non-State actors. Coordination of national export control policies through such bodies as the Zangger Committee and the Nuclear Suppliers Group (NSG) would also contribute significantly to the non-proliferation objectives of the NPT.

39. With regard to the safe and secure management of surplus nuclear weapons material, the Trilateral Initiative between the United States of America, the Russian Federation and IAEA had not yet been implemented and new momentum should be given to those negotiations.

40. The European Union strongly supported all measures aimed at preventing terrorists from acquiring nuclear, biological, chemical and radiological weapons and their means of delivery, and had welcomed the inclusion of an anti-terrorism clause in each of the export control regimes. It also welcomed the adoption by IAEA in 2003 of the Code of Conduct on the safety and security of radioactive sources and the wide support received by the global initiative to reduce the nuclear threat.

The meeting rose at 12.25 p.m.

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

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Main Committee II

Summary record of the 2nd meeting

Held at Headquarters, New York, on Friday, 20 May 2005, at 3 p.m.

Chairman: Mr. Molnár (Hungary)
later: Mr. Taiana (Vice-Chairman) (Argentina)

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General debate (*continued*)

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The meeting was called to order at 3.05 p.m.

General debate (*continued*)

1. **Ms. Bridge** (New Zealand) said that the Treaty on the Non-Proliferation of Nuclear Weapons gave States parties a set of interrelated and mutually reinforcing obligations and rights. Her Government fully supported the statutory role of the International Atomic Energy Agency (IAEA) Board of Governors and Director General in relation to States' compliance with safeguards agreements. In the early 1990s, after Iraq had been discovered to have a secret nuclear weapons programme, the model additional protocol to comprehensive safeguards agreements had been developed to give the Agency increased scope for its verification activities by enabling it to fulfil its responsibilities regarding undeclared nuclear material and activities.

2. As many more countries were in possession of nuclear knowledge and technology than at the time when the Treaty had come into force, IAEA must be given the necessary tools to meet its increased responsibilities. All States parties should therefore conclude an additional protocol with IAEA without delay. Her delegation called upon the Conference to recognize that comprehensive safeguards agreements and the model additional protocol had become the new verification standard.

3. Effective export controls were crucial for the fulfilment of obligations under article III of the Treaty. The importance of export controls had been recognized in Security Council resolution 1540 (2004). Acceptance of comprehensive safeguards agreements and the model additional protocol should be a condition for any new nuclear supply arrangements. Meeting that condition would help IAEA to verify that nuclear transfers were intended for peaceful purposes only.

4. Strengthened export controls were directly relevant to the recent uncovering of illicit trafficking in sensitive nuclear equipment and technology. Her Government was concerned about those revelations and supported the Director General's call for States to assist in identifying the supply routes and sources of such equipment and materials. The physical protection of nuclear material and facilities was also important for strengthening the non-proliferation regime. Her Government called on all States which had not yet

done so to accede to the Convention on the Physical Protection of Nuclear Material. Her Government also fully supported the IAEA Code of Conduct on the Safety and Security of Radioactive Sources, as well as the Action Plan and guidance under the Code.

5. Nuclear weapons programmes of States not parties to the Treaty seriously undermined nuclear non-proliferation and disarmament efforts and posed risks to international peace and security in regions of tension. Her Government called on India, Pakistan and Israel to accede to the Treaty promptly and without conditions and to place all their activities under IAEA safeguards. It deplored the decision of the Democratic People's Republic of Korea to withdraw from the Treaty, expressed concern about that country's declaration in February 2005 that it had manufactured and possessed nuclear weapons and urged it to return to the Treaty and honour its IAEA safeguards obligations. Her Government called upon it to abandon any nuclear weapons programme immediately and to return to the six-party talks without delay. New Zealand welcomed the 2003 decision of the Libyan Arab Jamahiriya, which had previously been in breach of article II of the Treaty and of its safeguards agreement with IAEA, to abandon its weapons of mass destruction programme and to sign an additional protocol.

6. The Islamic Republic of Iran had recently been found to have had an undeclared clandestine nuclear programme in place for almost two decades and to have breached a number of its obligations under its safeguards agreement with IAEA. New Zealand called upon it to cooperate fully with IAEA to resolve the outstanding issues with respect to the Agency's investigations into its nuclear programme. New Zealand welcomed the Iranian authorities' decision to sign an additional protocol and urged them to complete ratification without delay. Her Government called on the Islamic Republic of Iran to implement all of the IAEA Board of Governors resolutions, including voluntary suspension of all enrichment-related and reprocessing activities. New Zealand fully supported the European Union initiative relating to the negotiation of long-term arrangements with the Islamic Republic of Iran.

7. Nuclear-weapon-free zones were a powerful symbol of the renunciation of weapons of mass destruction and contributed to non-proliferation efforts. Her Government was a party to the Rarotonga Treaty

and welcomed Mexico's initiative to hold the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in April 2005. Her Government was working with Mexico to promote a nuclear-weapon-free southern hemisphere, which would strengthen cooperation between the existing zones in areas such as verification, compliance and disarmament.

8. Lastly, there was merit in examining institutional arrangements for the Treaty review process to ensure maximum effectiveness. Her delegation was interested in the Canadian and other proposals in that regard.

9. **Mr. Casterton** (Canada) said that the Committee's mandate was to ensure implementation of the provisions of the Treaty concerning safeguards, as set forth in article III, which required States parties to conclude safeguards agreements with IAEA. Commendably, 145 countries had brought such agreements into force. Thirty-eight States parties, however, had still not done so. The Conference should call on all States parties to conclude such agreements without delay and should reaffirm the importance of full compliance with article III of the Treaty.

10. In the light of the current situation, the Conference must go further than that. Comprehensive safeguards agreements were a necessary but insufficient basis for IAEA to provide assurance that States were complying with their non-proliferation undertakings.

11. Eight years had elapsed since the IAEA Board of Governors had significantly strengthened the safeguards system by approving the model additional protocol. While his delegation welcomed the fact that 90 States had signed additional protocols, which had come into force in 65 States, the Conference must urge all States which had not yet done so to conclude and bring into force an additional protocol as soon as possible. The Conference should recognize that comprehensive safeguards agreements, together with additional protocols, represented the current verification standard pursuant to article III of the Treaty.

12. The strengthened IAEA safeguards system helped to establish mutual confidence in States parties' compliance with the Treaty. Non-compliance challenged the integrity of the Treaty and must be addressed robustly. The IAEA statutory rule about bringing cases of non-compliance to the attention of

the Security Council must be respected. The Council, in turn, must take prompt action to address them.

13. On export controls, the Conference should consider adopting the model additional protocol as a condition of supply. In that regard, it should endorse the activities of the Zangger Committee and the guidance which its understandings provided to States parties in meeting their obligations under the Treaty. The Conference should also endorse Security Council resolution 1540 (2004); recognize the contribution of measures such as the Proliferation Security Initiative to non-proliferation efforts; and recognize States parties' efforts to strengthen international laws and frameworks to reinforce the international non-proliferation regime.

14. As the physical protection of nuclear material and facilities was another integral element of a successful non-proliferation regime, the Conference should urge all States parties to ratify the Convention on the Physical Protection of Nuclear Material and support the early completion of its amendment in July 2005.

15. With respect to regional non-proliferation issues, the Conference should note the contribution of nuclear-weapon-free zones and consider their expansion to other regions such as the Middle East and South Asia. Canada strongly supported the establishment of such zones on the basis of voluntary arrangements among the States of a given region.

16. Lastly, in the context of permanence with accountability, the concept underlying the indefinite extension of the Treaty, Canada had submitted a working paper (NPT/CONF.2005/WP.39) proposing that the Conference should adopt outcomes to modify its procedures and foster greater transparency.

17. **Mr. Gala López** (Cuba) said that his delegation associated itself with the views expressed in the working paper submitted by the Group of Non-Aligned States Parties to the Treaty (NPT/CONF.2005/WP.19) on the substantive issues to be considered by Main Committee II. In accordance with the principles of the United Nations and international law, multilateralism represented the only means of achieving nuclear non-proliferation and disarmament. IAEA was the competent authority for ensuring compliance with the Treaty, and all States parties must establish safeguards agreements with the Agency. His delegation defended the inalienable right of all States to research, produce and develop nuclear energy for peaceful purposes and to receive transfers of nuclear material, technology and

information for peaceful purposes. All nuclear programmes in Cuba had been established for peaceful purposes and Cuba had met all its obligations under the Treaty and with the Agency. However, Security Council resolution 1540 (2004) emphasized horizontal non-proliferation measures over vertical ones. The total elimination of weapons of mass destruction was the only way to ensure that terrorists did not gain access to nuclear weapons.

18. The Cuban Government's analysis of the Proliferation Security Initiative from the standpoint of international law (NPT/CONF.2005/WP.26) reaffirmed that the principles of verification, transparency and irreversibility must be the essential components of multilateral and bilateral agreements. Furthermore, as the establishment of nuclear-weapon-free zones represented a step towards nuclear disarmament, it was important to uphold the outcomes of the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico, in April 2005. His delegation supported the establishment of a nuclear-weapon-free zone in the Middle East and called on Israel to accede to the Treaty and establish a safeguards agreement with the Agency. His delegation supported the resolution on the Middle East adopted at the 1995 Review and Extension Conference and the outcome of the 2000 Review Conference, which aimed to find a fair solution to the political instability in that region.

19. **Mr. Bouchaara** (Morocco) said that his Government attached particular importance to compliance with the non-proliferation regime under the Treaty. His delegation paid tribute to the work of IAEA in promoting the use of nuclear energy for peaceful purposes. Morocco had excellent cooperative relations with the Agency, with which it had concluded a comprehensive safeguards agreement in 1973 and an additional protocol in September 2004. Morocco had also ratified the Convention on the Physical Protection of Nuclear Material and had notified the IAEA Director General of its acceptance of the Code of Conduct on the Safety and Security of Radioactive Sources. He recalled the importance of the peaceful use of nuclear energy for economic and social development, which was one of the pillars of non-proliferation that must be preserved and strengthened.

20. There was a close link between regional and international efforts to strengthen the non-proliferation regime. Therefore, the international community must

fully support existing nuclear-weapon-free zones and work towards the establishment of such zones where they did not yet exist. Africa was particularly proud to have created such a zone through the Pelindaba Treaty. The international community must ensure that the denuclearization of Africa became a reality.

21. With respect to the Middle East, his delegation reiterated its full support for the implementation of the 1995 resolution on the Middle East. Accordingly, Israel must accede to the Treaty and place its nuclear facilities under comprehensive IAEA safeguards.

22. Lastly, his delegation welcomed the results of the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, which laid the foundation for useful dialogue among the various zones and the States concerned to promote the common goals of disarmament and non-proliferation.

23. **Mr. Combrink** (South Africa) said that his delegation recognized the right of all States to develop nuclear technology for peaceful purposes. IAEA should be given access to verify that nuclear technology was being developed for peaceful purposes only, and the conclusion of additional protocols would greatly enhance the Agency's inspection and verification capabilities. His delegation supported universal adherence to IAEA safeguards agreements. South Africa had been the first country to voluntarily destroy its nuclear devices and give the Agency unrestricted access to information, materials and facilities. South Africa had participated in the system introduced by the IAEA Board in 1993 for the voluntary reporting of the export and import of specified equipment. The obligation to provide comprehensive information and access to the Agency placed a considerable burden on States, but that burden was outweighed by the possibility of achieving nuclear disarmament and non-proliferation.

24. South Africa's regulatory and legislative framework stipulated that transfers of nuclear material and technology could only be intended for peaceful purposes. If it was suspected that an export was to be used for the development of weapons of mass destruction, the application for that export was denied. His delegation recognized that revelations of illicit trafficking in nuclear material, equipment and technology represented a challenge to the Treaty. Controls over nuclear material, equipment and technology must be reviewed and improved in order to

prevent proliferation and trafficking. South Africa had undertaken a thorough investigation into the illicit trafficking network and had focused on contraventions of relevant South African non-proliferation legislation. A Swiss national and a German national, both residents of South Africa, had been prosecuted for their alleged involvement in those illicit activities. His delegation had noted that, significantly, the European Union statement on illicit trafficking had not referred to some countries in which the illicit network had operated.

25. The main challenge for the Conference was the effective regulation of technology and the denial of any transfer suspected to be related to the construction of weapons of mass destruction. It was important to review and improve controls on nuclear weapons, material and technology; the success of those controls depended on effective information sharing and cooperation among States. Since IAEA was the internationally recognized authority responsible for verifying and ensuring compliance with safeguards agreements, any concerns relating to non-compliance should be directed to the Agency. It was important to take note of the Agency's role in investigating the Iranian nuclear programme and of the fact that the Agency had not found any development of nuclear material for non-military uses.

26. At the 2000 Review Conference, States parties had reaffirmed the conviction that the establishment of nuclear-weapon-free zones enhanced global and regional security. As envisaged in article VII of the Treaty, those zones remained important aspects of the nuclear disarmament and non-proliferation process. The decision of the Libyan Arab Jamahiriya, announced on 19 December 2003, to eliminate materials, equipment and programmes for the production of weapons of mass destruction had greatly helped to create conditions in which Africa could achieve its vision of a continent free of weapons of mass destruction, in line with the objectives of the African Union and the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty). The establishment of other nuclear-weapon-free zones would enhance the security of States parties to that treaty, and African States that had not yet ratified it were invited to do so. His delegation acknowledged the importance of the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones.

27. **Mr. Shamaa** (Egypt) said that under article III of the Treaty, States parties were legally obliged to

implement comprehensive safeguards, but there was no requirement to conclude additional protocols. Non-proliferation obligations were monitored by IAEA, and the actions taken by the Agency in cases of non-compliance had proved more than adequate. In relation to the institutional structure of the Treaty, the United Nations could approve the establishment of one or two additional posts in the Department for Disarmament Affairs for the sole purpose of servicing the Treaty review process, rather than establishing a separate institutional structure. In order to establish a rapid response capability, States parties could be granted executive powers, but that would necessitate amendments to the Treaty. His delegation would welcome a more proactive approach to monitoring compliance with articles I, II and VI, as well as further consideration of the institutional structure of the Treaty.

28. Since the initiation of the disarmament process by the United Nations in the early 1950s, Egypt had been at the forefront of the drive to promote a multilateral approach to disarmament and non-proliferation. Egypt had been one of the first signatories of the Treaty and had encouraged all States in the Middle East to accede to it. The situation in the Middle East was closely linked to the status of the Treaty's safeguards requirements, and Israel was the only State in that region that had not accepted comprehensive safeguards on its nuclear facilities. The three decisions and the resolution on the Middle East adopted at the 1995 Review and Extension Conference and the outcome of the 2000 Review Conference should be the point of departure for the 2005 Review Conference. It was important for States to give priority to the accession of Israel to the Treaty and the placement of its facilities under comprehensive safeguards. His delegation drew attention to the working paper submitted by the Group of Non-Aligned States Parties to the Treaty (NPT/CONF.2005/WP.19) and to the working paper submitted by Egypt (NPT/CONF.2005/WP.36), entitled "Implementation of the 1995 resolution and 2000 outcome on the Middle East". States parties were urged not to transfer nuclear material, information or technology to Israel. Moreover, his delegation recommended the establishment of a standing committee that would initiate contact with Israel and report to the 2010 Review Conference. That committee might comprise the chairmen or bureau of each session of the Preparatory Committee and the three sponsors of the 1995 Review and Extension Conference resolution.

29. **Ms. Göstl** (Austria), speaking also on behalf of Australia, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway and Sweden, introduced working paper NPT/CONF.2005/WP.14 on export controls. The model additional protocol was necessary to complement the IAEA safeguard capacity in accordance with article III, paragraph 1, of the Treaty. The additional protocol was a dynamic living system that had to be improved whenever necessary.

30. In the field of physical protection, there had been positive developments in the international legal regime. In 2004, the Austrian Minister for Foreign Affairs had proposed an amendment on the physical protection of nuclear materials, based on the final report of the Open-ended Group of Legal and Technical Experts to prepare a draft amendment to the Convention on the Physical Protection of Nuclear Material. That proposal had been circulated to all States parties and enjoyed broad support. A diplomatic conference for its consideration and adoption would be held from 4 to 8 July 2005 in Vienna, and her delegation called on all States parties to participate in the conference because amendments needed the support of two thirds of States parties. In relation to controls of nuclear exports, the establishment, at the 1995 Review and Extension Conference, of comprehensive safeguards as a precondition for the supply of nuclear equipment or material had represented a breakthrough; that standard had been reaffirmed at the 2000 Review Conference. Furthermore, the additional protocol had become the verification standard in line with article III, paragraph 1, of the Treaty. Her delegation called on the participants in the 2005 Review Conference to make the additional protocol a precondition for the supply of nuclear equipment or material.

31. The important work of the Zangger Committee had been acknowledged at the Review Conferences and States parties had been urged to base their export controls on the understandings of that Committee. In the past, the Conference had asked the Zangger Committee to review its understandings in order to bring them into line with technological and other developments. In that regard, the working paper on export controls (NPT/CONF.2005/WP.14) proposed that the Conference should take note of the ongoing work of the Zangger Committee for reviewing the understandings to take account of developments in the Treaty review process.

32. **Mr. Taiana** (Argentina), *Vice-Chairman*, took the Chair.

33. **Mr. Sriwidjaju** (Indonesia) said that the establishment of nuclear-weapon-free zones was a significant contribution to nuclear disarmament. The Treaty of Bangkok, which had entered into force in 1997, was aimed at establishing a legal system which would guarantee a safe, stable and secure environment for the peoples of the States parties to that Treaty. His delegation noted with concern that some nuclear-weapon States had not yet acceded to the Protocol to the Treaty of Bangkok, which concerned the obligation not to use or threaten to use nuclear weapons against any State party to the Treaty or within the zone. Such a delay raised issues regarding the right of States, under article VII of the Non-Proliferation Treaty, to conclude regional treaties to ensure the total absence of nuclear weapons in their territories.

34. The creation of nuclear-weapon-free zones was a vitally important step towards global nuclear disarmament. His Government noted with satisfaction that there had been progress towards the establishment of a Central Asian nuclear-weapon-free zone, which would be the first such zone in the northern hemisphere.

35. The establishment of such a zone in the Middle East, however, continued to be an elusive goal that could not realistically be attained without the full cooperation of all States in the region. He drew particular attention to the resolution on the Middle East adopted at the 2000 Review Conference. His delegation regretted that Israel had not acceded to the Treaty or placed its nuclear facilities under IAEA safeguards, in stark contrast to its neighbouring countries, all of which were parties to the Treaty. It was therefore critical that all States concerned should address the issue to establish balance within the region.

36. His delegation was also concerned about the continuing crisis involving the nuclear programme of the Democratic People's Republic of Korea, which threatened to undermine the non-proliferation regime. His Government called on the Democratic People's Republic of Korea to refrain from any action which would aggravate the situation. The six-party talks were the appropriate forum for seeking a diplomatic solution to the crisis. Such a solution was essential for stability in North-East Asia and for the establishment of a nuclear-weapon-free zone in the region.

37. The non-proliferation regime must be strengthened to meet the challenge of greater access to nuclear knowledge and technology so as to prevent them from falling into the hands of non-State actors. There was also a need to strengthen the IAEA safeguards system and mechanisms, including the model additional protocol, to ensure non-diversion of nuclear materials and the absence of undeclared nuclear activities, as well as access to nuclear fuel for peaceful purposes.

38. **Mr. Villemur** (France) said that given the need to address current challenges to international security, including the discovery of an international nuclear trafficking network, and the potential contribution of nuclear energy to meeting growing international energy requirements, international cooperation should foster the kind of development called for under article IV of the Treaty, to which his Government attached particular importance. The Treaty remained the cornerstone of the non-proliferation regime, but it also promoted the development of peaceful uses of nuclear energy.

39. Almost all States were parties to the Non-Proliferation Treaty. Recent accessions, such as that of Cuba in 2002 and of Timor-Leste in 2003, were therefore welcome and helped to bring the international community closer to the goal of universality. The Treaty was particularly crucial in that it established a safeguards regime implemented through comprehensive safeguards agreements. Since the previous Review Conference in 2000, 13 more States had brought such agreements into force. There remained 49 States which had not yet done so, however.

40. France called on all those States which had not yet done so to conclude, as soon as possible, a comprehensive safeguards agreement with IAEA and to bring it into force. The universality of the comprehensive safeguards system must remain a priority. The adoption by the Board of Governors of the model additional protocol had been an essential step in strengthening that process.

41. In accordance with the commitment undertaken at the 2000 Review Conference, France had implemented internal procedures leading to the ratification of an additional protocol, which had entered into force in April 2004. All of the declarations required under that protocol had already been sent to the Agency. It should also be recalled that all of France's civilian

installations were under the control of the European Atomic Energy Community (EURATOM).

42. His Government had contributed to the steps taken at the international level by IAEA, the European Union and the Group of Eight to promote comprehensive safeguards agreements and additional protocols and had actively participated in workshops organized by the Agency, in particular for African and Indian Ocean countries. France called on all States which had not yet done so to sign and bring into force an additional protocol at the earliest possible date. The implementation of a comprehensive safeguards agreement and an additional protocol had become the new standard of verification.

43. France supported the work of IAEA to establish a system of integrated safeguards and had endorsed an increase in the Agency's regular budget for that purpose. Furthermore, it continued to back efforts to strengthen the Agency's safeguards through its Coordinated Technical Support Programme.

44. The actions of some States which had defied the international community had jeopardized the progress made since the previous Review Conference. Any breach by States of their obligations under the Non-Proliferation Treaty undermined international confidence and the development of international cooperation. For many years, the Libyan Arab Jamahiriya had failed to uphold its obligations under the terms of the Treaty and of its safeguards agreement and had developed a clandestine nuclear weapons programme. The Libyan authorities had nevertheless subsequently renounced any development of weapons of mass destruction and had decided to cooperate fully with the Agency. In March 2004 they had signed an additional protocol. Such steps should be warmly welcomed and encouraged. The Libyan situation was further evidence of the importance of giving IAEA more effective means for detecting clandestine nuclear activities, in particular through additional protocols.

45. Regrettably, other situations continued to be a source of concern, particularly developments in the Democratic People's Republic of Korea, which had resumed nuclear activities and refused any international verification. Its nuclear programme, undertaken outside the current international framework, constituted a threat to international peace and security, particularly for the region. France continued to call for a peaceful solution based on

dialogue, and strongly supported the resumption of the six-party talks without delay. The solution must be found within a multilateral framework, as the situation was of concern to the entire international community. It would require a full, irreversible and verifiable dismantling of the nuclear programme of the Democratic People's Republic of Korea.

46. Another cause for concern was the Islamic Republic of Iran. Suspicions about the real purposes of its nuclear programme had been reinforced by successive public revelations about clandestine activities pursued by the Iranian authorities over the last 20 years, in violation of their international commitments. IAEA verification had not yet established that there were no undeclared activities in that country. His Government, together with Germany and the United Kingdom, had engaged in a dialogue with the Islamic Republic of Iran since 2003 and an agreement had been formally concluded in Paris in November 2004 under which the Iranian authorities had undertaken to suspend all activities related to uranium enrichment and reprocessing. That suspension must be complete, verified by IAEA and sustained until a comprehensive agreement was concluded. The suspension constituted a long-term confidence-building measure.

47. The IAEA Board of Governors resolution on implementation of the safeguards agreement of the Islamic Republic of Iran (GOV/2004/90), adopted by consensus on 29 November 2004, reflected the letter and the spirit of the November 2004 Paris Agreement and called, inter alia, for the full and sustained implementation of the Iranian authorities' decision to suspend all enrichment-related and reprocessing activities. His Government therefore noted with concern the statements made by a number of senior Iranian officials suggesting that some activities covered by the voluntary suspension might soon be restarted. The Iranian Government should be aware that any such action would be a clear breach of the Paris Agreement and of the relevant IAEA resolutions. It would bring the negotiating process to a halt and could only have negative consequences for the Islamic Republic of Iran.

48. All States would benefit from the maintenance of the Treaty, as it provided a balanced legal framework which allowed for the development of peaceful nuclear activities while pursuing non-proliferation objectives. It was unacceptable that nuclear technologies,

materials or equipment acquired for peaceful purposes within that legal framework should subsequently be used for military purposes after a State's withdrawal from the Treaty. States could not simply decide to invalidate their commitments by withdrawing from the Treaty. The technologies, materials or equipment transferred or acquired by a State under the Treaty must continue to be used only for peaceful purposes, failing which they should be returned to the supplier. In addition, withdrawal from the Treaty could constitute a threat to international security and, as such, fall within the competence of the Security Council.

49. Strengthening the non-proliferation regime must involve strengthening international cooperation, which would make it possible to identify and limit transfers of equipment or technologies leading to proliferation. IAEA had an important role to play in that area.

50. Moreover, rigorous export control was an essential condition for the development of nuclear trade. The emergence of industrial capacity in the nuclear sectors of a growing number of States required the adoption of a set of common export guidelines. The role played by the Zangger Committee in the implementation of article III was therefore welcome. The Committee could undertake some initiatives with a view to universalizing the general principles governing export control. However, the rules for controlling exports must be consistent with all obligations under the Treaty.

