

Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Held at the Vienna International Centre, Vienna, on Monday, 30 April 2012, at 10 a.m.

Temporary Chair: Mr. Cabactulan (Philippines)
Chair: Mr. Woolcott (Australia)

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The meeting was called to order at 10.20 a.m.

Opening of the session

1. **The Temporary Chair** declared open the first session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons which was being convened pursuant to General Assembly resolution 66/33 of 2 December 2011. It was crucial to sustain the momentum from the successful 2010 Review Conference by fully implementing the agreed-on action plan contained in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/50 (vol. I)), including the agreement on the Middle East, particularly the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference and the action on the regional issue relating to the Democratic People's Republic of Korea.

Election of the Chair

2. **The Temporary Chair** said that, as had been the practice in the past, the first session of the Preparatory Committee would be chaired by a representative from the Western Group of States, which had nominated Mr. Woolcott of Australia.

3. *Mr. Woolcott (Australia) was elected Chair by acclamation.*

4. *Mr. Woolcott (Australia) took the Chair.*

Statement by the Chair

5. **The Chair** called on States parties to lay the foundation for the preparatory phase of the new review cycle and carry out substantive work during the session. The action plan of the 2010 Review Conference represented a major achievement and a challenge for States parties in their pursuit of the full implementation of the Treaty and the attainment of a nuclear-weapon-free world. It reaffirmed the 13 practical steps adopted at the 2000 Review Conference and the principles and objectives for nuclear non-proliferation and disarmament and the resolution on the Middle East adopted at the 1995 Review and Extension Conference. The current session of the Preparatory Committee was an opportunity to take stock of how well those challenges were being met, determine what could be done better and what was left

to do to implement the Treaty. States parties needed to consider ways of measuring the implementation of those commitments in 2015 and consider new developments and challenges that were relevant to the implementation of the Treaty.

Statement by the High Representative of the United Nations Office for Disarmament Affairs

6. **Ms. Kane** (High Representative of the United Nations Office for Disarmament Affairs) said that momentum of the successful 2010 Review Conference should be maintained throughout the review process to advance the Treaty's three pillars relating to nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy. In that regard, she welcomed the meetings held by nuclear-weapon States in 2011 and 2012, which heightened expectations for progress with regard to transparency and nuclear disarmament verification measures. The continued manufacture and qualitative improvement of nuclear weapons and concerns over possible nuclear weapons aspirations by additional States jeopardized the non-proliferation and disarmament goals of the Treaty and merited close attention during the review process.

7. The Secretary-General had worked to bring the rule of law to disarmament with his five-point nuclear disarmament proposal of 24 October 2008 and his initiative to convene a high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations in September 2010. There had been complementary efforts outside of the review process such as the 2012 Seoul Nuclear Security Summit, which sought to strengthen commitments to enhance security over nuclear materials to prevent nuclear terrorism. The 2010 Review Conference had recognized the catastrophic consequences from the use of any nuclear weapon and affirmed the need for all States at all times to comply with applicable international law, including international humanitarian law, demonstrating that international humanitarian law had already become part of the review process.

8. The review process was effective at maintaining genuine accountability for the fulfilment of commitments and legal obligations under the Treaty and enabled States parties to take stock of progress made and to identify new goals, making the Treaty a "living" document that was periodically assessed in the light of evolving political and strategic circumstances.

The prospects for the review process were brightest when the States parties deepened their solidarity on the Treaty's fundamental purpose while demonstrating flexibility and compromise on the means to achieve their agreed ends. The Treaty remained the cornerstone of the global nuclear non-proliferation regime and was the only treaty that obligated all recognized nuclear-weapon States, and all other States parties, to pursue negotiations in good faith on nuclear disarmament.

Adoption of the agenda (NPT/CONF.2015/PC.I/3)

9. *The agenda was adopted.*

Organization of work

10. **The Chair** said that, based on information provided by the Secretariat, the proposed dates for the second session of the Preparatory Committee, to be held in Geneva, were 22 April to 3 May 2013. Those dates took into account the provisional calendar of meetings of the United Nations disarmament bodies. If he heard no objection, he would take it that the Committee wished to hold its second session on those dates.

11. *It was so decided.*

12. **The Chair** suggested that the Committee should adopt the following decision: "The Committee decides to make every effort to adopt its decisions by consensus. In the event that consensus could not be reached, the Committee would then take decisions in accordance with the rules of procedure of the 2010 Review Conference of the Parties to the Non-Proliferation Treaty, which would be applied mutatis mutandis."

13. *It was so decided.*

14. **The Chair** suggested, with regard to participation at sessions of the Preparatory Committee of entities other than States parties, that the Committee might wish to adopt the following decision, based on the practice of the previous Preparatory Committees, the relevant rules of procedure of the 2010 Review Conference and the agreement at the third session of the Preparatory Committee for the 2010 Review Conference:

"1. Representatives of States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should be allowed, upon request, to attend as observers the meetings of the

Committee other than those designated closed meetings, to be seated in the Committee behind their countries' nameplates and to receive documents of the Committee. They should also be entitled to submit documents to the participants in the Committee.

