

# 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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## National report pursuant to action 20 of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

### Report submitted by Malaysia

1. Pursuant to action 20 of the action plan adopted at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Malaysia submits the present summary report on its national implementation of the 2010 action plan, which also relates to article VI and paragraph 4 (c) of the 1995 decision entitled “Principles and objectives for nuclear non-proliferation and disarmament”.
2. Action 20 states that “States parties should submit regular reports, within the framework of the strengthened review process for the Treaty, on the implementation of the present action plan, as well as of article VI, paragraph 4 (c) of the 1995 decision entitled ‘Principles and objectives for nuclear non-proliferation and disarmament’, and the practical steps agreed to in the Final Document of the 2000 Review Conference, and recalling the advisory opinion of the International Court of Justice of 8 July 1996”.

### Introduction

3. Malaysia reiterates its commitment to pursuing the goal of the total elimination of all nuclear weapons and underscores the importance of multilateral approaches to nuclear disarmament.
4. Malaysia signed the Treaty on the Non-Proliferation of Nuclear Weapons in 1968 and ratified it in 1970. Malaysia recognizes the role of the Treaty as the cornerstone of the global nuclear disarmament and non-proliferation regime and remains fully committed to its obligations under the Treaty.
5. Malaysia is of the view that nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear technology must be addressed comprehensively in all their aspects in a balanced manner.

### Nuclear disarmament

6. The search for genuine measures for disarmament must remain a high priority on the international agenda. In this regard, since 1996, Malaysia has introduced, through the First Committee, an annual General Assembly resolution on the advisory



opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, which has received overwhelming support from the majority of Member States. In its latest such resolution, resolution 76/53, the Assembly, among other things, underlined the unanimous conclusion of the Court that “there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”, and further called upon all States to immediately engage in multilateral negotiations leading to such disarmament, including under the Treaty on the Prohibition of Nuclear Weapons.

7. It has always been the view of Malaysia that nuclear disarmament should be a matter of the highest priority to be dealt with in the Conference on Disarmament. Malaysia is pleased with recent developments in the Conference, such as the approval of participation of all observer States in its work, followed by the adoption of the decision on the work of the Conference on Disarmament for 2022, in February 2022.

8. Malaysia is fully committed to supporting the work of the Conference on Disarmament. The Conference cannot continue to be a forum merely for discussions, or misused as an arena for accusations and recriminations. Instead, it should be a platform for the consolidation of efforts to find common ground, based on the rules of procedure of the Conference, towards guaranteeing peaceful coexistence by overcoming existing, new and emerging challenges in international peace and security.

9. Malaysia signed the Comprehensive Nuclear-Test-Ban Treaty in 1998 and ratified it in 2008. Malaysia continues to urge the remaining 8 of the 44 countries stipulated in annex 2 to the Treaty to take the steps necessary to sign, ratify or accede to the Treaty. Malaysia is opposed to nuclear tests undertaken by any country. Pending the entry into force of the Treaty, the moratorium on all nuclear tests should continue. Malaysia currently hosts a Treaty radionuclide monitoring station coded “RN42”, located in Cameron Highlands, Pahang. It was officially certified by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization on 14 July 2009.

10. The establishment of nuclear-weapon-free zones and the related provision of legally binding negative security assurances by the nuclear-weapon States are vital measures in augmenting the global disarmament and non-proliferation architecture. Malaysia welcomes all efforts aimed at establishing nuclear-weapon-free zones in all regions where they do not exist, especially in regions such as South Asia, North-East Asia and Central Europe, as well as the Middle East through the implementation of the resolution on the Middle East of 1995. Such measures will ban the use, development and deployment of nuclear weapons in those regions, paving the way for the general and complete disarmament of weapons of mass destruction in the world.