51. In order to strengthen and facilitate the implementation of article IV of the Treaty, nuclear cooperation should be suspended whenever IAEA was not in a position to provide sufficient assurances as to the exclusively peaceful nature of a State's nuclear programme. The Agency's Board of Governors could call on all States to implement such a suspension, based on a report from the Director General. The suspension could be made universal and mandatory for all by the Security Council. It would not, however, be automatic in cases where the State in question agreed to undertake corrective measures with the support of IAEA.

52. Concerning the most sensitive technologies, particularly those relative to enrichment, reprocessing and heavy water production, potential transfers should be evaluated based on a series of criteria related to the goals of the Treaty, so that they would benefit countries that needed such technologies and that had

demonstrated their long-term commitment to non-proliferation. States which were not developing a complete fuel cycle should receive guaranteed access to the enrichment and reprocessing markets. Finally, access to non-sensitive technologies should be made more flexible and the corresponding rules should be re-examined in that light, in particular for developing countries.

53. The enhancement of IAEA capacities for detecting clandestine nuclear activities, first and foremost through additional protocols, should strengthen the effectiveness of safeguards in a changing environment. The Agency must also have the means to react firmly and effectively to any breaches of commitments.

54. **Mr. Adnan** (Malaysia) said that his Government welcomed the decision of the Libyan Arab Jamahiriya and the Islamic Republic of Iran to sign additional protocols to their safeguards agreements. Malaysia encouraged the Islamic Republic of Iran to continue its cooperation with IAEA and undertake all necessary corrective measures to resolve outstanding issues.

55. His Government recognized that the objective of the model additional protocol was to strengthen the effectiveness of the safeguards system and achieve global non-proliferation. However, his delegation reiterated its concern about the subjective nature of the descriptions of the items listed in annex II to the model additional protocol. It would be difficult for front-line enforcement personnel to identify and effectively monitor such items, as even nuclear scientists had difficulty in doing so. There was also a lack of capacity among local industries to ensure the smooth implementation of such an extensive nuclear export and import control system. His Government therefore reiterated its call for better coordination between IAEA and other international organizations, including the World Customs Organization, to harmonize the items listed in the annex with international customs coding systems.

56. Malaysia was concerned that attempts had been made to curtail the inalienable rights of non-nuclear-weapon States through the development of unilateral export control and counter-proliferation regimes outside the framework of the Treaty. Export control regimes should be transparent and open to participation by all States. They must not impose restrictions on access to nuclear equipment, material and technology

for peaceful purposes. Proliferation concerns were best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements, for example through the United Nations. Malaysia was also concerned about the simultaneous efforts being pursued by nuclear-weapon States in other forums to legitimize, outside the framework of the Treaty, the transport of materials, equipment, software or related technology intended to be used in the delivery of nuclear weapons. The inclusion of any such provision in the current review of the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation or any other international instrument would be a dangerous and underhanded attempt to undermine the nuclear-weapon States' disarmament obligations under the Treaty.

57. His Government stressed the importance of achieving universal application of the Treaty. For that purpose, nuclear-weapon States should accept full-scope safeguards, which would strengthen the overall verification regime and could be formalized in an agreement with IAEA in accordance with its Statute and safeguards system.

58. **Mr. Heinsberg** (Germany) said that if the Treaty was to remain the cornerstone of the global nuclear non-proliferation regime and the foundation for the pursuit of nuclear disarmament, every effort must be made to uphold its authority and integrity. Compliance with fundamental Treaty obligations was therefore of critical importance.

59. Continuing proliferation and the risk that nuclear weapons programmes could be pursued under cover of civilian nuclear programmes were matters of particular concern to his Government. There were several core tasks for ensuring compliance with non-proliferation obligations: ensuring the detectability of significant violations; effectively preventing any misuse of civilian nuclear programmes for military ends; preventing nuclear weapons and materials from falling into the hands of terrorists; and enhancing international response capabilities and enforcement.

60. With respect to the detection of significant violations, all Member States should be called upon to sign and ratify an additional protocol without delay, and should implement such protocols provisionally until they entered into force. The international community should also make full use of the existing safeguards system. In the light of current challenges to

the Treaty regime, the possibility of non-routine inspections already provided for under the existing safeguards system should be reconsidered, and IAEA should review the modalities of special inspections with a view to responding effectively and swiftly to concerns.

61. Regarding the prevention of the misuse of civilian nuclear programmes, the intense debate had rightly focused on the fuel cycle and the risks posed by enrichment and reprocessing plants in particular. His delegation therefore welcomed the decision by the IAEA Director General to appoint an expert panel to examine possible ways to address the risks posed by the nuclear fuel cycle. His Government did not question the inalienable right of all parties to the Treaty to use nuclear energy for peaceful purposes. The proliferation risks inherent in sensitive technologies, however, must be addressed.

62. With respect to the risk that nuclear weapons could fall into the hands of terrorist groups, securing and eliminating such weapons and weapons-grade nuclear materials were of the highest priority. Constraints on enrichment and reprocessing were insufficient to eliminate the potential for diversion of nuclear materials. In addition, there was an ongoing risk that non-State actors might acquire such materials. Therefore, all States parties should exchange data on existing stocks of highly enriched uranium and plutonium and should establish a legally binding universal standard for the physical protection of nuclear materials, including within the framework of the Convention on the Physical Protection of Nuclear Material. In addition, the Conference should urge States to eliminate existing stocks and to cease production of highly enriched uranium and weapons-grade material. His Government was contributing significantly to the Global Partnership against the Spread of Weapons and Materials of Mass Destruction. The Proliferation Security Initiative also helped to counter proliferation risks.

63. Sustained and concerted efforts should be made to establish minimum standards for export controls on fissile material, related technology and dual-use equipment. Security Council resolution 1540 (2004) provided a good framework for such standards. IAEA, in cooperation with the States parties, should take an active role in such efforts. Although the Treaty called for export controls under article III, they were restricted to nuclear items. However, any up-to-date

minimum standard must also address the question of dual-use items and technology. He drew attention to the working paper on export controls (NPT/CONF.2005/PC.III/WP.14) submitted by his Government.

64. Lastly, the situation in the Democratic People's Republic of Korea highlighted the importance of enforcement. The issue of the withdrawal of States from the Treaty must also be considered. Confidence in the Security Council's ability to act decisively, effectively and in a unified manner must be strengthened. Every effort must be made to ensure that a State preparing to withdraw from the Treaty was fully aware of the consequences of such a decision. He drew attention to the working paper which Germany had submitted on the subject (NPT/CONF.2005/PC.III/WP.15). No State withdrawing from the Treaty should have the right to benefit from the nuclear capacity which it had acquired as a result of having made use of article IV of the Treaty or assistance provided under the Treaty by IAEA or other States. In addition, an adequate system was needed to react to such withdrawals. Notwithstanding the sovereign right of any State to withdraw from the Treaty, the central role of the Security Council in considering such withdrawals must be confirmed. Notification of withdrawal should trigger an immediate consultation process to address the issue.

65. **Mr. Niewodniczański** (Poland) said that the 2000 Review Conference had recognized that IAEA safeguards were a fundamental pillar of the non-proliferation regime and had reaffirmed that the implementation of safeguards agreements, together with additional protocols, should be designed to provide assurances that nuclear material would not be diverted from declared activities. Nevertheless, there was a need to further strengthen multilateral non-proliferation instruments. Additional protocols were an integral part of the IAEA safeguards system. Adherence to them should be considered the verification standard in accordance with article III of the Treaty. His Government called upon all countries which had not yet done so to sign and ratify a safeguards agreement and additional protocol as soon as possible. His delegation noted with astonishment that some delegations dismissed the importance of additional protocols. His Government supported the initiative to establish a special committee on safeguards under the IAEA Board of Governors, which

would enhance multilateral efforts to strengthen the non-proliferation regime.

66. The safeguards system must be combined with a proper physical protection regime and include mechanisms to prevent nuclear materials and radioactive sources from escaping nationally controlled systems. Such a regime must cover the entire fuel cycle. His Government welcomed IAEA activities to combat nuclear terrorism and supported its efforts to amend the Convention on the Physical Protection of Nuclear Material to cover the physical protection of nuclear material in domestic use, storage and transport.

67. Poland strongly supported the Global Threat Reduction Initiative and hoped that its implementation would proceed quickly. His Government had proposed that its only nuclear research reactor should be included in the programme to convert such reactors from high enriched to low enriched uranium.

68. **Mr. Maurer** (Switzerland) said that since the 2000 Review Conference nuclear proliferation had become a major concern in the area of international security. The withdrawal of the Democratic People's Republic of Korea from the Treaty in January 2003 and the recent announcement that it possessed nuclear weapons could only be condemned by the States that continued to abide by the Treaty's provisions and their obligations towards IAEA. His Government reiterated its call to the Democratic People's Republic of Korea to renounce any nuclear programme and to reverse its withdrawal from the Treaty, and hoped that the final document of the Conference would reflect that call. It also supported all multilateral efforts, including the six-party talks, to find a diplomatic solution to the crisis. The lack of consequences of that country's withdrawal from the Treaty demonstrated an institutional weakness of the non-proliferation regime and suggested that the Treaty should be strengthened. Canada's proposals to address that weakness should be carefully considered.

69. As there were doubts about the true nature of the Iranian nuclear programme, Switzerland called on the Islamic Republic of Iran to make every effort to restore international confidence and to comply with the decisions of the IAEA Board of Governors. The continued suspension of any activities connected with enrichment and reprocessing was an essential step towards that end. Switzerland supported the ongoing

discussion between the Islamic Republic of Iran and three members of the European Union.

70. With respect to regional issues, the resolution on the Middle East, an essential element of the compromise reached at the 1995 Review Conference, would remain in force as long as its objectives had not been met. The 2004 discovery of the nuclear procurement network of Abdul Qadeer Khan illustrated the real risks of nuclear proliferation posed by non-State actors. All States must therefore cooperate to identify the sources and lines of supply of such trafficking.

71. All States should fulfil their obligations under article III of the Treaty by signing and implementing a safeguards agreement with IAEA. The supply of nuclear material, equipment and technology should be contingent on the ratification of an additional protocol to a safeguards agreement. Physical protection of all nuclear materials was an essential part of the non-proliferation regime. The management of plutonium and highly enriched uranium should receive greater attention and be handled with more transparency.

72. In collaboration with the United States and the Russian Federation, Switzerland had organized and hosted a conference on the dismantling of the last plutonium-producing nuclear station in the Russian Federation. Switzerland welcomed the adoption of Security Council resolution 1540 (2004), which highlighted the need for all States to have an effective export control system, and the unanimous adoption by the General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism.

73. Export controls were an essential tool for promoting peaceful nuclear cooperation while avoiding the unregulated spread of sensitive technologies. Proposals which derogated from the right to the peaceful use of nuclear energy should not be supported.

74. **Mr. Beven** (Australia) said that safeguards allowed States to have confidence in the peaceful nature of nuclear activities carried out by other States. That was an important element of collective security. It laid the foundations for trade and cooperation in the peaceful uses of nuclear energy and helped to build the confidence necessary to make progress towards nuclear disarmament.

75. New challenges to the non-proliferation regime included the Islamic Republic of Iran's revelation of its previously undeclared nuclear programme and its failure to comply with its safeguards obligations, as well as the announcement by the Democratic People's Republic of Korea that it had withdrawn from the Non-Proliferation Treaty and that it possessed nuclear weapons. The Conference should call upon the Islamic Republic of Iran to continue its suspension of enrichment and reprocessing activities and should urge the Democratic People's Republic of Korea to comply once again with the Non-Proliferation Treaty and completely abandon its nuclear weapons programme.

76. **Ms. Kipp** (Sweden) agreed with previous speakers that additional protocols, together with comprehensive safeguards agreements, should represent the verification standard under article III of the Treaty. The Security Council needed to respond in a unified manner to non-compliance with the Treaty and to announcements of withdrawal from it by States parties. The Security Council should work closely and meet regularly with IAEA on matters of non-compliance, safeguards and verification processes.

77. Security Council resolution 1540 (2004) placed binding obligations in regard to export controls on all States Members of the United Nations. The right to the peaceful use of nuclear energy was central to the Treaty. At the same time, it was important to ensure that dual-use products and technologies did not fall into the wrong hands.

78. As the Chairman of the Nuclear Suppliers Group, an organization of nuclear supplier countries seeking to contribute to non-proliferation through the implementation of guidelines for nuclear and nuclear-related exports, Sweden had called upon States to exercise extreme vigilance so that none of their exports would contribute to nuclear weapons programmes or unsafeguarded activities. At its 2002 plenary meeting, the Group had agreed to strengthen guidelines to prevent and counter the diversion of nuclear exports to nuclear terrorism. It had also taken steps to enhance information exchange on proliferation threats. The Group fully supported Security Council resolution 1540 (2004) and had the capacity to provide expertise on national export control systems.

79. **Ms. Paterson** (United Kingdom) expressed the hope that the Review Conference would send a clear message to the IAEA Board of Governors that

comprehensive safeguards agreements, together with additional protocols, represented the current verification standard. The United Kingdom looked forward to participating in the review of the "small quantities protocol" mechanism and believed that it was important to address that weakness in the safeguards framework. The Committee should send a strong message in support of Security Council resolution 1540 (2004). The United Kingdom was committed to working with the International Maritime Organization to secure amendments to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, which would make it an internationally recognized offence to transport weapons of mass destruction, their delivery systems or related materials on commercial vessels.

80. The Libyan Arab Jamahiriya's decision to dismantle its illegal weapons of mass destruction programme was a welcome one. Work was being done in partnership with other countries and organizations to bring the Libyan Arab Jamahiriya into compliance with its international obligations.

81. The proliferation implications of the Iranian nuclear programme were disturbing. Long-term arrangements were being developed to help rebuild international confidence in that country's nuclear activities and plans. The Iranian authorities' recent statements that they intended to resume uranium conversion were cause for concern. The Islamic Republic of Iran should work actively with IAEA to resolve all outstanding questions surrounding its nuclear programme and should comply with all IAEA requests, including, in particular, the request that it should reconsider its decision to construct a heavy water moderated research reactor. The Democratic People's Republic of Korea was urged to renounce its intention to reprocess fuel. It should declare all past nuclear activity and dismantle its nuclear programme completely, verifiably and irreversibly. It should return to the six-party talks as soon as possible.

82. The United Kingdom supported nuclear-weapon-free zones in Latin America and the Caribbean, Africa, the South Pacific and Central Asia. It supported a nuclear-weapon-free zone in the Middle East and, more broadly, a Middle East zone free of weapons of mass destruction.

The meeting rose at 6 p.m.

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

1 July 2005

Original: English

Summary record of the 3rd meeting of Main Committee II

Held at Headquarters, New York, on 23 May 2005, at 3 p.m.

President: Mr. Molnár (Hungary)

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Report of Main Committee II

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The meeting was called to order at 3.20 p.m.

Report of Main Committee II

1. **The Chairman** drew attention to the report of Main Committee II contained in document NPT/CONF.2005/MC.II/CRP.3.

2. **Mr. Choisureu** (Mongolia) said that nuclear-weapon-free zones played an important role in promoting the peaceful global objectives of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Their contribution towards the twin goals of disarmament and non-proliferation had been fully recognized in the Final Document of the 2000 Review Conference. While the family of nuclear-weapon-free zones had expanded significantly over the years, much remained to be done to further consolidate the respective regimes under the various treaties. For the existing zones to be fully operational and effective, it was essential for all concerned States to sign or ratify them at an early date. With the notable exception of the Treaty of Tlatelolco, progress on other nuclear-weapon-free zones remained disappointing. The recent convening in Mexico of the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones had therefore been a welcome development. The Conference had reaffirmed participating States' commitment to strengthening nuclear-weapon-free zones and contributing to disarmament and nuclear non-proliferation. It had also opened up a new chapter in the development of nuclear-weapon-free zones by discussing potential cooperation and implementation measures among the zones, their respective treaty-based agencies and other interested States.

3. His delegation fully supported the strengthening of existing zones as well as the establishment of new ones on the basis of arrangements freely arrived at by the States of the regions concerned. It welcomed, in that respect, the substantial progress achieved to date on the establishment of a nuclear-weapon-free zone in Central Asia. The establishment of such a zone in the Middle East would have a direct bearing on peace and stability in that region and was long overdue.

4. Mongolia's own nuclear-weapon-free zone could serve as a good model for other countries in the subregion of North-East Asia, particularly the Democratic People's Republic of Korea. With respect to that country, his Government continued to support

the multilateral peaceful process of engagement in dialogue. It therefore urged all concerned parties to exercise the utmost flexibility and mutual respect and to return to the six-party talks. His Government would continue its efforts to further institutionalize Mongolia's nuclear-weapon-free status. To that end, it would resume consultations on the conclusion of a trilateral treaty with the People's Republic of China and the Russian Federation. His delegation also wished to have elements reflecting the unique status of Mongolia incorporated in the report of Main Committee II and the final document of the present Review Conference.

5. **Mr. Shin Kak-soo** (Republic of Korea) said that the NPT was facing unprecedented and multifaceted challenges, the most serious of which being the violations committed by the Democratic People's Republic of Korea. The international community should stand together to persuade the latter that it stood to gain nothing and to lose everything from its pursuit of nuclear weapons. In that regard, the Democratic People's Republic of Korea should dismantle all its nuclear programmes in a thorough, transparent and verifiable manner and an expeditious resolution should be sought through peaceful and diplomatic means within the framework of the six-party talks.

6. The outstanding questions relating to the nuclear programme of the Islamic Republic of Iran should also be resolved expeditiously through extensive consultations and with the full cooperation of the International Atomic Energy Agency (IAEA). The Agreement signed in Paris on 15 November 2004 between the Government of the Islamic Republic of Iran and the Governments of France, Germany and the United Kingdom should be maintained.

7. Universal adherence to the NPT was a key issue for all States parties to the Treaty but could not be attained while three States remained outside the Treaty. The Review Conference would also have to adequately address the new threat to the universality of the Treaty following the announcement of withdrawal by the Democratic People's Republic of Korea. Moreover, the dangers of State and non-State actors working together needed to be urgently addressed and, in that respect, the procurement network discovered in Pakistan should serve as a grave warning. A strengthened non-proliferation regime was thus vital to prevent the illicit trafficking of sensitive nuclear material, equipment and technology.

8. Given the current international security environment, the importance of an effective and efficient IAEA safeguards system could not be overemphasized. The early universalization of additional protocols would greatly enhance the Agency's inspection and verification capabilities. Those States that had yet to sign or ratify them should therefore do so without delay. His Government also supported the idea that strengthened safeguards should be a condition for the supply of nuclear items. However, since no verification measure could be entirely foolproof against determined proliferators, it supported the international community's ongoing efforts to strengthen existing control regimes.

9. Innovative and supplementary export control measures were also needed. Thus, while endorsing the leading roles of the Zangger Committee and the Nuclear Suppliers Group in establishing international export control standards, his Government also supported the Global Partnership against the Spread of Weapons and Materials of Mass Destruction (G-8 Global Partnership) and Security Council resolution 1540 (2004) in so far as they dealt with the illicit trafficking of weapons of mass destruction and related materials involving non-State actors. His Government attached particular importance to the establishment and effective implementation of national export controls, as called for by the resolution.

10. The Republic of Korea had held the chairmanship of the Nuclear Suppliers Group for 2003 and 2004 and was fully committed to the non-proliferation objectives of the Group. It had also assumed the chairmanship of the Missile Technology Control Regime for 2004 and 2005. In 2004, it had joined the global non-proliferation efforts of the G-8 Global Partnership.

11. His Government acknowledged the important role of nuclear-weapon-free zones in enhancing global and regional peace and security. Such zones had been, and would remain, useful non-proliferation and disarmament tools. The achievements of those zones should contribute towards the ultimate goal of NPT: a nuclear-weapon-free zone spanning the entire globe.

12. **Mr. Ubeev** (Russian Federation), referring to article III of the NPT, said that the implementation of IAEA safeguards was an important prerequisite for cooperation in the peaceful use of nuclear energy. The task of further strengthening the Agency's monitoring activities and safeguards system was a priority. While

expansion of the application of additional protocols to safeguards agreements had allowed the Agency to improve the efficiency and effectiveness of the safeguards system, the implementation expenses thereof should be optimized.

13. The existence of additional protocols, which helped to detect potentially undeclared activities, should be one of the criteria used for decisions on nuclear exports. The Russian Federation was already prepared to accept additional protocols as one of the conditions for the transfer of sensitive nuclear technology and equipment. His Government had provided, and would continue to provide, assistance in strengthening the Agency's safeguards system through the financing of a national programme of scientific and technical support for Agency safeguards. Furthermore, given the real danger that nuclear power developments might be diverted to military purposes, it stood ready to establish strict criteria to regulate the transfer of the most sensitive nuclear technologies. His delegation agreed with the Director-General of the Agency that there was no need for additional facilities since the world already had more than enough operating capacity to provide fuel for nuclear power plants and research reactors. It was important to establish a guaranteed nuclear fuel supply system and to develop long-term options for the management of the technologies, primarily in regional centres under multinational control.

14. In the context of efforts to prevent highly enriched materials from falling into the hands of terrorists, the Russian Federation and the United States of America, with the participation of the Agency, were cooperating on the repatriation of highly enriched uranium fuel from the research reactors of third countries. Furthermore, in response to an Agency initiative, 13 out of 17 countries had confirmed their decision not to use highly enriched fuel in their reactors in future.

15. The discovery of an extensive black market network in nuclear materials and technologies posed a serious challenge to the nuclear non-proliferation regime. Export controls were one of the most important means of countering that threat. Measures to prevent unlawful transfers of controlled goods and technologies included raising export control efficiency, strengthening international export control regimes, increasing their transparency and involving countries with nuclear technologies in export control regimes.

16. His delegation supported the activities of the Nuclear Suppliers Group and the Zangger Committee. They had shown that it was practicable to establish an agreed procedure for the transfer of controlled items without limiting legal rights to international cooperation with respect to the peaceful uses of nuclear energy.

17. Article III, paragraph 2, of the Treaty could be implemented only if there was a clear understanding of its technical implications. In that regard, the “trigger list” developed by the Zangger Committee was an integral part of additional protocols to safeguards agreements. Bilateral and multilateral export controls could help improve transparency, facilitate the exchange of experience and foster a dialogue with countries that were not members of the Nuclear Suppliers Group.

18. All countries should implement the provisions of Security Council resolution 1540 (2004), which had been adopted following a Russian initiative. The Security Council Committee established pursuant to resolution 1540 (2004) should also identify the remaining weak points in the non-proliferation regime and coordinate assistance for the effective implementation of all provisions of the resolution.

19. While some progress had been made over the previous five years in the development of the Agency’s safeguards system, it was clear that difficult tasks lay ahead if the obligations provided for in article III of the Treaty were to be implemented effectively.

20. **Ms. García Guerra** (Mexico) said that her delegation attached a high priority to the work of the Committee, particularly its examination of the application of article VII of the NPT with regard to nuclear-weapon-free zones. Treaties establishing such zones were an important means of strengthening the concept of horizontal non-proliferation. The States that acceded to those treaties and to the NPT had unequivocally demonstrated their commitment to non-proliferation.

21. The declaration approved at the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, held in Tlatelolco, Mexico, was of particular relevance to the Review Conference in demonstrating the efforts of the international community to prevent the proliferation of nuclear weapons. Her delegation had requested that the main documents from that Conference should be issued

as official documents at the present Review Conference. During the Conference the Mexican Government had also held a parallel meeting with the Parliamentary Network for Nuclear Disarmament and Mayors for Peace. Their report, presented at the closing session of the Conference, also formed part of the documents to be circulated. As stated in the Rapporteur’s report on the deliberations of the Conference, an agreement had been reached to maintain such conferences of nuclear-weapon-free zones in conjunction with NPT review processes.

22. Her Government was confident that the Conference had facilitated the early entry into force of the Pelindaba Treaty. It had also provided an acknowledgement by all nuclear-weapon States and other States of the status of treaties establishing nuclear-weapon-free zones, with a view to attaining the ultimate goal of a world free of nuclear weapons.

23. **Mr. Sanders** (Netherlands), said that his Government had long supported efforts to make the NPT review process better able to enhance the operation of the Treaty and had systematically searched for ways to streamline review procedures and make the best possible use of the outcomes of previous Review Conferences.

24. The two most recent review cycles had shown that the current system did not fully serve its intended purpose and needed further refinement. To that end, his delegation, following consultations, had submitted a working paper (NPT/CONF.2005/WP.51) which contained proposals for modest steps that would help to make the review process more effective and simpler. The proposals were intended solely as additions to and refinements of the procedures already in place and should by no means be seen as replacing them. The working paper, which was not intended to be exhaustive, reaffirmed the provisions in the decision on strengthening the review process for the Treaty adopted at the 1995 Review and Extension Conference. It also stressed the role that the Preparatory Committee should play in addressing matters of urgent concern that might arise between Review Conferences. While there was merit in the proposal by the delegation of Canada for annual conferences to be held to decide on important issues, such a proposal might go too far beyond the scope of the 1995 decision. His delegation’s proposal, however, would serve virtually the same purpose, except that it did not provide for a meeting in the year following the Review Conference. In the event of

exceptional circumstances, the text also provided for the possibility of a special meeting being called by the depositaries, either on their own initiative or at the request of other States parties to the Treaty.