"2. Representatives of specialized agencies and international and regional intergovernmental organizations should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their organizations' nameplates and to receive documents of the Committee. They should also be entitled to submit, in writing, their views and comments on questions within their competence, which may be circulated as documents of the Committee. Furthermore, the Committee decides, based on the agreement at the third session of the Preparatory Committee for the 2010 NPT Review Conference, which would be applied mutatis mutandis, that specialized agencies and international and regional intergovernmental organizations be invited to make oral presentations to the Committee upon the decision of the Committee on a case-by-case basis.

"3. Representatives of non-governmental organizations (NGOs) should be allowed, upon request, to attend the meetings of the Committee other than those designated closed, to be seated in the designated area, to receive documents of the Committee and, at their own expense, to make written material available to the participants in the Committee. The Committee shall also allocate a meeting to non-governmental organizations to address each session of the Committee."

15. *It was so decided.*

16. **The Chair** said that Palestine had requested to attend the meetings of the Preparatory Committee as an observer. The following specialized agencies and intergovernmental organizations had requested to attend the session of the Preparatory Committee: the African Union, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the European Union, the League of Arab States and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization; in addition, 60

non-governmental organizations listed in document NPT/CONF.2015/PC.I/INF.5 had submitted requests.

17. He took it that the Committee wished to take note of those requests.

18. *It was so decided.*

19. **The Chair** said that he took it that the Committee wished to continue its past practice of using Arabic, Chinese, English, French, Russian and Spanish as its working languages.

20. *It was so decided.*

21. **The Chair** noted that during the previous sessions of the Preparatory Committee summary records had been provided, at each session, for the Committee's opening meeting, the general debate and the closing meeting. In addition, records had been kept of the decisions taken at other meetings.

22. He took it that the Committee wished to proceed accordingly at the current session.

23. *It was so decided.*

24. **The Chair** said that the cost of summary records during the previous review cycle had been just over \$1 million, or 14 per cent of the total cost of the 2010 Review Conference and Preparatory Committee. The issue of the cost of summary records had been addressed at other international forums; a number of digital options were available to lower costs substantially yet enhance record-keeping. In a time of fiscal constraint, it would be appropriate for the Preparatory Committee also to consider the issue of summary records during the deliberations in the current review cycle.

Election of officers

25. **The Chair** said that he would take it that the Committee wished to follow previous practice whereby the sessional Chairs would serve as Vice-Chairs of the Committee during sessions when they were not serving as Chair. Pending the nomination of the Chair of the second session of the Committee by the Group of Eastern European States, he suggested that the Committee should agree that Mr. Cabactulan could take the Chair temporarily in the event that he needed to undertake consultations with States parties during meetings.

26. *It was so decided.*

27. **The Chair** said that he had held consultations with many delegations regarding the indicative timetable contained in document NPT/CONF.2015/PC.I/INF.3. A summary of the timetable was contained in document NPT/CONF.2015/PC.I/INF.4. He took it that the Committee wished to take note of the timetable and to structure its work accordingly.

28. *It was so decided.*

29. **The Chair** said that the attention of delegates had been drawn to the guideline contained in document NPT/CONF.2015/PC.I/INF.2 concerning the submission of documentation by 15 March 2012 to facilitate translation and timely issuance. Some delegations had submitted documentation by that deadline and the documents were available in the official languages on the Committee's website. Many documents had been submitted within days of the start of the session. The Secretariat would make them available in their original languages immediately and translations would be provided as they became available.

General debate on issues related to all aspects of the work of the Preparatory Committee

30. **Mr. Fathalla** (Egypt), speaking on behalf of the Group of States parties belonging to the Movement of Non-Aligned Countries, said that the Preparatory Committee needed to work towards strengthening all three pillars of the Treaty in a balanced manner and achieving its universalization. A nuclear-weapon-free world was the highest priority for the Group. All disarmament undertakings made in the previous Review Conferences, including the action plan of the 2010 Review Conference, needed to be fulfilled, particularly by the nuclear-weapon States, which were urged to report on their progress with respect to action 5 of the plan. The implementation of the 13 practical steps was important for achieving the total elimination of nuclear weapons, which was the only guarantee against their use or threat of use.

31. The indefinite extension of the Treaty did not imply the indefinite possession of nuclear arsenals. While the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START) had entered into force, it was undermined by those States' nuclear weapon modernization measures. Reductions in deployments and in operational status could not substitute for

irreversible cuts in, and the total elimination of, nuclear weapons. The Group called on the two States to apply the principles of irreversibility, verifiability and transparency to such cuts and to further reduce their nuclear arsenals, both warheads and delivery systems. The Group also called for the complete exclusion of the use or threat of use of nuclear weapons from the military doctrines of the nuclear-weapon States and the North Atlantic Treaty Organization (NATO), as such acts would be in violation of the principles of the Charter of the United Nations and international humanitarian law. The deployment of national and strategic missile defence systems which could trigger an arms race, the further development of advanced missile systems and an increase in the number of nuclear weapons were other causes for concern.

