

Egypt

**Statement by Indonesia delegation
on behalf of the Group of Member States of the
Non-Aligned Movement Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons
at the First Session of the Preparatory Committee for the 2015 Review Conference of the
Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

on

Cluster 3 issues: Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination

Vienna, 9 May 2012

Mr. Chairman,

1. I am honored to speak on behalf of the **Group of Member States of the Non-Aligned Movement Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**.
2. The Group firmly believes that fostering the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation within which those uses can take place, is one of the fundamental objectives of the Treaty. Moreover, the Group emphasizes that cooperation to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world is the core objective enshrined in the IAEA Statute.
3. The Group emphasizes once more that promoting international cooperation in the peaceful uses of nuclear energy for the realization of “the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty” as stipulated in its Article IV, constitutes one of the fundamental objectives of the Treaty. The Group strongly calls upon all States Parties to the Treaty to fully respect this inalienable right and underscores that nothing in the Treaty shall be interpreted as affecting this right.
4. The Group also reaffirms the importance of the right of States Parties to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy, as well as their right to cooperation among themselves, in particular in the technological field, in contributing to the further development of the applications of nuclear energy for peaceful purposes, with due consideration for the needs of the developing areas of the world. The Group stresses

particularly the obligation of developed countries in the fulfillment of the legitimate right of the developing countries to nuclear energy.

5. The Group is of the firm belief that the full, effective and non-discriminatory implementation of Article IV of the Treaty plays a crucial role in achieving the object and purpose of the Treaty. In this regard, the Group also firmly believes that, any measure aiming at hampering, fully or partly, the fullest exercise of these inalienable rights, would seriously jeopardize the delicate balance between rights and obligations of States Parties in contravention with the Treaty's object and purpose and widen the gap between developed and developing countries in this field.
6. The Group recalls that the Statute of IAEA also stipulated Member States' right to use atomic energy for peaceful purposes, and to promote socio-economic development by way of technical cooperation and the production of electric power with due consideration for the needs of developing countries. To ensure the realization of these goals, all States Parties, developed ones in particular, shall extend their assistance, as requested by States Parties which are States members of the IAEA, in the provision of nuclear equipment, material, technology and scientific and technological information for peaceful purposes with a view to achieving the maximum benefits and applying pertinent elements of sustainable development in their activities for peaceful purposes. In this connection, the Group recognizes the major and important role of the IAEA in assisting, in particular developing States Parties, in planning for and the use of nuclear science and technology.
7. The Group stresses that the IAEA Technical Cooperation programme, is the main vehicle for the transfer of nuclear technology for peaceful purposes, and that the current guidelines and criteria of the IAEA for the selection of technical cooperation projects are robust and effective, and that no additional criteria should be imposed for fulfilling the above objectives.
8. While expressing its full confidence in the impartiality and professionalism of the IAEA, the Group strongly rejects any attempts by any State to politicize the work of the IAEA, including its technical cooperation programme, in violation of its Statute, as well as any pressure or interference in the Agency's activities which could jeopardize the efficiency and credibility of the IAEA. The Group reaffirms that choices and decisions of each State Party to the Treaty in the field of peaceful uses of nuclear energy should be fully respected and its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies shall not be jeopardized.
9. While recognizing that a diverse portfolio of energy sources will be needed to allow access to sustainable energy and electricity resources in all regions of the world, and that States Parties may pursue different ways to achieve their energy security and climate protection goals, the Group once again acknowledges and reaffirms that each State party to the Treaty has the sovereign right to define its national energy policies including fuel cycle policies, in accordance with its national requirements and its rights and obligations under the Treaty.

10. The Group stresses that multilateral approaches to the nuclear fuel cycle, including proposals for assurance of supply, shall fully take into account all technical, legal, political and economic complexities surrounding these issues, and be conducted through wide, integral, comprehensive and transparent multilateral consultations and negotiations. Any decision on such proposals shall be made by consensus, without prejudice to the inalienable right of each State Party, if it so decides, to develop a full national fuel cycle, according to its Article IV.
11. The Group expresses its deep concern on the continued imposition and /or maintaining of limitations and restrictions on exports to developing countries of nuclear material, equipment and technology for peaceful purposes, which is inconsistent with the provisions of the Treaty. In this regard, the Group stresses that the technical cooperation and assistance provided by the IAEA in meeting the needs of its Member States for material, equipment and technology for peaceful uses of nuclear energy shall not be subject to any political, economic, military or other conditions incompatible with the provisions of its Statute. The Group therefore strongly calls for the immediate removal of any restrictions or limitations posed on peaceful uses of nuclear energy which are incompatible with the provisions of the Treaty.
12. In the view of the Group, transfers of nuclear technology and international cooperation among States Parties in conformity with the Treaty shall be supported and pursued in good faith without discrimination. The elimination of constraints inconsistent with the requirements of the Treaty would ensure that Article IV of the Treaty is fully implemented with regard to the facilitation of transfer of nuclear material, equipment and technological information for peaceful purposes among the States Parties.
13. The Group emphasizes that non-proliferation must be pursued and implemented, without exception in all its aspects. The Group further stresses that efforts aiming at nuclear non-proliferation should be parallel to simultaneous efforts aiming at nuclear disarmament. The Group emphasizes that proliferation concerns are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements. The Group further emphasizes that non-proliferation control arrangements should ensure that they do not impose restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development. Furthermore, such arrangements must pursue and implement, without exception, the condition of adherence to IAEA comprehensive safeguards and to the NPT as a condition for supply to or cooperation with States not parties to the Treaty.
14. The Group remains deeply concerned about the ability of certain States not parties to the Treaty to obtain, in particular from some nuclear-weapon States, nuclear materials, technology and know-how to develop nuclear weapons. The Group strongly calls for the enforcement, without exception and further delay, of the total and complete prohibition, as stipulated in the Treaty, of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to States non-parties to the Treaty.

15. The Group recognizes that the primary responsibility for nuclear safety rests with the individual States and reaffirms the central role of the IAEA in nuclear safety related matters including through the establishment of nuclear safety standards. The Group stresses that the IAEA must retain this centrality in this field, owing to its mandatory functions and long-standing expertise. Moreover, the Group emphasizes that measures and initiatives aimed at strengthening nuclear safety and nuclear security must not be used as a pretext or leverage to violate, deny or restrict the inalienable right of developing countries to develop research, production and use of nuclear energy for peaceful purposes without discrimination.
16. The Group once again reaffirms the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities - operational or under construction - poses a great danger to human beings and the environment, and constitutes a grave violation of international law, principles and purposes of the Charter of the United Nations and regulations of the IAEA.
17. The Group while stressing the importance of safeguards and the significance of maintaining the principles of confidentiality regarding safeguards, underlines the vital responsibility of the IAEA in this regard. In the view of the Group, safeguards-related confidential information should not be provided, in any way, to any party not authorized by the Agency.
18. Finally, I would like to draw attention to the relevant Working Papers submitted by the Group, which contain the Group's detailed position.

I thank you, Mr. Chairman.