25. Referring to paragraph 5 of the working paper, he stressed that the Preparatory Committee should prepare its own procedures at an early stage and the first priority of the last meeting in the preparatory cycle should be to finalize all the procedural preparations for the 2010 Review Conference. He also drew attention to paragraph 6 of the working paper, which called for two reports from the last session of the Preparatory Committee: one on procedural issues and one on recommendations. He hoped that the new wording made clear that the Preparatory Committee was required to make a concentrated effort to reach a consensus on its recommendations. If it failed to do so, the Review Conference should be informed of the reasons why. Paragraph 7 of the working paper aimed at the fullest possible participation of civil society in the review process, which already partly reflected the current reality. He hoped that modalities would be found to give full effect to those proposals.

26. **Mr. Ogunbanwo** (Nigeria) said that nuclear-weapon-free zones had made an important contribution towards the promotion of the nuclear non-proliferation regime at regional levels. The zones established by the Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba were a positive step towards attaining the goals of global nuclear disarmament and nuclear non-proliferation. His delegation supported the establishment of new regional nuclear-weapon-free zones on the basis of arrangements freely arrived at by the States in the regions concerned. In that regard, it welcomed the decision of all five Central Asian States to sign the Central Asian Nuclear-Weapon-Free Zone Treaty as soon as possible, supported Mongolia's nuclear-weapon-free status and affirmed the need not only to establish such a zone in the Middle East but also to achieve the objectives of the 1995 resolution on the Middle East.

27. Nigeria had played a crucial role in the establishment of a nuclear-weapon-free zone in Africa under the Pelindaba Treaty and had demonstrated its strong commitment to the Treaty by ratifying it in 2001. His Government would continue to remain faithful to its obligations and responsibilities under the Treaty and, in that respect, called on all States that had not yet signed and ratified the Treaty to do so as soon

as possible so that it could enter into force without further delay.

28. The recently convened Conference in Mexico would continue to enhance cooperation among treaty-based zones and would strengthen the nuclear-weapon-free zone regime, thereby contributing to disarmament and nuclear non-proliferation. The declaration it had adopted was welcome and would provide useful input for the current Review Conference.

29. In view of the discouraging lack of progress towards the total elimination of nuclear weapons, States must reaffirm their NPT commitments towards the achievement of a nuclear-weapon-free world. The present Committee had a crucial role to play in that regard. To make further progress on nuclear disarmament and non-proliferation, the 13 practical steps adopted at the 2000 Review Conference also needed to be implemented.

30. Nigeria strongly supported IAEA as the only international safeguards and verification authority. The Agency was to be commended for its good work in meeting the various verification challenges within its mandate, and it should therefore continue to be encouraged and strengthened. The initiative to establish a special committee on safeguards and verification was worthy of consideration in that respect. Such a committee should consider extending the Agency's verification activities to all nuclear-weapon States, so that both vertical and horizontal proliferation could be controlled. The verification system of the NPT would thereby be strengthened, since all States would share responsibility for non-proliferation.

31. All States parties to the Treaty should also negotiate and conclude the Model Additional Protocol with the Agency, as a matter of priority, and work towards building the necessary confidence among all States parties to the Treaty. The Government of Nigeria had signed the Additional Protocol to its Safeguards Agreement in September 2001 and was currently giving serious and active consideration to its ratification.

32. However, like other developing countries, Nigeria also needed assurances from the Nuclear Suppliers Group that it would not be denied access to the vital nuclear technology and material needed for its socio-economic development, including for electricity generation. Nigeria's electricity demand would soon

outstrip current electricity generating capacity by about five times, making nuclear energy the only affordable and environmentally safe option available. Since Nigeria was committed to the peaceful development of nuclear science and technology, any restrictions placed on the transfer of nuclear material, equipment or technology for peaceful purposes would be in violation of article III of the Treaty. The Review Conference must therefore take steps to protect the right of all States to pursue peaceful nuclear programmes in accordance with their national interests and priorities. It must also provide credible assurances to that effect.

33. **Mr. Semmel** (United States of America) said that the international community needed to work together to tackle the dangers of nuclear proliferation. Parties to the NPT had faced significant challenges recently, particularly from States that had cheated on their obligations and had defied the international community.

34. Progress had been made in some areas: Libya and Iraq no longer pursued weapons of mass destruction. However, the Democratic People's Republic of Korea and the Islamic Republic of Iran retained their nuclear ambitions and were in violation of the Treaty. The present Review Conference therefore needed to reinforce the goal of universal accession to the Treaty and encourage Israel, India and Pakistan to take the sovereign decision to join the Treaty as non-nuclear weapon States. That approach required a viable security framework ensuring compliance with the Treaty. His Government welcomed and encouraged all non-parties to accede to the Treaty as soon as possible and insisted that all parties to the Treaty should comply with their obligations. Ultimately, a rigorous approach to compliance would help to promote NPT universality by demonstrating to non-parties that the Treaty could provide meaningful and enduring security benefits.

35. The achievement of a comprehensive, just and lasting peace in the Middle East remained a key foreign policy goal. His Government was committed to a negotiated settlement to the Israeli-Palestinian dispute by means of the road map.

36. In the context of a stable, comprehensive regional peace, the United States supported the goal of an effectively verifiable nuclear-weapon-free zone in the Middle East. However, progress towards that goal required the creation and cultivation of a political environment in the Middle East that would reduce the

causes of hostility in the region and gradually move States towards a regional situation conducive to such a zone. Peace would also contribute to regional security by generating the confidence and trust needed to address the complex issues associated with establishing a nuclear-weapon-free zone. The United States Government would support the convening of a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions. It hoped that a way forward could be found to hold those discussions.

37. However, there could be little hope of establishing an agreement to create a regional nuclear-weapon-free zone unless the nations of that region implemented and upheld existing agreements to which they were parties. The Islamic Republic of Iran was a case in point. Seven Agency reports since 2003 had confirmed that it had been pursuing a covert nuclear programme for nearly two decades. The Islamic Republic of Iran's desire for sensitive technologies, even in the face of international concern, was inconsistent with its energy and economic interests and was destabilizing for the region.

38. Despite the Islamic Republic of Iran's claims of compliance, the Agency had reported that the Iranian authorities had still denied inspectors the transparency and cooperation they need to fulfil their duties. Moreover, the Islamic Republic of Iran continued to deny the explicit requests in previous Agency resolutions not to proceed with the construction of a heavy-water research reactor at Arak and had failed to provide a credible explanation for its urgency to complete a reactor well suited to the production of plutonium. Iranian refusals to allow full and prompt access to locations of concern, Iranian experts or nuclear-related documentation were unacceptable. The Agency would be unable to resolve the questions raised by the Islamic Republic of Iran's longstanding clandestine nuclear programme and breaches of its safeguards agreement unless the Iranian authorities provided full cooperation.

39. The Agency's Board of Governors should have reported the Islamic Republic of Iran's violations of its safeguards obligations to the United Nations Security Council when they had first been confirmed. Such action would have reinforced the Agency's essential investigatory and monitoring roles and the Security Council had the necessary international legal and political authority that might be required to bring the

issue to a successful and peaceful diplomatic resolution. His Government joined the international community in supporting the ongoing efforts of the United Kingdom, France and Germany to resolve the issue through diplomacy. However, should the Islamic Republic of Iran break its pledge to suspend all enrichment-related and reprocessing activities, the United States would join those three countries in calling for an immediate report to the Security Council.

40. The only plausible explanation for Iran's longstanding pattern of deception was that it had been pursuing a nuclear weapons capability, in violation of article II of the NPT. Given its history of clandestine nuclear activities and documented efforts to deceive the international community, the Islamic Republic of Iran would have to demonstrate that it no longer sought to acquire a nuclear weapons capability. Only the full cessation and dismantling of fissile material production by the Iranian authorities could begin to provide any assurance that they were no longer pursuing a nuclear weapons capability. His Government was not attempting to rewrite the NPT, as the Iranian authorities had claimed. Nor did it aim to deny States that complied with the Treaty the exercise of their legitimate rights. On the contrary, its position stemmed from its commitment to uphold the goals and rules of the Treaty. For the sake of regional and global security, including the integrity of the NPT and hopes for its future universality, his Government looked forward to working with the entire international community to convince Iran to forgo the nuclear path it had chosen thus far.

41. The nuclear weapons programme of the Democratic People's Republic of Korea also presented a threat to regional and global security as well as an urgent challenge to the global nuclear non-proliferation regime. That country had repeatedly violated its international non-proliferation obligations and had announced its intention to withdraw from the Treaty. The danger that it could produce and export fissile material or weapons to other rogue States or terrorists must not and could not be ignored. The United States Government had repeatedly made clear to the Democratic People's Republic of Korea, at the highest levels, that it sought a peaceful, diplomatic solution resulting in the complete, verifiable and irreversible dismantlement of its entire nuclear programme.

42. While welcoming recent signs of improved relations between India and Pakistan, his Government

continued to urge both countries, inter alia: to end their nuclear and missile competition; to discuss and implement confidence-building measures that would reduce regional tensions and diminish risks of nuclear weapons being used, either intentionally or accidentally; not to conduct nuclear tests; to bring an early end to the production of fissile material for nuclear weapons; to support the immediate start of negotiations on a fissile material cut-off treaty; to prevent onward proliferation; and to bring their export controls into line with international standards.

43. His Government remained cognizant of its non-proliferation commitments and objectives when considering how to improve its bilateral relations with each country. Its actions with respect to India and Pakistan continued to be consistent with its obligations under the NPT and its commitments to the guidelines of the Nuclear Suppliers Group. It regarded the NPT as a key legal barrier to nuclear proliferation which made a critical contribution to international security. Concerted international action was needed to tackle the critical cases of non-compliance confronting the Treaty; otherwise its credibility risked being undermined.

44. **Mr. Lazo-García** (Bolivarian Republic of Venezuela) said that, as a party to the NPT, his country was fully committed to the principles of general and complete disarmament and supported such initiatives as the establishment of a nuclear-weapon-free zone in the Middle East. The elimination of all weapons of mass destruction under strict international verification required compliance with the Treaty and the approval of effective measures.

45. In that connection, his Government joined other countries in calling on Israel to unconditionally accede to the Treaty as a non-nuclear State, to submit its nuclear facilities to IAEA safeguards and to declare its support for the establishment of a nuclear-weapon-free zone. The creation of such a zone would be welcomed by the international peace-loving community and would represent a further step towards ensuring that nuclear-weapons States did not use their weapons against the States that belonged to such zones.

46. His Government welcomed China's commitment not to be the first to use nuclear weapons or to threaten to use them against non-nuclear States. It hoped that the other nuclear-weapon States would also provide the same reassurances.

47. The position of the United States with regard to the non-proliferation initiative would result in a violation of the basic principles that had been enshrined in the Charter of the United Nations and acknowledged in international law, namely non-interference in the internal affairs of States and non-use or threat of use of force against the territorial integrity or political independence of any State.

48. His delegation reaffirmed the inalienable right of all States to acquire and develop nuclear energy for peaceful uses, in accordance with article IV of the Treaty.

49. **Mr. Belaoura** (Algeria) said that the NPT provided an ideal framework for the global elimination of nuclear weapons. However, while some success had been achieved under the non-proliferation regime, the progress expected on general and complete nuclear disarmament had yet to be achieved.

50. Algeria had become a party to all the treaties and international conventions relating to weapons of mass destruction and was fully implementing its obligations in that respect. Furthermore, having already ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT), his Government intended to sign the Protocol thereto. It called on all States to work towards the ratification of that Treaty as well as the conclusion of an equally important fissile material cut-off treaty.

51. His delegation supported the work being carried out by IAEA in accordance with its mandate and agreed that existing Agency mechanisms would be sufficient to achieve the goal of non-proliferation. However, to achieve the ultimate aim of general and complete disarmament under strict and effective international control, all nuclear-weapon States must respect their obligations under the NPT and seriously undertake to implement the commitments made at the 2000 Review Conference, particularly the 13 practical steps.

52. Any initiatives aimed at strengthening the non-proliferation regime must not restrict the rights of States parties to the Treaty under article IV. In that respect, the Agency's positive efforts to promote technical assistance and the strengthening of nuclear safety were welcome. His delegation stressed that the Agency was the only competent authority capable of implementing the safeguards system and monitoring compliance with safeguards agreements.

53. Israel's refusal to accede to the NPT was a direct threat to international peace and security as well as an obstacle to the establishment of a nuclear-weapon-free zone in the Middle East. Any policy aimed at extending the present nuclear non-proliferation regime while maintaining nuclear arsenals was unviable. To ensure the credibility of the Treaty all States should progressively disarm, accede to the Treaty and implement the resolutions and recommendations adopted at the current Review Conference.

54. **Mr. Motoc** (Romania) said that it was essential to place nuclear materials and technologies under the International Atomic Energy Agency integrated safeguards system. His Government strongly supported the universal adoption and implementation of additional protocols, which established new verification standards for the NPT and strengthened the Agency's ability to detect and respond to non-compliance with safeguards obligations. Continued efforts were needed to expand the conclusion of additional protocols and to make them a condition for the supply of nuclear material and technology.

55. The Nuclear Suppliers Group and the Zangger Committee had contributed steadily to reducing the uncontrolled spread of materials and technologies to potential proliferants. Supplier States should seriously consider the possibility of suspending nuclear cooperation with countries found by the Agency to be in breach of their safeguards undertakings. All States needed to do more to ensure that their exports did not find their way into nuclear weapons programmes. To that end, export control policies should reinforce safeguards standards. Other useful tools that States could use to reduce proliferation risks included "catch-all controls", information exchange and outreach activities.

56. Security Council resolution 1540 (2004) emphasized the greater responsibility of all States for reducing proliferation risks and filled in the gaps in existing non-proliferation regimes, thus providing a meaningful framework in which all States could adopt and enforce appropriate, effective non-proliferation laws.

57. The globalization of terrorism was a phenomenon that did not leave room for isolated approaches. In addition to their reporting and implementation obligations, Member States had a moral responsibility to take all possible steps to prevent weapons of mass

destruction from falling into the hands of non-State actors. His Government was determined to participate in all international counter-terrorism actions and initiatives and would continue to support multilateral and bilateral initiatives aimed at strengthening nuclear security worldwide.

58. The Romanian Government had taken practical steps to complete two important projects with the assistance and support of the United States and IAEA: full conversion of the TRIGA research reactor at Pitesti from highly enriched uranium to low-enriched uranium; and the return of fresh fuel from the WWR-S research reactor at Magurele to the Russian Federation. An example of the Romanian Government's commitment to combating terrorism was its organization, in cooperation with the Agency, of a regional pilot course for south-eastern Europe on techniques for counteracting nuclear threats. Following a mission from the Agency's International Physical Protection Advisory Service, Romania's nuclear regulatory body had also started an upgrade of national nuclear physical protection systems.

59. **Mr. Minty** (South Africa) said that revelations about the existence of an illicit network for trafficking in nuclear material, equipment and technology presented a serious challenge to the NPT and to the non-proliferation regime in general. Valuable lessons had already been learned from collective recent experience of that illicit network and all States needed to cooperate with IAEA in order to address that challenge. His delegation recognized the need to review and improve controls over nuclear material, equipment and technology in order to prevent nuclear weapons proliferation and illicit trafficking. There was also a need to review existing penalties for those grave offences. His delegation also fully supported proposals to examine the financial support behind illicit networks. However, it was equally important to recognize that the success of international efforts to bring individual offenders to justice largely depended on the sharing of information between States and IAEA. Such information exchange also helped to build confidence among States, which in turn enabled everyone to strengthen the non-proliferation regime, including the Agency.

60. His delegation had taken note of the statement by the European Union and, in that regard, welcomed the efforts being undertaken to dismantle illicit trafficking networks in four countries of the southern hemisphere,

including South Africa. However, since the statement had made no reference to key European and other countries where such illicit networks operated and where important investigations and other initiatives had been initiated by the authorities, his delegation was anxious to thank those countries for their efforts and to emphasize the need for all countries concerned to cooperate with each other and with the Agency. It was also important to avoid giving the impression that the networks in the four countries mentioned were the ones of primary importance. The European Union might therefore wish to clarify that matter. For its part, South Africa would continue to cooperate closely with the Agency and with European and other countries in their investigations into illicit international networks with a view to their elimination.

61. Experience had shown that no control regime, however comprehensive, could provide a full guarantee against abuse. The challenge ahead was not only how to provide access to technologies for peaceful purposes but also how to share information in a timely fashion, thereby enabling countries to detect, investigate and prosecute those involved in illicit activities.

62. **Ms. Pollack** (Canada) said that a number of countries had supported her delegation's proposal to rearrange the meetings of NPT States parties. The lack of any supporting mechanism for the Treaty called for remedial action. Recent experience had only reinforced the view that the current NPT meetings format did not serve the needs of its parties and that its exclusively preparatory focus was too narrow.

63. In its working paper entitled "Achieving permanence with accountability" (NPT/CONF.2005/WP.39), her delegation had shown that the strengthened review process had not been playing the role initially envisaged for it at its inception. The spirit of 1995 had to be adapted to the realities of 2005. The need for change had also been acknowledged by others, including in document NPT/CONF.2005/WP.51. Her delegation's working paper proposed that a one-week annual Conference of States parties to the Treaty should be held in each of the four years between Review Conferences. That timetable would allow for more effective consideration of the issues and provide for flexibility in responding to recent developments while enabling States parties to take decisions if required. Such an annual meeting would also allow States parties to address the Treaty's state of health and to raise topical concerns about implementation.

64. The substantive focus of an annual conference would do much to strengthen the NPT and its implementation. In the two years immediately preceding a five-year Review Conference, the annual conference would be extended by one week to carry out the functions of a Preparatory Committee. The Preparatory Committee would finalize the procedural arrangements and make every effort to produce a consensus report containing recommendations for that Review Conference.

65. Her delegation had also proposed that a standing bureau should be established to provide improved continuity and better preparation of meetings. It would be most effective to have the standing bureau in place before the first meeting. She looked forward to the incorporation of the ideas put forward in the working paper into the outcome of the Review Conference.

66. She welcomed the fact that the Subsidiary Body in Main Committee III was considering the role of an extraordinary meeting of States parties in the event of a withdrawal. Such a meeting should be held automatically within two weeks' notice of a withdrawal.

67. Her delegation very much supported enhancing the engagement of civil society in the work of the NPT and welcomed efforts to further facilitate and optimize their participation.

68. **Mr. Naziri Asl** (Islamic Republic of Iran) said that nothing should be done to undermine the authority of IAEA; its comprehensive safeguards agreements had been recognized as the primary legal basis for ensuring that no diversion of nuclear material occurred within States' nuclear programmes. Those agreements had been successful in providing assurances in respect of declared nuclear material and had provided some assurances regarding the absence of undeclared material and activities; they should therefore be promoted and universalized.

69. The three pillars of IAEA — enlarging the peaceful applications of nuclear energy, verifying nuclear materials and activities and enhancing the safety and security of nuclear material and facilities — should be accorded equal political and financial support. It was a source of deep concern that efforts were being made to use the IAEA technical cooperation programme as a tool for political purposes. Adequate resources and support should be provided in

order to ensure that the programme remained firm, sustainable and predictable.

70. The obligation to accept safeguards must not be viewed in isolation from article IV of the Treaty. Despite decisions taken at the previous review conferences, non-nuclear-weapon States parties faced the threat of attack from certain nuclear-weapon States and States not parties to the Treaty. That threat was so serious that the United States of America had explicitly named non-nuclear-weapon States parties as the targets of its deployed nuclear weapons. Such attacks would have severe, humanitarian, environmental, political and economic consequences and would threaten the Treaty's credibility. States parties should undertake not to assist, encourage or take any action that would result in an armed attack by conventional or other weapons against nuclear facilities under the full scope of IAEA safeguards.

71. Unilateral criteria-setting and the imposition of double standards in the areas of safeguards and technical cooperation were detrimental to the credibility of IAEA; the role of its safeguards system should be the only criteria for verification of compliance with article II obligations. National export controls should in no way restrict the transfer and exchange of materials, equipment and technology for peaceful purposes between States parties to the Treaty. Non-transparent and discriminatory controls could only provoke suspicion and mistrust. Any supplier arrangement should be promoted transparently through a framework of dialogue among all interested States parties.

72. The idea of "counter-proliferation", as opposed to "non-proliferation", went beyond the essential foundations of the Treaty, which provided clear mechanisms for verification of compliance and collective action to address cases of proliferation. No rule of international law authorized any State party to a treaty to claim a superior enforcing role, nor did internationally recognized rules permit any State to hinder free navigation on the high seas. Any effort to recognize any State party's special status in that regard or to support new divisions among States parties was unacceptable.

73. The establishment of a nuclear-weapon-free zone in the Middle East, to which the only obstacle was Israel, was a longstanding goal of the people of that region. The resolution on the Middle East, as

reaffirmed in the Final Document of the 2000 Review Conference, was an essential element of the package of agreements which had been adopted in 1995 and on the basis of which the Treaty had been indefinitely extended without a vote. However, despite repeated calls by the international community, Israel had not acceded to the Treaty or declared its intention to do so, nor had it placed its nuclear facilities under full-scope IAEA safeguards.

74. Israel's unsafeguarded facilities and clandestine nuclear activities, to which the United States of America had turned a blind eye, posed a real threat to security in the Middle East. An agreed plan of action for the universality of the Treaty, especially in the Middle East, should be on the agenda of all States parties, especially the nuclear-weapon States, and greater pressure should be placed on Israel to accede to the Treaty promptly and without conditions and to place its nuclear facilities under IAEA safeguards.

75. The United States of America was bent on maintaining undue pressure on the Islamic Republic of Iran by polarizing technical issues, misrepresenting facts and making advance judgements despite IAEA declarations that the Islamic Republic of Iran had cooperated with it actively and had granted access to Iranian nuclear facilities. In November 2004, the Director-General of IAEA had stated that all declared nuclear material in the Islamic Republic of Iran had been accounted for and was not being diverted to prohibited activities and that almost all its nuclear activities were under routine safeguards implementation.

76. The Islamic Republic of Iran could not rely on the international nuclear fuel market to meet its domestic needs, as the delegation of the United States of America had proposed, since there were no assurances concerning the supply of such fuel to developing countries which were Parties to the Treaty. Moreover, during the past 25 years, the United States had done its utmost to ensure that the Islamic Republic of Iran was denied access to nuclear material, equipment and technology for peaceful purposes. Nuclear fuel had never been made available to any developing country without conditions, and those countries simply could not rely on empty promises that continually proved false and misleading.

The meeting rose at 5.15 p.m.

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

15 January 2007

Original: English

Summary record of the 4th meeting of Main Committee II

Held at Headquarters, New York, on 24 May 2005, at 3 p.m.

President: Mr. Molnár (Hungary)

Contents

General debate (*continued*)

Draft report of Main Committee II

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

General debate (*continued*)

1. **Mr. Vohidov** (Uzbekistan), speaking also on behalf of Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, said that, after seven years of negotiations, the countries concerned had reached agreement on a treaty and protocol for the establishment of a Central Asian Nuclear-Weapon-Free Zone which they hoped to sign as soon as possible. The texts, which dealt with the issues of non-proliferation, the environmental consequences of past nuclear activity and the right to use nuclear energy for peaceful purposes, had been inspired by the texts establishing the world's four existing nuclear-weapon-free zones and also reflected new directions in nuclear disarmament and non-proliferation.

2. The Central Asian Nuclear-Weapon-Free Zone Treaty was the first nuclear-weapon-free zone agreement to have been proposed since the opening for signature of the Comprehensive Nuclear Test-Ban Treaty and the adoption of additional protocols to the safeguards agreements with the International Atomic Energy Agency (IAEA). Its potential signatories undertook to support environmental rehabilitation efforts at nuclear-test sites and waste repositories and open the way to international cooperation regarding peaceful uses of nuclear energy to promote the development of the Central Asian States. The States concerned had held official and informal consultations among themselves and with the nuclear-weapon States, and had adhered to the guidelines and recommendations for the establishment of such zones which the Disarmament Commission had adopted in 1999. The Central Asian Nuclear-Weapon-Free Zone would be the first to include territory of a former nuclear-weapon State: Kazakhstan had once housed the world's fourth-largest nuclear arsenal. It would also be composed exclusively of landlocked countries and would be the first such zone in the northern hemisphere, the location of most of the world's nuclear-weapon States.

3. As a result of the request made by the General Assembly in its resolution 52/38S, an expert group including representatives of the Office of Legal Affairs and IAEA had been established to help the five States in question develop a draft treaty to establish a nuclear-weapon-free zone. The Final Document of the 2000

Review Conference and the final report of the Preparatory Committee for the 2005 Review Conference supported the goals of the five Central Asian States, welcomed the practical steps accomplished to bring those goals closer and praised the progress made towards drafting a Treaty. Recalling their working paper on the establishment of a nuclear-weapon-free zone in Central Asia (NPT/CONF.2005/WP.28), the five Central Asian States considered the Zone to be a substantial contribution to strengthening the NPT, combating international terrorism and preventing non-State actors, especially terrorists, from gaining access to nuclear materials and technology.