32. The Group reaffirmed the inalienable right of States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination under article IV of the Treaty. Undue restrictions on exports to developing States parties of nuclear material, equipment and technology for peaceful purposes persisted, in contradiction of the letter and spirit of the Treaty. Proliferation concerns were best addressed in a multilaterally negotiated, universal, comprehensive manner, and non-discriminatory agreements and non-proliferation control arrangements should be transparent and open to all States. The Group had full confidence in the impartiality of the International Atomic Energy Agency (IAEA) and rejected attempts to politicize its work or to jeopardize its credibility through interference in its activities.

33. The choices of each State party in the field of peaceful uses of nuclear energy should be respected and its international cooperation agreements and fuel-cycle policies should not be jeopardized. Multilateral approaches to the nuclear fuel cycle should take into account all technical, legal, political and economic aspects of those issues and any relevant decisions should be made by consensus taking into account the interests of all States parties without prejudice to the inalienable right of each State party to develop a full national fuel cycle as provided under article IV of the Treaty. Peaceful nuclear activities were inviolable and any attack or threat of attack against peaceful nuclear facilities constituted a grave violation of international law, the Charter of the United Nations and IAEA regulations.

34. The acceptance of safeguards by each State party was for the exclusive purpose of verification of the fulfilment of its obligations under the Treaty. The implementation of those safeguards should comply with article IV of the Treaty and not hamper the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities. The Group emphasized the need for confidentiality of information in connection with safeguards.

35. The primary responsibility for nuclear safety and security lay with individual States, and IAEA played a central role in that regard. While the Group attached high importance to nuclear safety and the need for the reinforcement of nuclear safety standards, such measures should not be used as a pretext for violating or restricting States parties' rights under article IV.

36. The establishment of a nuclear-weapon-free zone in the Middle East was a priority and required the full implementation of the 1995 resolution on the Middle East, which was an integral part of the package of decisions that had enabled the indefinite extension of the Treaty. All States of the Middle East region with the exception of Israel were parties to the Treaty, which meant that non-nuclear-weapon States in the region were exposed to nuclear threats and risks associated with the operation of unsafeguarded facilities and the threat of a nuclear arms race. That unsustainable situation made the implementation of the 1995 resolution a priority for the 2015 Review Conference.

37. The 2000 Review Conference had reaffirmed the necessity of Israel's accession to the Treaty and the placement of its nuclear facilities under comprehensive IAEA safeguards. The Group requested the establishment of a subsidiary body to Main Committee II of the 2015 Review Conference to consider and recommend proposals on the implementation of the 1995 resolution on the Middle East, the Final Document of the 2000 Review Conference and the action plan of the 2010 Review Conference. The Group strongly urged the Secretary-General and the sponsors of the 1995 resolution to do their utmost to ensure the successful convening of a conference in 2012 on the establishment of a nuclear-weapon-free zone in the Middle East to be attended by all States in the region.

38. The Group reaffirmed the importance of making progress towards the conclusion of a universal and legally binding instrument on unconditional,

non-discriminatory and irrevocable negative security assurances to all non-nuclear-weapon States parties to the Treaty and of a nuclear weapons convention.

39. **Ms. Marinaki** (Observer for the European Union), speaking also on behalf of the acceding country Croatia; the candidate countries Iceland, Montenegro, Serbia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries Albania and Bosnia and Herzegovina; and, in addition, Andorra, the Republic of Moldova and San Marino, said that certain issues, such as universal adherence and implementation of article X of the Treaty, were absent from or were inadequately reflected in the 2010 action plan.

40. While the entry into force of the New START agreement was a visible sign of progress on the path towards nuclear disarmament, the persistent impasse in the Conference on Disarmament was preventing it from fulfilling its mandate and starting negotiations on a treaty banning the production of fissile material for nuclear weapons.

41. The proliferation of weapons of mass destruction and their means of delivery and the risk that non-State actors might gain access to such weapons continued to be a major threat to international peace and security that called for a global approach, including compliance with obligations under Security Council Resolutions 1540 (2004) and 1887 (2009) and improved nuclear security for high radioactive sources. The European Union supported global nuclear security efforts and had contributed actively to the outcome of the Washington and Seoul Nuclear Security Summits.

42. The three main goals of the European Union Strategy against Proliferation of Weapons of Mass Destruction were effective multilateralism, prevention and international cooperation. It promoted universal adherence to and full implementation of all non-proliferation and disarmament treaties and conventions through diplomatic means and through practical training and assistance.

43. The European Union was a major donor to international organizations such as IAEA, the Comprehensive Nuclear-Test-Ban Treaty Organization, the Organisation for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention Implementation Support Unit and was dedicated to reinforcing verification mechanisms, such as the IAEA safeguards system, including additional

protocols. Effective verification enhanced mutual confidence and ensured the credibility of disarmament and non-proliferation treaties and conventions. The European Union reaffirmed the role of the United Nations Security Council as the final arbiter of international peace and security, including in cases of non-compliance.

44. The Treaty remained the cornerstone of the global nuclear non-proliferation regime and the foundation for the pursuit of nuclear disarmament in accordance with article VI and the responsible development of nuclear energy for peaceful purposes in accordance with articles I-IV. The European Union called on States that had not yet done so to join the Treaty as non-nuclear-weapon States.

