

**Preparatory Committee for the 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 the Palais des Nations, Geneva,
on Monday, 28 April 2003, at 10 a.m.

Chair: Mr. MOLNÁR (Hungary)

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

OPENING OF THE SESSION (agenda item 1)

1. The CHAIR declared open the second session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

2. He recalled that, pursuant to decision 1 of the 1995 Review Conference and the final document of the 2000 Review Conference, the Preparatory Committee was mandated to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, and, to that end, to consider specific matters of substance relating to the implementation of the Treaty and decisions 1 and 2, as well as the resolution on the Middle East adopted in 1995, and the outcomes of subsequent review conferences, including developments affecting the operation and purposes of the Treaty.

3. The work of the States parties was guided first and foremost by the Treaty itself, and thereafter by all the decisions adopted at the 1995 Review Conference and the practical steps agreed on at the 2000 Review Conference for the systematic and progressive implementation of article 6 of the Treaty, and also the valuable recommendations contained in the final document of the 2000 Review Conference relating to the International Atomic Energy Agency (IAEA) safeguards, cooperation in the peaceful uses of nuclear energy, nuclear safety, nuclear-weapon-free zones and universality.

4. He urged States parties not to lose sight, in their work, of the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which was both the central pillar of the nuclear non-proliferation regime and a cornerstone of international peace and security: besides being the sole multilateral instrument through which the nuclear weapons States had undertaken to work towards general nuclear disarmament, the Treaty also constituted a multilateral framework for verification, by IAEA and the safeguards system, of compliance with non-proliferation obligations and it opened the path to international cooperation in the peaceful uses of nuclear technology.

5. Cases of non-compliance with the Treaty's basic non-proliferation obligations would be a focus of the debate in the Preparatory Committee. The effectiveness of the non-compliance regime would certainly be strengthened by new instruments and measures making possible a more effective response to such cases, but it should be recalled that violations of the obligations in question had been rare over the Treaty's 33 years of existence and that, in any event, the 1995 and 2000 review conferences had reiterated the role of IAEA in verifying compliance.

6. The universality of the Treaty would also be a key issue in its work. The closer they examined the issue of universality, the more the States parties would realize that it was not sufficient merely to expand Treaty membership, but that a better understanding was needed of the circumstances which led States to withdraw, so as to guard against the risk of such withdrawals.

7. In the past the Treaty had benefited from the strong support of civil society and its future would also depend upon sustaining that support, including through the involvement of non-governmental organizations, which were always heavily represented at meetings of the States parties.

8. He encouraged all States parties to engage in a constructive and balanced debate, centred on issues and initiatives which would promote attainment of the Treaty's goals, and to focus their efforts on what united and not what divided them.

ORGANIZATION OF WORK OF THE PREPARATORY COMMITTEE (agenda item 7)

Status of the Democratic People's Republic of Korea

9. The CHAIR made the following statement:

“Delegations will recall that the final document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons mandated the chairs of the sessions of the Preparatory Committee ‘to carry out consultations with the States parties to prepare the ground for the outcome of the sessions as well as their agenda’.

“Accordingly, I carried out these consultations, which revealed diverging views on the status of the Democratic People's Republic of Korea in the NPT. It is my conviction that a debate on this issue would only serve to the detriment of the purpose of the Preparatory Committee, namely, ‘to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality’.

“In the light of the above, the Chair has the intention, under his own responsibility, not to open a debate on this issue and to retain the nameplate of the said country temporarily, in his custody. The Chair has therefore asked the secretariat to hold the nameplate in the conference room for the duration of the second session of the Preparatory Committee. This is in no way meant to prejudice the outcome of ongoing consultations on this issue.”

He said that he would take it that the Committee wished to take note of the statement that he had just made.

10. It was so decided.

Timetable of meetings of the Preparatory Committee

11. The CHAIR drew attention to the indicative timetable of meetings of the Preparatory Committee, issued under symbol NPT/CONF.2005/PC.II/INF/2. He said that, if he heard no objection, he would take it that the Committee wished to take note of the indicative timetable and to proceed accordingly in its work.

12. It was so decided.

Participation

13. The CHAIR said that, under the rules of procedures of the 2000 NPT Review Conference, which applied mutatis mutandis to the work of the Preparatory Committee, representatives of the United Nations and IAEA were entitled to attend meetings of the Committee and to submit material, both orally and in writing. Recalling also the decision adopted by the Committee at its first session, regarding the participation of representatives of States not parties to the Treaty, representatives of specialized agencies and international and regional intergovernmental organizations, and also representatives of non-governmental organizations (NPT/CONF.2005/PC.I/21, para. 9), he informed the meeting that, to date, no State had submitted a request to attend the meetings of the Preparatory Committee as an observer, while five specialized agencies and intergovernmental organizations had submitted such requests, namely, the European Commission, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty, the League of Arab States, the Organization of the Islamic Conference and the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL). Requests had also been received from 32 non-governmental organizations wishing to attend meetings of the Committee; a list of those organizations was to be found in document NPT/CONF.2005/PC.II/INF/3.

14. He said that, if he heard no objection, he would take it that the Preparatory Committee wished to take note of those requests to attend its meetings.

15. It was so decided.

GENERAL DEBATE ON ISSUES RELATED TO ALL ASPECTS OF THE WORK OF THE PREPARATORY COMMITTEE (agenda item 4)

16. Ms. HOBBS (New Zealand), speaking on behalf of the members of the New Agenda Coalition, namely, Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden, said that, while there had been positive developments over the previous year, such as Cuba's decision to become a State party to both the NPT and the Treaty of Tlatelolco, there had also been setbacks on nuclear disarmament, such as the decision by the People's Democratic Republic of Korea to withdraw from the Treaty and its declared intention to restart the Yongbyon nuclear reactor, without IAEA safeguards. The Coalition hoped that, through dialogue, a peaceful resolution of the situation could be found at an early date and that the Democratic People's Republic of Korea would reconsider its decision and return to full compliance with the terms of the Treaty.