4. **Mr. de Gonneville** (France) said that France welcomed the proposal to establish a Central Asian Nuclear-Weapon-Free Zone and recalled that the European Union, at a previous meeting of the Committee, had emphasized that the guidelines and recommendations adopted by the Disarmament Commission at its 1999 substantive session must be followed. Accordingly, the establishment of nuclear-weapon-free zones must be discussed with the nuclear-weapon States in order to enable the latter to sign protocols providing the members of such zones with negative security assurances.

5. At the consultations on the initial draft Central Asian Nuclear-Weapon-Free Zone Treaty held at the end of 2002, France, the United Kingdom and the United States of America had expressed concerns which had been reaffirmed in writing at the beginning of 2003. However, no response had been received, and no further consultations had taken place. Moreover, as the new draft of the Treaty which had appeared at the beginning of 2005 had also failed to respond to those views, France, the United Kingdom and the United States of America had informed the Secretary-General in writing that they regarded the consultations as incomplete, that no treaty should be signed until the consultations were complete and that they were ready to resume discussions immediately. The Secretary-General had replied, confirming that he had passed on the information concerned. France, for its part, was still ready to enter into discussions on the proposed treaty.

6. **Mr. Vohidov** (Uzbekistan) said that consultations with the Central Asian States had begun earlier than 2002, with a meeting in Bishkek in 1999. It had been attended by representatives of the nuclear-weapon

States, the United Nations and IAEA. In September 2004, the text of a draft Treaty had been agreed upon in Samarkand, and consultations between experts of the Central Asian States and the nuclear-weapon States had followed in October and December of the same year. The views expressed at the three meetings in question had been taken into account at the consultations held at the beginning of 2003, and the Central Asian States had reflected them in their subsequent work on the draft text. The Central Asian States had adopted a new text at a meeting in Tashkent in February 2005. As he had explained earlier, they had followed the guidelines and recommendations adopted by the Disarmament Commission in 1999 to apply to “arrangements freely arrived at among the States of the region concerned”. His delegation would be pleased to provide further clarification if required.

Draft report of Main Committee II

7. **The Chairman**, recalling that the President of the Conference had asked the chairpersons of the three Main Committees and the subsidiary bodies to conclude their deliberations rapidly, said that the aim remained to reach consensus on a brief and concise, but still balanced and comprehensive, outcome.

8. He proposed to invite members to comment on his draft conclusions (NPT/CONF.2005/MC.II/CRP.3), call on the Chairman of subsidiary body 2 to deliver an oral report on his activities and, finally, ask the Committee to take a decision on the final form of its draft report to be submitted to the Conference. He took it that the Committee agreed with that course of action.

9. *It was so decided.*

10. **Mr. Gala López** (Cuba) said that his delegation insisted on a clear reference, in paragraph 1 of the Chairman’s draft conclusions, to the Final Document of the 2000 Review Conference. It proposed that paragraphs 3 and 4 should stress that all aspects of preventing proliferation of nuclear weapons must be covered. The final sentence of paragraph 4 should be replaced with the wording found in paragraph 9 of the relevant portion of the Final Document of the 2000 Review Conference. Paragraph 5 should clearly mention international law and respect for the principles of the Charter of the United Nations, and refer not only to the non-proliferation regime, but also to disarmament.

11. In paragraph 6, the verb “reaffirms” should be used in preference to “notes”. Cuba shared other delegations’ concerns over the wording of paragraph 8, and was opposed to making signature and ratification of additional protocols a further precondition placed on developing countries, as it would restrict their inalienable right to peaceful use of nuclear energy. Recalling the opinion expressed in Cuba’s working paper on peaceful uses of nuclear energy (NPT/CONF.2005/WP.25), he pointed out that the wording of paragraph 14 was still extremely controversial, as it failed to take account of the views of a number of Non-Aligned States regarding Security Council resolution 1540 (2004) and export-control regimes based on selective and discriminatory criteria. Moreover, the draft conclusions ignored export control considerations which were included in paragraphs 53 and 54 of the section of the Final Document of the 2000 Review Conference relating to article III and the fourth and fifth preambular paragraphs of the NPT. Paragraph 15 should include the phrase “without discrimination”. The reference in paragraph 18 to the need to reach agreement on amendments to strengthen the Convention should be replaced by wording reflecting the need to reach consensus on such amendments.

12. **Ms. Hussain** (Malaysia) said that her delegation — and the rest of the Non-Aligned Movement — saw the outcomes of the previous review conferences, particularly those of 1995 and 2000, as an important point of reference. They should therefore be recalled and reaffirmed in paragraphs 1 and 2 of the Chairman’s draft conclusions. Paragraphs 4 and 5 of the draft, meanwhile, should reaffirm the role of IAEA as the only verification body which was entitled to find a State party to be failing to comply with its NPT and safeguards commitments. In paragraph 7, the reference to “significant nuclear activities” should be replaced by “proliferation-sensitive nuclear activities”, which better defined the problem in question. The reference to “technologies” in paragraph 8 of the Chairman’s draft conclusions should be deleted, as it exceeded the scope of article III, paragraph 2, of the NPT.

13. Paragraph 11 should call upon the nuclear-weapon States parties to respect fully their obligations under article I of the NPT; moreover, the second part of the paragraph should be deleted and replaced, so that it read: “... should be universally applied. This arrangement is to be set forth in an agreement to be

negotiated and concluded with the IAEA, in accordance with the Statute of the IAEA and the IAEA safeguards system.” That amendment would ensure that the obligation to respect the NPT fell equally on nuclear-weapon States and non-nuclear-weapon States. Paragraph 14 should acknowledge the need for international export-control regimes to be transparent, multilaterally negotiated, universal, comprehensive and non-discriminatory and to place no restrictions on access to material, equipment and technology which developing countries required for peaceful purposes for the sake of their continued development.

14. Paragraph 20 should not simply note the proposal for a nuclear-weapon-free zone in the Middle East, but express support for it; back Mongolia’s nuclear-weapon-free status; and urge nuclear-weapon States to become parties to the protocol of the South-East Asian nuclear-weapon-free zone treaty. Paragraph 22 should incorporate the Non-Aligned Movement’s call, contained in NPT/CONF.2005/WP.19, for the establishment of a Standing Committee composed of members of the Bureau of the Conference to follow up intersessionally the implementation of the recommendations concerning the Middle East, in particular Israel’s prompt accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, and report to the 2010 Review Conference and its Preparatory Committee.

15. **Mr. Wilke** (Netherlands) said that his delegation shared and supported the views on paragraphs 7 and 8 of the Chairman’s draft conclusions already expressed by the representatives of Australia and Japan. In connection with paragraph 22, and recalling that the Netherlands had put forward a working paper on an enhanced, strengthened review process for the Treaty (NPT/CONF.2005/WP.51), he proposed that a sentence should be added to indicate the potential role of the Preparatory Committee: “The Conference recognized that nothing in the Treaty precludes the Preparatory Committee adopting consensus decisions on matters of urgent concern relating to the authority, integrity or implementation of the Treaty.”

16. **Mr. Papaimitropoulos** (Greece) said that his delegation concurred with the views expressed on the previous day by the representatives of Australia and Japan, particularly regarding paragraph 8 of the Chairman’s draft conclusions. The importance of the additional protocols to safeguards agreements could

not be overstated. They made it possible for IAEA to give credible assurances that a given State had no undeclared nuclear activities. As the political environment had changed substantially since the 2000 Review Conference, the safeguards regime — a technical instrument which served a political purpose — must be strengthened.

17. Greece favoured adding a reference to the Zangger Committee to the end of paragraph 14, as one quarter of the NPT States parties were members of it, and its promotion of transparency regarding implementation of the commitments made under article III, paragraph 2, of the NPT, deserved to be highlighted and welcomed. Paragraph 17 should quote the full name of the International Convention for the Suppression of Acts of Nuclear Terrorism. With regard to the approach to amendments in paragraph 18, the view of his delegation differed from that of the delegation of Cuba: the aim was clearly to strengthen the Convention on the Physical Protection of Nuclear Material. The wording of paragraph 22 was appropriate, being a realistic view of what the review process could achieve, but his delegation urged that it should refer to all the preparations for the 2010 Review Conference, including its agenda.

18. **Mr. Semmel** (United States of America) said that the Chairman’s draft conclusions were appropriate and succinct, but a glaring omission had occurred in the form of a failure to refer to numerous regional issues; that omission must be corrected, as to do otherwise would be to ignore the intense interest in the situation in such countries as the Islamic Republic of Iran, the Libyan Arab Jamahiriya and the Democratic People’s Republic of Korea and in the question of universality of the NPT.

19. In paragraph 2 of the Chairman’s draft conclusions, his delegation wished to see added, after the reference to article III, the words “can, to the extent that they remain relevant”, on the grounds that not all of the conclusions of previous review conferences remained relevant. It favoured deleting paragraph 11 in order to make the draft conclusions briefer; alternatively, the wording of that paragraph should be altered, as it was neither practical nor economically feasible to broaden the application of safeguards in nuclear-weapon States without a substantial increase in the IAEA budget. Some years previously, IAEA had opted not to apply safeguards to the 104 power plants in the United States of America because of the cost

involved, although the United States authorities in fact paid it for verification work at those plants. Moreover, the current wording echoed wording used at the 2000 Review Conference to no avail.

20. His delegation thought it superfluous for paragraph 22 to refer to a further review conference, as the 1995 Review and Extension Conference had already decided to hold such events every five years. It would also be inappropriate for that paragraph to suggest full agreement on any institutional matters, such as the possibility of establishing a Standing Committee composed of members of the Bureau; it should refer instead to proposals by “some States parties”. There was no need to change the review process suggested in that paragraph, as the Final Document of the 2000 Review Conference had already updated the 1995 Review and Extension Conference decision on strengthened review arrangements and governed all subsequent reviews. Although some Parties wished to negotiate more recommendations for the next review conference, past experience had shown that such an exercise was of little value to the Preparatory Committee phase. Lastly, his delegation disagreed with paragraph 23, on the grounds that the current level of participation of intergovernmental and non-governmental organizations was sufficient.

21. **Ms. Martinic** (Argentina) said that, in connection with paragraphs 8 and 9 of the Chairman’s draft conclusions, her delegation supported the principle of universalizing the additional protocols to the safeguards agreements with IAEA. The additional protocols must be suitably implemented, but should be considered a confidence-building measure and one factor in the decision to supply technology and material, rather than a condition of that supply. Legitimate nuclear trade should be unaffected. The many countries without additional protocols must not be marginalized by the international system or considered to be failing to fulfil their non-proliferation commitments. With regard to paragraph 14 and Security Council resolution 1540 (2004), it must be remembered that approval was unanimous, as the Security Council voted on all its resolutions, rather than working by consensus. Finally, as the proposed amendments to strengthen the Convention on the Physical Protection of Nuclear Material referred to in paragraph 18 had so far not gathered a consensus, perhaps the word “proposed” should be deleted.

22. **Mr. Kuchinov** (Russian Federation) said that paragraph 5 should end directly after the phrase “safeguards issues”; his delegation could not see what other verification issues could be relevant to the NPT. As paragraph 7 related to non-nuclear-weapon States, the two references to “all States” should instead read “all non-nuclear-weapon States”. However, a better solution would be to delete paragraphs 7 and 8, which reflected the current divergences of view among the States parties rather than the required consensus. His delegation agreed in principle with the United States proposal to delete paragraph 11 for the sake of brevity, but not with the suggested alternative of amending its wording. Paragraph 13 should clarify where fuel from research reactors was to be taken from and sent to. His delegation volunteered to propose specific wording in that regard. His delegation had doubts about referring, in paragraph 22, to the Bureau and other structures; it believed that paragraph 22 should end with the phrase “2005 Review Conference”.

23. **Mr. Lew Kwang-chul** (Republic of Korea) said that his delegation proposed that paragraph 3 should refer to “compliance with” rather than “respect of”. In paragraph 4, a reference to the role and mandates of the Security Council should be added to recognize the part the Security Council played in maintaining international peace and security and in dealing with cases of non-compliance and withdrawal. To make paragraph 8 logically more relevant, the words “and additional protocol” should be added after the phrase “comprehensive safeguards agreement”; the former was a strengthened form of the latter. His delegation supported the view expressed earlier by the representative of Japan that paragraph 14 should recognize the important role of the Zangger Committee and the Nuclear Suppliers Group. In connection with paragraph 22, his delegation, like many others, supported the concept of a Standing Committee composed of Bureau members; however, it should be made more explicit that the individuals concerned should be members of the Bureau of the 2005 Review Conference.

24. **Mr. Al Hadj Ali** (Algeria) said that the overall concerns of his delegation had been incorporated in the paper presented by the Non-Aligned States (NPT/CONF.2005/WP.19). Paragraphs 1 and 2 should refer back to the 1995 Review and Extension Conference and to the 2000 Review Conference. Paragraph 5 should emphasize the unique role of IAEA

in the multilateral mechanism. His delegation could not endorse the conditions, referred to in paragraph 8, which related to the additional protocols. Paragraph 20 should refer to the proposal for a nuclear-weapon-free zone in the Middle East.

25. **Mr. Mourão** (Brazil) said that paragraph 1 of the Chairman's draft conclusions should reflect the outcomes of all previous discussions. Paragraph 4 should be more precise, and refer not to "challenges", but to "cases of non-compliance"; furthermore, the distinct mandates of IAEA and the Security Council should be expressed in clearer terms, as two separate matters were at issue: the first was compliance with the NPT; the second was compliance with safeguards agreements. Paragraph 5 should refer not simply to "disarmament" but to "nuclear disarmament", and use "non-proliferation regime" in the singular rather than the plural. Its assertion about the relationship between IAEA and the NPT should be checked for accuracy. Paragraph 6 should refer to the diversion of nuclear material rather than nuclear energy. His delegation favoured deletion of paragraph 7, as it was not convinced that the additional protocols were an integral part of the IAEA safeguards system. In any event, if the paragraph was retained at the wish of the Conference, it should encourage all States, whether or not they engaged in significant nuclear activities, to sign additional protocols. Similarly, paragraph 8 should be rephrased or deleted. The importance of the content of paragraph 15 justified moving it to earlier in the text, perhaps to the place currently occupied by paragraph 5.

26. **Mr. de Gonneville** (France) said that the references in paragraph 7 to the importance of additional protocols were very well worded and worthy of support. His delegation shared the concerns already expressed by a number of delegations regarding the second part of paragraph 11, which was ambiguous, and suggested that universalization of the additional protocols and the safeguards system in general might in some way be used as a condition. Like other delegations, his own doubted that the wording regarding a permanent Bureau in paragraph 22 would gather a consensus. His delegation favoured wording paragraph 23 in a way which reflected the balance struck at the 2000 Review Conference and at the third session of the Preparatory Committee for the current Conference held in 2004. Finally, it shared the view that paragraph 24 lacked clarity and risked causing

bureaucratic aberrations. It would be enough for it to state the main aim: encouraging States parties to communicate and exchange information.

27. **Mr. Walsh** (Canada) said that his delegation had made written comments to the Chairman regarding institutional issues. However, it would like clarification on the part of the Chairman's draft conclusions devoted to safeguards. A number of comments made at the current and previous meetings indicated possible confusion among delegations as to the link between comprehensive safeguard agreements and additional protocols thereto.

28. His delegation took the view that an essential part of the reasoning on that issue was missing and could be supplied by replacing paragraph 7 of the Chairman's draft conclusions with the wording of paragraph 17 of the section of Part I of the Final Document of the 2000 Review Conference which dealt with article III and the fourth and fifth preambular paragraphs of the NPT. That wording, which reaffirmed the role of IAEA in verifying that States' declarations of their activities were correct and complete, should then be supplemented by a sentence reading: "In this regard, the Conference recognizes the importance of the additional protocol as an integral part of the IAEA safeguards system." Finally, the last section of the new paragraph 7 should state: "The Conference notes that a comprehensive safeguards agreement, together with an additional protocol, represents the verification standard pursuant to article III, paragraph 1, of the Treaty".

29. His delegation also wished to point out that the 2000 Review Conference, in agreed language, had noted that the measures contained in the additional protocols were being introduced as an integral part of the IAEA safeguards system. It was appropriate, five years later, for the current Conference to recognize the importance of the additional protocols.

30. His delegation supported the proposal made by other delegations to move paragraph 8 and read it in conjunction with paragraph 14, and also favoured replacing the existing paragraph 8 with wording indicating that the Conference called on all States parties, particularly those with significant nuclear activities, to conclude and bring into force a comprehensive safeguards agreement and additional protocol without delay.

31. **Mr. Rudischhauser** (Germany), expressing his delegation's agreement with the views expressed on

behalf of the European Union and by Australia, Canada, Greece, Japan and the Netherlands, regarding paragraph 7 of the Chairman's draft conclusions, said that he wished to make a small number of additional proposals. His delegation favoured adding to the first sentence of paragraph 4 a phrase pointing out the serious nuclear proliferation events that had taken place since the 2000 Review Conference. The end of paragraph 5 should refer to the role of the Security Council as the final arbiter of appropriate action in the event of non-compliance with the NPT, as described in the report to the Secretary-General of the High-level Panel on Threats, Challenges and Change (A/59/565). His delegation supported the proposal of Brazil to replace "nuclear energy" with "nuclear material and technology". Again in accordance with the proposals of the High-level Panel, paragraph 7 should refer to the need for the IAEA Board of Governors to adopt a resolution making the additional protocols the new verification standard. In line with implementation reports issued in recent years by IAEA, reference should also be made to that organization's new philosophy of taking a State-by-State approach to examining implementation of safeguards. Paragraph 14, in addition to welcoming the adoption of Security Council resolution 1540 (2004), should welcome the obligations contained in the text.

32. **Mr. Atieh** (Syrian Arab Republic) said that his delegation wished to refer to the working paper of the Non-Aligned Movement (NPT/CONF.2005/WP.19), which addressed its main concerns, and to express support for the positions and proposals expressed by the representatives of Cuba, Egypt and Malaysia, particularly with regard to paragraphs 14 and 22 of the Chairman's draft conclusions. It would like to see, in paragraph 20, a reference to the proposal for a nuclear-weapon-free zone in the Middle East, as such a measure would contribute greatly to international and regional peace and security.

33. **Mr. Combrink** (South Africa) said that the Preparatory Committee for the 2010 Review Conference would be called upon to consider ways to promote the universality and full implementation of the NPT and make recommendations, by consensus, in that regard. Each of its sessions should consider specific issues, such as the 1995 Review and Extension Conference decisions 1 and 2 and resolution on the Middle East, as well as the outcomes of all previous review conferences. Civil society should have a greater

role in the Preparatory Committee and the Review Conference, with duly accredited non-governmental organizations able to attend and address all public meetings of both bodies and have access to documents in cases permitted by the rules of procedure.

34. **Ms. Bridge** (New Zealand) said that her delegation supported the statement made by the representative of Japan during the general debate. It had specific comments only on two sections of the Chairman's draft conclusions. First, it found the reference in paragraph 7 to the additional protocols to be too weak and not an accurate reflection of the view that they should constitute a verification standard. Furthermore, "several States" should be replaced with "many States" in order to indicate how widespread the support for that view was. The proposal just made by the representative of Canada was a constructive solution. Second, paragraph 14 seemed to deal too briefly with the important matter of export controls. Like several others, her delegation favoured transferring the content of paragraph 8 to paragraph 14, and adding a reference to the work of the Zangger Committee and the Nuclear Suppliers Group.

35. **Mr. Kvielle** (Sweden) said that his delegation wished to reiterate and support the emphasis placed by the Group of Ten and the European Union on additional protocols and export controls. While it recognized that all delegations must show flexibility in order to achieve consensus, it felt that paragraph 7 of the draft conclusions failed to reflect the strength of feeling expressed by many delegations. It supported the wording suggested by the representative of Canada. Like the representative of New Zealand, he wished to point out that the role of export controls, which offered States parties to the NPT a way to fulfil their non-proliferation commitments, was not emphasized sufficiently in paragraph 14. In particular, the reference to Security Council resolution 1540 (2004) should be followed by "which places a binding obligation upon all United Nations Member States to have in place national export controls". Furthermore, explicit references should be made in the same paragraph to the Zangger Committee and the Nuclear Suppliers Group, which provided a framework for national export controls.

36. **Mr. Meric** (Turkey) said that the Chairman's draft conclusions, while brief and comprehensive, could be improved. His delegation favoured reversing the sequence of the references to IAEA and the

Security Council in paragraph 4. In addition, as it and a large number of other delegations considered additional protocols to be a verification standard and a condition for supply, paragraphs 7 and 8 should refer to “many States” rather than “several States”. Also in common with others, his delegation believed that paragraph 14 should mention explicitly the work of the Zangger Committee and the Nuclear Suppliers Group.

37. **Ms. Göstl** (Austria) said that her delegation agreed with the many delegations which had deemed article 7 to be too weak a reference to the additional protocols and supported the proposal of the representative of Canada in that connection. In article 6, the phrase “diversion of nuclear energy” could be retained, as it appeared in the NPT. Like others, her delegation believed that the important issue of export controls was not dealt with in sufficient depth, and that paragraph 14 should refer to the Zangger Committee and the Nuclear Suppliers Group. It would also like to see the following wording added to that paragraph: “The Conference particularly invites States to adopt the understandings of the Zangger Committee in connection with any nuclear cooperation with non-nuclear-weapon States not party to the Treaty. The Conference also recommends that the list of items triggering IAEA safeguards and the procedures for implementation in accordance with article III, paragraph 2, be reviewed from time to time to take into account advances in technology, proliferation sensitivity and changes in procurement practices”.

38. **Mr. Klucký** (Czech Republic), associating his delegation with the views expressed on behalf of the European Union and the Group of Ten, and recalling its own position on the additional protocols and export controls, explained in Main Committee III, said that paragraph 7 of the Chairman’s draft conclusions should reflect the role of the additional protocols as a verification standard with regard to article III, paragraph 1, of the NPT, and as a condition of supply. His delegation also suggested inserting the current paragraph 8 after paragraph 14 for the sake of consistency. Paragraph 14 itself should be strengthened in line with the suggestions already expressed in that regard.

39. **Mr. Freeman** (United Kingdom) said that his delegation shared the view of many others that the additional protocols should be the current verification standard and a condition of supply; accordingly, paragraphs 7 and 8 should be strengthened, along the

lines of the proposal made by the representative of Canada. It also supported the proposal of the delegation of France to delete the last part of paragraph 11, to make it clear that the universal application of comprehensive safeguards and additional protocols was a goal independent of the complete elimination of nuclear weapons. It joined previous speakers in requesting that paragraph 14 should refer to the Zangger Committee and the Nuclear Suppliers Group.

40. **Mr. Naziri Asl** (Islamic Republic of Iran), recalling the comments he had made the previous day regarding the Committee’s approach to the Chairman’s draft conclusions, and associating his delegation with the comments made by the representative of Malaysia on behalf of the Non-Aligned Movement, said that the role of IAEA as the competent authority should be confirmed by retaining the wording established at the 2000 Review Conference.

41. Noting the lack of consensus regarding paragraphs 7 and 8, his delegation favoured their deletion. As previous review conferences had called upon nuclear-weapon States to fulfil their obligations, paragraph 11 of the Chairman’s draft conclusions should be unambiguous regarding such expectations; its wording should remain in line with the Final Document of the 2000 Review Conference. His delegation maintained its previous position regarding export controls, which coincided with that of the Non-Aligned Movement. Again, it favoured using language contained in the Final Document of the 2000 Review Conference. The 48th IAEA General Conference had extensively discussed the Global Threat Reduction Initiative, resulting in much division but some agreed language. Perhaps the best approach in the current case was to delete the related reference in the Chairman’s draft. His delegation supported the proposal of the Non-Aligned Movement regarding the establishment of a Standing Committee composed of members of the Bureau of the Conference.

42. **Mr. Costea** (Romania) said that the wording of paragraph 3 would benefit from referring to developments since the 2000 Review Conference, which was the point of reference for the current discussions. His delegation supported the amendments to paragraph 7 proposed by the representative of Canada. The reference to the Global Threat Reduction Initiative in paragraph 13 should remain, as the Initiative could make a substantial contribution to non-proliferation efforts. Paragraph 14 should refer to

the unanimous adoption of Security Council resolution 1540 (2004), particularly as the resolution had been widely recognized as efficient in closing some of the loopholes in non-proliferation legislation.

43. **Mr. Nguyen** (Viet Nam), associating his delegation with the views expressed by the representative of Malaysia on behalf of the Non-Aligned Movement, said that paragraphs 1 and 2 should distinguish clearly between the outcome of the 1995 Review and Extension Conference and the outcome of the 2000 Review Conference. The final sentence of paragraph 4 should refer only to IAEA, and to no other body. His delegation supported the deletions from paragraphs 7 and 8 proposed by a number of delegations.

44. **Ms. Poulsen** (Denmark), supported by **Mr. Baldi** (Italy), and associating her delegation with the views expressed by the representative of Luxembourg on behalf of the European Union and by the Group of Ten, said that the Chairman's draft conclusions should acknowledge the status of the additional protocols as a verification standard for safeguards and as a condition of supply of nuclear material. With regard to export controls, her delegation wished the draft conclusions to include a reference to the Zangger Committee and the Nuclear Suppliers Group.

45. **Ms. Majali** (Jordan), associating her delegation with the views expressed by the representative of Malaysia on behalf of the Non-Aligned Movement, said that she wished to remind the Committee that the Non-Aligned Movement numbered over 100 States. Accordingly, in cases where paragraphs of the draft conclusions referred to a position supported by many States, it should be remembered that a proposal by a group of States also signified substantial support.

