

**1995 Review and Extension Conference
of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

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1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE
TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

SUMMARY RECORD OF THE 6th MEETING

Held at United Nations Headquarters, New York,
on Thursday, 20 April 1995, at 10 a.m.

President: Mr. DHANAPALA (Sri Lanka)

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The meeting was called to order at 10.25 a.m.

EXPRESSION OF SYMPATHY IN CONNECTION WITH THE BOMB ATTACK AT OKLAHOMA CITY,
UNITED STATES OF AMERICA

1. The PRESIDENT expressed sympathy to the Government of the United States of America in connection with the bomb attack on the previous day at Oklahoma City.

GENERAL DEBATE (continued)

2. Mr. ERDENECHULUUN (Mongolia) said that the decisions of the Conference would have a direct bearing on the international security environment well into the twenty-first century and would largely shape the multilateral disarmament agenda. The ultimate success of the Conference depended on a balanced and thorough assessment of what had been achieved under the Treaty on the Non-Proliferation of Nuclear Weapons, agreement on specific objectives to be attained with a view to promoting the implementation of the Treaty and strengthening the non-proliferation regime, and the extension of the Treaty by a consensus decision that would recognize the legitimate concerns of all States parties.

3. By and large, the Treaty had been successful, and had played an indispensable role in preventing the horizontal spread of nuclear weapons and promoting international cooperation in the peaceful uses of nuclear energy. The near universal adherence to the Treaty, including the adherence of all five declared nuclear-weapon States, was clear testimony to that role. Hence there was little doubt that the Treaty must go on serving the vital security interests of the international community.

4. The non-proliferation Treaty had never been an end in itself, but a means to an end. It was for that reason that conferences were held to review its operation. Everyone seemed to agree that the Treaty had been of great importance in preventing the further spread of nuclear weapons. However, some important nuclear threshold States still chose to stay outside the Treaty; Mongolia endorsed the appeal that those countries which had not yet done so should accede to the Treaty as soon as possible. Universal adherence was essential to creating conditions favourable to general and complete disarmament - the ultimate goal of the Treaty.

5. Bold steps had been taken by the Russian Federation and the United States of America to reduce their nuclear arsenals. Some nuclear-weapon States had taken specific confidence-building measures, and the moratorium on nuclear testing had been in effect for some time for all but one nuclear-weapon State. Mongolia was encouraged by progress towards the conclusion of a comprehensive test-ban treaty and a convention on the prohibition of the production of fissionable material for weapons purposes. A new global security environment had made the doctrine of nuclear deterrence obsolete and opened up new prospects for the further substantial reduction and elimination of nuclear weapons. However, other nuclear-weapon States had yet to be brought into the strategic arms reduction process.

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6. The non-nuclear-weapon States must be adequately assured against the use or threat of use of nuclear weapons. Security Council resolution 984 (1995) and the unilateral statements of nuclear-weapon States were welcome developments; however, an internationally negotiated legally binding document was needed containing unconditional and unlimited assurances against the use or threat of use of nuclear weapons. That was particularly important for States which had also undertaken obligations with regard to nuclear-weapon-free zones. There was a precedent in that all five declared nuclear-weapon States had signed Additional Protocol II to the Treaty of Tlatelolco. It was to be hoped that similar arrangements could be worked out for other nuclear-weapon-free zones. In 1992, Mongolia had declared its territory a nuclear-weapon-free zone. As a "nuclear-locked" country it welcomed the joint statement by China and the Russian Federation undertaking not to be the first to use nuclear weapons against each other and to detarget their nuclear weapons from each other, and also China's proposal to conclude a treaty on the non-first use of nuclear weapons by nuclear-weapon States.