17. Other situations had also been deeply unsettling: thus, Israel was the only State in the Middle East not to have joined the NPT and it continued to operate nuclear facilities without placing them under IAEA safeguards. In Asia, India and Pakistan maintained their aspirations to possess nuclear weapons. It was vital for those three countries to abandon the nuclear option and to accede to the Treaty without condition.

18. Positive though it might be, the Strategic Offensive Reductions Treaty between the Russian Federation and the United States of America (Moscow Treaty) was unlikely to contribute to nuclear disarmament, since the reductions which it stipulated in the numbers of strategic offensive weapons were not irreversible and did not apply to non-operational warheads and it contained no verification provisions.

19. In general, the New Agenda Coalition was particularly concerned by the fact that security policies and defence doctrines continued to be based on the possession of nuclear weapons and even entailed the possible development of new generations of such weapons as a counter to conventional warfare. That could only further destabilize the NPT regime. In that context, it was vital that the nuclear-weapon States showed leadership by fulfilling the obligations of the Treaty and their undertakings at the 2000 Review Conference. The Coalition called for effective implementation of the 13 practical steps agreed on at that conference, to ensure full implementation of article VI of the NPT. That would be one of the major focuses of the Coalition during the preparatory process for the 2005 Review Conference.

20. Another focus would be the issue of non-strategic or tactical nuclear weapons, which had been neglected thus far. The Coalition believed that the irreversible reduction and elimination in a transparent manner of such weapons constituted an essential element in the nuclear disarmament process. There were real risks of the theft or actual use of such weapons, given their relative portability and the ability to station them in close proximity to conflict areas.

21. The third focus of the Coalition would be the negotiation of legally binding security assurances by the nuclear-weapon States to non-nuclear-weapon States. Those safeguards went hand-in-hand with the formation of nuclear-weapon-free zones. Following Cuba's accession to the Treaty of Tlatelolco, Latin America and the Caribbean were now totally denuclearized. Efforts should be made to ensure the ratification of the treaties of Raratonga, Bangkok and Pelindaba by all States of the regions concerned and the signature of the protocols to these treaties by the nuclear-weapon States concerned.

22. Finally, the Coalition would do all in its power to ensure that the process of reviewing the operation of the Treaty was interactive and led to a genuine debate on the documents and reports submitted by States parties to the Preparatory Committee. In addition, the debate on disarmament and non-proliferation should include civil society and the aspect of disarmament education.

23. The only real guarantee against the use anywhere of any weapons of mass destruction, including nuclear weapons, was their complete elimination and the assurance that they would never be used or produced again. Until that was achieved, it was essential to preserve and strengthen the regime set in place by the NPT, which could be undermined not only by those violating their non-proliferation obligations, but also by those failing to comply with their commitments to demonstrate progress in disarmament and those continuing to remain outside the NPT.

24. Mr. GOOSEN (South Africa) associated his delegation with the statement that had just been made by the representative of New Zealand on behalf of members of the New Agenda Coalition and with that which would be made on behalf of the non-aligned countries which were parties to the NPT.

25. He said that, notwithstanding certain welcome developments, such as Cuba's accession to the NPT and to the Treaty of Tlatelolco, and the signing of the Moscow Treaty, the previous year had primarily been marked by new matters of concern and the lack of any progress in nuclear disarmament. Thus, the international community had witnessed a war undertaken with the stated goal of destroying weapons of mass destruction and the capability to produce such weapons; it had been faced by the decision of the Democratic Peoples' Republic of Korea to withdraw from the NPT, which threatened to encourage other States to denounce the Treaty or to join those countries which were not parties to the NPT and retained the nuclear weapons option. The spectre of a new proliferation of nuclear weapons capabilities and the risk of seeing nuclear weapons fall into the hands of terrorists was becoming an increasing reality. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) had still not entered into force, while the Conference on Disarmament remained deadlocked, unable to undertake the tasks delegated to it by the previous two review conferences. Implementation of the 13 practical steps for nuclear disarmament agreed on by the 2002 Review Conference had made very little progress. In those circumstances, it was important for States parties to forestall any new difficulties and to give practical effect to the consensus agreements reached at the 1995 and 2000 review conferences on measures to implement the Treaty.

26. To that end, States must take full advantage of the sessions of the Preparatory Conference, which, since 1995, had formed an integral part of the Treaty's strengthened review process and which should therefore also give careful consideration to the implementation of the Treaty and of the agreements reached in its context. The current review process, which would culminate in the 2005 Conference, had not, to date, led to substantive interaction between the States parties: such interaction was lacking both in the consideration of the reports that had been submitted on implementation of the provisions of the Treaty and on the practical steps agreed on at the 2000 Review Conference and in the substantive contributions and proposals that were being submitted. The time had perhaps come to take a fresh look at the strengthened review process. In that context, he recalled that the States parties to the Biological Weapons Convention, at their previous review conference in November 2002, had adopted a decision which the NPT States parties could study with a view to applying it to their own strengthened review process. That decision included an element addressing the means through which further progress would be sought in the future and what might be done to strengthen the implementation of the treaty in question. It could therefore easily be adapted to the purposes of the NPT process. His delegation would submit a working paper on the issue to the Preparatory Committee at its current session and requested delegations to study its content for the Committee's third session, at which the Preparatory Committee might consider making recommendations on the issue to the Review Conference.

27. Moving on to the issue of security assurances, he recalled that the 2000 Review Conference had recognized that legally binding security assurances by the nuclear-weapon States to non-nuclear-weapon States parties would strengthen the nuclear non-proliferation regime and called on the Preparatory Committee to make recommendations on that issue to the 2005 Review Conference. The States parties members of the New Agenda Coalition had submitted a working paper on the issue, in which they proposed a draft protocol or agreement prohibiting the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the NPT. He suggested that the proposal should be considered by the Preparatory Committee at its third session.