46. **Mr. Nuñez Garcia-Sauco** (Spain), Chairman of subsidiary body 2, said that, as subsidiary body 2 had unfortunately been unable to reach consensus on his proposals, he intended to transmit to the Committee a conference room paper, established under his own responsibility, providing an account of the status of negotiations within that body, with the entire text remaining bracketed.

47. **The Chairman** said that, if he heard no objection, he would take it that the Committee wished to take note of the report of the Chairman of subsidiary body 2.

48. *It was so decided.*

49. **Mr. Naziri Asl** (Islamic Republic of Iran) said that he assumed that all issues which had failed to gather a consensus would appear as bracketed text in the Committee's draft report.

50. **The Chairman**, recalling that the Committee had yet to take a decision on the final form of its report to the Conference, suggested that the meeting should be suspended so that the delegations could familiarize themselves with the draft report.

The meeting was suspended at 4.55 p.m. and resumed at 5.35 p.m.

51. **The Chairman** said that consensus on the draft report seemed unlikely, regardless of its content. However, as agenda item 18, "reports of the Main Committees", called for reports to be submitted to the Conference, a decision must be made. In his own view, which was supported by the President of the Conference, the Committee had two options. The first option was to agree that, despite the absence of consensus regarding some portions of the draft report, the Chairman's draft conclusions provided a good basis for further consultation and should therefore be transmitted to the Conference. The second option was to omit the Chairman's draft conclusions altogether from the draft report to the Conference. He recalled that the outcomes of the Main Committee deliberations at the 2000 Review Conference had varied. While Main Committee III had transmitted complete text for inclusion in the Final Declaration of the 2000 Review Conference, Main Committees I and II had produced texts that, while only partially agreed on, were considered valuable contributions to further discussion. Accordingly, Main Committee I had decided to transmit to the Conference its Chairman's working paper as it stood, with no indication of agreed or disputed language; and Main Committee II had decided to transmit the text proposed by its Chairman, but with disputed wording highlighted in boldface type.

52. **Mr. Bichler** (Luxembourg), speaking on behalf of the European Union, supported by **Ms. Bridge** (New Zealand), **Mr. Costea** (Romania), **Mr. Lew Kwangchul** (Republic of Korea), **Ms. Martinic** (Argentina), **Mr. Meric** (Turkey), **Mr. Mourão** (Brazil), **Mr. Nakane** (Japan), **Mr. Raytchev** (Bulgaria), **Mr. Semmel** (United States of America), **Mr. Smith** (Australia) and **Mr. Walsh** (Canada), said that he supported the first option proposed by the Chairman, as

the Chairman's draft conclusions provided a good basis for further discussion.

53. **Mr. Shamaa** (Egypt), supported by **Mr. Al Hadj Ali** (Algeria), **Mr. Al-Otaibi** (Saudi Arabia), **Mr. Elmessallati** (Libyan Arab Jamahiriya), **Ms. Majali** (Jordan), **Mr. Naziri Asl** (Islamic Republic of Iran), **Mr. Nguyen** (Viet Nam) and **Ms. Notutela** (South Africa), said that he supported the second option proposed by the Chairman, as the delegations were still far from consensus and time was running out.

54. **Ms. Hussain** (Malaysia) said that the Committee should perhaps consider an option halfway between the two suggested by the Chairman: omit the Chairman's draft conclusions from its draft report, but continue informal consultations to try and achieve consensus in the two days remaining before the end of the session.

55. **Mr. Wilke** (Netherlands) said that, as there was no consensus in the Committee over either of the options suggested by the Chairman, the suggestion of the representative of Malaysia might be the obvious choice. If any text was appended to the draft report, it would not be the text contained in document NPT/CONF.2005/MC.II/CRP.3.

56. **The Chairman** said that, because the Committee had exhausted all the meeting time allocated to it, no further informal consultations were possible, and a decision must be made on whether or not to submit to the Conference a draft report that was no more than a technical and procedural account. He took it that the Committee wished to adopt a decision on that matter reading as follows:

"The Committee decides that there is no consensus on a text to attach to its report to submit to the Plenary for further consideration."

57. *It was so decided.*

58. **Mr. Nakane** (Japan) said that his delegation was concerned about the consequences of the decision the Committee had just taken. Recalling the Chairman's account of the solutions adopted at the 2000 Review Conference by Main Committees I and II, which had transmitted texts to the plenary of the Conference for further consideration, it wished to know what legal basis the plenary had used to justify further discussion of those texts.

59. **Mr. Freeman** (United Kingdom) asked whether the Committee could recommend or request an extension of its mandate and meeting time.

60. **The Chairman** said that, as his own mandate as Chairman of Main Committee II was about to expire, the decision as to what action to take on the Committee's draft report rested with the plenary, which could do as it wished.

61. **Mr. Semmel** (United States of America) said that a number of working papers which his delegation had submitted did not appear on the list of documents considered by the Committee. He hoped that the list would be updated to include them.

62. **Mr. Gala López** (Cuba) said that the working paper on peaceful uses of nuclear energy (NPT/CONF.2005/MC.II/WP.25) which his delegation had submitted was also not listed.

63. **The Chairman**, confirming that the list of documents considered would be updated, said he took it that the members of the Committee wished to conclude their work by adopting the draft report but not attaching to it the working paper containing the Chairman's draft conclusions (NPT/CONF.2005/MC.II/CRP.3).

64. *It was so decided.*

The meeting rose at 6.20 p.m.

D. Main Committee III

Summary records of the 1st to 4th meetings of Main Committee III

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

2 August 2006

Original: English

Main Committee III

Summary record of the 1st meeting

Held at Headquarters, New York, on Thursday, 19 May 2005, at 3 p.m.

Chairman: Ms. Bonnier (Sweden)

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Programme of work

General exchange of views

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3.05 p.m.

Programme of work

1. **Mr. de Queiroz Duarte** (President of the Conference) said that the Chairpersons of the subsidiary bodies had been chosen strictly on the basis of their personal and professional abilities. He had met that morning with the Chairpersons of the three Main Committees, the Chairpersons and Vice-Chairpersons of the subsidiary bodies and the Chairperson of the Drafting Committee, who had agreed to work together constructively in order to ensure the successful outcome of the Conference.

2. **The Chairman** drew attention to the proposed programme of work contained in document NPT/CONF.2005/INF.5 and introduced the non-paper on the organization of the work of Main Committee III and its subsidiary body.

3. **Mr. Saeidi** (Islamic Republic of Iran) pointed out that both Main Committee III and its subsidiary body were due to meet on Monday, 23 May 2005 and enquired as to how the meeting time would be divided between the two bodies.

4. **The Chairman** said that meeting time would be allocated in a balanced manner on the basis of the proportions used during the previous Preparatory Conference.

General exchange of views

5. **Mr. Kayser** (Luxembourg), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, recalled that article IV of the Treaty on the Non-Proliferation of Nuclear Weapons provided for the inalienable right of all States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II. However, the improper use of civilian nuclear programmes for military purposes must be prohibited. The European Union was strongly committed to the objectives of article IV and, through multilateral and bilateral programmes, promoted the many peaceful and beneficial applications of nuclear technology. It also

supported the Technical Cooperation Programme of the International Atomic Energy Agency (IAEA) and provided a significant proportion of the voluntary contributions to its Technical Cooperation Fund.

6. The European Union was working closely with the IAEA Secretariat and other States parties to the Nuclear Non-Proliferation Treaty to implement a programme on established and emerging nuclear techniques and also supported current research into the use of nuclear techniques to combat infectious diseases, such as tuberculosis and HIV/AIDS. With a view to resolving cooperation-related problems, the Agency should, inter alia, implement model projects based on demand and needs, develop national programming frameworks for the project selection process and introduce thematic planning strategies.

7. The Union welcomed the Agency's increasing emphasis on assisting beneficiary countries to improve the safety of their nuclear facilities, including during the decommissioning phase, as well as the safety and security of their nuclear materials and radioactive waste. The European Union was closely following the development of innovative projects concerning reactors and nuclear fuel cycles. It urged the Agency to launch education and training programmes designed to meet the needs of both developing and developed countries.

8. The European Union also welcomed the efforts undertaken by the Agency and its member States to improve the safety and security of radioactive sources, in particular the adoption of the relevant Code of Conduct, and called on all countries to inform the Director General of their political commitment to comply with that instrument. It also welcomed the internationally harmonized guidelines on the import and export of radioactive sources and had noted with satisfaction the adoption of the Code of Conduct on the Safety of Research Reactors.

9. The well-defined draft amendment to the Convention on the Physical Protection of Nuclear Material, designed to extend the scope of the Convention to cover the physical protection of nuclear facilities and the domestic use, storage and transport of nuclear material, was another welcome development. In order to ensure the adoption of that amendment, the European Union urged all parties to the Convention to participate in the forthcoming diplomatic conference.

10. The Union drew attention to the Convention on Nuclear Safety, the Joint Convention on the Safety of

Spent Fuel Management and on the Safety of Radioactive Waste Management and the Vienna, Paris and Brussels Conventions and called on all States that had not yet done so to accede to those instruments. All States should also make use of the Agency's Transport Safety Appraisal Services (TranSAS).

11. Within the framework of its Strategy against the Proliferation of Weapons of Mass Destruction, the European Union had entered into cooperation with a number of third countries. In particular, it had embarked upon a joint action with the Russian Federation to convert surplus nuclear weapons material into nuclear fuel for civilian use and was assisting a number of States in enhancing the security and safety of their nuclear facilities and in protecting highly radioactive sources.

12. Mindful of its obligations under article IV of the Treaty, the European Union was engaged in various technical cooperation programmes. With a view to facilitating a consensus, it had also adopted a common position on the Conference which covered the three pillars of non-proliferation, disarmament and the peaceful uses of nuclear energy.

13. With regard to nuclear enrichment and reprocessing technologies, which were of particular interest to the international community owing to their dual-use nature, the European Union was of the opinion that access guarantees should be encouraged and, in that connection, took note of the report on multilateral approaches to the nuclear fuel cycle prepared by an independent group of experts appointed by the Director General of IAEA, which should be discussed by the Agency as soon as possible.

14. Comprehensive safeguards agreements and protocols additional to those agreements were now the Agency's verification standard and the European Union stood ready to work to ensure that the Board of Governors of IAEA acknowledged that fact. A decision by the Conference confirming that arrangement would serve to build the confidence necessary to promote more active international cooperation.

15. **Mr. Villemur** (France) said that France was particularly interested in the debate on the peaceful uses of nuclear energy and would spare no effort in giving the fullest possible application to article IV of the Treaty.

16. Nuclear technologies were particularly advantageous for developing countries, since they provided a secure and sustainable energy source, did not damage the environment and did not tend to fluctuate in price. The International Ministerial Conference on Nuclear Power in the Twenty-first Century, organized by the Director General of IAEA and held in Paris, had outlined the potential benefits of expanding the use of nuclear power.

17. Since nuclear power had an important role to play in the global arena, international cooperation was vital and, in that context, innovative measures would be essential to the design of a new generation of systems that were more competitive, even safer, less susceptible to proliferation and capable of meeting the world's energy needs while taking into account the need to ensure sustainable social and economic development. In that connection, France was participating actively in the research and development projects of the Generation IV International Forum and was a full member of the International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO).

18. As many States as possible should benefit from access to civilian nuclear technologies, provided that they complied with their non-proliferation obligations, adhered to the IAEA safeguards regime and pursued their activities in good faith for peaceful purposes. To that end, and in keeping with its commitment to the promotion of the peaceful uses of nuclear energy, France was cooperating with a growing number of countries and institutions. It fully supported the Technical Cooperation Programme of IAEA and made regular contributions to the Technical Cooperation Fund and urged all States to do likewise.

19. While France recognized the inalienable right of States to benefit from the development of nuclear energy for peaceful purposes and from international cooperation in that field, that right could be exercised only by means of strict compliance with articles I, II and III of the Treaty. Civilian nuclear cooperation was impossible unless States fulfilled their obligations under the Treaty and, in that connection, the recent crises concerning proliferation and non-compliance might have a negative impact on the climate of confidence required for the full implementation of the provisions of article IV. The right to the peaceful uses of nuclear energy must not be a pretext for the misuse of nuclear technologies, equipment or materials or for

the conduct of clandestine activities that ran counter to the objectives of the Treaty.

20. Ensuring compliance with non-proliferation and safety obligations was one of the major challenges facing the international community. In order to meet that challenge, a comprehensive vision that took account of the relevant international treaties and agreements and the roles and responsibilities of the major stakeholders was needed. Effective, objective, transparent and non-discriminatory export controls, as well as an efficient safeguards regime and reliable safety measures, were the foundation of international efforts to prevent proliferation, the illicit trafficking of nuclear or radioactive material and possible acts of nuclear terrorism. In that connection, it was important to honour commitments made and to strengthen the existing safeguards regime through the adoption of protocols additional to safeguards agreements. France did not intend to cooperate on issues relating to the nuclear fuel cycle with States that had not entered into such arrangements. However, it was willing to pursue the debate on that issue with a view to, inter alia, strengthening the guarantees provided by supplier countries.

21. Ensuring the security and safety of peaceful uses of nuclear energy was vital if cooperation was to be further developed. To that end, the international community had stepped up its protection of nuclear activities with a view to minimizing the risk of nuclear or radioactive material being used for the commission of terrorist acts. The Agency had an important role to play in that regard and France supported the various measures and programmes it had developed, including the Code of Conduct on the Safety and Security of Radioactive Sources. In the area of maritime transport, France was an active contributor to the Agency's International Action Plan for the Safety of Transport of Radioactive Material and was cooperating with its partners in order to ensure the transparency of international transport. It welcomed the adoption by the IAEA General Conference of a balanced resolution on that question, which had been prepared jointly by shipping and coastal States.

22. In the absence of political will and popular support, the development of nuclear energy could not be envisaged and, to that end, the greatest possible level of transparency was required. France had signed the guidelines on the management of civilian plutonium and published a yearly status report on its

civilian inventory. It had invited all other States possessing such material to do likewise.

23. **Mr. Nakane** (Japan) pointed out that the failure to respect any of the three pillars of the Nuclear Non-Proliferation Treaty would seriously undermine the credibility of the non-proliferation regime as a whole. However, provided that non-nuclear-weapon States carried out their nuclear activities in full compliance with the Treaty, their right to use nuclear energy for peaceful purposes would not be jeopardized. For its part, Japan had adopted a nuclear fuel cycle policy designed to ensure that plutonium and other by-products of the reprocessing of spent fuel were reused in order to provide a long-term energy source.

24. As well as generating power, nuclear energy could be used for many other peaceful purposes. In order to ensure that present and future generations could benefit from such energy, measures to guarantee its safety were essential. The peer review mechanism provided for in the Convention on Nuclear Safety was an effective and valuable tool in that regard, and Japan had been participating actively in the review process.

25. In view of the uneven distribution of global resources and of the fact that only a limited number of countries possessed the relevant technology, the transport of nuclear material was essential. The maritime transport of radioactive material to and from Japan was carried out in accordance with the principles of international law and in line with the relevant international standards. In order to obtain an objective assessment of its national transport safety regulations, the Japanese Government had invited IAEA to conduct a TranSAS mission during the current fiscal year. With a view to ensuring transparency, Japan had provided information on its maritime transport activities to the relevant coastal States and hoped that an informal discussion on communication between shipping and coastal States would serve to enhance understanding of the issue.

26. The international nuclear non-proliferation regime needed urgent strengthening in order to maintain and enhance peace and stability worldwide, including in Japan, where the nuclear programmes of the Democratic People's Republic of Korea posed a significant threat. In that connection, he welcomed the efforts of the international group of experts to produce a report on approaches to the nuclear fuel cycle. However, if the international community wished to

consider that issue in more depth, a number of points that were not covered by the report must be discussed.

27. First, careful consideration should be given to the ways in which multilateral approaches could contribute to the strengthening of the non-proliferation regime. Second, steps should be taken to ensure that such approaches did not unduly affect the peaceful uses of nuclear energy in cases where IAEA had confirmed that the State concerned was complying fully with its safeguards obligations. Third, further thought must be given to how multilateral approaches to the nuclear fuel cycle could guarantee the supply of nuclear fuel and services, given that that supply was essentially unpredictable. Japan did not believe that a voluntary time-bound moratorium on new fuel cycles was appropriate and took the view that such an approach could have an adverse effect on nuclear activities for peaceful purposes.

28. As far as technical cooperation was concerned, Japan attached great importance to the IAEA Technical Cooperation Programme and made regular and significant contributions to the Technical Cooperation Fund. It would also continue to take an active part in international and regional technical cooperation schemes, such as the Regional Cooperative Agreement for Asia and the Pacific and the Forum for Nuclear Cooperation in Asia.

29. Lastly, Japan had submitted a working paper entitled "Twenty-one measures for the twenty-first century" (NPT/CONF.2005/WP.21), which was designed to promote the aims and purposes of the Treaty. Measures 18 and 20 were directly relevant to the work of Main Committee III and the document as a whole could serve as the basis for a consensus text to be included in the final outcome document of the Conference.

30. **Mr. Ford** (United States of America) said that, given the current crisis of non-compliance with the Nuclear Non-Proliferation Treaty and the spurious claims by certain States that other States were wrongfully seeking to halt their legitimate nuclear programmes or to prevent them from accessing certain nuclear-related technologies, the Conference must address, in depth, all aspects of article IV, particularly paragraphs 1 and 2, which set out specific requirements for suppliers.

31. Some States parties to the Treaty had argued that article IV (1) provided for the unconditional right to

use nuclear energy for peaceful purposes and that measures taken by other States to deny them certain technologies had violated their rights under the Treaty. However, nothing could be further from the truth. States signatories to the Treaty had agreed that their nuclear activities must be in conformity with articles I, II and III, and article IV did not protect States that had violated the non-proliferation provisions from the consequences of such a violation.

32. While paragraph 2 of article IV called on States parties to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy, the use of the expression "fullest possible" was in itself an acknowledgment that such cooperation may be limited. Article IV did not compel States parties to engage in nuclear cooperation with or to provide any particular form of assistance to other States. The Treaty did not provide for the sharing of nuclear technology, nor did it oblige those States possessing such technology to share any specific materials or technology with non-nuclear States. Indeed, in order to comply with the overall objective of the Treaty and with any specific obligations under articles I and III, supplier States must consider whether certain types of assistance or assistance to certain countries were consistent with the non-proliferation purposes and obligations set out in the Treaty, with their other international obligations and with their national legislation. They should withhold such assistance if they believed that a specific form of cooperation would encourage or facilitate proliferation or that a State was violating its Treaty or safeguards obligations.

33. States parties had a responsibility to implement article IV in such a way as to preserve the right of compliant parties to develop peaceful uses of nuclear energy and to prevent States parties from abusing that right by seeking to acquire nuclear weapons capabilities. While the Treaty was silent on the question of whether compliant States had the right to develop the full nuclear cycle, it did provide for discretion on the part of supplier States regarding the nature of their cooperation with other States.

34. During the previous 20 years, several States, including the Islamic Republic of Iran, Iraq, the Libyan Arab Jamahiriya and the Democratic People's Republic of Korea, had sought to acquire enrichment and/or reprocessing capabilities with a view to developing nuclear weapons in violation of the Nuclear Non-

Proliferation Treaty. Consequently, in the interest of furthering the non-proliferation and security objectives of the Treaty, States parties should take steps to limit the spread of enrichment and reprocessing technologies. To that end, the President of the United States of America had proposed limiting the transfer of such technologies to those States that were fully compliant with the Treaty and already possessed full-scale and functioning enrichment and reprocessing plants. Compliant States deciding to forgo enrichment and reprocessing would not be adversely affected, since they would have reliable access to reasonably priced fuel for their civilian nuclear reactors. That approach would create a new standard that would help to prevent the proliferation of nuclear weapons while ensuring that sufficient capacity was retained to provide fuel cycle services to all States parties.

35. The United States strongly supported the fullest possible interaction among compliant States parties and between compliant States parties and IAEA in the area of the peaceful uses of nuclear energy. It was the largest financial contributor to the Agency's Technical Cooperation Programme and maintained, on a national basis, 21 agreements with individual countries and groups of countries which allowed for the export of reactors and fuel to 45 States parties to the Treaty. It was engaged in cooperative research and development projects with nuclear-weapon States and non-nuclear-weapon States, developed countries and developing countries, which would help to address the nuclear power needs of the twenty-first century.

36. The peaceful applications of nuclear energy held great promise for mankind and the United States would continue to pursue their development throughout the world. However, in view of the current difficulties associated with the effective and constructive implementation of article IV, he urged all States parties to remember that nuclear activities must comply with articles I and II of the Treaty. States that failed to comply with articles I, II or III should not receive benefits under article IV and should instead be the subject of compliance attention. Sound implementation and enforcement policies could and should entail reducing violators' access to nuclear technology and could and should close the loophole that had allowed certain States to use a purportedly peaceful nuclear programme as a cover for the pursuit of a nuclear weapons programme.

37. **Ms. Hussein** (Malaysia), speaking on behalf of the Group of Non-Aligned States Parties to the Treaty, introduced the working paper contained in document NPT/CONF.2005/WP.20 and requested the inclusion of the elements contained therein in the final report of Main Committee III. The acceptance and implementation of those recommendations would serve to reaffirm the inalienable right of all parties to the Treaty to the peaceful uses of nuclear technology.

38. **Mr. Gerts** (Netherlands), speaking also on behalf of Australia, Austria, Canada, Denmark, Hungary, Ireland, New Zealand, Norway and Sweden, introduced the working paper contained in document NPT/CONF.2005/WP.12, entitled "Approaches to the nuclear fuel cycle".

39. **Mr. McDougall** (Canada) observed that the right to the peaceful uses of nuclear energy had been aptly described as one of the three pillars of the Nuclear Non-Proliferation Treaty. Canada was deeply attached to the rights set out in article IV and, cognizant of the benefits of nuclear energy and related applications, was a strong supporter of the IAEA Technical Cooperation Programme.

40. Nuclear cooperation flourished in a climate of confidence, an essential element of which was effective verification. While the Treaty committed States parties to the fullest possible exchange of nuclear expertise, it also recognized that there might be limits to such exchanges. Individual export decisions fell within the sovereignty of the States parties concerned and no State could be compelled to engage in a specific exchange if it suspected that such an exchange could contribute to proliferation.

41. The Treaty conferred a set of interrelated and mutually reinforcing rights and obligations on States parties and, as such, the inalienable right to use nuclear energy for peaceful purposes enshrined in article IV was balanced by obligations arising from the need to comply with articles I, II and III. Consequently, while that right might be inalienable, it was neither unconditional nor absolute and States parties should cooperate only with other States parties that had complied with all their Treaty obligations.

42. With respect to the nuclear fuel cycle, renewed concerns over the potential misuse of certain enrichment and reprocessing capabilities had revived the debate on new collaborative approaches to the issue. Thus far, most States parties to the Treaty,

including those with sizeable nuclear industries, had not felt the need to develop domestic enrichment and reprocessing capacity, as illustrated by the fact that only four non-nuclear-weapon States parties had commercial enrichment capacity and only one engaged in reprocessing.

43. Canada welcomed current efforts to develop innovative approaches to the fuel cycle which could reduce the incentive to acquire a production capacity for weapons-grade material while at the same time ensuring access at reasonable prices to nuclear energy for peaceful purposes. To be viable, such approaches must be consensual and non-discriminatory and provide a reliable alternative to domestic enrichment and reprocessing. Except in cases of non-compliance, States parties must not be asked to surrender their rights, but rather must be encouraged to seek out cooperative arrangements that provided the same opportunities to enjoy the benefits of nuclear energy but did not entail the full exercise of those rights.

44. The previous Review Conference had determined that the provisions of article V of the Nuclear Non-Proliferation Treaty should be interpreted in light of the Comprehensive Nuclear-Test-Ban Treaty. However, the relevance of the latter to the former Treaty went far beyond the invalidation of the concept of a peaceful nuclear explosion, since the Nuclear-Test-Ban Treaty had an organic link to the Nuclear Non-Proliferation Treaty and was a condition of the latter's indefinite extension. It furthered key objectives of the Nuclear Non-Proliferation Treaty, restricting both horizontal and vertical proliferation and diminishing the political value of nuclear weapons.

45. It was therefore regrettable that seven States parties to the Nuclear Non-Proliferation Treaty had not yet ratified the Comprehensive Nuclear-Test-Ban Treaty. With each additional signature or ratification, the normative value of the Nuclear-Test-Ban Treaty increased, even prior to its entry into force. The Review Conference should therefore call on all States that had not yet done so, and particularly on the remaining States listed in Annex 2, to ratify the Nuclear-Test-Ban Treaty without delay.

46. **Mr. Gala López** (Cuba) endorsed the statement made by the representative of Malaysia. The promotion of the peaceful uses of nuclear energy was one of the pillars of the Nuclear Non-Proliferation Treaty. Non-nuclear-weapon States had undertaken not to acquire

such weapons on the understanding that they could use nuclear energy for peaceful purposes in accordance with the provisions of the Treaty. Cuba stressed the need to respect the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination through the full, free and effective exchange of nuclear technology.