7. The International Atomic Energy Agency (IAEA) played a pivotal role in the efficient functioning of the non-proliferation regime; its efforts must be supported in every way possible. The recent experience of non-compliance with safeguards-related obligations highlighted the need for improved and enhanced verification systems. Newly emerging risks associated with illegal trafficking in nuclear materials required urgent and effective measures at national, regional and international levels. The so-called "export control" regimes constituted another major ingredient of the non-proliferation regime; the application of those regimes should, however, be non-discriminatory and uniform.

8. With all its shortcomings, the Treaty was essential to strengthening international security and promoting peaceful nuclear cooperation. Mongolia believed that it would better serve the common interest to have the Treaty extended indefinitely. Whatever option the Conference chose, however, it was important to be guided by the rule of consensus in the interests of strengthening the Treaty.

9. Mr. MOUSSA (Egypt) said that Egypt, which had supported the non-proliferation regime and had become a signatory to the Treaty believed that it must become not only truly universal and credible but that it must maintain a balance through the commitment of all countries to honour their obligations thereunder. Unless that was achieved, the non-proliferation regime would merely benefit some countries at the expense of others and might exclude a third group of countries. Such a situation was unacceptable.

10. Egypt shared the view that, on the whole, progress in the implementation of the Treaty had not lived up to the expectations of its original architects. The much bigger stockpiles of nuclear weapons contradicted the objective of the Treaty. A comprehensive test-ban treaty and an agreement on prohibiting the production or stockpiling of fissionable materials for military purposes were yet to be concluded.

11. However, the most serious criticism levelled at the Treaty was the continuing disparity between the commitments of its parties. Such disparity was inconsistent with the new concept in international relations which called for

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justice, equality and collective security in a climate devoid of nuclear weapons. Nuclear-weapon States should establish a framework in which they would reduce and ultimately eliminate their nuclear arsenals within a specific time-frame. On the other hand, the continuing absence of legal and effective security assurances to protect the States which had voluntarily renounced the acquisition of nuclear weapons 25 years previously was a great disappointment since it defeated the very purpose of non-proliferation and could never lead to world security and universal peace.

12. Turning to the unilateral declarations made by the nuclear-weapon States contained in Security Council resolution 984 (1995), he said that, with the exception of the one issued by China, they were fraught with conditions and reservations. Unfortunately, the resolution still fell short of providing the required security assurances to non-nuclear-weapon States from the threat of nuclear weapons as it focused on assistance in the case of nuclear aggression to the detriment of other crucial elements such as deterrence, protection and effectiveness.

13. Noting that there was a serious imbalance in international cooperation with respect to the peaceful uses of nuclear technology and the transfer of such technology to non-nuclear-weapon States party to the Treaty and the discriminatory treatment and double standards applied by export control groups, he called for a thorough review of the work of such groups which, he suggested, could be transformed into an international regime which included all parties to the Treaty and would subject all the nuclear activities of specific States to the IAEA full-scope safeguards regime as a prior condition for the supply of nuclear technology or nuclear materials to the States in question. That international norm should apply to all States including non-States parties.

14. Egypt believed that the universality of the Treaty was a sine qua non for the achievement of its purposes. Its extension would merely reaffirm the legal norm upon which the non-proliferation regime had been established. Even States that were not parties should abide by that norm; otherwise, efforts to strengthen the non-proliferation regime would be undermined by according a special status to those States which had chosen to remain outside. In his delegation's opinion, such a situation would be both unfair and illogical.

15. For decades, Egypt had maintained consistent and clear-cut positions at both the regional and international levels with respect to the non-proliferation of nuclear weapons. In that connection, it had worked tirelessly to spare Africa and the Middle East from the nuclear peril, including the efforts to establish nuclear-weapon-free zones in Africa and the Middle East and the multilateral track on Arms Control and Regional Security.