28. He said that, given the concerns of the international community regarding the possession, proliferation and possible use of weapons of mass destruction and the now virtually universal condemnation of such weapons, States parties should make more decisive efforts to prevent the proliferation of nuclear weapons and to implement the unequivocal commitment to nuclear disarmament which they had all made in 2000. While they could not change human nature, States parties to the NPT were still able, by working for the elimination of nuclear weapons, to ensure that those engines of war, mass-scale destruction and terror were unavailable to humankind.

29. Ms. GABR (Egypt) said that Egypt, like many other countries, remained firmly committed to the multilateral legal framework for the limitation of nuclear weapons and for nuclear disarmament and non-proliferation, which, in her view, was the sole sustainable means of ensuring international and regional peace and security. Egypt was also committed to disarmament in the context of respect for international law and the United Nations mechanisms, which had recently been flouted by certain countries intent on resorting to force in order to constrain others to disarm, and also by those which continued to develop and accumulate nuclear weapons.

30. Under current circumstances, all States parties to the NPT should unequivocally reaffirm the importance of that instrument as the cornerstone of nuclear non-proliferation and disarmament. The truth was that the very authority of the NPT had been called into question. Blame for that rested primarily with the nuclear-weapon States parties to the Treaty which were still a long way from complying with the good faith commitments on the basis of which the non-nuclear-weapon States had agreed, 35 years before, to sign the Treaty and, in 1995, to extend it indefinitely. The enormous nuclear arsenals in today's world could also be the source of the doubts entertained by certain States regarding the actual security which the NPT provided. The very existence of those arsenals also risked reinforcing the belief of those States that the NPT was designed to maintain the status quo in the domain of nuclear weapons and was only binding on those States which had renounced such weapons.

31. In those circumstances, it was vital for the nuclear-weapon States to commence, without further delay, to give effect to the 13 practical steps agreed at the 2000 Conference, with a view to ensuring systematic progress in the implementation of article VI of the Treaty and paragraphs 3 and 4 (c) of its 1995 decision on the principles and objectives for nuclear non-proliferation and disarmament. It was also important for all States parties to the Treaty to endeavour to strengthen the effectiveness of that instrument by working towards its universality and by resolving outstanding problems relating to the system for verifying compliance. Universal accession to the NPT was also to be achieved through the universal application of the IAEA safeguards. It would therefore help if the Agency could formulate a set of tangible steps designed to attain this objective during a predetermined period.

32. Implementation of the resolution on the Middle East adopted at the 1995 Conference was of equal importance. For its part, Egypt was sedulously working towards the creation, in that region, of a nuclear-weapon-free zone, the establishment of which would necessarily entail the accession of all the States of the Middle East to the NPT. All the States of the region had in fact acceded to the Treaty, except Israel, which still refused to place its nuclear installations under IAEA safeguards. That situation was unacceptable and should be remedied and it was up to States parties to ensure that the 1995 resolution, whose validity had been reaffirmed at

the 2002 Review Conference, was implemented and applied across the board to all those concerned. It was not sufficient that the international community had undertaken to verify Iraq's capabilities in the area of weapons of mass destruction: IAEA should also be able to apply its comprehensive safeguards to Israeli nuclear installations. It would be useful for the 2005 Conference to agree on arrangements for following up implementation of the resolution on the Middle East.

33. States parties should also give the necessary attention to the issue of negative security assurances to be given to non-nuclear-weapon States parties to the NPT, protecting them from the use or threat of use of such weapons, pending their complete elimination. The assurances provided through Security Council resolution 984 (1995) were insufficient to meet the legitimate needs of non-nuclear-weapon States in that area: given that certain States were continuing to entertain the notion of nuclear dissuasion and even the possibility of the pre-emptive use of force, it was essential to launch negotiations on a legally binding instrument which would effectively protect non-nuclear-weapon States from the use or threat of use of such weapons.

34. Finally, efforts must be made to surmount obstacles preventing States parties from exercising the right enshrined in article IV of the NPT to the use of nuclear energy for peaceful purposes in the interests of their own development. To that end, greater transparency was called for in the monitoring of nuclear technology transfers and consideration must be given to placing all the nuclear activities benefiting from those transfers under safeguards, including the activities of both NPT States parties and non-States parties. The financial and political support provided to IAEA should also be increased, both for the purpose of the implementation of its safeguards system and for its technical cooperation programme.

35. Egypt would continue to work within the Coalition for a new agenda to be followed by the non-aligned countries in pursuit of the goals of the NPT.

36. Mr. ALBIN (Mexico) said that his country fully supported the statement by the representative of New Zealand on behalf of the members of the New Agenda Coalition and wished to add some observations on issues of particular concern to the Mexican Government.

37. Certain recent developments at the international level had had repercussions for the nuclear non-proliferation regime, including the system of IAEA assurances and the CTBT. It was therefore all the more essential that tangible and effective progress should be made, at all levels, in implementing all the provisions of the NPT and in giving effect to the commitments enshrined in the decisions and the resolution adopted in 1995 and in the final document of the 2000 Conference. Mexico hoped that the Preparatory Committee for the 2005 Conference would be able to come up with specific recommendations to that effect.

38. In 1995, the nuclear-weapon States had manifested their wish to make steady and systematic progress towards reducing nuclear arms as a whole, and had then given an unequivocal undertaking, in 2000, to eliminate their nuclear arsenals and to adopt a number of specific measures to carry forward the nuclear disarmament process. Clearly there had been no progress in that respect: on the contrary, some countries were even nursing alarming aspirations to develop new generations of nuclear weapons. In the long term, the possession of nuclear weapons could only be harmful to the international nuclear non-proliferation regime and

compromise international peace and security. Accordingly, efforts should be made to identify new means of ensuring that tangible progress was achieved in the elimination of nuclear weapons and in application of the 13 practical steps agreed on in 2000.