47. The International Atomic Energy Agency was the only international authority competent to monitor and promote the peaceful uses of nuclear energy. Cuba attached great importance to the Agency's Technical Cooperation Programme and welcomed the Secretariat's efforts to strengthen it. However, while the member States of IAEA must ensure that it had adequate and predictable resources for the implementation of the Programme, the Agency itself must endeavour to achieve a balance between the three pillars of its work, namely, technical cooperation, safety and security and verification, thereby ensuring that the dubious balance currently in operation did not have an adverse effect on technical cooperation activities.

48. Calling into question programmes for the peaceful uses of nuclear energy under the Nuclear Non-Proliferation Treaty not only violated the letter and spirit of the Treaty but also constituted an obstacle to the full and effective implementation of the mandate of IAEA. Steps must be taken to ensure that States parties to the Treaty that had undertaken to subject all their nuclear activities to monitoring by the Agency would not be prevented from pursuing their socio-economic and technological development. Strengthening the safeguards regime must not entail restricting the peaceful use of nuclear energy or subjecting it to conditions.

49. Furthermore, the introduction by certain States parties of unilateral measures restricting the use of nuclear energy for political reasons hindered the ability of other States parties to use that energy for peaceful purposes and amounted to a violation of the Treaty. Export control regimes based on selective and discriminatory criteria were unacceptable and constituted a serious obstacle to the enjoyment of the inalienable right enshrined in article IV. Cuba took the view that the most effective export control regimes were negotiated and applied multilaterally and provided for the participation of the largest possible number of States willing to harmonize their relevant

export regulations. Only under those circumstances could the objective of non-proliferation be achieved, without prejudice to the right of all States parties, in particular the least developed countries, to reap the benefits of the peaceful uses of nuclear energy.

50. **Mr. Saeidi** (Islamic Republic of Iran) recalled that the inalienable right of all States parties to use nuclear energy for peaceful purposes, enshrined in article IV of the Treaty on the Non-Proliferation of Nuclear Weapons, constituted the very foundation of the Treaty and provided the main incentive for non-nuclear-weapon States to accede to it. However, long before the conclusion of the Treaty, the International Atomic Energy Agency had recognized the potential benefits of the peaceful uses of nuclear energy in its Statute.

51. Two broader considerations had given rise to the inalienable right enshrined in article IV. First, the fact that scientific and technological achievements were the common heritage of humanity and not the unique preserve of certain nations. Such achievements must be used to improve the human condition and must not be abused as instruments of terror and domination. Second, the need to achieve the right balance between rights and obligations, which formed the basis of any sound legal instrument and guaranteed its longevity by providing incentives for accession and compliance.

52. The right to peaceful uses of nuclear energy had also been underlined in seven paragraphs of the decision on principles and objectives for nuclear non-proliferation and disarmament taken at the 1995 Review and Extension Conference and in the final document of the 2000 Review Conference.

53. The IAEA Statute recognized the important role of the peaceful applications of nuclear energy and nuclear technologies for human health, agriculture, environmental protection and sustainable development, especially in the developing countries, and the Agency had played a fundamental role in recent years in promoting those applications. Developing States parties to the Treaty expected additional financial and human resources to be allocated to the Agency's Technical Cooperation Fund to enable it to discharge its responsibilities effectively.

54. Measures taken by States parties to prevent nuclear proliferation should facilitate rather than hamper the exercise of the right of developing States parties to the peaceful uses of nuclear energy. Imposing

undue restrictions on the transfer of nuclear materials, equipment and technologies as a cover for the pursuit of the foreign policy objectives of certain States constituted a flagrant violation of article IV and undermined both the integrity and the credibility of the Treaty. Bilateral and multilateral cooperation between and among States parties to the Treaty in the peaceful uses of nuclear energy under the supervision of IAEA should never be restricted by other States or by ad hoc export control regimes. Indeed, the introduction of unilaterally enforced export controls which violated both the letter and spirit of the Treaty hampered developing countries' access to nuclear materials, equipment and technologies for peaceful purposes.

55. In that connection, any attempt to use the Agency's Technical Cooperation Programme as a tool for political purposes in violation of the IAEA Statute was unacceptable. Furthermore, measures must be taken to ensure that States parties were not prevented from exercising their rights under the Treaty on the basis of allegations of non-compliance that had not been substantiated by IAEA. Interpreting article IV in such a way as to limit the rights deriving therefrom to the mere "benefits of nuclear energy" was a clear breach of the very wording of the Treaty and was totally unacceptable.

56. Rapid global demand for electricity, the increasingly uncertain supply and prices of oil and natural gas and concerns about greenhouse gas emissions had opened the way for the further development of nuclear energy and a growing number of countries had expressed the desire to build nuclear power plants. Consequently, global trends and analysis suggested that the forthcoming decade would provide a lucrative market for nuclear fuel. Unfortunately, however, the developing States parties to the Treaty were facing a number of obstacles to the exercise of their inalienable right to use nuclear energy for peaceful purposes, since access to many nuclear technologies and materials was restricted on the pretext of preventing proliferation. In particular, political constraints and monopolies on fuel supply and reprocessing meant that developing countries were completely dependent on the import of fuel for their nuclear power plants.

57. In order to rectify that unfair situation, steps must be taken to ensure respect for the choices, decisions and policies of all States parties to engage in safeguarded nuclear activities, including the nuclear

fuel cycle, without discrimination. Furthermore, regional arrangements to facilitate and encourage economic and technical cooperation on issues relating to the nuclear fuel cycle should be established and IAEA should play a more effective role in guaranteeing the fuel supply.

58. His delegation shared some of the concerns about the expansion of fuel cycle activities and the associated risks of proliferation and took the view that countries with extensive nuclear programmes could promote more confidence and transparency within the framework of the Agency's safeguards agreements and other relevant international instruments. In that context, policies incorporating double standards should be avoided. While significant pressure had been brought to bear on some States parties to the Treaty whose fuel cycle capabilities were subject to comprehensive IAEA safeguards, non-parties to the Treaty with unsafeguarded plutonium separation facilities had free access to nuclear technologies and know-how.

59. To strengthen the effectiveness and credibility of the Treaty and to put an end to both the selective implementation of certain articles and undue restrictions in violation of article IV, the 2005 Review Conference must intensify its efforts to promote the enjoyment of all the rights enshrined in the Treaty by all States parties, particularly the developing countries. Peaceful purposes was the only restriction imposed by the Treaty on the exercise of those rights and attempts to curb legitimate activities amounted to an amendment of the instrument and far exceeded the mandate of the review process.

60. He had taken note of initiatives to pursue a multilateral approach to the issue of the nuclear fuel cycle, including the relevant report of the independent expert group appointed by IAEA. However, it was crucial to maintain the delicate balance between the rights and obligations set out in the Treaty. Potentially divisive solutions which denied States parties access to any specific area of nuclear technology would undermine the integrity and credibility of the Treaty.

61. In spite of the decisions taken at previous Review Conferences, non-nuclear-weapon States parties to the Treaty were facing the threat of attacks from nuclear-weapon States and non-parties. Indeed, in its Nuclear Posture Review, one nuclear-weapon State had explicitly named non-nuclear-weapon States parties to

the Treaty as the target of its deployed nuclear weapons. Accordingly, the 2005 Conference should deal with the question of the inviolability of nuclear facilities under full scope of IAEA safeguards and States parties to the Treaty should undertake not to take, assist or encourage any action designed to launch an armed attack against any such facilities.

62. In response to the statement made by the representative of the United States of America, he said that the ongoing obsession with Iran's peaceful nuclear programme and the repeated accusations directed against his country were deplorable. Following 12 months of robust investigations which had been more intrusive than those provided for in the protocol additional to Iran's safeguards agreement, the report submitted by the IAEA Director General to the Board of Governors in November 2004 had confirmed that all the declared nuclear material in Iran had been accounted for and was not therefore being diverted to prohibited activities. Iran was continuing to cooperate with the Agency and, to date, nothing had been found to contradict the findings of that report.

63. As far as the availability of nuclear fuel was concerned, it was ironic that the current cooperation between the Islamic Republic of Iran and the Russian Federation on the construction of the Bushehr power plant had been subject to tremendous pressure from the United States. The records of the International Atomic Energy Agency clearly showed that fuel for Iran's only research reactor had been denied for years and that the situation had only been resolved through the good offices of the Agency. Even today, no non-nuclear-weapon States had access to a guaranteed supply of nuclear fuel.

64. In order to preserve the validity and credibility of the strengthened review process, the 2005 Review Conference should build upon the outcome of the 2000 Conference and should not countenance the repetition of false accusations against any State party as a way of diverting attention from those whose record of compliance with several articles of the Treaty had been seriously called into question.

65. **Mr. Hu Xiaodi** (China) said that promoting peaceful uses of nuclear energy and international cooperation in that field was an important objective of the NPT. Enhanced efforts in the peaceful uses of nuclear energy would assist in fully realizing all the objectives of the NPT, in promoting nuclear

disarmament and in preventing the proliferation of nuclear weapons.

66. IAEA should attach great importance to the needs of developing countries for peaceful uses of nuclear energy, further strengthen its work in technical cooperation, and take effective measures to promote continued development of nuclear power and nuclear technology applications. All States parties, especially the developed ones, should support the promotional activities of the Agency, ensure adequate funds and reliable resources for technical cooperation, and facilitate the smooth conduct of the relevant activities.

67. The Chinese Government regarded the development of nuclear energy as an important component of the national economic and energy development strategy. Nuclear power plant construction had formally begun in China in 1985 and China currently had nine nuclear power units in operation and two under construction. Nuclear power had become an important pillar of the local electric infrastructure and contributed greatly to local social and economic development. It would be further developed to meet the demand for electricity in future national economic development. By the year 2020, installed nuclear capacity was expected to expand to 36GW, accounting for more than 4 per cent of total electric capacity.

68. China had consistently advocated the complete prohibition and destruction of nuclear weapons, and opposed their proliferation in any way to any country. The Chinese Government honoured its international commitments, devoted itself to the peaceful uses of nuclear energy and implemented nuclear non-proliferation policy in accordance with domestic laws and regulations.

69. In order to contribute to the efforts of the Review Conference to promote the peaceful uses of nuclear energy, China had submitted a detailed working paper on the issue (NPT/CONF.2005/WP.6) and requested that the following elements be incorporated in the report of Main Committee III and in the Final Document of the Review Conference.

70. First, promoting peaceful uses of nuclear energy and the relevant international cooperation was an objective of the NPT. Enhanced efforts in the peaceful uses of nuclear energy would assist in fully realizing all the objectives of the NPT, and in promoting nuclear

disarmament and in preventing nuclear weapons proliferation.

71. Second, the prevention of nuclear weapons proliferation and the peaceful uses of nuclear energy were mutually complementary and indissociable. Non-proliferation efforts should not undermine the legitimate rights of countries, especially the developing countries, to the peaceful uses of nuclear energy.

72. Third, a proper balance between IAEA safeguards and international cooperation in the peaceful uses of nuclear energy would result in greater support for and participation in the Agency's activities.

73. Fourth, technical assistance to developing countries in the peaceful uses of nuclear energy should be increased.

74. Fifth, adequate funding should be guaranteed for the promotional and technical cooperation activities of IAEA. All States parties should make their contributions to the Technical Cooperation Fund in full and on time.

75. Lastly, Governments should take primary responsibility for the physical protection of nuclear material and facilities. International cooperation in that field, including the efforts of IAEA, should be strengthened and supported. Resources required to achieve those goals should be allocated through means other than by compromising the key activities of IAEA, particularly its promotional activities.

76. **Mr. Abdelaziz** (Egypt) said that matters relating to the inalienable right of States to develop nuclear technology for peaceful purposes were a special priority for most States parties to the NPT. Egypt supported the statement made by the Ambassador of Malaysia on behalf of the Group of Non-Aligned States and the working paper submitted by the Group on the peaceful uses of nuclear energy.

77. The inherent right of States to the peaceful use of nuclear energy in accordance with article IV of the Treaty was one of the cornerstones of the NPT and represented the main gain of the States that voluntarily renounced the possession of nuclear weapons in return for the right to use nuclear technology for peaceful purposes.

78. The review process represented an opportunity to confirm that States parties were adhering to the provisions of article IV and that no obstacles were

being placed in the way of non-nuclear States seeking to exercise their right to the peaceful use of nuclear energy under the NPT. Egypt wished to express its growing concern over the calls being made to curtail that right under the pretext of non-proliferation. Impinging on that right weakened one of the cornerstones of the NPT and lessened its credibility.

79. Attempts to justify limiting the right of States to the peaceful use of nuclear technology by linking such use to non-proliferation represented a flawed logic that confused the two issues. The provisions of article III of the Treaty dealt clearly with verification and non-proliferation under the IAEA safeguards system.

80. There was no objective basis for the recent exploitation of proliferation issues, which was aimed at restricting the right of States to possess nuclear technology, particularly since the recent instances of proliferation were unrelated to the peaceful use of nuclear technology, as provided for in article IV of the NPT. Limiting the right of States to the peaceful use of nuclear technology would be not only a reinterpretation of article IV but an attempt to amend its substance.

81. Egypt demanded the removal of limitations that prevented States parties from benefiting from the rights provided for in article IV of the NPT. Serious efforts must be made to achieve total transparency in the verification regime with respect to the transfer of nuclear technology and to make the regime truly universal. An effective legal regime should also be established to ensure the implementation of IAEA safeguards with respect to all nuclear activities of the member States of IAEA, regardless of whether or not they were parties to the NPT, as a condition for the transfer of nuclear technology or materials to those States.

82. Absolute priority must be given to international efforts to achieve the universality of IAEA safeguards in accordance with the Final Document of the 2000 Review Conference, particularly in the Middle East, where Israel still refused to subject its nuclear facilities to IAEA safeguards. Egypt also demanded that IAEA draft a plan of action that included practical measures to achieve that goal within a specific time frame.

83. Member States should strengthen the role of IAEA by providing it with political, material, human and moral support for peaceful technical cooperation in nuclear energy and in the non-proliferation and verification regimes.

84. Egypt supported the strengthening of the verification regime and of IAEA safeguards, provided it was not at the expense of the Agency's responsibilities in the fields of technical cooperation and the peaceful use of nuclear energy. The peaceful use of nuclear energy and support for the efforts of IAEA in the area of nuclear safety, including protection from nuclear radiation, were very important to Egypt.

85. Egypt hailed the efforts of IAEA to draft and to promote the signing of nuclear safety conventions. Effective measures must be taken to protect people from nuclear leaks in reactors that were not subject to international supervision. In order to achieve that goal in the Middle East, IAEA should initiate contacts with Israel with a view to ensuring that all Israeli nuclear facilities complied with international safety standards.

86. The fiscal crisis experienced by the IAEA Technical Cooperation Fund the previous year threatened the implementation of many of the projects adopted by the Board of Governors. Egypt chaired the working group that had been established to address funding for technical cooperation because it believed that the peaceful use of nuclear energy and IAEA technical cooperation programmes were directly linked to the economic development projects of developing States.

87. Egypt believed that it was important to recognize the importance of technical cooperation programmes, to strengthen the principle of the peaceful use of nuclear technology, to provide qualified personnel and financing for implementation of approved technical cooperation projects, and to develop projects that addressed the needs of States and supported their economic development plans while respecting their right to execute projects of their choosing and refraining from imposing specific projects on them, particularly those related to nuclear terrorism.

88. All Member States should fulfil their obligations to the Technical Cooperation Fund. Obligations, however, should be balanced against the rights set out in the NPT, which should not be curtailed when nuclear-weapon States were themselves not fulfilling their obligations under the NPT. The best way to uphold the NPT was through equal adherence to all of its provisions and implementation of all prior obligations, including those related to the peaceful use of nuclear technology and to disarmament.

89. In order to convince States parties that the NPT was important to their security, priority should be given to achieving its universalization and to providing assurances to non-nuclear-weapon States. Progress must also be made towards an agreement for complete disarmament in accordance with the letter and spirit of article VI of the NPT.

90. **Mr. Paulsen** (Norway) drew attention to the working paper contained in document NPT/CONF.2005/WP.23. While Norway did not produce nuclear energy, it was actively involved in the international regulatory framework for the safe and secure use of such energy, sources of radiation and related technologies. In the long term, the international community should aim for a proliferation-resistant nuclear fuel cycle and should devise a step-by-step strategy. To that end, current efforts should focus on the development of multinational approaches on the basis of the recommendations of the group of experts appointed by IAEA.

91. He was particularly concerned about the use of highly enriched uranium, which was the fissile material of choice for terrorists. Current efforts to reduce the risk of diversion were inadequate and additional steps should be taken as soon as possible by, inter alia, adopting the principle that highly enriched uranium should not be used for civilian purposes.

92. He had taken note with satisfaction of the positive outcome of the recent meeting to review the implementation of the Convention on Nuclear Safety and welcomed the adoption of new IAEA instruments and codes of conduct on nuclear safety and security. He was also pleased that a diplomatic conference would be held in July with a view to strengthening the Convention on the Physical Protection of Nuclear Material and urged all States to contribute financially to the IAEA Nuclear Security Fund.

93. The safe transport of nuclear materials was vital. Norway had worked closely with IAEA, the International Maritime Organization and other interested international organizations to ensure that such transport was regulated by a robust international regime. In that connection, he emphasized the importance of improving mutual understanding, building confidence and enhancing communication in the area of the safe maritime transport of nuclear and radioactive materials.

94. Emergency preparedness and response were also extremely important and he encouraged all States to pledge their full support to the implementation of the Agency's International Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies. Norway would take a seat on the IAEA Board of Governors in the autumn and, in that capacity, would make every effort to contribute positively to the furtherance of all the issues on the agenda of the 2005 Review Conference.

95. **Ms. Bridge** (New Zealand) said that the right of all States parties to the peaceful uses of nuclear energy was a fundamental and critical objective of the Nuclear Non-Proliferation Treaty. In order to maximize cooperation among States parties in that area, it was vital to create a stable environment of confidence in the verification of the Treaty's security aspects. Hence the importance of concluding additional protocols to existing safeguards agreements and of refraining from active cooperation with States parties that were not in compliance with their obligations under the relevant safeguards agreements.

96. While New Zealand had chosen not to use nuclear energy for power generation owing to its ongoing concerns about the lack of compatibility between nuclear power and sustainable development, safety and proliferation issues, it recognized the right of other States to make their own decisions in that regard. However, in recent years the international community had become increasingly concerned about the potential to misuse the right to peaceful uses enshrined in article IV of the Treaty by developing the capability to enrich uranium or process plutonium for the manufacture of nuclear weapons. A great deal of thought had been devoted to the question of how to retain the right of compliant States parties to acquire that sensitive technology while limiting the ability to do so of those who did not live up to their obligations under the Treaty. The detailed and comprehensive report on that issue prepared by the independent group of experts appointed by IAEA represented a valuable contribution to the debate.

97. New Zealand would be in favour of taking the debate forward by exploring in more detail particular areas highlighted by the work already done and, in the shorter term, it might be possible to make progress on issues related to the back end of the cycle. Assured access to supply had been identified as critical to any

progress in multilateral approaches to the front end of the fuel cycle and New Zealand would support further expert work in that area, as well as any measures taken by States parties themselves to implement the steps identified in the report of the independent expert group.

98. Her delegation also supported moves to limit the use of highly enriched uranium for civilian purposes, since such a measure would allow States to exercise their rights under article IV of the Treaty while minimizing the risk of proliferation.

99. Five years previously, the States parties to the Nuclear Non-Proliferation Treaty had agreed that article V should be interpreted in light of the Comprehensive Nuclear-Test-Ban Treaty, which was an effective measure of nuclear disarmament and non-proliferation. She therefore called on all States that had not yet done so, particularly those listed in Annex 2, to sign and ratify the Treaty without delay. She also urged the United States of America to reconsider its decision not to ratify the instrument.

100. The Comprehensive Nuclear-Test-Ban Treaty related to both vertical and horizontal proliferation and, in that context, any plans for the research and development of new types of nuclear weapons or modifications of existing weapons were of the utmost concern. All States should therefore refrain from any action that would defeat the object and purpose of the Treaty pending its entry into force and, in the meantime, the current moratoriums on nuclear test explosions must be maintained.

101. The international community was also concerned about the prospect of a certain State party to the Nuclear Non-Proliferation Treaty withdrawing from the Treaty in order to avoid complying with its obligations pursuant thereto. That course of action could have particularly serious implications for the maintenance of international peace and security. In that connection, New Zealand and Australia had prepared a working paper on withdrawal (NPT/CONF.2005/WP.16), which would be discussed further during the meeting of the Committee's subsidiary body.

102. She attached particular importance to the safe transport of radioactive materials and, given that spent nuclear fuel was shipped past New Zealand's shores, took the view that the strictest possible regulatory regime should be introduced. There should be adherence to best practice safety standards, effective

government communication about forthcoming shipments and satisfactory liability and compensation arrangements against the possibility of an accident or incident involving a shipment, including economic loss arising from perceived risk.

103. She welcomed the progress made by IAEA in that regard, in particular the adoption of the Action Plan for the Safety of Transport of Radioactive Material on the basis of the outcome of the 2003 International Conference on the Safety of Transport of Radioactive Material, the establishment of the International Expert Group on Nuclear Liability (INLEX) and the implementation of TranSAS. All areas of the Action Plan should now be implemented, including the continuation of the dialogue between relevant coastal and shipping States.

104. **Ms. Mtshali** (South Africa) said that, while non-compliance with obligations arising from the Nuclear Non-Proliferation Treaty was a topical issue for the international community, States parties must not renege on their original commitments. Nothing in the Treaty should be interpreted as affecting the inalienable right of all States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II and III. By providing a framework of confidence and cooperation within which the development of the peaceful applications of the atom could take place, the Treaty aimed to foster such development and both peaceful nuclear cooperation and access to the benefits of nuclear energy were integral parts thereof.

105. However, the rights enshrined in article IV of the Treaty were inextricably linked to the disarmament and non-proliferation obligations contained in other articles and States parties could not choose to exercise certain rights while at the same time ignoring their associated duties. While proliferation concerns had prompted some States to propose restrictions and controls on the legitimate peaceful nuclear activities of other States, those measures must be matched by a renewed commitment to nuclear disarmament and to concrete, irreversible and verifiable action to implement the 13 practical steps agreed upon at the 2000 Review Conference.

106. In order to prevent proliferation and illicit trafficking, controls of nuclear material, technologies and equipment should be reviewed and enhanced.

However, experience had shown that no control regime could provide a cast-iron guarantee against abuse. The success of control regimes depended on effective information sharing and cooperation among the relevant parties and on the vital role played by IAEA. In that connection, a safe and well-organized system to fuel civilian nuclear reactors should be developed and the equitable access of all States to reasonably priced fuel for those reactors should be guaranteed.

107. The Conference should not adopt new measures that would restrict the exercise of the inalienable right to peaceful uses of nuclear energy. Her delegation could not agree to the application of such restrictions in respect of States that were fully compliant with their obligations under the Treaty, since imposing such measures on some States while allowing others to pursue their activities would only serve to exacerbate the inequalities already inherent in the Treaty.

108. Her Government would continue to promote international cooperation on the peaceful uses of nuclear energy in accordance with the Treaty and to encourage the exchange of scientific information, particularly in Africa, with a view to the further development of the peaceful application of atomic energy. In that connection, South Africa was pursuing its work on the inherently safe pebble bed modular reactor. The peaceful uses of nuclear energy were of particular relevance to Africa, given its need for sustainable and accelerated economic and social development. The technical cooperation activities undertaken by IAEA were extremely important in that regard and she urged as many States as possible to take part in them.

109. While she supported international efforts to maximize the benefits of nuclear energy, she was also in favour of activities designed to ensure the safety and security of nuclear programmes, including those involving transport and waste disposal. In that regard, she welcomed the ongoing improvements to the safety standards of IAEA and their application.

110. South Africa was continuing to share expertise within the framework of the African Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA). In accordance with that Agreement, Africa's problems in the area of nuclear technology should be resolved through the use of expertise from within the continent. Recent reports on

the implementation of the Millennium Development Goals had indicated that those Goals might not be achieved within the specified time frame. In many developing countries, sustainable development through, inter alia, the IAEA Technical Cooperation Programme, was critical, but in recent years the Programme had not received sufficient funding. The persistent imbalance between safeguards and promotional activities was a matter of some concern and every effort must therefore be made to provide the Technical Cooperation Programme with adequate and predictable resources.

111. The credibility and permanence of the Nuclear Non-Proliferation Treaty depended on a fundamental balance between the rights and obligations enshrined therein. The right to the peaceful uses of nuclear energy was an integral part of that equation.

112. **Mr. Ford** (United States of America), speaking in exercise of the right of reply, suggested that it might be useful for all States to familiarize themselves with the jurisdiction of the International Atomic Energy Agency in the area of safeguards. Despite the eagerness of some interested parties to seize upon statements falling outside that jurisdiction, it would be advisable to focus on the facts at hand. Anyone who had actually read the Director General's many reports on the clandestine nuclear programme of the Islamic Republic of Iran would know that that State's efforts to conceal its nuclear infrastructure behind a cloud of lies spanned two decades and were still ongoing. He encouraged all States to review the reports in question and to draw their own conclusions.