16. Turning to the situation in the Middle East he noted that the issue of nuclear armament continued to be a source of concern and a threat to the security of the whole region. His country considered as extremely dangerous the existence on its eastern borders of a nuclear programme outside the scope of the IAEA full-scope safeguards. It had conducted extensive consultations with all its regional partners as well as with influential national parties with a view to reaching specific international or regional arrangements that would protect the region from the dangers of nuclear weapons and affirm the determination of

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all parties, including Israel, to adhere to the international covenants and the non-proliferation Treaty, in particular, and to place Israel's nuclear facilities under IAEA full-scope safeguards. Egypt had proposed that an official process of negotiations should be initiated on the provisions related to the establishment of a zone free from all weapons of mass destruction; all States in the region should undertake to accede to international legal instruments relating to all weapons of mass destruction; such accession should coincide with the conclusion of peace agreements between Israel and the parties involved in the Middle East peace process; and discussions should be held on the possibility of conducting mutual verification of nuclear facilities.

17. Those proposals had been aimed at enhancing security for all in the Middle East and further reinforcing the credibility and stability of the Treaty. In that context, Israel's continued failure to accede to the non-proliferation Treaty was not conducive to progress; indeed, it would be irresponsible to urge States of the region to agree to an indefinite extension of the Treaty even as one State within the region was benefiting from an exemption that allowed it to maintain a nuclear programme outside the boundaries of international legitimacy. Stability in the region could not prevail in the face of security imbalances or military supremacy that would benefit no one; nor would it serve regional peace or international peace and security. Despite all Egypt's efforts, Israel had rejected all the proposals, even though it had always joined in the consensus on the General Assembly's resolutions calling for the establishment of a nuclear-weapon-free zone in the Middle East and for all the States of that region to join the nuclear non-proliferation Treaty. Egypt was therefore calling upon Israel to reconsider its position and to enter into the same commitments as its neighbours in the region. His delegation also urged all States parties to consistently endeavour to ensure the strict adherence of all States in the region to policies consistent with the principles and provisions of the Treaty.

18. He recalled that Egypt had signed and ratified the Treaty on the assumption that it would encourage Israel to take similar steps. Israel had failed to do so despite assurances from several countries to that effect. The entrenchment of the de facto status quo by the indefinite application of the Treaty to all the Middle East countries, with the exception of Israel, constituted a serious imbalance threatening not only the region's security but its stability as well. The League of Arab States had recently declared that such a situation was unacceptable. The Middle East was going through a period of extreme sensitivity and significance where the foundations of future peaceful relations in the region were being laid. That could not be accomplished if there were double standards or privileged status was granted to one party at the expense of the other.

19. Although Egypt supported the Treaty despite its imperfections, it could not endorse the indefinite extension thereof, because the regional situation remained volatile and unsatisfactory. That notwithstanding, Egypt would participate actively in the work of the Conference. The extension decision should be linked to specific steps aimed at achieving the objectives of non-proliferation and the universality of the Treaty; enhancing its effectiveness towards striking a balance between the responsibilities of all its parties; concluding two conventions on a comprehensive nuclear test ban and on the prohibition of the production and stockpiling of fissionable materials for

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military purposes respectively; providing legally binding security assurances to non-nuclear-weapon States and ensuring the right to the peaceful uses of nuclear energy to all States parties.

20. Mr. LAMAMRA (Algeria) said that Algeria was participating for the first time in a conference of the parties to the non-proliferation Treaty, to which it had formally acceded on 13 January 1995. It had already voluntarily subjected its two radioisotope reactors to IAEA safeguards. Since 1991, Algeria had also acceded to other multilateral disarmament instruments and was preparing to ratify the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and Their Destruction.

21. Despite the intrinsic imbalances of the Treaty, it was a cornerstone of collective security and must remain so. With the end of the bipolar division of the world, there should be unprecedented momentum for its implementation. The agreements concluded between the United States of America and the Russian Federation were encouraging; however, further reductions must be carried out, and the other nuclear-weapon States must undertake comparable actions with a view to the complete elimination of nuclear weapons. The delays in the implementation of the Final Document of the Tenth Special Session of the General Assembly were well known, as were the limitations placed on multilateral negotiations within the Conference on Disarmament and the impediments to the access of developing countries to the peaceful uses of nuclear energy, including the alarming reduction of resources made available to IAEA. Even the security assurances to non-nuclear-weapon States had been adversely affected by the selective and restrictive approaches embodied in Security Council resolutions 255 (1968) and 984 (1995).