45. The European Union was pursuing the implementation of the 2010 action plan and had described the steps taken in its working papers. It strongly supported the recommendations for the implementation of the 1995 resolution on the Middle East and had held two seminars in 2008 and 2011 in support of a process aimed at establishing a nuclear-weapon-free zone in the Middle East.

46. Iran's nuclear programme, which defied many United Nations Security Council and IAEA Board of Governors resolutions, the testing by the Democratic People's Republic of Korea of a nuclear explosive device and delivery mechanisms and Syria's non-compliance with its IAEA safeguards agreement were the most worrying challenges to the non-proliferation regime that must be addressed resolutely to maintain the credibility and effectiveness of the Treaty regime.

47. In the case of Iran, the European Union had sought to find a negotiated solution with the objective of reaching a comprehensive long-term settlement, which would restore international confidence in the exclusively peaceful nature of Iran's nuclear programme, ensuring that all of its obligations under the Treaty were met while its right to the peaceful use of nuclear energy was fully respected. The April 2012 meeting with Iran in Istanbul led by the European Union High Representative was an example of the European Union's determination to work towards a diplomatic solution. Iran must engage in meaningful discussions on practical confidence-building steps in order to address the international community's concerns. The European Union called on all United

Nations Member States to support those efforts by fully implementing relevant Security Council resolutions.

48. The recent launch of a ballistic missile by the Democratic People's Republic of Korea constituted a serious violation of Security Council resolutions 1695 (2006), 1718 (2006) and 1874 (2009). The Democratic People's Republic of Korea was urged to abandon all existing nuclear and ballistic missile programs in a complete, verifiable and irreversible manner and return to full compliance with the Treaty and its IAEA safeguards obligations.

49. During the current session of the Preparatory Committee, the European Union planned to work towards making the conclusion of a comprehensive safeguards agreement together with an additional protocol the verification standard under article III of the Treaty. There was also a need to reach a common understanding on how to respond effectively to a State party's withdrawal from the Treaty.

50. **Ms. Burk** (United States of America) said that her Government took the commitments made in 2010 very seriously and had been working to translate them into actions and accomplishments. The 2010 action plan was an excellent point of departure but it did not address serious challenges to the Treaty, the global non-proliferation regime and international security at an appropriate level of detail. It also did not address as strongly as it should have the unresolved cases of non-compliance with the Treaty's non-proliferation obligations.

51. The Treaty was the cornerstone of the international nuclear non-proliferation regime and formed an essential legal barrier to the further spread of nuclear weapons. The Treaty's three pillars were mutually reinforcing: progress toward nuclear disarmament and the fullest possible access to the peaceful uses of nuclear energy could not be assured without a strong global non-proliferation regime. It was imperative for States parties to recommit themselves to ensuring the vitality of the Treaty by advancing the three pillars together and accepting responsibility for the achievement of the Treaty's fundamental objectives.

52. Her Government understood its special responsibility to provide leadership towards the goal of a nuclear-weapon-free world and was doing its part to strengthen the non-proliferation pillar of the Treaty.

53. Unresolved cases of non-compliance posed the greatest threat to the integrity of the Treaty and had a corrosive effect on international confidence in it. It was the responsibility of all States parties to make it clear that violating the Treaty and abusing the withdrawal provision would have consequences.

54. By providing credible assurances of States' compliance with their nuclear non-proliferation obligations, IAEA safeguards built confidence among neighbours and the international community. States parties should work together to ensure that IAEA had the authority and resources needed to fulfil its vital mission, including through the broader implementation of IAEA additional protocols.

55. A strong non-proliferation regime made it possible for States parties to realize the promise of article IV, not only to generate power, but to contribute to the welfare of their people. The United States of America was the largest single contributor to peaceful uses programmes and had pledged an additional \$50 million to its IAEA Peaceful Uses Initiative.

56. **Mr. Fathalla** (Egypt) said that the total elimination of nuclear weapons, the only guarantee against their use or threat of use, depended on the implementation by nuclear-weapon States of their obligations under article VI of the Treaty and the achievement of universal adherence.

57. The continued possession of nuclear arsenals for deterrence, the development of new generations of such weapons, the provision of assistance to States not party to the Treaty, in perpetuation of their non-adherence, and the continued deployment of nuclear weapons in territories of non-nuclear-weapon States through military alliances undermined the objectives of the Treaty and the presumed equality among the non-nuclear weapon States.

58. The continued lack of meaningful progress in nuclear disarmament was a matter of deep concern. The full implementation of article VI of the Treaty and of the unequivocal undertaking given by nuclear-weapon States at the two previous Review Conferences to accomplish the total elimination of their nuclear arsenals was required. Negotiations on a phased programme for the complete elimination of nuclear weapons within a specified timeframe ending in 2025, including a nuclear weapons convention, should begin without delay. Security assurances from nuclear-weapon States against the use or threat of use of

nuclear weapons was a legitimate right and security interest of all non-nuclear-weapon States parties. The conclusion of a universal, unconditional and legally binding instrument on security assurances to all non-nuclear-weapon States should be a matter of priority.