113. **Mr. Saeidi** (Islamic Republic of Iran), speaking in exercise of the right of reply, expressed satisfaction that the current discussion was based on information contained in the reports of the Director General of IAEA. However, he doubted that reason could provide a cure for obsession.

The meeting rose at 6 p.m.

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

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Main Committee III

Summary record of the 2nd meeting

Held at Headquarters, New York, on Monday, 23 May 2005, at 10 a.m.

Chairman: Ms. Bonnier (Sweden)

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Draft report of Main Committee III (*continued*)

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The meeting was called to order at 10 a.m.

Draft report of Main Committee III (continued)

1. **Mr. Towpik** (Poland) associated his delegation with the statement made by the representative of Luxembourg on behalf of the European Union. While not a nuclear power, Poland made wide use of nuclear technology in industry, human health, environmental protection and agriculture. It was committed to ensuring the peaceful use of nuclear energy and to implementing assistance programmes designed to promote technology transfers and sustainable development, being both a donor and a recipient in that regard. In the light of the enormous demand for such activities, cost-sharing or development partnership options must be explored.

2. The international conventions and standards developed by the International Atomic Energy Agency (IAEA) played a vital role in promoting a global culture of nuclear safety. Poland was a party to all of them and took the view that they were essential to furthering international cooperation in the peaceful use of nuclear energy. Recent scientific trends had confirmed that nuclear knowledge must be better managed, and his delegation shared the concern at the loss of nuclear industry know-how through ageing of the workforce and decreasing support for university programmes in nuclear science and engineering. The phenomenon was unfortunately most acute in countries which, like Poland, had no current nuclear power programme but had been considering one. Without proper education and research at the national level, nuclear safety could not be maintained satisfactorily in any country. Accordingly, Poland strongly supported international efforts to improve education, develop peaceful uses of nuclear energy and enhance the transfer and safe application of nuclear technologies.

3. **Mr. Bennouna** (Morocco), said that his delegation associated itself with the statement made on behalf of the Non-Aligned Group by the representative of Malaysia. Some 35 years previously, the drafters of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had faced the difficult task of maintaining a sensitive balance between the need to prevent proliferation and the need to preserve the inalienable rights of all the parties enshrined in article IV of the Treaty. That balance had recently become precarious under the influence of the global threat of

nuclear terrorism and the international community's efforts to combat it.

4. IAEA could not fulfil its oversight role unless States complied with their binding international obligations. Morocco, which had been a party to the Treaty since 1970, had concluded a safeguards agreement with IAEA in 1973 and had signed an additional protocol thereto in 2004. It reaffirmed its commitment to article IV of the Treaty and its belief that enhanced nuclear safety measures were vital to the development of international cooperation. While responsibility for nuclear safety and radiation protection lay in the hands of individual States, the latter had a responsibility to share information with a view to preventing misuse of and trafficking in nuclear materials.

5. Morocco fully supported the technical cooperation programmes of IAEA and was working with the Agency in organizing a postgraduate course in radiation protection for experts from French-speaking African countries. It had also collaborated with IAEA, the International Telecommunications Union (ITU), the World Health Organization (WHO) and various regional organizations in convening an international conference on national nuclear safety infrastructures.

6. **Mr. de Queiroz Duarte** (Brazil) recalled that the Director-General of IAEA had reminded the Review Conference that the Nuclear Non-Proliferation Treaty had been made possible by the two shared goals of security and development. Because views on the founding principles of the Treaty had diverged, the Review Conference must reaffirm article IV to ensure that the rights of all States parties were preserved, subject to compliance with the provisions of articles I, II and IV.

7. While Brazil shared the concern that nuclear programmes might be used as a cover for nuclear proliferation, some of the measures proposed to address that risk ignored the successful track record of the safeguards arrangements in place, wrongly blamed the Treaty for loopholes which allegedly impaired its effectiveness against proliferation and presented a risk of reinterpretation or review of article IV. Brazil took the view that the legitimate concerns of the international community could be best met with an enhanced safeguards system. The report of the expert group on multilateral approaches to the nuclear fuel cycle (NPT/CONF.2005/18) made a vital contribution

to the debate, which must continue and must avoid hasty decisions concerning long-term rights of the non-nuclear-weapon States which abided by the rules of the Treaty. The ability of those States to develop legitimate peaceful nuclear programmes covered by IAEA safeguards must not be affected.

8. In an ever-changing international situation, it seemed unrealistic to expect States parties to relinquish their legitimate rights under the Treaty, and thus their energy security, in return for uninterrupted access to nuclear fuel supplies from other States. Fifty years previously, the leading international experts of the time had assured Brazil that it had no oil resources and that establishing a national oil company would be futile. They had been proven wrong. Petrobras had successfully explored for oil, had become one of the world's largest oil companies, currently met 95 per cent of the country's demand and had been the motor of Brazil's industrialization. For the same reasons, the peaceful use of nuclear energy had become a fundamental principle of national policy. While Brazil had developed its own nuclear capabilities, including uranium enrichment, it remained firmly convinced of the advantages of IAEA-coordinated international synergy in the nuclear field.

9. The Review Conference should recognize and encourage the twin goals of security and development by acknowledging the guiding role of sustainable development in the peaceful uses of nuclear energy, which could help to narrow economic and technological disparities between developed and developing countries. The Conference should affirm the role of the Treaty in providing a framework of confidence and cooperation for such peaceful uses of nuclear energy and for the role of IAEA in assisting developing countries. It should renew the appeal for the universalization and strict and balanced implementation of the Treaty and it should urge all States parties to conclude comprehensive safeguards agreements. All States should strengthen international and domestic verification of transactions involving fissile material and associated technologies, maintain the highest possible standards of nuclear security and physical protection of nuclear materials and, wherever possible, sustain investment in research into proliferation-resistant, and therefore operationally safer, technologies.

10. **Mr. Asmady** (Indonesia) said that peaceful uses of nuclear energy for agriculture, industry, medicine

and other purposes were critically important to sustainable development. While supporting the rights of States parties under the Treaty, which provided an essential legal basis for technology transfer and cooperation, his Government was aware that access to nuclear technology also made it easier to acquire a nuclear-weapon capability. That concern placed a special responsibility on the States concerned to build confidence with the international community in order to allay fears of proliferation and to enable IAEA to verify that the technology was being used only for peaceful purposes.

11. Having noted the States parties' wish to prevent the diversion of nuclear materials into weapons and the report of the expert group on multilateral approaches to the nuclear fuel cycle appointed by the Director-General of IAEA (NPT/CONF.2005/18), his delegation, like those of many other non-nuclear-weapon States, believed that that issue was directly linked to the principles of article IV of the Treaty. Non-treaty mechanisms had increasingly restricted supplies of nuclear materials, thereby eroding the Treaty's provisions and contributing to the impression that it had inherent imbalances and discriminated against non-nuclear-weapon States. Perhaps the solution was a multilateral mechanism to curtail the article IV rights of States that failed to adhere to articles I and II. The many States which had not violated the Treaty must not be caught up in any form of collective punishment or deprived of their rights under article IV.

12. Universalization of the export-control and inspection systems would ensure that all States had unimpeded access to nuclear technology for peaceful uses, and the proposals of IAEA regarding the nuclear fuel cycle therefore deserved consideration. However, any dilution of the obligations under article IV would undermine confidence in the Treaty and exacerbate the feeling that discrimination existed between States with privileges and obligations and those with privileges but no obligations. Taken together, the IAEA safeguards regime and the additional protocols, which provided greater inspection opportunities, would be an effective deterrent to proliferation. Nevertheless, lack of funds to pursue peaceful uses of nuclear technology and continuing imbalances in the allocation of resources for safeguards created problems and resources for developing countries must therefore be given priority in IAEA technical cooperation activities.

13. **Mr. Beven** (Australia) said that Australia, which was the world's second largest exporter of uranium with 40 per cent of global resources, had a long-standing commitment to peaceful nuclear cooperation. It contributed substantially to the development of nuclear energy, recognizing that facilitating the peaceful applications of such technology was essential to the balance of rights and obligations which States parties assumed under the Treaty. As a regular and reliable contributor to the IAEA Technical Cooperation Programme, it favoured reform to make the Programme more effective.

14. Strengthening of the non-proliferation regime required a climate of confidence. As emphasized at the 2000 Review Conference, compliance with the safeguards described in article III of the Treaty also had a bearing on the exercise of the rights established by article IV. Exposure of the proliferation network headed by the Pakistani scientist, Dr. Abdul Qadeer Khan, had illustrated the importance of preventing illicit trafficking in nuclear materials, equipment, technology and know-how. Closer cooperation with IAEA was needed in order to permanently dismantle the existing black market. Those developments also highlighted the need for effective national controls over the production and export of sensitive technology and materials and for international cooperation in applying national laws. Export controls were not an impediment to legitimate nuclear trade and cooperation, but rather a necessary and legitimate means for States to comply with article III and to provide the long-term assurances and stability needed for such trade and cooperation to take place.

15. All States parties to the Treaty should note the harmonized export controls developed by the Nuclear Suppliers Group and the Zangger Committee and ensure that their own controls were at least equivalent to such regimes and were properly enforced. Nuclear suppliers must go ahead with transfers only where the recipient State had a suitable national nuclear security system comprising IAEA safeguards, physical protection, measures against illicit trafficking and appropriate export controls to cover re-export. Australia, which intended to make the supply of its uranium to non-nuclear-weapon States dependent on the implementation of an additional protocol to such States' safeguards agreement with IAEA, urged the Review Conference to generalize such conditions.

16. Australia supported measures which complemented the Treaty, such as Security Council resolution 1540 (2004) and the Proliferation Security Initiative. States parties must withhold nuclear cooperation from any State which the IAEA Board of Governors had called upon to remedy violations of its safeguards obligations. The gradual spread of proliferation-sensitive technologies and the decreasing technical and economic barriers to acquisition of such technologies presented two risks. First, that States might break free of their commitments under the Treaty and develop nuclear weapons, and, second, that sensitive technologies might be transferred illicitly to other States or subnational entities. The proliferation risk of uranium enrichment in particular had risen, as it had become easier for States to acquire basic centrifuge technology and build facilities to produce weapons-grade uranium. The more States possessed enrichment and reprocessing facilities, the greater the risk of proliferation.

17. The rights to peaceful use of nuclear energy conferred by article IV of the Treaty were not unqualified, being subject to the provisions of articles I, II and III. Moreover, article IV referred to research, production and use of nuclear energy, rather than to specific technologies such as enrichment and processing. While Australia believed that a lengthy debate on the legal interpretation of article IV would be unproductive, it urged the international community to consider the consequences of a world in which dozens of States possessed the full nuclear fuel cycle and therefore the ability to move on to produce nuclear weapons if they felt their immediate interests justified such a step. Clearly, the unbridled spread of sensitive fuel-cycle technology would be inconsistent with the goals of the Treaty.

18. Consequently, alternatives to the widespread acquisition of national enrichment and reprocessing capabilities had been considered. Australia had taken note of the report of the expert group on multilateral approaches to the nuclear fuel cycle (NPT/CONF.2005/18) and believed that the Review Conference should reaffirm the need for further investigation of workable means of limiting the spread of sensitive nuclear technology in a manner consistent with article IV rights and obligations. Because terrorist groups were interested in acquiring weapons of mass destruction, the physical protection of nuclear materials and nuclear facilities was a high priority. Australia called on all

States to accede to the Convention on the Physical Protection of Nuclear Material (CPPNM) and hoped that work to strengthen the Convention would continue.

19. **Mr. Bendjaballah** (Algeria) said that his delegation associated itself with the statement made by Malaysia on behalf of the Group of Non-Aligned States Parties to the Treaty. The Treaty was a cornerstone of the global disarmament and non-proliferation regime, but it could only achieve its goals through balanced implementation of all of its provisions, whether pertaining to disarmament, non-proliferation, inspections regimes, or the peaceful uses of nuclear energy. Article IV guaranteed the right of all parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes, and any limitation on trade in nuclear materials, equipment or technology that infringed on that right damaged the Treaty's credibility and universality. Algeria was party to all international instruments on disarmament and non-proliferation, and was making preparations to sign an additional protocol to its safeguards agreement. Algeria would continue its strong and wide-ranging cooperative relationship with IAEA, which should be supported with sufficient funds to enable it to carry out its tasks, including those relating to technical cooperation. The sixth Review Conference had concluded that strengthening IAEA safeguards regimes should not come at the expense of funding for technical cooperation. The current Review Conference should reaffirm not only the goals of disarmament and non-proliferation but also the right of States parties to peaceful uses of nuclear energy.

20. **Mr. Sersale di Cerisano** (Argentina) said that Argentina attached great importance to the inalienable right of States parties to use nuclear energy for peaceful purposes without discrimination. That right could be altered or limited only by explicit agreement between the parties. Any attempt to redefine the Treaty's delicate balance of rights and obligations, to challenge its usefulness or relevance or even to cast doubt on States' rights to technological development risked undermining the system it had established. With its long experience of importing and exporting nuclear materials and technology, Argentina supported efforts to guarantee transfers of such materials and technology connected with peaceful uses of nuclear energy, with a view to sustainable development.

21. Because of its special responsibilities for promoting technical cooperation and overseeing

safeguards and nuclear safety, IAEA must be provided with the financial and human resources to enable it to maintain a balance between its promotional and regulatory functions. Argentina had played an active role in IAEA training programmes, and had sent experts to countries with needs and circumstances similar to its own.

22. The proliferation crisis of recent years had led to efforts to revise the scope of article IV of the Treaty, notably by limiting access to the nuclear fuel cycle, and therefore to alter the essence of that article and the concept of the inalienable right to use nuclear energy for peaceful purposes. Argentina believed that the most suitable way of coping with the risk of diversion of such technologies for military use was to consider immediate suspension of nuclear cooperation in cases of proven violation of the non-proliferation regime. Transparency and acceptance of internationally accepted standards of nuclear safety and physical protection must be the cardinal principles of peaceful use of nuclear energy. His delegation urged all countries which had not yet done so to ratify and implement without delay all international conventions regarding nuclear safety and the handling of nuclear waste and radiological protection, and hoped for rapid progress on amending the Convention on Physical Protection of Nuclear Material (CPPNM).

23. As a country with considerable nuclear experience and a long sea coast, Argentina would like to see the international community, and IAEA in particular, consolidate an effective and globally supervised system for the international transport of radioactive material. It supported the International Maritime Organization review process for the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, so that the Convention could more effectively address the contemporary threats of international terrorism and the proliferation of weapons of mass destruction. Furthermore, as an active member of all major export-control regimes, Argentina was of the view that controls to nuclear materials should be applied in a responsible manner, rather than restricting legitimate access to nuclear energy. Security Council resolution 1540 (2004) had made a substantial contribution to the cause of non-proliferation by universalizing such export controls and by promoting a climate of confidence and transparency for the activities of States parties that relied on peaceful uses of nuclear energy to support progress and social well-

being. Argentina was deeply committed to a balanced approach to the work of the Committee and to fully protecting the commitments of article IV of the Treaty.

24. Argentina had submitted a working paper on multilateral nuclear fuel-cycle arrangements (NPT/CONF.2005/WP.33) that looked at ways of addressing certain unfortunate developments of recent years. No technology must be considered intrinsically negative. Only the uses made of technologies could be so labelled. All countries had the right to benefit from the potential of nuclear energy, provided that they adhered to international non-proliferation provisions and safeguarded international peace and security. The best approach was to improve the implementation of the existing non-proliferation machinery, as described in section III, paragraph 18, of the paper.

25. **Mr. Shin Kak-soo** (Republic of Korea) said that the Republic of Korea, which obtained more than 40 per cent of its electricity supply from nuclear sources and had the world's sixth largest civilian nuclear industry, viewed the inalienable right to such facilities as vital to its sustainable economic development. However, it also firmly believed that the rights conferred by article IV of the Treaty must be exercised in compliance with the non-proliferation and safeguards obligations of articles II and III.

26. Because peaceful applications of nuclear material and technology could be difficult to distinguish from their military applications, some had argued in favour of restricting fuel-cycle technologies to a limited number of States whose reprocessing and enrichment facilities might be placed under international control. The Republic of Korea understood that rationale, but stressed that it should not interfere with the legitimate right to peaceful uses of nuclear energy of States which fulfilled their Treaty commitments and had sound reasons, based on energy security and economic feasibility, for having fuel-cycle technologies and facilities. States willing to forego sensitive fuel-cycle facilities should be given incentives, including guarantees of a fuel supply at a reasonable price. The report of the expert group on multilateral approaches to the nuclear fuel cycle (NPT/CONF.2005/18) provided a basis for discussion of those issues.

27. States parties' rights under article IV and their obligations under articles II and III of the Treaty were complementary and mutually reinforcing. In order to uphold the principles of peaceful use of nuclear energy

and maintain the non-proliferation regime, confidence in States parties' compliance with Treaty obligations must be restored and bolstered. In that context, there must be universal adherence to comprehensive IAEA safeguards agreements and to the additional protocols thereto, as well as strong and effective national, regional and international export controls for sensitive items and technologies. The Nuclear Suppliers Group, the Zangger Committee, the Group of Eight (G-8) Global Partnership against the Spread of Weapons and Materials of Mass Destruction, and the arrangements put in place by the Security Council in its resolution 1540 (2004) played a central role in reinforcing export controls.

28. Public concern about the safety and security of nuclear power must be addressed in order to promote peaceful uses of nuclear energy. Progress had been made in the form of international cooperation on developing a proliferation-resistant fuel cycle and reactors and recognition of other potential sources of energy, such as hydrogen cells and nuclear fusion. International technical cooperation to benefit the developing world played an important role, under the leadership of IAEA, which must be given sufficient resources for that purpose.

29. **Mr. Freeman** (United Kingdom), associated his delegation with the statement made by the representative of Luxembourg on behalf of the European Union. While article IV of the Treaty gave States parties an inalienable right to use nuclear energy for peaceful purposes, that right was neither absolute nor unconditional, as it depended on compliance with articles I and II, and with the safeguards provisions of article III. A State which failed to comply forfeited confidence in the exclusively peaceful nature of its nuclear ambitions. Until that confidence had been restored, it could neither expect suppliers to give it access to proliferation-sensitive technologies, nor to be able to invoke the rights of article IV credibly.

30. The right established by article IV must not be assumed to extend to all forms of nuclear technology. Assertions of a right to enrichment and reprocessing technologies must be weighed against the fundamental non-proliferation objectives of the Treaty. First, if many States were able to produce fissile materials, the world would become less secure and face more threats to peace. Second, while the products of enrichment and reprocessing were connected with nuclear power generation, which had direct civil benefits, those

products themselves had no such benefits. States wishing to benefit from nuclear power could be convinced that using international facilities was more rational than investing in expensive fuel-cycle technologies with limited applications by being assured of reliable and affordable outside supplies of nuclear fuel and outside spent-fuel services. In that connection, his delegation welcomed the report of the expert group on multilateral approaches to the nuclear fuel cycle (NPT/CONF.2005/18).

31. The United Kingdom fully recognized the role of technology transfer in sustainable development, increasing global prosperity and meeting the Millennium Development Goals. It was committed to the principle of States parties' entitlement to benefit from peaceful nuclear technology as long as the non-proliferation principles of the Treaty were observed. It supported that principle through its actions as a major provider of fuel-cycle services, including enrichment, fuel manufacture and reprocessing, and as a participant in international projects to develop innovative reactors and methods which would improve safety, sustainability and proliferation resistance. It was a strong advocate of IAEA technical cooperation programmes and efforts to improve the scientific, technological and regulatory capabilities of States parties and hoped that IAEA would continue to focus on the many development challenges facing its member States, contribute to poverty reduction strategies and coordinate its actions with other donors through, for example, the United Nations Development Assistance Frameworks.

32. Turning to nuclear safety and security issues, he indicated that the recent, widely reported leak at the Thorp reprocessing plant at Sellafield in the United Kingdom had been contained without any release into the environment or harm to staff. The plant was in a safe, quiescent state and the company operating it had set up an incident control centre to deal with the occurrence, to the satisfaction of the regulatory authority. The United Kingdom had a flexible, goal-oriented regulatory regime which demanded and achieved high standards. It had submitted its safety standards and practices for peer review at the recent third review meeting of the Convention on Nuclear Safety. In order to help prevent terrorists from gaining access to radioactive materials, more States should accede to that Convention, to the IAEA Code of Conduct on the Safety and Security of Radioactive

Sources and to the International Convention for the Suppression of Acts of Nuclear Terrorism. As a State party which transported nuclear materials, the United Kingdom had imposed stringent safety and security conditions which an IAEA mission in 2003 had deemed satisfactory. The conditions would nevertheless be kept under constant review, both nationally and by IAEA.

33. **Mr. Dolgov** (Russian Federation) said that there was no prospect in the near future of finding an alternative to nuclear power and States parties must therefore have wide access, through international cooperation, to the benefits of peaceful uses of nuclear energy. The number of States availing themselves of the rights established by article IV of the Treaty would undoubtedly increase and while many would legitimately seek to profit from their accumulated experience in the field in question, conditions must be put in place to prevent proliferation of sensitive nuclear technologies or materials that could be used to make nuclear weapons.

34. Possession of nuclear technology must be justified exclusively on economic grounds and domestic circumstances and needs. Existing networks of nuclear supplies and services for energy, science, research, industry and agriculture could amply cover the needs of humankind. The market for such supplies and services was firmly in balance and there was no economic or political justification for disrupting it. The Russian Federation agreed with the Director-General of IAEA on the need for international guarantees of supplies of nuclear fuel and the availability of the required technology at regional centres under multinational control. The role and authority of IAEA in such cooperation must be strengthened, in the interests of preserving a balance between the benefits of the peaceful use of nuclear energy and the principles of non-proliferation.

35. To mark the fiftieth anniversary of the commissioning of the world's first nuclear power reactor, in Obninsk, the Russian Federation and IAEA held a joint conference in June 2004. Looking into the future, the development and use of nuclear power would require many new issues and challenges to be addressed in a comprehensive, rather than fragmented, way. One response to that requirement was the IAEA International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO). International cooperation in the nuclear field made sense from the economic,

environmental, security and non-proliferation points of view.

36. The Russian Federation hoped that a forthcoming conference in Moscow would support the work of the expert group on multilateral approaches to the nuclear fuel cycle in order to guarantee supplies of fuel for power and research reactors, safe storage and reprocessing of spent fuel and regulation of enrichment and reprocessing activities. While supplies of nuclear fuel could never be absolutely guaranteed, appropriate assurances should be discussed with the involvement of IAEA. The Russian Federation actively supported IAEA technical cooperation activities focusing on applied nuclear technology in fields of economic significance for the organization's member States.

37. While the Russian Federation advocated measures to regulate the transport of nuclear materials, it cautioned against establishing unjustified obstacles which could contravene international law. The Treaty's unique structure was intended to serve for decades into the future, adapting organically to the discussion of fundamental issues connected with the peaceful uses of nuclear energy. The Russian Federation would work with States parties to explore those issues.

38. **Ms. Göstl** (Austria) said that her delegation fully associated itself with the statement made by the representative of Luxembourg on behalf of the European Union and with the content of the three working papers put forward by Austria and nine other States parties. Austria was committed to the outcomes of the 1995 and 2000 Review Conferences and recognized that NPT was a carefully crafted document whose equilibrium must be maintained. The undertaking by non-nuclear-weapon States not to acquire any nuclear-weapon capabilities and to submit their nuclear activities to IAEA verification was balanced by an equally important undertaking to promote cooperation in the peaceful uses of nuclear energy, with NPT providing a framework of confidence for exchanges of technology. Strict adherence to IAEA comprehensive safeguards agreements and additional protocols thereto was vital to creating a stable, open and transparent international security environment for such exchanges. Through its technical cooperation programme, IAEA played a major role in helping developing countries to improve their technological, scientific and regulatory capabilities. The resources available for those activities must be assured,

predictable and sufficient to meet the objectives of article IV, paragraph 2, of the Treaty.

39. Export controls, an issue clearly connected with the debate on peaceful uses of nuclear energy, were a sovereign responsibility, constituting not just a right, but also an obligation deriving from article III, paragraph 2, of the Treaty. They did not contradict the principle of access to nuclear technology for peaceful purposes. However, clear and transparent criteria must be established and maintained if export controls were to be accepted. Developing countries tended to complain that industrialized countries were too unwilling to provide technical assistance because their export policies were too stringent and unpredictable. While such complaints were not justified, they should nevertheless be taken seriously. Export controls must operate in an atmosphere of cooperation and dialogue. Much had been achieved in that regard, notably by the Nuclear Suppliers Group and the Zangger Committee, which had provided opportunities for suppliers and customers to explain their positions.

40. Austria had worked with IAEA to improve the Convention on the Physical Protection of Nuclear Material (CPPNM), whose scope should be widened to include binding requirements for the domestic use, storage and transport of such material. Physical protection was relevant to article IV of the Treaty, as all recipients of nuclear technology must maintain proper physical protection standards as a prerequisite for technical cooperation. The Convention must guide States parties in setting up national physical protection arrangements. Lastly, the delegation of Austria attached great importance to the physical protection of highly enriched uranium and plutonium and believed that the civilian uses of highly enriched uranium should be kept to a minimum.

