



**CHAIR OF  
THE COORDINATING BUREAU  
OF THE NON-ALIGNED MOVEMENT**



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**Statement by  
H.E. Ambassador Reza Najafi  
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to the United Nations and other International Organizations in Vienna**

**On Behalf of the Group of Non-Aligned States Parties**

**before  
Main Committee III  
Review Conference of the Parties to  
the Treaty on the Non-Proliferation of Nuclear Weapons  
New York, 4 May 2015**

*In the Name of God, the Most Compassionate, the Most Merciful*

**Mr. Chairman,**

1. I am honored to speak on behalf of the Group of the Non-Aligned States Parties to the Treaty. I congratulate you for your chairmanship and assure you of our full cooperation.
2. The Group emphasizes the importance of 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 in accordance with article IV of the NPT, as one of the fundamental objectives of the Treaty. The Group strongly calls upon all States Parties to the Treaty to fully fulfill their legal obligations to respect this inalienable right and its full realization and underscores that nothing in the Treaty shall be interpreted as affecting this right.
3. The Group reaffirms the right of all States parties to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. The Group also firmly believes that any measures aiming at hampering, fully or partly, the fullest exercise of the inalienable rights under Article IV of the Treaty, would seriously jeopardize the delicate balance between rights and obligations of States parties, in

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contravention with the Treaty's object and purpose and would widen the gap between developed and developing countries in this field.

4. 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 and without discrimination. The Group strongly rejects, and calls for the immediate removal of, any restriction or limitation on the transfer of nuclear equipment, material and technology to other States parties with comprehensive safeguards agreements.

5. The Group of Non-Aligned States Parties to the Treaty emphasizes that the Treaty does not prohibit the transfer or use of nuclear technology, equipment or material for peaceful purposes based on their sensitivity but stipulates only that such technology, equipment and material must be subject to full-scope IAEA safeguards and the provisions of article IV of the Treaty are explicit in that regard, leaving no room for reinterpretation or setting conditions for the peaceful uses of nuclear energy. The Group is of the view that any interpretation that is used as a pretext to prevent the transfer of nuclear technology for peaceful purposes is inconsistent with the objectives of the Treaty. In this regard, the Group expresses its concerns that some States parties have made conditions such as concluding and bringing into force an additional protocol on nuclear export in contravention to Article IV of the Treaty, and calls upon those States parties to remove any such condition promptly. The Group further underlines that concerns related to nuclear non-proliferation shall not, in any way, restrict the inalienable right of any State party to develop all aspects of nuclear science and technology for peaceful purposes, without discrimination, as stipulated in article IV of the Treaty.

6. The Group recognizes the major and important role of IAEA in assisting States parties, particularly developing States, in planning for and using nuclear science and technology. The Group stresses the importance of nuclear knowledge-sharing and the transfer of nuclear technology to developing countries to sustain and further enhance their scientific and technological capabilities, thereby also contributing to their socio-economic development. All States parties, particularly developed States, should extend their assistance in this regard.

7. The Group stresses that the IAEA Technical Cooperation Programme, as the main vehicle for the transfer of nuclear technology for peaceful purposes, should continue to be formulated and implemented in accordance with the IAEA Statute and the agreed guiding principles as contained in INFCIRC/267, while maintaining a balance between technical cooperation and other activities. While expressing its full confidence in the impartiality and professionalism of the IAEA, the Group strongly rejects politicization of the work of the Agency, including its technical cooperation programme and believes that all States parties to the Treaty that are Members States of the IAEA have to ensure that the Technical Cooperation Programme remains firm and sustainable through sufficient, assured and predictable financial and human resources.

8. In this regard, while recognizing that States parties may pursue different ways to access sustainable energy resources and achieve their energy security and climate protection goals, the Group once again reaffirms that each State party, in line with its national requirements and in accordance with its rights and obligations under the Treaty, has a sovereign right to define its national energy and fuel-cycle policies, that, inter alia, includes an inalienable right to develop, for peaceful purposes, a full national nuclear fuel-cycle.

9. The Group stresses that multilateral approaches to the nuclear fuel cycle should fully take into account all technical, legal, political and economic implications and complexities surrounding this sensitive matter, and be economically viable, sustainable, non-discriminatory, predictable and transparent. Additionally, any decision thereon shall be made by consensus, taking into account the interests of all States, and above all, without any prejudice to the inalienable right of NPT States parties to develop research, production and use of nuclear energy and sciences, in all its aspects, for peaceful purposes, and if they so decide, to develop a full national nuclear fuel-cycle in conformity with their obligations under the Treaty.

10. 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 be transparent and open to participation by all States and should ensure that they do not impose restrictions on access by developing countries to material, equipment or technology for peaceful purposes, which such countries require for their continued development. Furthermore, such arrangements must pursue and implement, without exception, the condition of adherence to IAEA comprehensive safeguards and to the Treaty as a condition for the supply to or cooperation with States not party to the Treaty.