59. The promotion of international cooperation in the peaceful uses of nuclear energy, as stipulated in article IV of the Treaty, was one of its fundamental objectives and enabled non-nuclear-weapon States to overcome development challenges posed by rising energy and food costs. Developed countries had the obligation to facilitate access by the developing countries to nuclear technology and materials. Egypt noted with growing concern attempts to restrict the ability of non-nuclear-weapon States to benefit from their rights, jeopardizing the delicate balance between the rights and obligations of States parties in contravention of the Treaty's objective and widening the gap between developed and developing countries. Certain discriminatory arrangements imposed additional restrictions on some States in a clearly politicized manner which did not contribute to the achievement of the universality of the Treaty. Interference in the internal affairs of States in an attempt to influence the determination of their nuclear energy requirements or to restrict their choice to achieve self-sufficiency in the area of fuel supply was a similar concern. His delegation called for the enforcement, without exception, of the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of the assistance in the nuclear field to States that were not parties to the Treaty.

60. The IAEA comprehensive safeguards agreements constituted the legal and practical framework that ensured the peaceful use by States parties of nuclear energy and prevented its spread to non-State actors. It was imperative for States parties to exercise their rights under the Treaty without subjecting the international support provided to them in that context to additional restrictions or obligations. The verification system under the Treaty used material evidence as a basis for assessment, without politicization or double standards, and was based on non-interference in internal affairs of States in evaluating their developmental objectives and needs.

61. Welcoming the fact that the recent Istanbul talks with Iran had promoted a diplomatic solution, he said

that it was important that there should be no double standards in the regional approach to nuclear issues in the Middle East, including with regard to Israel's nuclear capabilities. Israel remained the only State in the Middle East that had not acceded to the Treaty or placed its nuclear facilities under full-scope IAEA safeguards, and there had been no tangible progress towards implementing the 1995 resolution or establishing the envisaged nuclear-weapon-free zone. Egypt welcomed the convening of a conference in 2012 on the establishment of a nuclear-weapon-free zone in the Middle East, to be attended by all States of the Middle East, and looked forward to working with the host Government and the facilitator. The outcome of the conference would have a significant bearing on future developments in the region. Revolutionary developments in the Arab world had made addressing that situation even more urgent.

62. **Mr. Potts** (Australia) said that it was vital for all States parties to implement the 2010 action plan comprehensively. Accordingly, Australia had submitted a national report detailing its own efforts to do so and encouraged all States parties to do the same. Australia was honoured to chair the Vienna Group of 10, which worked to support the review of the Treaty. Together with the other members of the Non-Proliferation and Disarmament Initiative, Australia had developed a draft standard disarmament reporting form in accordance with action 21 of the 2010 action plan and was circulating it as part of one of its working papers.

63. The best way to ensure full compliance by States parties with their safeguards obligations under the Treaty was through the adoption of an additional protocol to their IAEA safeguards agreements. Effective safeguards upheld the right of countries to access nuclear energy for peaceful purposes by closing the door on the proliferation risks associated with the spread of nuclear technology.

64. The ongoing failure of the Conference on Disarmament to adopt a programme of work, including the commencement of negotiations for a fissile material cut-off treaty, was deeply disappointing. All members of the Conference were urged to overcome the 15-year-old impasse. A series of scientific expert meetings would be convened by members of the Initiative in 2012 to assist in the consideration of issues related to that treaty. The entry into force of the Comprehensive Nuclear-Test-Ban Treaty would be a major step forward for disarmament, and all States that

had not done so were urged to sign and ratify it without delay. Indonesia's ratification of that treaty in February 2012 had set an example for the eight remaining States listed in Annex 2 which needed to sign and ratify the Treaty before it could enter into force.

65. Australia welcomed the outcome of the 2010 Review Conference regarding the Middle East and urged all relevant States to work constructively towards the convening of a conference in 2012 on the establishment of a nuclear-weapon-free zone in the Middle East.

66. Australia upheld the right of States to access nuclear technology for peaceful purposes within a framework that reduced the risk of proliferation of nuclear weapons and adhered to the highest standards for nuclear safety and security. The pursuit by the Democratic People's Republic of Korea of weapons of mass destruction and their means of delivery represented one of the most serious challenges to international peace and security. The failure of Iran to abide by relevant Security Council resolutions and its IAEA safeguards obligations was of profound concern. It was hoped that the discussions between Iran and the five permanent members of the Security Council plus Germany, the so-called P5-plus-1 countries, would produce an outcome that would meet the legitimate aspirations of Iran and satisfy the global cause of non-proliferation.

67. **Mr. Cheng Jingye** (China) said that the Treaty had played an irreplaceable role in preventing the proliferation of nuclear weapons, advancing nuclear disarmament and promoting the peaceful use of nuclear energy. The goals of comprehensive prohibition and total elimination of nuclear weapons and the attainment of a nuclear-weapon-free world were widely recognized, and consensus for non-proliferation was growing.