22. Efforts must be intensified to achieve decisive progress in the full implementation of the commitments embodied in the Treaty. A comprehensive test-ban treaty must be concluded as soon as possible and immediately take effect. Negotiations must be undertaken for the conclusion of a convention on the prohibition of the production of fissionable material for weapons purposes, which, to be truly verifiable and universally applicable, must ensure that existing stockpiles were placed under effective international control. A satisfactory formula must be found to guarantee non-nuclear-weapon States against the use or threat of use of such weapons, beyond Security Council resolution 984 (1995) which had only revived resolution 255 (1968) with all its imperfections. Security assurances must have sufficient deterrent force to be credible. Pending the elimination of all nuclear weapons, which constituted the only real guarantee of security, non-nuclear-weapon States were entitled, on an unconditional basis, to credible and effective security assurances which were not subject to interpretation or veto. They should be codified in a binding legal instrument drawn up within the Conference on Disarmament as the only forum for multilateral disarmament negotiations. The legitimate right of developing States to have access to nuclear technology for peaceful purposes, in line with the IAEA safeguards system, also needed to be established.

23. The establishment of nuclear-weapon-free zones needed to be promoted through concrete action. Nuclear-weapon States must encourage such zones, particularly in Africa and the Middle East, and must accede to additional protocols to guarantee respect for the status of such zones and provide security

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assurances to Member States. Algeria, which had always supported the Declaration by the Organization of African Unity on the denuclearization of Africa, was actively participating in drawing up a treaty establishing a nuclear-weapon-free zone in the African continent and neighbouring islands. It was confident that once that Treaty was concluded, the nuclear Powers would make the commitments to Africa they had accepted under Additional Protocol II to the Treaty of Tlatelolco.

24. The aspirations of Arab countries to the establishment of a zone free from nuclear weapons and other weapons of mass destruction in the Middle East had already been forcefully reaffirmed. In the new political atmosphere, the Middle East region could no longer be subjected to damaging selectivity with regard to the universality of the Treaty and the objective of non-proliferation. The legitimacy of the establishment of a nuclear-weapon-free zone in the Middle East was also formally acknowledged in Security Council resolution 667 (1991), adopted under Chapter VII of the Charter with binding force for all Member States.

25. The Conference had a historic responsibility to strengthen the political and moral authority of the Treaty and ensure progression towards universality. The conclusions of the Conference should prepare the way for the development of a new nuclear disarmament instrument similar to the Chemical Weapons Convention, which was an example of what could be achieved with the necessary political will. Efforts must be made to reach consensus on the extension of the Treaty. The forthcoming ministerial meeting of the coordinating Bureau of the Non-Aligned Movement would be able to make a valuable contribution to those efforts.

26. Mr. YASSIN (Sudan) said that the review, analysis and assessment of the non-proliferation Treaty must be objective, taking into account both its achievements and its deficiencies. Undeniably, it had made a contribution to the non-proliferation of nuclear weapons, and such agreements as START I and II, which fell within its framework, had led to a reduction in medium and short-range missiles. It had made possible the voluntary renunciation of nuclear weapons by Belarus, Kazakhstan, South Africa and Ukraine. Yet, despite those accomplishments, the Treaty had not fully met the aspirations of its parties.