39. Mexico was convinced that, by submitting regular reports on the implementation of article VI of the Treaty, all States parties would be able to demonstrate what they had undertaken towards achieving nuclear disarmament and that such reporting would, in particular, give the five nuclear-weapon States an opportunity to provide information on the measures they had taken to reduce their arsenals in a verifiable, irreversible and transparent manner, in line with the 13 practical steps for nuclear disarmament. In Mexico's view, States parties could investigate, pursuant to the provisions of paragraph 6 of decision 1 of 1995 on strengthening the Treaty's review process, the possibility of establishing a subsidiary body to meet intersessionally to develop recommendations on the formats for national reports on the implementation of article VI.

40. The reduction of nuclear non-strategic weapons was an indispensable element of the nuclear disarmament process and should also one day be covered by legally binding agreements. Mexico intended to submit a working paper which, it hoped, would be conducive to discussions on recommendations which might be made to that end at the 2005 Conference. In that context, it also believed that the relevant bilateral arrangements entered into by the United States of America and the Russian Federation should be rendered legally binding.

41. Until such time as nuclear disarmament was achieved, a legally binding instrument should be negotiated which would safeguard non-nuclear-weapon States against the threat or use against them of such weapons. Such an instrument was all the more necessary since the nuclear non-proliferation regime was in danger of becoming weakened if the threatened development of a new generation of nuclear weapons was to become a reality and if such weapons were to be deployed in the new security strategies or if States were to start withdrawing from the NPT. In that context, it was Mexico's hope that the Democratic People's Republic of Korea would overcome its differences with IAEA and that a satisfactory solution would be found to the problem which had caused that country to withdraw from the Treaty.

42. Mexico welcomed Cuba's accession to the Treaty of Tlatelolco, which had brought to completion the world's first inhabited nuclear-weapon-free zone. It urged all States which had not yet done so to ratify the treaties of Rarotonga, Bangkok and Pelindaba or to accede to the protocols to those treaties, as appropriate.

43. Finally, he stressed the utmost importance of raising awareness in the area of disarmament and involving all population sectors in such efforts.

44. Mr. SMITH (Australia) said that the Committee's second session was taking place at a time of uncertainty for the international community with regard to the health of the nuclear non-proliferation regime set in place by the Treaty. While cases of non-compliance with the Treaty's contractual obligations were rare, they directly threatened to undermine the rationale for the Treaty. All NPT parties had a responsibility to tackle such cases of non-compliance and to bring home to those responsible that the price of proliferation was unacceptably high. Those breaching their non-proliferation obligations must also be cut off from the benefits brought by the NPT, at both the level of security and that of economic advantages deriving from access to

peaceful nuclear technology. The Preparatory Committee could usefully work on developing common understandings on the issue of non-compliance, which could be adopted at the 2005 Review Conference.

45. The Security Council, to which IAEA was obliged to report any incidents of non-compliance with safeguards agreements, should, for its part, clearly demonstrate that non-compliance could and would be dealt with effectively. The Council's inability to agree on resolute measures to tackle the threat posed by Iraq's weapons of mass destruction had been a great disappointment to many countries.

46. The nuclear intentions of the Democratic People's Republic of Korea jeopardized security not only in its own region but also more widely: by continuing to defy the will of the international community, that country would be increasingly alienated from the economic and other benefits which it so badly needed. Australia vested great hope in the talks launched in April 2003 with the Democratic People's Republic of Korea and expressed its appreciation to China for the role that it had played in that process.

47. The ambitious pursuit by the Islamic Republic of Iran of highly sensitive nuclear technology was also cause for concern, especially given that country's position in a region which had already experienced the proliferation of weapons of mass destruction. Australia urged the Islamic Republic of Iran to extend the maximum possible cooperation to IAEA and urgently to conclude a safeguards-strengthening additional protocol. He also called upon India, Pakistan and Israel to accede to the NPT as non-nuclear-weapon States and welcomed the accession of Cuba.

48. Article VI commitments were a central obligation of the Treaty. Useful progress, albeit not entirely uniform, had been made on nuclear disarmament. In that context, he singled out the Moscow Treaty, which, among other things, ushered in closer cooperation between the United States and the Russian Federation in the area of arms limitation. It was to be hoped that the two countries would take advantage of their new relationship to pursue further reductions in strategic and non-strategic nuclear weapons, irrespective of their operational status, and that other nuclear-weapon States would also make further progress in nuclear disarmament. As for the 13 nuclear disarmament steps agreed by the 2000 Review Conference, some were ready for application while others were of a long-term nature. It was important, however, to ensure that the overall intent of the steps was maintained.

49. The non-nuclear-weapon States could, for their part, encourage an environment favourable to progress on nuclear disarmament, including by supporting the non-proliferation regime and the CTBT, which already had 98 States parties and 168 signatory States. Until the CTBT entered into force, existing moratoriums on nuclear testing must be maintained and strong support sustained for the development of the Treaty's international monitoring system. Australia called on India and Pakistan to maintain the moratoriums which they had announced and hoped that they would soon sign the CTBT. The situation regarding those two countries was a good illustration of the dangers of nuclear proliferation, since the tensions between them were rendered so much more serious by the risk of a resulting catastrophic nuclear conflict: far from strengthening their security, nuclear weapons had diminished it.

50. Australia also expected the Preparatory Committee to reiterate its support, at its second session, for the early negotiation of a treaty to ban the production of fissile material for nuclear weapons and called upon all relevant States to join the moratoriums on the production of such fissile material announced by the United States, the Russian Federation, the United Kingdom and France. It also urged States to sign and ratify the Convention on the Physical Protection of Nuclear Material and called upon the States parties to the Convention to adopt at the earliest stage the provisions which had been recently agreed upon at Vienna with a view to strengthening that instrument.