68. To achieve those goals, all nuclear-weapon States should fulfil, in good faith, their obligation under article VI of the Treaty and publicly undertake not to seek permanent possession of nuclear weapons. Countries with the largest nuclear arsenals should make drastic reductions in their nuclear arsenals in a verifiable and irreversible manner, and other nuclear-weapon States should join multilateral negotiations on nuclear disarmament when the time was ripe. China had always unequivocally undertaken not to be the first to use nuclear weapons and not to use or threaten to

use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones. It called on other nuclear-weapon States to do the same and to conclude international legally binding instruments in that regard. China had always kept its nuclear capabilities at the minimum level required for national security and had never taken part in any nuclear arms race. The development of missile defence systems which disrupted global strategic stability should be abandoned and a multilateral negotiation process to prevent an arms race in outer space should be vigorously promoted. China supported the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the early commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons in the Conference on Disarmament.

69. A nuclear-weapon-free world required the elimination of the risks of proliferation. States parties should strictly fulfil their related obligations and keep to political and diplomatic means in tackling the root causes of proliferation. The international nuclear non-proliferation regime needed to be consolidated and its universality and effectiveness strengthened. The safeguards function of IAEA should be strengthened and the effective implementation and universal adherence to comprehensive safeguards agreements and their additional protocols promoted, along with strengthening the security of nuclear materials and facilities.

70. China firmly opposed all forms of nuclear proliferation and attached great importance to nuclear security. The nuclear issue on the Korean Peninsula needed to be solved through dialogue and consultations in a peaceful manner. He called on all parties to exercise restraint and to continue to engage in dialogue so as to restart the Six-Party Talks and achieve the goal of denuclearization of the Peninsula and the long-term security of Northeast Asia.

71. China welcomed the positive results from the resumption of talks between the P5-plus-1 and Iran in Istanbul and hoped that the parties could apply the principle of gradualism and reciprocity in resolving the Iranian nuclear issue through diplomatic means. China was willing to continue to play a constructive role in that process.

72. The promotion of the peaceful uses of nuclear energy bore great significance for the international community in coping with the challenges posed by the

energy crisis and climate change. The legitimate rights to the peaceful use of nuclear energy of all States parties should be safeguarded, and non-proliferation should not be used to undermine those rights. IAEA should play a bigger role in promoting the peaceful use of nuclear energy and related international cooperation. Countries capable of doing so should actively assist developing countries in developing nuclear energy for peaceful purposes. The international community should assimilate the lessons learned from nuclear accidents and enhance nuclear security measures. His Government attached great importance to promoting national development through peaceful uses of nuclear energy and had carried out exchanges with relevant countries and IAEA on peaceful uses of nuclear energy. It had always placed safety first and would work with other States to seek effective ways to strengthen nuclear safety.

73. His Government supported efforts by relevant countries and regions to establish nuclear-weapon-free zones. It had played a constructive role in solving the remaining issues related to the Protocol to the South-East Asia Nuclear-Weapon-Free Zone Treaty and looked forward to promoting its early signature. China supported the convening of the 2012 conference on the establishment of a nuclear-weapon-free zone in the Middle East.

74. **Mr. Kyrle** (Austria) said that confidence in the Treaty and the wider regime as a credible means to prevent the proliferation of nuclear weapons must be strengthened. India, Israel and Pakistan had remained outside the Treaty, North Korea had abused its membership to develop a nuclear weapons programme and there had been several clandestine nuclear weapons programmes in other countries. Iran's nuclear programme posed the greatest challenge, and a peaceful and diplomatic solution was of paramount importance. He appealed to Iran to use the most recent round of talks to address the concerns of the international community about the nature of its nuclear programme. All States parties had a vested interest in a resolution that strengthened the nuclear disarmament and non-proliferation regime. The universal application of the best current verification standards would help to avoid future proliferation concerns.

75. All States parties must ensure that their policies were fully compatible with the Treaty as a credible framework for nuclear disarmament and must take steps to diminish the role and significance of nuclear

weapons in all military and security concepts, doctrines and policies. Transparency commitments by nuclear-weapon States needed to be fulfilled. The Comprehensive Nuclear-Test-Ban Treaty must be brought into force; further progress on bilateral negotiations between the United States of America and the Russian Federation was expected. Multilateral disarmament negotiations needed to be initiated on a fissile material cut-off treaty among other issues. The integrity of the Non-Proliferation Treaty hinged on making credible progress towards implementation, matching words with action. While nuclear-weapon States had the prime responsibility for nuclear disarmament, article VI of the Treaty was in the interest of all States parties, and some points in the action plan of the 2010 Review Conference applied to all States parties as well. Austria encouraged all States parties to use the action plan as a tool for implementation.

76. The creation of a nuclear-weapon-free zone in the Middle East was another challenge. The commitment and optimism of the Finnish Government, which would be hosting a conference in 2012 on that topic, was commendable. States in the region needed to seize the opportunity to start a process that would fulfil their dreams for peace, disarmament and cooperation.