27. As a product of the cold war era, the non-proliferation Treaty had deepened the gap between nuclear "haves" and "have nots". As a discriminatory treaty, it had approved the possession of nuclear capability by certain States, while closing the door to others. It also lacked a mechanism for enforcing the obligations of the nuclear-weapon States, whose arsenals had continued to grow despite the binding effect of article VI. Those States had also failed to honour their obligations under article I not to transfer nuclear materials or assist any non-nuclear-weapon State in manufacturing such weapons, thus defeating one of the Treaty's main objectives of universality. The persistent refusal of Israel to heed the call to accede to the non-proliferation Treaty, to renounce its nuclear weapons and to place its nuclear installations under IAEA safeguards had jeopardized efforts towards the establishment of nuclear-free zones in the Middle East, Africa and Asia. The Sudan strongly supported the acceleration of efforts to finalize a comprehensive test-ban treaty as a step towards complete nuclear disarmament within a specific time-frame.

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28. With respect to IAEA safeguards under article III, double standards and selectivity had been applied. A legally binding mechanism for universal verification, for non-nuclear-weapon and nuclear-weapon States alike, was needed. Moreover, the Director-General of IAEA had discussed the Agency's fragile financial situation, which seemed incompatible with the huge expenditures of nuclear-weapon States on their military nuclear programmes. It would appear that those States were not serious about strengthening the Agency and providing it with the resources required to carry out its mandate.

29. Effective verification would only be feasible if an agreement could be reached between nuclear and non-nuclear States banning the production, stockpiling, export and import of fissionable materials for non-peaceful uses. The Conference on Disarmament must intensify its efforts towards the conclusion of such an agreement. Efforts to prevent some States from acquiring nuclear technology for peaceful uses was a clear contravention of articles IV and V, however.

30. With regard to negative and positive security assurances, Security Council resolution 984 (1995) had not broken any new ground. The Sudan called upon the nuclear-weapon States to give clear, direct and binding security assurances through an agreement complementary to the non-proliferation Treaty binding on all which would meet the concerns of the non-nuclear-weapon States that they would not fall victim to nuclear aggression by acceding to the non-proliferation Treaty.

31. His delegation did not see any interest in the indefinite and unconditional extension of the non-proliferation Treaty when no effort would be made to attain universality and satisfactory security assurances.

32. Mr. BOUEZ (Lebanon) said that his country did not see the Treaty as an end in itself, but as a means to achieve the objective of ridding the world ultimately and comprehensively of the dangers of nuclear weapons. The universality of the Treaty was fundamental if it was to remain credible, useful and effective. Another primary objective was the speedy conclusion of a comprehensive nuclear-test-ban treaty. Review of the Treaty must also include a provision for the non-use of nuclear weapons against non-nuclear States. In that regard, Security Council resolution 984 (1995) was not satisfactory.

33. Because of Israel's failure to sign the Treaty, the Middle East was imperiled by their nuclear armament at a time of complex relations and violent conflict. The Governments and the peoples of the Middle East would not accept the consecration of Israeli domination in the region by allowing it to maintain its nuclear arsenal. The realization of peace in the Middle East required a reduction in the level of armament, in order to avoid an escalating regional arms race. Thus, Israel's adherence to the Treaty was an urgent necessity, if it was serious about creating favourable conditions for peace.

34. Commitment to the letter and spirit of the Treaty alone could guarantee some balance between nuclear-weapon States and those who had undertaken not to acquire nuclear arms. Lebanon did not believe that indefinite and unconditional extension was the best way to guarantee the non-proliferation regime. It was vital to maintain the practice of adopting resolutions by consensus on an issue

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of such great importance for the future of international relations. Periodic review would provide the necessary flexibility to respond to new and changing circumstances. Every review would shed light on the "absentees" and prompt renewed efforts to make the Treaty truly universal.

35. The Security Council, as the body entrusted with the maintenance of international peace and security, must enforce Chapter VII of the United Nations Charter without double standards if was to be relied on as a just political arbiter.