51. Australia strongly supported the central role played by IAEA in international efforts to combat the risk of nuclear terrorism. It had already made a contribution to the IAEA Nuclear Security Fund and encouraged others to follow its example. It was important that IAEA should have a strong kit of legal and practical tools to implement its tasks as the NPT verification agency. Given current concerns about compliance with NPT obligations, it was all the more important to achieve the widest possible application of the additional protocols on strengthened safeguards: where those States applying comprehensive safeguards were concerned, it was not so much a question of taking on additional commitments as of giving effect to the latest stage in the evolution of the Agency's safeguards system.

52. The NPT had extensively facilitated access to peaceful nuclear applications, balancing the obligations entered into by States under the Treaty. Australia had actively participated in nuclear technology transfer and in technical cooperation activities intended to foster the peaceful uses of nuclear energy. There was a clear relationship between the non-proliferation objectives of the Treaty as a whole and the specific objectives of its article IV relating to the peaceful uses of nuclear energy and, in the current review process, States parties should therefore strongly support the application of effective nuclear export controls.

53. The obligations imposed under the NPT were not given lightly and went to the heart of the security interests of the States parties. Accordingly, withdrawal from the NPT should be regarded as an issue of the utmost international importance and should only be possible in the most exceptional circumstances. The NPT remained the world's best defence against the spread of nuclear weapons and was the only global treaty dedicated to their eventual elimination.

54. Mr. KASRI (Indonesia) said that his country fully endorsed the statement made by the representative of Malaysia on behalf of the non-aligned countries. He remarked that the hopes arising from the end of the cold war for stability and peace based on the steady elimination of nuclear weapons had been dashed. Efforts to achieve nuclear disarmament continued to be undermined by the persistence of narrow strategic considerations and by the unilateral assertion of national security interests. A new doctrine had emerged which promoted the principle of pre-emptive nuclear strikes, even against non-nuclear States. There were increasing prospects of an arms race in outer space and evidence of missile proliferation. The tragic events of 11 September had highlighted the risks of terrorists gaining access to weapons of mass destruction. A great deal remained to be done to ensure nuclear safety worldwide and the physical security of nuclear materials. A case in point was the indefinite retention of nuclear weapons, which brought with it risks of proliferation and the accidental or deliberate use of those weapons. It was clearly impossible to achieve meaningful reductions in nuclear arsenals, let alone to eliminate them altogether, while those arsenals remained a central element of strategic doctrines of the major military powers.

55. It was high time for States to make definite progress towards nuclear disarmament by adopting a series of measures for the reduction of nuclear arsenals, following a fixed time frame. That was crucial to the integrity and sustainability of the nuclear non-proliferation regime. To that end, all States parties to the NPT, in particular the nuclear-weapon States among them, must submit regular reports on their implementation of their Treaty obligations, including those under article VI, as well as those arising from the decisions and measures agreed to at the 1995 and 2000 conferences, with the aim of instilling confidence in the non-proliferation regime among the non-nuclear States parties to the NPT, which had long been complying with their own obligations.

56. States parties to the NPT had submitted numerous proposals, both individually and by groups, to the Preparatory Committee on specific issues coinciding with the priorities of States and conducive to steady and tangible progress towards nuclear disarmament. Some of those proposals related to a fissile material cut-off treaty, which, in his view, should cover both existing stocks and future production of such materials and include a non-discriminatory verification system. Such a treaty would significantly help prevent access by terrorist groups to the materials in question.

57. Other proposals related to the establishment or strengthening of existing nuclear-weapon-free zones. The growth over previous years in the number of such zones was evidence of their usefulness, since they helped stem nuclear proliferation, promoted a more stable strategic environment and brought to their successful conclusion concerted efforts by the international community to rid the world of the inherent menace posed by such weapons. Turning to the Treaty of Bangkok, establishing the south-east Asia nuclear-weapon-free zone, he regretted that the nuclear-weapon States were unaccountably delaying their accession to the Protocol to the Treaty, which was an essential prerequisite for the effectiveness of the zone. He expressed the hope that negotiations under way to secure the accession of those States would be successfully concluded.

58. Some States parties had taken up the cause of the first of the 13 steps adopted at the 2000 Review Conference, namely, the entry into force of the CTBT at an early date, and, in the meantime, the maintenance of a general moratorium on testing, both of which would put to the test the sincerity of the nuclear-weapon States. Others were calling for a reduction in tactical nuclear weapons, the physical security of which remained a constant concern to the international community. Those weapons, which were not covered by any agreement, had been conceived in the context of the cold war and had therefore lost their military rationale and were now obsolete. That notwithstanding, tactical nuclear weapons were profoundly destabilizing and even more prone than other weapons to the danger of accidental or unauthorized use and should therefore be eliminated as a matter of priority.

59. Some of the above-mentioned proposals related to the reduction of nuclear dangers and the strengthening of international security, including through measures to reduce the operational status of nuclear weapons and to ensure increased transparency in the area of weapons capabilities, the renunciation of the first use of nuclear weapons and the deployment of weapons outside the territories of weapon States, and the conclusion of an international convention on security assurances. Other proposals were designed to strengthen technical cooperation in the framework of the NPT, an area of increasing importance given the projected expansion of

nuclear power in ensuring the overall economic growth of developing countries. The IAEA safeguards system would have an important role in that context, as would the transparency of export control regimes.

60. It was his delegation's view that many of the proposals were realistic and entirely achievable. They should be considered in the light of the evolving international situation, with a view to formulating recommendations for consideration by the 2005 Review Conference.