77. Austria considered the generation of electricity through nuclear fission neither sustainable nor safe and not a viable avenue in combating climate change. While it had renounced the use of nuclear power in its national energy mix, it fully respected the rights of other States to peaceful uses of nuclear energy. However, the accident at the Fukushima nuclear power plant in 2011 demonstrated that the strictest possible standards of nuclear safety and security must be universally applied. While the logic of nuclear disarmament would ultimately prevail, the question was whether it would happen through rational political effort by the international community or as a result of a cataclysmic event. How the international community dealt with nuclear weapons was a litmus test of its ability to resolve a fundamental challenge to its very existence through international cooperation. The debate on nuclear weapons must move beyond a narrow security perspective to include the voice of civil society.

78. **Mr. El Mhamdi** (Morocco) said that his Government welcomed the outcome of the 2010 Review Conference and particularly its

recommendations with respect to the establishment of a nuclear-weapon-free zone in the Middle East. It was regrettable that the Comprehensive Nuclear-Test-Ban Treaty still had not entered into force. During its co-presidency of the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, Morocco had spared no effort in convincing States which had not yet acceded to the Treaty of its importance and had worked to speed up the ratification process.

79. As proof of its support for a stronger safeguards system, his Government had ratified an additional protocol to its safeguards agreement in 2011. The credibility of the verification system was weakened by the obstacles it faced. Enduring peace in the Middle East was not possible until all States in the region had adhered to the Treaty. Since 2000, Israel had been repeatedly urged to subject its nuclear facilities to the IAEA comprehensive safeguards system. He welcomed the efforts by the IAEA Director-General in organizing a forum on the establishment of the nuclear-weapon-free zone in the Middle East in November 2011, an important step towards restoring confidence among the interested States and the convening of a conference on the issue in 2012.

80. His delegation reiterated the inalienable right of States parties to the Treaty to develop and use nuclear energy and technology for peaceful purposes and encouraged IAEA to increase its cooperation in that field. In particular, States which did not possess nuclear weapons would benefit from the Agency's assistance and expertise in the use of nuclear technologies in sectors vital for economic and social development.

81. The Fukushima accident on 11 March 2011 had raised the issue of safety of nuclear energy and nuclear facilities. Morocco had contributed to the drafting of the Declaration on Nuclear Safety adopted at the IAEA Ministerial Conference on Nuclear Safety held in June 2011, which had served as a basis for the IAEA Nuclear Safety Action Plan.

82. The international community should do its utmost to ensure the universality and entry into force of the relevant international legally binding instruments so as to promote international cooperation and prevent acts of nuclear terrorism. Measures must be taken to respond to the increasingly sophisticated methods employed by terrorists in order to prevent radioactive

and nuclear material from falling into their hands. Morocco was an active member of the Global Initiative to Combat Nuclear Terrorism and had taken part in the two Nuclear Security Summits held in Seoul and Washington. Such initiatives raised awareness of the perils associated with terrorism and of the efforts made by the international community to prevent it. Morocco welcomed the adoption in September 2011 of the resolution on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety (GC(55)/RES/9).

83. **Mr. Bayer** (Turkey), speaking on behalf of the Non-Proliferation and Disarmament Initiative, said that the proliferation of nuclear weapons and their possible use constituted a serious threat to international peace and security. The credibility of the non-proliferation regime lay with the commitment of its States parties to its universalization and effective implementation. Nuclear non-proliferation and disarmament were mutually reinforcing. The total elimination of nuclear weapons was the only guarantee against their use or threat of use. Reaching the goal of complete disarmament required the full implementation of article VI of the Treaty by the nuclear-weapon States in an irreversible and verifiable manner. While the entry into force of the New START agreement and the unilateral steps taken by the United Kingdom and France to reduce their nuclear arsenals were welcome developments, systematic reductions in all nuclear weapons categories, including non-strategic nuclear weapons; a diminishing of the role of nuclear weapons in security strategies; and a reduction in the operational status of nuclear weapon systems were needed.

84. Nuclear-weapon States must agree on a standard reporting form to build international confidence and to increase transparency and accountability of nuclear disarmament processes. The Initiative had included a draft standard disarmament reporting form with its working paper on transparency.

85. It was regrettable that the Conference on Disarmament had not been able to agree on a program of work. States should make their best effort to adopt a program of work that would enable the immediate commencement of the fissile material cut-off treaty negotiations. The Initiative would circulate a working paper on that topic that identified practical steps for implementing action 15 of the 2010 action plan.

86. Considerable progress had been achieved in bringing the Comprehensive Nuclear-Test-Ban Treaty to near universal status and in building up its verification regime. Pending its entry into force, all States were called on to uphold and maintain a moratorium on nuclear weapon test explosions and any other nuclear explosions.

87. States parties had the inalienable right to develop and use nuclear energy for peaceful purposes, in full compliance with their obligations under the Non-Proliferation Treaty, without undue restrictions. The IAEA Technical Cooperation Programme to assist the developing States parties must therefore be strengthened.

88. Cooperation among States was needed to increase the safety and security of nuclear materials and facilities, as well as to prevent and respond to illicit trafficking in nuclear materials. He welcomed the Second Nuclear Security Summit held in Seoul and encouraged efforts towards achieving further progress in areas identified in the Seoul Communiqué and the Work Plan of the Washington Nuclear Security Summit held in 2010.