36. Mr. TURNQUEST (Bahamas) said that a common feature of previous Treaty review conferences had been the dissatisfaction expressed by the non-nuclear States parties regarding the failure of the nuclear States parties to implement the nuclear disarmament pledges contained in article VI. However, since some progress had been made towards halting the proliferation of nuclear and other weapons of mass destruction, it could be concluded that the Treaty had performed satisfactorily on the whole.

37. Some important issues and concerns remained to be resolved before the Treaty could gain the universal support and confidence of the international community. An atmosphere of mistrust persisted with regard to the true nature of the nuclear programmes of both non-nuclear and nuclear-weapon States; moreover, regional and global efforts were required to obtain the accession of the several States remaining outside the Treaty. Nuclear-weapon States had further to commit to a complete cessation of fissionable material production for weapons purposes, and to clarify their positions on nuclear weapons testing. Although they welcomed the adoption of Security Council resolution 984 (1995) on security assurances by the nuclear-weapon States, the non-nuclear-weapon States also required a more legally binding commitment from them with regard to such assurances.

38. While not viewing the successful conclusion of a Comprehensive Test-Ban Treaty to be essential for the success of the present Conference, the Bahamas called for all efforts to be undertaken in the Conference on Disarmament to conclude a verifiable test-ban Treaty that would be universally supported and subject to periodic review.

39. Deliberations at the present Conference must therefore be inclusive of all States parties regardless of their nuclear status, and must establish whether nuclear and non-nuclear-weapon States had fulfilled their obligations under articles II, III and VI. Whatever the outcome, the decision on the Treaty's future ought to be definitive.

40. Despite the shortcomings of the Treaty, the Bahamas was of the view that an indefinite extension of the Treaty would continue to provide greater assurances for preventing the further spread of nuclear weapons, both horizontally and vertically.

41. Mr. IBAÑEZ (Peru) said that the Treaty was the sole effective guarantee of the international non-proliferation regime, and that the significant growth in its membership unequivocally reflected its success. Peru firmly supported the indefinite extension of the Treaty as the sole available means of continuing the

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process of nuclear disarmament and of making peaceful nuclear cooperation possible. Review conferences should continue to be held at five-year intervals, and some consideration should also be given to establishing monitoring mechanisms. However, in view of the fact that a divergence of views existed among the States parties with regard to central aspects of the Treaty, the decision on extending it should respond to the will of the broad majority of those States.

42. Peru believed that it was imperative to prohibit all nuclear tests as well as the production and storage of fissionable material; to establish adequate and legally binding security assurances for non-nuclear-weapon States; to strengthen the existing multilateral mechanisms for safeguards, detection and verification; and to ensure, improve and increase nuclear cooperation for peaceful purposes.

43. With the Treaty of Tlatelolco, Latin America had made a commitment to nuclear non-proliferation throughout the region. At the XIVth General Conference of the Organization for the Prohibition of Nuclear Weapons in Latin America (OPANAL), Peru had suggested harmonizing and linking the southern hemisphere nuclear-weapon-free zones already established through the Treaties of Tlatelolco, Rarotonga and the Antarctic, and those to be established in Africa and in the South Atlantic.

44. Mr. ABDUL MOMIN (Brunei Darussalam) said that the Treaty was an expression of the international community's desire to rid itself of nuclear weapons, and called for the signing and implementation of the Comprehensive Test-Ban Treaty (CTBT). His delegation shared the concern of many others about the increased number of countries possessing weapons of mass destruction, as well as the continuing modernization of those weapons. It was their belief that the Treaty should be demonstrably strengthened, and that a strong review mechanism and safeguard system should be put in place. Parties to the Treaty should explicitly define their commitments as stated in article VI, and activities between signatories and non-signatories in contravention of the Treaty should be ended.

45. Brunei Darussalam was concerned at the Treaty's continuing lack of regular and effective review mechanisms, but was prepared to support indefinite extension of the Treaty if, following a thorough process of review, the majority of Conference members favoured such a decision.

The meeting rose at 12.40 p.m.