61. Ms. NASCIMBENE DE DUMONT (Argentina) said that, given the formidable problems on the current international scene, it was essential for the States parties to the NPT to work to strengthen the Treaty's regime and to resist the growing belief that there was no reason not to withdraw from the Treaty or not to accede to it at all. The withdrawal from the NPT of the Democratic People's Republic of Korea posed an unprecedented challenge to the non-proliferation regime and, while any withdrawal should be deplored, consideration should also be given to its repercussions both for the non-proliferation regime and for the country making such withdrawal. A much clearer distinction should be made between States parties to the Treaty and those which were not parties, to give greater prominence to the rewards and penalties for the former and the latter, respectively, so as to encourage the latter to become parties and to discourage those tempted to withdraw. Turning to the issue of the near-universal adherence to the NPT and the vital importance of the non-proliferation of nuclear weapons for international peace and security, she said that it could legitimately be argued that there was at least a moral obligation, even for those which had not acceded to the Treaty and had not concluded any agreements arising from it, not to undermine the nuclear non-proliferation regime.

62. The purposes of the NPT would not be achieved until nuclear weapons had been totally eradicated. While there had been encouraging moves in the right direction, such as the unequivocal commitment by the nuclear Powers to pursue that goal, the proclamation of the principle of irreversibility of disarmament measures and, at a more general level, the 13 nuclear disarmament steps agreed upon in the final document of the 2000 Review Conference, it was still essential for the nuclear-weapon parties to the Treaty to give tangible effect to their commitments and to submit regular reports on what they had done to that end.

63. With regard to the safeguards system, which prevented the diversion of nuclear materials intended for peaceful activities, she pointed out that, for more than 10 years, Argentina and Brazil had been applying a common system of accounting for and monitoring such materials, which, while ensuring the transparency of nuclear activities, had also strengthened confidence between the two countries and enabled them to develop cooperation in the nuclear domain. There was a system which could equally be applied in other areas of the world. Just like the safeguards systems, nuclear export control systems helped prevent the proliferation of nuclear weapons, while promoting peaceful nuclear cooperation, and should therefore be strengthened.

64. The NPT recognized the inalienable right to the use of nuclear energy for peaceful purposes and exercise of that right was a priority for Argentina. The Treaty gave its States parties a framework in which they could develop the peaceful uses of nuclear energy through exchanges of scientific and technological equipment, materials and knowledge, and Argentina had participated extensively in such exchanges in the past. It was important that such exchanges were conducted in a transparent manner and were placed under the regime for the physical protection of nuclear materials, so as to avoid the risk of nuclear terrorism.

65. Mr. ISA (Malaysia) speaking on behalf of the members of the Movement of Non-Aligned Countries which were parties to the NPT, recalled that, at their third summit meeting, held in Kuala Lumpur in February 2003, those States had reaffirmed that multilaterally agreed solutions provided the only sustainable method of dealing with the multiplicity of disarmament and international security issues. The countries on behalf of which he spoke remained fully committed to their obligations under the Treaty and the agreements reached at both the 1995 and 2000 review conferences and, in that regard, recalled the working papers which they had submitted both to the 2000 Review Conference (NPT/CONF.2000/18) and to the Preparatory Committee at its first session (NPT/CONF.2005/PC.I/WP.2 and WP.14).

66. The non-aligned States remained convinced that the NPT was a key instrument in efforts to halt the vertical and horizontal proliferation of nuclear weapons and that States parties should work towards a fair balance between the mutual obligations and responsibilities of the nuclear and non-nuclear-weapon States, with a view to achieving the ultimate objective of the complete elimination of nuclear weapons. The non-aligned States reiterated their conviction that universal adherence to the Treaty should be pursued as a matter of priority. They therefore welcomed the accession of Cuba to the Treaty, encouraged India and Pakistan to join it as non-nuclear-weapon States and to place all their nuclear facilities under comprehensive IAEA safeguards and hoped that it would be possible to resolve, through negotiations, all issues related to the withdrawal from the Treaty of the Democratic People's Republic of Korea.

67. The non-aligned States had always favoured the establishment in the Middle East of a zone free of nuclear weapons and other weapons of mass destruction, in accordance with the General Assembly resolutions on that matter and resolutions 487 (1981) and 687 (1991) of the Security Council. In order for such a zone to come into existence, it was essential for Israel, the only country in the region that had not joined the NPT, to do so without delay and to renounce the possession of nuclear weapons and immediately to place all its nuclear facilities under IAEA safeguards. The non-aligned States continued to consider the establishment of nuclear-weapon-free zones by the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba as positive steps towards attaining the objective of global nuclear disarmament and welcomed the efforts aimed at establishing new zones of that kind in all regions of the world, including central Asia. They had always supported the nuclear-weapon-free status of Mongolia and considered that the institutionalization of that status would substantially contribute to the strengthening of the non-proliferation regime in that area. They reiterated the need for nuclear-weapon States to provide the States parties to treaties on the creation of nuclear-weapon-free zones with unconditional assurances against the use or threat of use of nuclear weapons. They supported the initiative of convening an international conference of States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, to consider means of widening cooperation among them, the treaty agencies and other interested States. Nuclear disarmament also entailed the total abandonment of nuclear testing and it was important therefore to ensure that the CTBT achieved universal adherence.

68. The non-aligned States reaffirmed the importance of the IAEA safeguards system. They believed that the international community should endeavour, first and foremost, to achieve the universality of the comprehensive safeguards system, rather than pursue additional restrictions on non-nuclear-weapon States, and they strongly rejected attempts by any member State to use the IAEA technical cooperation programme as a tool for political purposes, in violation of the Agency's Statute. The non-aligned States reaffirmed the inalienable right of all States parties to

the NPT to engage in research into and the production and use of nuclear energy for peaceful purposes without discrimination and maintained that the unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes should be fully assured.

69. On the issue of the dumping of radioactive wastes, the non-aligned States recalled resolution 56/24 L of the United Nations General Assembly and welcomed resolution 1356 on the Bamako Convention, adopted in 1991, at its fifty-fourth ordinary session, by the Council of Ministers of the Organization of African Unity; they repeated their call for the effective implementation of the IAEA code of practice in that area.