11. The Group remains deeply concerned about the ability of certain States not party to the Treaty to obtain, in particular from some NWS, nuclear materials, technology and know-how to develop nuclear weapons. The Group strongly calls for the enforcement, without exception or 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 not party to the Treaty.

12. 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 threat to international peace and security and a great danger to human beings and the environment and constitutes a grave violation of international law, the principles and purposes of the Charter of the United Nations and the regulations of IAEA, including General Conference Resolution GC(34)/RES/533. In this regard, the Group recognizes the need for a comprehensive multilaterally negotiated instrument prohibiting attacks or threat of attacks

on nuclear facilities devoted to peaceful uses of nuclear energy. Moreover, the Group strongly urges all States to undertake unequivocally, in accordance with the purpose and principles of the Charter of the United Nations, to refrain from attacks or threat of attacks on nuclear facilities, operational or under construction, devoted to peaceful purposes.

13. The NAM expresses its serious concern regarding certain unilateral, politically motivated restrictions and/or limitations posed on developing countries that seriously hamper the exercise of the inalienable rights of States parties to develop research, production and use of nuclear energy for peaceful purposes, and believes, in that regard, that interpretations in the application of safeguards shall not be used as a tool to that end. In the view of the Group, article III of the Treaty, while providing for the undertaking by each non-nuclear-weapon State to conclude safeguards agreements with IAEA, is equally explicit in articulating that the implementation of such safeguards shall be in a manner designed to comply with article IV of the Treaty and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes.

14. The Group, while stressing the importance of safeguards, underlines the essential responsibility of IAEA in maintaining and observing fully the principle of confidentiality regarding all information related to the implementation of safeguards in accordance with the Agency's statute and safeguards agreements. The Group emphasizes that the protection of confidential information needs to be highly strengthened and fully respected. Safeguards-related confidential information should not be provided in any way to any party not authorized by the Agency.

15. The Group rejects any attempt aimed at reinterpreting the rights and obligations under the NPT, in a manner inconsistent with its object and purpose and rejects any conditionalities that go beyond the Treaty's provisions. In the same vein, the Group believes that the right of withdrawal from treaties should be governed by international treaty law. The Group reaffirms its position, expressed when this issue was first raised in 2005, that the proposals put forward then went beyond the provisions of the NPT.

**Mr. Chairman,**

16. According to the agenda of the Conference, our mandate is to review of the operation of the Treaty, taking into account the decisions and the resolution adopted by the 1995 Conference and the Final Documents of the 2000 and 2010 Review Conferences. This clearly means we must take account of the past operation of the Treaty itself and all decisions adopted by its Review Conferences in 1995, 2000 and 2010.

17. As a contribution to the work of the Conference, the Group of the Non-Aligned States Parties to the Treaty has presented its Working Papers titled “The inalienable right to develop research, production and uses of nuclear energy for peaceful purposes”, and “Substantive Recommendations”, which details the Group’s position on issues under this Committee. I urge the Committee to consider them and the recommendations contained therein in order to incorporate them into the final report of the Committee.

18. While the Group reserves its right to present further recommendations during the work of the Committee, I would like to present the following recommendations of the Group of the Non-Aligned States Parties to the Treaty:

-To underscore that nothing in the Non-Proliferation Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop, research, produce and use nuclear energy for peaceful purposes, without discrimination, including the development of a full national nuclear fuel cycle, and their right 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 technical cooperation among themselves or international organizations, with due consideration for the needs of the developing countries, and that the realization of these rights constitutes one of the fundamental objectives of the Treaty.

-To reaffirm that any measure aiming at hampering, fully or partly, the fullest exercise of the inalienable rights under article IV of the Treaty, would seriously jeopardize the delicate balance between rights and obligations of the States parties, in contravention with the Treaty’s object and purpose, and would widen the gap between developed and developing countries in the use of nuclear energy for peaceful purposes.

- To reaffirm the sovereign right of each State party to define its national energy and fuel-cycle policies that, inter alia, includes an inalienable right to develop, for peaceful purposes, a full national nuclear fuel cycle, and that such rights of State parties, including expanding their own production capacity in the nuclear fuel cycle, shall not, in any way, be compromised or diminished, including as a result of any possible decision in the context of multilateral approaches to the nuclear fuel cycle.

-To underline that concerns related to nuclear proliferation shall not, in any way, restrict the inalienable right of any State party to develop all aspects of nuclear science and technology for peaceful purposes, without discrimination, as stipulated in article IV of the Treaty, and, accordingly, to call upon the States parties to refrain from any action that would limit certain peaceful nuclear activities on the grounds of their “sensitivity”, as the Treaty does not prohibit the transfer or use of nuclear technology, equipment or material for peaceful purposes based on their sensitivity but stipulates only that such technology, equipment and material must be subject to IAEA comprehensive safeguards.