41. **Ms. Laose** (Nigeria) said that, as the body responsible for monitoring implementation of articles I, II and III of the Treaty, regarding peaceful uses of nuclear energy, IAEA should be the main means of channelling the benefits of nuclear technologies to developing countries. The Review Conference should reaffirm its confidence in the work of IAEA and seek to improve the Agency's performance through the provision of adequate human and financial resources. A balance must be maintained between the Agency's main functions of security, verification and technical cooperation.

42. The provision of technical assistance to developing countries must be seen not as a humanitarian duty, but as the fulfilment of obligations assumed under the Treaty, which had contributed to the maintenance of international peace and security for 36 years. Developing countries had fulfilled their obligations by contributing in increasing numbers to the implementation of the Treaty, and thereby enhancing its international prestige and importance. Nuclear-weapon States and other developed States must play their part unequivocally, without imposing unilateral criteria to deny others their rights under the Treaty. Technical cooperation must not be used to further political aims or to obstruct legitimate national interests and priorities in the peaceful application of nuclear technology. Furthermore, eligibility for technical assistance must not be made conditional on the conclusion of additional protocols to safeguards agreements, so as not to unfairly penalize States which had opened up their nuclear activities to IAEA scrutiny through a safeguards agreement simply because they had not yet signed or ratified an additional protocol. Nigeria wished to continue receiving IAEA technical assistance and to have access to nuclear techniques and equipment commensurate with its level of development. Nuclear technology would improve electricity generation, the petroleum industry, health care, agriculture and food production and water resources. In particular, it would help to meet a sharply increased demand for electricity, which was expected to be five times the current level by 2010 or 2015. Not just Nigeria, but Africa in general, would benefit from nuclear technology to help control and eradicate insect-borne diseases and pests. It should be remembered that malaria claimed more lives on the continent than HIV/AIDS.

43. **Mr. Mekdad** (Syrian Arab Republic) said that his delegation associated itself with Malaysia's statement on behalf of the Non-Aligned Group and the statement that Qatar would be making on behalf of the Arab States parties to the Treaty. Article IV of the NPT was unmistakably clear on the inalienable right of all parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes. Syria shared the concern of other States about discriminatory conditions placed on that right, especially with respect to non-nuclear-weapon developing States. In particular, certain parties, after obtaining the Treaty extension they had sought in 1995, had used political pretexts to obstruct the transfer of nuclear technology to

developing countries for peaceful uses, while at the same time supplying nuclear technology to Israel, a country that refused to accede to the Treaty. Israel's nuclear military capabilities posed a threat to its region and the world, and radiation leaking out of Israeli nuclear installations constituted an environmental hazard to neighbouring States. The international community should apply all possible pressure to Israel to place its nuclear installations under the IAEA inspections regime, as called for by paragraph 5 of Security Council resolution 487 (1981). The Conference should reaffirm the vital and impartial role played by IAEA in implementing the NPT. Fair application of the NPT free of any double standard was crucial for universalizing the Treaty and building a nuclear-weapon-free future.

44. **Ms. Fraser** (Bahamas), speaking on behalf of the Caribbean Community (CARICOM), said that the members of CARICOM were concerned by transboundary movements of radioactive materials and had therefore been encouraged by the 2000 Review Conference's endorsement of IAEA regulations for the safe transport of such materials. They remained concerned, nevertheless, that shipment of nuclear waste through the Caribbean Sea could threaten the environmental and economic sustainability of the region's small island developing States. The international community had a responsibility to protect the marine environment of coastal States from the risks inherent in the transport of nuclear waste and, in that connection, CARICOM welcomed the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste. While CARICOM supported the right of States, under article IV of the Treaty, to use nuclear energy for peaceful purposes, that right should not be exercised in a way that endangered the sustainable development of other States.

45. The CARICOM member States had called for information and assurances to be provided to States that could potentially be affected by shipments of radioactive materials and for a comprehensive regulatory framework to promote State responsibility in the form of disclosure, prior informed consent, liability and compensation for accidents. Mindful of the disastrous effects of any accident on their vulnerable economies, the members of CARICOM had drafted a proposal for the Committee's consideration (NPT/CONF.2005/MC.III/CRP.1), pursuant to which States would acknowledge the dangers posed to coastal

States by the transportation of irradiated nuclear fuel, plutonium and high-level nuclear waste. CARICOM hoped that the proposal would be included in the report of the Committee.

46. **Mr. Adnan** (Malaysia) recalled that Principle 19 of the Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted by the 1995 Review and Extension Conference reflected the commitment of States parties to ensuring that IAEA had the financial and human resources necessary to fulfil its technical cooperation, safeguards and nuclear-safety obligations. The Agency's Technical Cooperation Fund was key to promoting peaceful uses of nuclear energy through the transfer of technology and unpredictable financing could undermine such cooperation, which was one of the three pillars of the Treaty, and hinder the implementation of projects that were geared to meeting the genuine needs of developing States.

47. Technical cooperation at the multilateral, bilateral and regional levels was an important confidence-building measure that promoted transparency in national nuclear programmes and acted as a deterrent to the misuse of nuclear technology and the diversion of nuclear materials to non-peaceful uses. While a number of IAEA member States had made extrabudgetary contributions to supplement their assessed contributions to the Technical Cooperation Fund, the level of voluntary contributions was likely to decline, given the rising cost of enforcing safeguards. Malaysia urged all States parties which were members of IAEA to support the Technical Cooperation Fund.

48. Multilateral arrangements for preventing the proliferation of nuclear fuel-cycle technology should not adversely affect the inalienable rights conferred by article IV of the Treaty, for example by imposing a mandatory permanent suspension of those rights as a precondition for the involvement of any State party in such multilateral arrangements. However, a temporary, voluntary, waiver of article IV rights, effective only for the duration of the multilateral arrangement and subject to the continued supply of fuel-cycle services and materials, coupled with a guarantee of compensation in the event of interruption of that supply for any reason other than a violation of non-proliferation commitments, could contribute to the larger objective of strengthening the non-proliferation regime. Similarly, it was reasonable to require States wishing to participate in any multilateral fuel-cycle arrangement

to conclude and fully implement an additional protocol to their IAEA safeguards agreement.

49. In order for a multilateral approach to the nuclear fuel cycle to succeed, nuclear export-control regimes established independently of the Treaty framework must be de-politicized and harmonized with the fundamental provisions of the Treaty. Consequently, nuclear exports should be denied only if the importing State breached its non-proliferation commitments and the breach was confirmed by IAEA. Non-nuclear-weapon developing States that honoured their commitments under articles I and II of the Treaty should be given preferential treatment in the transfer of technology for peaceful uses of nuclear energy as an important means of rebuilding confidence in the Treaty.

50. Lastly, while Malaysia believed that all nuclear programmes must serve peaceful purposes, it acknowledged the sovereign right of States to withdraw from the Treaty, as provided for in article X. Withdrawal from international conventions and treaties must be governed by international treaty law.

51. **Mr. Halter** (Switzerland) said that Switzerland, as a country which generated over 40 per cent of its electricity using nuclear technology, firmly believed in the inalienable rights enshrined in article IV of the Treaty and in the obligations established in articles I, II and III. Nuclear cooperation with a given State must be accompanied by assurances that its nuclear programme was peaceful. All States parties should accede to the Convention on Nuclear Safety, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and the Code of Conduct on the Safety and Security of Radioactive Sources, which were valuable means of providing such assurances.

52. Progress in legislation should be accompanied by progress in technical matters. Accordingly, Switzerland welcomed the ongoing work on fourth-generation nuclear reactors, which would make civil nuclear programmes safer and more efficient. Certain sensitive parts of the nuclear fuel cycle, such as enrichment and reprocessing, should be closely examined, and further initiatives regarding them must comply with the need to ensure that nuclear energy was used exclusively for peaceful purposes and with non-proliferation obligations. The aim should be to establish what restrictions should be placed on access to the nuclear fuel cycle, an approach consistent with article IV,

which provided for “the fullest possible exchange of equipment, materials and scientific and technological information”. Switzerland commended the Nuclear Suppliers Group and the Director-General of IAEA for exploring the possibility of converting national enrichment and reprocessing facilities into multinational facilities, as the expert group on multilateral approaches to the nuclear fuel cycle had recommended in its report (NPT/CONF.2005/18).

53. However, Switzerland could not support measures which ran counter to the inalienable right to peaceful uses of nuclear energy enshrined in article IV of the Treaty and therefore could not support the idea of a blanket ban on exports of sensitive nuclear enrichment and reprocessing technologies to States parties which did not yet possess them. Such a policy would constitute unjustified and additional discrimination against non-nuclear-weapon States, as it failed to distinguish between States which offered the best guarantees against proliferation and States whose nuclear programmes were not transparent in the view of IAEA.

54. The Review Conference should try to balance regulations aimed at preventing abuses and the danger of unjustified additional discrimination by establishing clearly that a State’s access to sensitive nuclear technology should be conditional on its accession to the Treaty and respect for its provisions, particularly the connection between the rights of article IV and the responsibilities of articles I, II and III. It was just as logical to pair the peaceful use of nuclear energy with non-proliferation as it was to pair disarmament with non-proliferation. The case of the Democratic People’s Republic of Korea demonstrated clearly that the available instruments no longer offered the international community adequate assurances that nuclear energy would be used only for peaceful purposes if a State party decided to withdraw from the Treaty. Switzerland believed that in order to prevent abuse the arrangements for the option to withdraw described in article X must be made clear and that the Review Conference should adopt recommendations in that regard on the basis of the relevant working papers.

55. **Mr. Kára** (Czech Republic) said that his delegation associated itself with the statement made by the representative of Luxembourg on behalf of the European Union. While the Czech Republic regarded peaceful use of nuclear energy as one of the pillars of the Treaty and a potential driver of sustainable

development, the nuclear activities referred to in article IV must be undertaken in full conformity with the obligations established elsewhere in the Treaty. Three conditions must be placed on such activities. First, there must be a strong system of international safeguards in order to build confidence and strengthen cooperation. Secondly, measures for the physical protection of nuclear materials must be strictly applied. Thirdly, appropriate legislation and regulations must be introduced to establish effective national controls over the export, transit, trans-shipment and re-export of nuclear-weapon-related items. Recipient States must confirm that they would use nuclear energy safely by signing, ratifying and implementing international agreements on nuclear security and by providing assurances regarding re-transfers.

56. Comprehensive safeguards agreements, supplemented by additional protocols, should be a precondition for new supplies to non-nuclear-weapon States. As the universal implementation of additional protocols would give IAEA credible assurances of the absence of undeclared nuclear activities, States parties should sign and implement such protocols as rapidly as possible. The Czech Republic had a long tradition of cooperating with IAEA in the implementation of safeguards and had become a donor of cooperation in the 1990s, repaying the support it had previously received from the Agency. Many pieces of IAEA safeguards equipment had been tested and calibrated at facilities in the Czech Republic, which was helping IAEA to re-engineer and improve the effectiveness and efficiency of its safeguards system.

57. The Czech Republic welcomed the Global Threat Reduction Initiative, the Proliferation Security Initiative and Security Council resolution 1540 (2004). It had concluded an agreement with IAEA for the repatriation of highly enriched uranium from Czech research reactors to its original supplier, a process begun in 2004 and which would continue until all highly enriched fuel assemblies had been replaced by fuel assemblies with enrichment levels of under 20 per cent. As the international community was gravely threatened by the growing risk of misuse of vulnerable nuclear materials and other radioactive sources, new initiatives to protect against nuclear terrorism should be explored, with IAEA in a central role. The provisions of the Convention on the Physical Protection of Nuclear Material (CPPNM) should apply

not just to international transfers, but also to the domestic use, storage and transport of nuclear material.

58. **Mr. Muñoz** (Chile) said that Chile would protect its inalienable right to enjoy all peaceful uses of nuclear energy, while complying with all of its obligations under articles I, II and III of the Treaty. Chile had signed an additional protocol to its safeguard agreement with IAEA and urged all States parties to do likewise. It recognized that there was no “zero risk” in the nuclear industry and therefore supported all initiatives by IAEA, IMO and other organizations to achieve progress in the multilateral regulation of maritime transport of spent nuclear fuel and radioactive waste. The potentially disastrous consequences of an accident on the population, environment and economy of coastal States dependent on fisheries must be kept in mind. If an accident were to occur, public opinion in the current information age would be swayed far more by perceptions of food safety than by a scientific assessment of the after-effects, and the influence on consumption habits would be felt rapidly. For those reasons, Chile would continue to work closely with States involved in the transport of nuclear materials to exchange full information on shipments and to ensure contingency plans for use in the event of an accident, responsibility for recovering materials lost as the result of an accident and full compensation for personal, environmental and economic harm, including loss of income, caused by an accident.

59. **Mr. Moldogaziev** (Kyrgyzstan) said that, prior to the dissolution of the Union of Soviet Socialist Republics, the territories of the Central Asian and other former Soviet republics had been used for Soviet nuclear programmes. As the major test site was located in Central Asia, Kyrgyzstan and the other Central Asian States had been significant suppliers of raw minerals for those programmes, and uranium ore mining and processing had been established in the region. However, once ended, the consequences of the programmes for the environment and population had been severely underestimated. The areas contaminated by waste repositories and mine spoil containing uranium residues presented considerable, transboundary danger for the States concerned. The threat was worsened by harmful natural phenomena. For example, when waste repositories had been designed, too little account had been taken of the need for long-term protection against events such as seasonal or other flooding.

60. The Central Asian States’ efforts to counter the damaging environmental effects of nuclear testing and uranium mining included monitoring and national and multinational programmes to rehabilitate and replant contaminated land in the immediate vicinity of towns and villages. Although international organizations and other donors had supported those efforts, insufficient resources were available to address what was a critical situation. Kyrgyzstan, also on behalf of Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan, was accordingly proposing for the consideration of Main Committee III a working paper on the environmental consequences of uranium mining (NPT/CONF.2005/MC.III/WP.3). The States on whose behalf he spoke appealed to all international organizations with experience in assessing and rehabilitating land affected by radioactive waste for help in conducting a radiological assessment and in taking corrective action.

61. He recalled his delegation’s statement during the earlier general debate regarding the need to reduce the possibility that terrorists might gain access to fissile material, especially highly enriched uranium, for use in crude nuclear devices and reiterated the need for the Review Conference to discuss ways of improving the security of existing nuclear stockpiles, consolidating them, reducing their size and progressing towards the elimination of highly enriched uranium in the civil nuclear sector. In that connection, it welcomed the working papers presented by Norway on its own behalf and by Iceland, Lithuania and Sweden on combating the risk of nuclear terrorism by reducing the civilian use of highly enriched uranium.

62. **Ms. DeSutter** (United States of America) said that the goal of universal membership of the Treaty became more distant if a State party announced its intention to withdraw, as the Democratic People’s Republic of Korea had done in January 2003. Her delegation was concerned that announcing an intention to withdraw from the Treaty was either a response to being caught in breach of the Treaty or a prelude to acquiring nuclear weapons openly following withdrawal. The statements made by the Democratic People’s Republic of Korea since January 2003 revealed that it was in precisely that situation. The 2005 Review Conference, the first since the withdrawal of the Democratic People’s Republic of Korea, should therefore carefully consider article X of the Treaty.

63. States parties to the Treaty enjoyed benefits not available to those States which had chosen not to join the Treaty. A State which had enjoyed such benefits while violating its obligations and had then withdrawn from the Treaty after pursuing a non-peaceful nuclear programme should not be allowed to profit in any way from its deceit. Should a State party withdraw from the Treaty before remedying its violations, it must remain accountable for those actions even after withdrawal and must understand the consequences of its actions. States parties in general, and the Treaty's depositary Governments in particular, must consider wide-ranging methods to dissuade any States parties from withdrawal and to oppose any expressed intention to withdraw, particularly where that announcement followed a breach of non-proliferation obligations or took place in preparation for pursuit of a nuclear weapons programme.

64. Having made it clear that proliferation of nuclear weapons was a threat to international peace and security, the Security Council must meet promptly to consider the consequences of an intended withdrawal and the possibility of measures stopping short of a withdrawal to address and resolve the extraordinary circumstances cited by the State party concerned. If withdrawal took place, the Security Council should consider the full range of options available under the Charter and warranted by the circumstances, particularly if a State withdrawing from the Treaty had breached obligations that it had not only freely assumed, but that other States parties had taken into account when determining how to protect their own security. The Security Council could request IAEA to provide details of the withdrawing State's compliance with safeguards requirements, processing and enrichment capabilities and any holdings of enriched uranium and plutonium. If the conditions of article X, paragraph 1, were fulfilled and withdrawal from the Treaty was completed, the Security Council might consider stringent measures if it believed that the post-withdrawal situation was a threat to international peace and security. Independently of any Security Council action, the Board of Governors of IAEA should discuss measures to preserve safeguards over nuclear equipment and material in the withdrawing State, report promptly to the Security Council any outstanding compliance concerns relating to safeguards or other issues, and examine whether there were grounds to suspend IAEA technical assistance.

65. Nuclear supplies to States which had withdrawn from the Treaty and were pursuing nuclear activities

without safeguards, or seeking a nuclear weapon capability, should cease. In fact, even the act of announcing an intention to withdraw from the Treaty should be sufficient grounds for halting supplies. Furthermore, States which withdrew from the Treaty should be denied the ability to use nuclear supplies and materials imported while they were still parties to it, as their ability to obtain such supplies and materials would have stemmed from their professed commitment to the Treaty and their acceptance of IAEA safeguards.

66. Supplier States should enshrine in their bilateral nuclear supply agreements the right to seek denial of use, elimination or return to the original supplier of nuclear supplies and materials if the recipient State withdrew from the Treaty, and the Nuclear Suppliers Group, which was already contemplating requiring that IAEA safeguards should apply for the lifetime of the items supplied, could also incorporate a right of return in its export guidelines. Return of such items could also be directed by the Security Council in a resolution under Chapter VII of the Charter if such a response was deemed necessary in the light of the threat to international peace and security. Nuclear suppliers might also meet to consider joint or unilateral action to monitor compliance with bilateral assurances connected with nuclear material and equipment supplied before withdrawal from the Treaty. Furthermore, the concept of removing supplies from a State which had failed to meet its non-proliferation obligations was not new, since it was incorporated in article XII, section B, paragraph 2, and article XII, section C, of the IAEA Statute.

67. States parties with the requisite intelligence and interdiction resources could focus their efforts on a withdrawing State in order to prevent clandestine transfers from contributing to the acquisition of nuclear weapons capability or to the proliferation of such technology to others. While withdrawal from the Treaty remained a sovereign right, States parties also had a sovereign right to consider the effects on their individual and collective security of such a withdrawal. They should make it clear that withdrawal from the Treaty carried consequences, thus deterring such action and furthering the goal of universal adherence.

68. **Mr. Al-Bader** (Qatar), speaking on behalf of the Arab States parties to the Treaty, said that article X of the Treaty affirmed the sovereign right of States parties to withdraw from the Treaty and spelled out the steps necessary for doing so. The Arab States felt that any amendment stiffening the withdrawal procedures and attendant penalties would not only entail a long

ratification process by the national institutions of each State party, but could also have a negative impact on universalization by giving States non-parties additional reasons not to accede. In addition, the indefinite extension approved in 1995 was part of a four-part deal based on the resolution on the Middle East, the decision on principles and objectives, the decision on strengthening universalization and the decision on the indefinite extension. The Committee should therefore review the extent of compliance with the terms of the deal. In particular, universalization of the Treaty in the Middle East continued to be obstructed by Israel's refusal to accede to it.

69. **Mr. Frydenlund** (Norway), introducing on behalf of his own delegation and those of Iceland, Lithuania, and Sweden a working paper on combating the risk of nuclear terrorism by reducing the civilian use of highly enriched uranium (NPT/CONF.2005/MC.III/WP.5), urged the Conference to recommend that trade in, and use of, highly enriched uranium should be limited because of its inherent risk. It urged States not to support new projects involving highly enriched uranium fuel and called on the Conference to establish the goal of its total elimination from the civil nuclear sector as soon as technically feasible.

70. **Mr. Chowdhury** (Bangladesh) said that his delegation supported the working paper presented by the Non-Aligned Group on the substantive issues to be considered by Main Committee III (NPT/CONF.2005/WP.20). The rights and obligations set out in articles I, II and IV of the Treaty obliged States parties to cooperate in the exchange of equipment, materials, scientific and technological knowledge and information regarding peaceful uses of nuclear energy. However, undue restrictions on exports of equipment, materials and technology to non-nuclear-weapon developing States were still being applied, even though they were incompatible with the Treaty and should be removed. The statutory obligations of IAEA to pursue the goals of technical cooperation and peaceful applications of nuclear energy and to implement safeguards and verification regimes must be fulfilled.

71. His delegation was disappointed that some nuclear-weapon States were putting forward extraneous considerations to deny non-nuclear-weapon States the right to the peaceful use of nuclear energy and technology, even in the pursuit of sustainable development. No attempts must be made to use IAEA technical cooperation programmes as a political tool. Rather, States parties should consult each other so that articles I, II and IV of the Treaty could be implemented

in an environment of trust and confidence. Bangladesh shared other States' concern that the Treaty was being interpreted too freely, benefiting none of the States parties. Peaceful uses of nuclear technology held great promise for humanity, and a misplaced concern of a risk of proliferation of nuclear weapons should not cause opportunities to exploit that promise to be missed. The best guarantee against proliferation continued to be total elimination of nuclear weapons. If some States possessed them and used them to advance political interests then other States would naturally also want them.

72. Nuclear technology brought benefits not just through electricity generation but also by helping to resolve old and new development problems associated with hunger, disease, management of natural resources, environmental pollution and climate change. It could, for example, boost the production of tropical plants, combat harmful insects and plant diseases, ensure food safety, reduce air pollution and improve human health. For its part, Bangladesh would remain a non-nuclear-weapon State, as its Constitution provided, and would adhere to its IAEA safeguards commitments. It believed that any threat of attack against peaceful nuclear facilities presented a great danger, because it would reinforce the perceived need to defend against such attack.

73. **Ms. Poulsen** (Denmark) said that her delegation wished to express its support for working paper NPT/CONF.2005/MC.III/WP.5, which had been introduced by the representative of Norway.

74. **The Chairman** said that she had received from the President of the 2005 Review Conference a message for transmittal to the Committee. According to the President, the Conference had entered the crucial phase of preparing the results of its deliberations, but had little time left to do so. He therefore requested the Chairmen of the Main Committees and the Chairmen of the subsidiary bodies to seek an outcome that was short and concise, but balanced and comprehensive. All delegations should continue to show flexibility and cooperation and support the Chairmen of the Main Committees and subsidiary bodies in that task. Despite the time constraints, he trusted that the first draft of the outcome of the work of the Main Committees could be shared with all delegations later that same day.

The meeting rose at 12.35 p.m.

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

Distr.: General
11 January 2007

Original: English

Main Committee III

Summary record of the first part* of the 3rd meeting

Held at Headquarters, New York, on Friday, 25 May 2005, at 10 a.m.

Chairman: Ms. Bonnier (Sweden)

Contents

Draft report of Main Committee III

* The summary record of the second part of the meeting, reconvened on Friday, 25 May 2005, at 3 p.m., appears as document NPT/CONF.2005/MC.III/SR.3/Add.1.

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 10.35 a.m.

Draft report of Main Committee III

(NPT/CONF.2005/MC.III/CRP.4)

1. **The Chairman** said that, if the Committee so agreed, informal consultations would be held with a view to establishing the final version of a text to be submitted to the 2005 Review Conference; a formal meeting would then be convened immediately to adopt that text.

2. *It was so decided.*

The meeting was suspended at 10.40 a.m.

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

30 June 2005

Original: English

Main Committee III

Summary record of the 4th meeting

Held at Headquarters, New York, on Friday, 25 May 2005, at 3 p.m.

Chairman: Ms. Bonnier (Sweden)

Contents

Draft report of Main Committee III (*continued*)

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3.35 p.m.

Draft report of Main Committee III (*continued*)
(NPT/CONF.2005/MC.III/CRP.4)

1. **The Chairman** said that the meeting would be suspended to allow for the continuation of informal consultations on the draft report of Main Committee III.

The meeting was suspended at 3.35 p.m. and resumed at 4.05 p.m.

2. **The Chairman** said that the Main Committee had focused on article III, paragraph 3, and article IV, sixth and seventh preambular paragraphs, of the Treaty on the Non-Proliferation of Nuclear Weapons. The Subsidiary Body had focused on articles IX and X of the Treaty. No consensus had been reached.

The meeting rose at 4.10 p.m.

E. List of participants

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

11 May 2007
English
Original: English/French/Spanish

First session

Vienna, 30 April-11 May 2007

List of participants

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Ms. T. D. G. Molaba	Director Department of Foreign Affairs
Mr. J. Kellerman	Counsellor Permanent Mission in Geneva
Mr. B. J. Lombard	Counsellor Permanent Mission in Vienna
Mr. A. B. Wright	First Secretary Permanent Mission in Vienna
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Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

11 May 2007

ENGLISH/FRENCH/SPANISH

First session

Vienna, 30 April-11 May 2007

List of Participants

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Mr. Mohamed M. El-Neami	Consultant Director of Research Administration National Scientific Research Commission
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**Preparatory Committee for the 2010 Review
Conference of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

8 May 2007

ENGLISH/FRENCH/SPANISH

First session

Vienna, 30 April-11 May 2007

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