89. IAEA had made welcome efforts to strengthen the international nuclear safety framework, including through the implementation of its Nuclear Safety Action Plan. All States parties should work towards a successful Fukushima Ministerial Conference on Nuclear Safety to be held in December 2012 for further progress in international nuclear safety.

90. The IAEA safeguards system constituted a key component of the global non-proliferation regime. The Initiative promoted adherence to the IAEA comprehensive safeguards agreement, together with an additional protocol, as the universal verification standard. Additional protocols were an effective confidence-building measure as well as an early warning mechanism. States that had not yet concluded an additional protocol were urged to do so without delay and implement its provisions pending its entry into force. The Initiative was willing to share best practices in the conclusion and implementation of an additional protocol with interested countries and provide them with legal and practical assistance to complete their national processes.

91. Export controls were crucial for achieving nuclear non-proliferation obligations under article III, paragraph 2, of the Treaty. All States were urged to

establish and implement effective export controls to prevent the illicit transfer of nuclear and nuclear-related dual-use materials, equipment and technologies.

92. Members of the Initiative recognized the importance of disarmament and non-proliferation education and resolved to promote a culture of peace in their societies, raise greater awareness of the Treaty and ensure broad support for the principles it enshrined. Members of civil society needed to be empowered with the necessary knowledge and skills to make their own contribution to the achievement of the global disarmament and non-proliferation objectives.

93. **Mr. Grudziński** (Poland) said that the nuclear non-proliferation regime had been strengthened by the consensus outcome of the 2010 Review Conference and the entry into force of the New START agreement. It was the responsibility of all States parties to address the remaining challenges to the three pillars of the Treaty: nuclear disarmament, non-proliferation and cases of non-compliance with the Treaty and the creation of a nuclear-weapon-free zone in the Middle East.

94. As tactical nuclear weapons had not been covered by any legally binding arms control agreement and needed to be made an integral part of the nuclear disarmament process, it was hoped that nuclear-weapon States would include such weapons in their future reduction talks. Greater transparency of existing nuclear arsenals and increased mutual confidence were needed to lay the foundation for any future reductions.

95. Nuclear disarmament and non-proliferation were mutually reinforcing: irreversible nuclear disarmament and the diminishing role of nuclear weapons in nuclear-weapon States could discourage potential proliferators from acquiring those destructive weapons. Non-proliferation was also important for upholding the integrity of the Treaty, and IAEA and its safeguards system played a central role in that regard. Poland firmly advocated the universalization of the additional protocol agreements.

96. With respect to the 1995 resolution on the Middle East, it was hoped that all interested States of the region would participate in the conference on the establishment of a nuclear-weapon-free zone in the Middle East to be held in 2012 and start the process that would lead to its creation.

97. **Mr. Yaakob** (Malaysia) said that the Treaty was the most important tool for reaching the ultimate goal of eliminating nuclear weapons and achieving complete disarmament. The attainment of a nuclear-weapon-free world rested on the fulfilment of the basic bargain embodied in the three pillars of the Treaty. Concerns remained with the slow progress in the reduction of strategic and non-strategic nuclear weapons, the lack of transparency, the high alert status of nuclear weapons, the continuing pursuit of nuclear programmes by a few countries and the insistence of others on remaining outside the Treaty. The preparatory process for the 2015 Review Conference would allow all nuclear-weapon States to substantiate their unequivocal commitment to eliminate their nuclear arsenals.

98. The very existence of nuclear weapons was incompatible with elementary considerations of humanity. His country's delegation had tabled a resolution on the Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons at the General Assembly, which had been supported by an overwhelming majority of Member States. That resolution continued to underscore the unanimous opinion of the Court that there existed an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

99. He commended the ratification by Indonesia and Guatemala of the Comprehensive Nuclear-Test-Ban Treaty, a primary disarmament instrument, and called on all States, particularly the Annex 2 States, to work towards its entry into force.

100. Malaysia was party to the Treaty on the South-East Asia Nuclear Weapon Free Zone and looked forward to the signing of the Protocol to that treaty by nuclear-weapon States. Malaysia also supported the establishment of a nuclear-weapon-free zone in the Middle East and hoped that the conference to be held in 2012 on that topic would provide the necessary impetus.

101. At the national level, Malaysia was in the process of revising its Atomic Energy Licensing Act to become a comprehensive nuclear law. That would enable it to accede to the Convention on the Physical Protection of Nuclear Material and its 2005 Protocol and ratify the International Convention for the Suppression of Acts of

Nuclear Terrorism. Malaysia had submitted an initial declaration in preparation for the ratification of its additional protocol in December 2011 and had endorsed the IAEA Code of Conduct on the Safety and Security of Radioactive Sources, the Guidance on the Import and Export of Radioactive Sources and the IAEA recommendations on physical protection of nuclear material and nuclear facilities. The Strategic Trade Act, in force since July 2011, enabled Malaysia to contribute to global efforts to curb the proliferation of weapons of mass destruction.

102. His delegation commended the catalytic role played by non-governmental organizations in the campaign for a nuclear-weapon-free world and believed that the inter-governmental process and closer cooperation with such organizations were of tremendous benefit.

The meeting rose at 1 p.m.