STATEMENT
BY
AMBASSADOR LESLIE M. GUMBI
PERMANENT REPRESENTATIVE
OF THE REPUBLIC OF SOUTH AFRICA
TO THE UNITED NATIONS IN VIENNA

DURING THE FIRST COMMITTEE
THEMATIC DEBATE
ON NUCLEAR WEAPONS

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Check against delivery
Thank you Chairperson,

As already stated during the General Debate, South Africa remains deeply concerned over the huge number of nuclear weapons that continue to be deployed and stockpiled around the world and security doctrines that envisage the actual use of such weapons.

Recent developments in the area of nuclear weapon systems, including decisions on the modernisation of such systems and the development of new types of nuclear weapons, are incompatible with the integrity and sustainability of the nuclear non-proliferation regime and with the broader goal of the maintenance of international peace and security. Any presumption of the indefinite possession of nuclear weapons will in our view only lead to increasing insecurity and a continuing arms race. Continuous and irreversible progress in nuclear disarmament and other related nuclear arms control measures remain fundamental to the promotion of nuclear non-proliferation.

Chairperson,

Turning to a related matter, South Africa shares the view of others that the Illicit Network in nuclear technology to manufacture nuclear weapons presents a serious challenge to the NPT. In this context, South Africa announced during September 2004 that an investigation had been undertaken with regard to the contravention of South Africa’s non-proliferation legislation, as well as information obtained following Libya’s announcement of the abandonment of its nuclear weapons programme. This Illicit Network apparently operated in more than 30 countries and comprised of several entities and individuals of different nationalities.

I am glad to inform Member States that on 4 September 2007, one of the accused, Mr Gerhard Wisser, a German national entered into a Plea & Sentence Agreement with the South African National Prosecuting Authority in terms of which he was convicted on seven counts relating to his activities with both Libya and Pakistan and sentenced to three years’ correctional supervision, as well as a total of 18 years’ imprisonment, suspended for five years on conditions which, *inter alia*, require him to co-operate fully with the authorities as far as further investigations into the network’s activities are concerned. A Confiscatory Order was also made in respect of his proceeds of crime to the amount of EUR2.8 million and R6 million. The case against the other accused, Mr Daniel Geigas, a Swiss national, was separated and postponed.
South Africa is highly appreciative of the contribution of the IAEA in bringing the case against Mr Wisser to a close. We also wish to recognise the co-operation received from Governments involved in the investigation. What is now required from all countries affected by the Illicit Network, is enhanced efforts by the respective authorities, in close co-operation with the IAEA. What is needed is a concerted effort to achieve the successful prosecution of all the major actors involved in order to realize the complete elimination of the Network.

As the first successful case against those involved in the so-called AQ Khan Network, South Africa’s experience has illustrated the value of the IAEA and of effective information-sharing. We believe that this type of co-operation will contribute to the prevention, combating and eradication of such illicit activities.

Chairperson,

The IAEA remains the only internationally recognised competent authority responsible for verifying and assuring compliance with safeguards agreements, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. This authority should not be undermined and any concerns regarding non-compliance with safeguards agreements should be directed to the IAEA for consideration of any actions that may be required in accordance with the IAEA’s mandate.

Inadequate safeguards arrangements between the Agency and IAEA Member States is yet another factor that has a direct bearing on the verification capacity of the Agency that requires our serious attention. South Africa is very concerned that there are some States that have yet to take the first basic step required by the NPT to put into force Comprehensive Safeguards Agreements with the Agency. We call on these States to fulfil their obligations under Article III of the NPT as soon as possible.

The Agency’s safeguards is not a static system, but is a system that needs to be adapted to changing circumstances. It is for this reason that South Africa supported to no avail attempts at the recent IAEA General Conference aimed at strengthening the safeguards system through the incorporation into the safeguards resolution text directly derived from the IAEA Statute stating that the Agency shall “Conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering the establishment of a safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies”.

Regrettably, the inclusion of this language that supports step 10 of the 13 Practical steps towards Nuclear Disarmament agreed to at the 2000 NPT Review Conference was also rejected. Step 10 calls for “Arrangements by all nuclear-
weapons-states to place, as soon as possible practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

The rejection of these proposals is a cause of concern to my delegation and seems to represent a tendency by some Member States to renego from commitments made when joining the Agency and from their solemn undertakings agreed to in the context of the NPT. We also wonder if these negative developments are not a manifestation of complacency and the false belief that the safeguards system has been perfected.

South Africa recognises the indispensable role that the Additional Protocol can play as an additional measure to provide the necessary confidence and the desired assurances that Member States apply their nuclear technology solely for peaceful purposes and that no declared or undeclared material is diverted to weapons programmes. South Africa believes that countries with access to advanced technologies bear a greater responsibility to provide these assurances and to build confidence in the peaceful nature of their nuclear programmes.

Chairperson,

In the context of the nuclear fuel cycle, a number of proposals have been made during the last few years regarding the reliable supply of nuclear fuel, including proposals for the establishment of new fuel supply mechanisms. Unfortunately, some of these proposals are geared towards restricting the right of countries to develop domestic capabilities. Such conditionalities do not only contradict the inalienable right of States to pursue nuclear energy for peaceful purposes as provided for in the NPT, but also exacerbate existing inequalities, including through the creation of another kind of cartel that would exclude full participation, particularly by States in full compliance with their safeguards obligations.

In recognising the potential role that nuclear energy can play as an alternative renewable source of energy, it is our duty to ensure that no unwarranted restrictions are imposed. Further modalities for preventing the diversion of these sensitive technologies to nuclear weapons may be required in order to ensure that we can pursue such activities without fear and with the necessary assurances. However, what is required is a non-discriminatory approach that would assure the reliable supply of nuclear fuel, whilst fully respecting the choices of States and protecting their inalienable right to pursue peaceful nuclear programmes, consistent with their non-proliferat on obligations.

In concluding Chairperson, allow me to merely state the obvious, namely that the systematic and progressive elimination of all nuclear weapons and the assurance
that they will never be produced again remains the only assurance against their use. This should firmly remain our goal.

Thank you, Chairperson.