70. The non-aligned States reiterated their urging to the nuclear-weapon States to accomplish, without further delay and through an accelerated process of negotiations and the full implementation of the 13 practical steps agreed upon at the 2000 Review Conference, the total elimination of their nuclear arsenals, in line with the unequivocal undertaking that they had given at the 2000 Review Conference to attain nuclear disarmament. Regrettably, the nuclear Powers had made very little progress in that matter. In fact, thousands of nuclear weapons were still deployed and their exact numbers were unconfirmed, given the lack of transparency in various weapons programmes. While the signing of the Moscow Treaty between the Russian Federation and the United States of America was to be welcomed, the fact remained that reductions in deployments and in operational status were no substitute for irreversible cuts in, and the total elimination of, nuclear weapons. The nuclear-weapon States had done nothing to reduce the operational status of those weapons in their security policies and one State was even considering the possibility of their use, under circumstances which it would determine, against certain countries. Abrogation of the Treaty on the Limitation of Anti-Ballistic Missiles (ABM Treaty) and the implementation of national missile defence systems could trigger an arms race on earth, which could spread to outer space. In addition, the CTBT had still not entered into force even though it had been signed by 167 States and ratified by 98. The non-aligned countries reaffirmed that, if the objectives of the Treaty were to be fully realized, the continued commitment of all States signatories, especially the nuclear-weapon States, to nuclear disarmament was essential. Finally, the inflexible postures of certain nuclear-weapon States had prevented the Conference on Disarmament from establishing an ad hoc committee on nuclear disarmament. The non-aligned States continued to believe in the need for negotiations on a phased programme for the complete elimination of nuclear weapons following a fixed timetable and, in that context, recalled the advisory opinion handed down by the International Court of Justice in 1996. Attention should also be given to the continuing inability of the Conference on Disarmament to resume its negotiations on a treaty banning the production of fissile materials for nuclear weapons and other explosive devices.

71. Those issues of concern reflected a deepening crisis in multilateral disarmament diplomacy. The non-aligned countries were convinced of the need to strengthen the role of the United Nations in resolving those issues and therefore supported the convening of a fourth special session of the General Assembly devoted to disarmament, with the participation of all Member States, to review and appraise the implementation of the final document adopted by the first special session on disarmament, and to reaffirm the principles and priorities of that document. Efforts must be made to hold, at the earliest possible date, the international conference called for in the United Nations Millennium Declaration, with the objective of

arriving at an agreement on a phased programme for the complete elimination of nuclear weapons, following a fixed timetable, for the prohibition of their development, production, acquisition, testing, stockpiling, transfer, use or threat of use and for their destruction.

72. In the view of the non-aligned States, at its first session, the Preparatory Committee had dealt with most of the procedural issues necessary for the 2005 Review Conference. A substantive discussion was now needed on the issues raised by the States parties, so as to continue strengthening the implementation of the Treaty and the undertakings agreed upon at the 2000 Review Conference and also to lay the necessary foundation for the development of recommendations for the 2005 Conference. To that end, at its current session, the Preparatory Committee should substantially focus on nuclear disarmament, so as to ensure that States parties gave a proper account of their progress in that regard. The non-aligned States expected the States parties to the Treaty, in particular the nuclear-weapon States, to submit reports to the Preparatory Committee at each of its sessions and, with regard to article VI and the issues and principles addressed by the 13 practical steps agreed at the 2000 Review Conference, to describe their policies and intentions in that area as well as what they had done to that end.

73. The Preparatory Committee should also give careful attention to the issue of the Middle East and, in that context, the non-aligned States recalled that the final document of the 2000 Review Conference had invited all States parties to the Treaty, in particular the nuclear-weapon States, the Middle Eastern States and other concerned States, to report to the Chair of the 2005 Review Conference, as well as to the chairs of the Preparatory Committee's sessions, on the steps that they had taken to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on that issue.

74. The Preparatory Committee should also focus on security assurances, having been requested to make recommendations on that issue to the 2005 Review Conference. In that context, the non-aligned States recalled that, pending the total elimination of nuclear weapons, efforts should be pursued as a matter of priority to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States.

75. Finally, the non-aligned States reaffirmed the importance of establishing, at the 2005 Review Conference, a subsidiary body within Main Committee I to deliberate on practical steps for systematic and progressive efforts to eliminate nuclear weapons, as well as a subsidiary body to Main Committee II to consider and recommend proposals on the implementation of the resolution on the Middle East adopted by the 1995 Conference. In that regard, they stressed the need for the Preparatory Committee to include in its programme of work deliberations on nuclear disarmament, on the implementation of the 1995 resolution on the Middle East and on security assurances.

76. Mr. KRIEKOUKIS (Greece), speaking on behalf of the European Union, said that the acceding countries, namely, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries, namely, Bulgaria, Romania and Turkey, and the members of the European Free Trade Association (EFTA) - Iceland, Liechtenstein and Norway - and those of the European economic area all aligned themselves with his statement.

77. Recalling that the NPT was the cornerstone of the global non-proliferation regime, the point of departure for nuclear disarmament and a vital element in the further development of the applications of nuclear energy for peaceful purposes, he said that the Treaty could only fulfil its role if its State parties were confident that all of them were complying with its provisions. The nuclear programmes of certain countries, including the Democratic People's Republic of Korea, were currently causing concern, since there was a fear that their civilian programmes could be misused for military ends. The European Union member States deplored the announcement by the Democratic People's Republic of Korea of its intention to withdraw from the NPT and encouraged that country to reconsider its decision. It was important for the Democratic People's Republic of Korea to fulfil its commitments under the NPT and to readmit IAEA inspectors to its nuclear facilities. Any clandestine nuclear weapons programme should be dismantled immediately in a verifiable manner. The European Union was determined to contribute to the search for a peaceful solution, through negotiations, to the nuclear issue in that country. Turning to the question of Iraq, he said that IAEA, acting on the basis of Security Council resolution 687 (1991), had been able, until December 1998, to form a coherent picture of that country's nuclear weapons programme and had dismantled what had been known of that programme. To date, IAEA had found no evidence that Iraq had relaunched its nuclear programme and inspections should be resumed to resolve the remaining questions.