- To express concern that certain unilateral, politically motivated restrictions and/or limitations seriously hamper the exercise by developing States parties of their inalienable rights to develop research, production and use of nuclear energy for peaceful purposes, including to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.
- To express concern that some States parties have set conditions that limit the export of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy to developing States parties, such as concluding and bringing into force an additional protocol. Any such conditions contravenes article IV of the Treaty, which is explicit in that regard, leaving no room for reinterpretation or setting conditions for the peaceful uses of nuclear energy by non-nuclear-weapon States.
- To reaffirm that any interpretation that is used as a pretext to prevent the transfer of nuclear technology for peaceful purposes is inconsistent with the object and purpose of the Treaty, and, therefore, to strongly call for the fulfilment of the obligations under article 4 (2) of the Treaty with regard to exports, to other States parties, of nuclear material, equipment and technology for peaceful purposes.
- To emphasize that non-proliferation control arrangements should be transparent and open to participation by all States and should ensure and facilitate, to the fullest extent possible, the access by developing countries parties to the Treaty to nuclear material, equipment or technology for peaceful purposes in accordance with the provisions of the Non-Proliferation Treaty.
- To express deep concern over the ability of certain States not party to the Treaty to obtain, in particular from some nuclear-weapon States, nuclear materials, technology and know-how to develop nuclear weapons, and to strongly call for the enforcement, without exception or further delay, of the total and complete prohibition, as stipulated in the Treaty, of the transfer of nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear, scientific or technological fields to States not party to the Treaty.
- To underscore the importance of IAEA assistance in particular to its developing member States in planning for and using nuclear science and technology for peaceful purposes, and the need for strengthening this role of the Agency, and, in this regard, to call on IAEA to ensure a balance between technical cooperation and its other activities.
- To stress that the IAEA Technical Cooperation Programme, as the main vehicle for the transfer of nuclear technology for peaceful purposes, should continue to be formulated and implemented in accordance with the statute of IAEA and the agreed guiding principles as contained in INFCIRC/267 and the decisions of IAEA policymaking organs, as well as under preferential and concessional terms; and to underline that the current guidelines and criteria for the selection of

technical cooperation projects are robust and effective, and that no additional criteria should be imposed for fulfilling the above-mentioned objectives.

- strongly reject any attempt by any State to politicize the work of IAEA, including the use of its Technical Cooperation Programme as a tool for political purposes, which would be in violation of the statute of the Agency.

- To stress the importance of full compliance, by the developed countries parties to the Treaty, with the obligations under article IV (2) of the Treaty, which stipulates that parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the Treaty, with due consideration for the needs of the developing areas of the world, and to underscore, in this regard, that, as a fundamental principle, in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment shall be given to the non-nuclear-weapon States parties to the Treaty, particularly taking into account the needs of developing countries.

- To recognize that the primary responsibility for nuclear safety rests with individual States, to reaffirm the central role of IAEA in nuclear safety-related matters, including through the establishment of nuclear safety standards, owing to its mandatory functions and longstanding expertise; and to stress that any possible review of nuclear safety standards at the global level must be carried out within IAEA in an inclusive, gradual and transparent manner, with the guidance and participation of and in consultation with all member States, that shall incorporate the views of all member States.

- To recognize that the primary responsibility for nuclear security rests with individual States and that IAEA has the mandate, the authority and the central role in the area of nuclear security; and to reaffirm that any process to develop multilateral norms, guidelines or rules on nuclear security should be pursued within the framework of IAEA, should be driven by Member States, should be negotiated multilaterally in a gradual, inclusive and transparent manner incorporating the views of all Member States and should not encroach upon the mandate, competence and central role of IAEA in the area of nuclear security.

- To emphasize 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 States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination.

- To strongly emphasize that any decision in the context of multilateral approaches to the nuclear fuel cycle must be consistent with the IAEA statute and the Non-Proliferation Treaty, without any prejudice to the inalienable right of each State party to the Treaty to develop research,

production and use of nuclear energy and sciences, in all their aspects, for peaceful purposes, and, if it so decides, to develop a full national nuclear fuel cycle, according to article IV of the Treaty; to underscore that such decisions shall be made by consensus following wide, integral, comprehensive and transparent multilateral consultations, with the participation, and taking into account the interests of all IAEA member States, as well as all technical, legal, political and economic implications and complexities surrounding this sensitive matter; and to underline that every effort should be made to ensure that any related mechanism is sustainable, non-discriminatory, predictable, transparent and economically viable, under the auspices of IAEA.

- To reiterate a need for caution in thoroughly addressing the associated technical, legal and economic aspects, as well as the underlying political dimensions of the issue of assurances of nuclear fuel supply, and to stress the necessity to ensure that any further consideration of this issue is based on a coherent and comprehensive conceptual framework that adequately addresses the views and concerns of all States parties and that any proposal that eventually emerges in this regard is in full accordance with the Non-Proliferation Treaty and takes into account the respective legal obligations of States parties and the principle of non-discrimination.

-To reaffirm 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 lives and the environment, and constitutes a grave violation of international law, the principles and purposes of the Charter of the United Nations and resolutions of IAEA; to recognize the need for a comprehensive multilaterally negotiated legally binding instrument prohibiting attacks and the threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy; and, pending the conclusion of such an instrument, to strongly urge all States to refrain from attacks or the threat of attacks on such facilities.

**Thank you Mr. Chairman**