11. In South-East Asia, Malaysia continues to underscore the urgency of resolving all issues pertaining to the signing and ratification of the Protocol to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone at the earliest, in line with the aspirations of the Association of Southeast Asian Nations (ASEAN) leaders, as articulated in the ASEAN Political-Security Community Blueprint 2025. Malaysia recognizes that there are different views among ASEAN member States on the way forward. However, Malaysia believes that sustained dialogue between ASEAN member States and the nuclear-weapon States will facilitate meaningful progress. Furthermore, Malaysia believes that ASEAN may draw upon the successful experiences of other regions vis-à-vis the protocols to their respective nuclear-weapon-free zone treaties.

12. Malaysia has consistently pursued the universal objective of general and complete disarmament under strict and effective international control as enshrined,

unambiguously, under the Non-Proliferation Treaty. In this regard, Malaysia is convinced that the Treaty on the Prohibition of Nuclear Weapons complements, and does not undermine, existing international legal instruments relating to nuclear disarmament and non-proliferation, particularly the Non-Proliferation Treaty, the Comprehensive Nuclear-Test-Ban Treaty and the Treaty on the Southeast Asia Nuclear Weapon-Free Zone.

13. Malaysia signed the Treaty on the Prohibition of Nuclear Weapons on 20 September 2017 and ratified it on 30 September 2020, becoming one of the first 50 States to ratify the Treaty and thereby enabling it to enter into force on 22 January 2021. Subsequently, Malaysia participated in the first meeting of the States parties to the Treaty, held in Vienna in June 2022, and was appointed Co-Chair, together with South Africa, of the informal working group on the universalization of the Treaty.

#### **Nuclear non-proliferation**

14. Malaysia fully recognizes the important role of the International Atomic Energy Agency (IAEA) in preventing the proliferation of nuclear weapons through the independent verification of States' compliance with obligations under the Non-Proliferation Treaty and safeguards agreements. As a party to the Treaty, Malaysia has fulfilled its obligations through the conclusion of a comprehensive safeguards agreement, namely the Agreement between the Government of Malaysia and IAEA for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, which was signed on 29 February 1972 and entered into force on the same date.

15. Malaysia, through its regulatory authority, the Atomic Energy Licensing Board, maintains the State System of Accounting for and Control of Nuclear Material to ensure that nuclear material remains in peaceful use and is not diverted for non-peaceful uses. Malaysia is in the midst of finalizing domestic legislation that would allow for the effective implementation and enforcement of nuclear-related international legal instruments, including the Protocol Additional to the Agreement between the Government of Malaysia and the IAEA, which Malaysia signed in 2005.

#### **Peaceful uses of nuclear energy**

16. Malaysia wishes to reaffirm the inalienable right of the States parties to the Non-Proliferation Treaty to engage in research in and the production and use of nuclear energy for peaceful purposes, as enshrined under article IV of the Treaty. In harnessing the full potential of nuclear technology, Malaysia believes that all States must be transparent in their nuclear programmes and gain the confidence of the international community as to the peaceful nature of such programmes, especially by subscribing to the full scope of the IAEA safeguards arrangements and the Treaty.

17. The nuclear research reactor of Malaysia is operated for peaceful purposes in accordance with the obligations stipulated in articles III, IV and V of the Non-Proliferation Treaty. The reactor is also subject to the IAEA safeguards under the Agreement between IAEA and the Governments of Malaysia and the United States of America concerning the Transfer of a Research Reactor and Enriched Uranium, better known as the Project and Supply Agreement, concluded in 1980.

18. Malaysia was elected to serve on the IAEA Board of Governors for the 2020/22 term as a representative for South-East Asia and the Pacific. This decision was reached during the sixty-fourth regular session of the IAEA General Conference, held in Vienna on 24 September 2020.

## **Conclusion**

19. Malaysia reaffirms the importance of the Non-Proliferation Treaty and its role as the cornerstone of the global nuclear disarmament and non-proliferation regime. Malaysia is fully committed to the objectives of achieving general and complete disarmament, combating the proliferation of weapons of mass destruction and sensitive related materials, and ensuring the peaceful uses of nuclear energy. In this connection, Malaysia reiterates its support for the implementation of the disarmament agenda of the Secretary-General, entitled “Securing Our Common Future: An Agenda for Disarmament”, with a view to realizing the relevant goals of the 2030 Agenda for Sustainable Development.

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