78. The European Union would continue its efforts to maintain the authority and integrity of the NPT. It was ready to consider other means of strengthening the efficiency of that regime, through instruments and procedures to react to cases of non-compliance. In that context, it recognized the need for a properly funded safeguards system to be applied by IAEA and was prepared to consider increasing the IAEA safeguards budget to meet its needs in that area. The universal adoption and implementation of comprehensive safeguards agreements, and additional protocols to them, were prerequisites for an effective and credible safeguards system. It was to be regretted that 47 States had yet to conclude safeguards agreements with the Agency, as they had undertaken to do under the NPT, and that additional protocols had only entered into force for 32 States. All European Union member States had either ratified additional protocols or were in the process of so doing and they urged States that had not yet done so to follow suit. The European Union also attached great importance to achieving the universality of the NPT and therefore welcomed Cuba's accession to the Treaty and the internal steps taken by Timor-Leste in that regard. At the same time, it continued to call on India, Israel and Pakistan to accede unconditionally to the NPT as non-nuclear-weapon States.

79. The European Union welcomed the conclusion of the Moscow Treaty between the Russian Federation and the United States on strategic offensive reductions, which it saw as an important contribution to international security and efforts by the international community in the field of disarmament and non-proliferation. In that context, it recalled the principles of irreversibility and transparency. The European Union stressed the importance of international cooperation, including in the framework both of the G-8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction and of its own cooperation programme for the Russian Federation, for the elimination of nuclear weapons and disposal of fissile materials. Such cooperation had therefore become an effective tool of nuclear disarmament and non-proliferation.

80. The European Union remained committed to the full implementation of the resolutions on the Middle East adopted by the Security Council and by the 1995 NPT Review and Extension Conference. If all the States of the region were to conclude comprehensive safeguards agreements and additional protocols with IAEA, they would substantially contribute to the strengthening of security and confidence and to peace and stability in the Middle East, as Israel would do by acceding to the NPT and placing all its nuclear facilities under IAEA safeguards. The European Union urged all States in the region to accede to the biological and chemical weapons conventions and to work to establish an effectively verifiable zone free of nuclear weapons, as well as of other weapons of mass destruction and their means of delivery, in that region.

81. The European Union would continue to encourage progress by States towards disarmament, so as to give effect to the provisions of article VI of the NPT and to the decisions of the 1995 and 2000 conferences. It attached the utmost importance to the CTBT and urged all States which had not yet signed and ratified it to do so without delay and unconditionally, in particular the 13 States whose ratification was still required for its entry into force. In the meantime, it urged all States to observe a moratorium and to refrain from any actions which were contrary to the Treaty's provisions. The European Union commended the work of the provisional technical secretariat of the CTBT Organization and looked forward to participating in the conference on facilitating the entry into force of the CTBT, to be held in September 2003 in Vienna.

82. The European Union deeply regretted the impasse in which the Conference on Disarmament had been stuck for almost seven years. It believed that a solution should be found so that negotiations could begin on a non-discriminatory, internationally and effectively verifiable legally binding instrument banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Such an instrument would make an important contribution to nuclear non-proliferation and disarmament. The Union noted the willingness of India and Pakistan to participate in the negotiation of a treaty to that end and urged all States to declare a moratorium on the production of such materials, pending the entry into force of the planned treaty, and welcomed the moratoriums declared by certain of the five nuclear-weapon States.

83. The issue of the reduction of non-strategic nuclear weapons should be an integral part of the nuclear arms control and disarmament process. The European Union looked forward to the fulfilment of the United States and Russian presidential declarations of 1990 and 1991 regarding the unilateral reductions of their holdings and called upon all States concerned to start negotiations on an effectively verifiable agreement designed to achieve, in the best conditions, the maximum reductions of those weapons.

84. The European Union was convinced that the application of the principle of irreversibility to nuclear disarmament and arms control and reduction measures, together with transparency in the fulfilment of treaty obligations, were conducive to the maintenance and strengthening of international peace, security and stability.

85. The European Union recognized the value of the existing security assurances, as provided through the protocols to treaties on the creation of nuclear-weapon-free zones and the unilateral declarations of the nuclear-weapon States. It believed that legally binding security assurances strengthened the NPT regime and called on the Preparatory Committee to make recommendations on that issue to the 2005 Review Conference.

86. The European Union acknowledged the importance of nuclear-weapon-free zones established on the basis of agreements freely arrived at among the States of the regions concerned. Such zones, which enhanced global and regional peace and security, were all the more necessary at the current time. Its States members therefore welcomed and supported the signature and ratification by the nuclear-weapon States of the relevant protocols to the treaties on the creation of such zones.

87. The European Union reaffirmed the inalienable right of all Treaty parties to develop research into and the production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with articles I and II of the Treaty. Exercise of that right should, however, exclude any possibility of the misuse of civilian nuclear programmes for military purposes and it was also of the utmost importance that all States parties to the Treaty should operate in full transparency and should submit their cooperation activities and transfers of equipment and materials to the full range of verification instruments, in particular those of IAEA, and that they should submit early information on their nuclear programmes and sign additional protocols with the Agency.

88. The European Union supported all measures designed to prevent terrorists from acquiring nuclear, biological or chemical weapons and therefore welcomed the inclusion of an anti-terrorist clause in each of the export control regimes, as well as the principles adopted by the G-8 at its summit in Kananaskis in 2002.

The meeting rose at 1.15 p.m.