PERMANENT MISSION
OF SWITZERLAND TO THE UNITED NATIONS OFFICE
AND TO THE OTHER INTERNATIONAL
ORGANIZATIONS IN GENEVA

2005 Review Conference
of the States Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons

2nd session of the Preparatory Committee
(Geneva, 28 April – 9 May 2003)

DECLARATION

by Ambassador Christian Faessler,
Permanent Representative of Switzerland to
the Conference on Disarmament

(General Debate)

Geneva, 29 April 2003
Mr. Chairman,

Please allow me first of all to say on behalf of my delegation that it is a great pleasure to see you chairing this second session of the Preparatory Committee for the next Review Conference of the Nuclear Non-Proliferation Treaty (NPT). The very constructive commitment of your country to disarmament and non-proliferation will without doubt be a major contributing factor to the success of our work. I wish to assure you that you can count on the full support and cooperation of my delegation in the exercise of your functions.

Mr. Chairman,

Our meeting takes place at a time characterised both by a multiplicity of conflicts and of serious tensions throughout the world, as well as by the many uncertainties regarding the future role of international institutions and instruments in the field of peace and international security. However, this situation must not allow us either to lose courage or to lose sight of the principal objective of the sessions of the Preparatory Committee, which is to consider the developments concerning the functioning and objectives of the NPT.

The NPT and the decisions and resolutions adopted at the Review Conferences are the only binding obligations for nuclear-weapon States to eliminate their nuclear arsenals. Although the TNP is not a disarmament agreement in the normal sense, it is the main instrument for eliminating the disparities between the nuclear have-nots and the nuclear have-haves, and for removing the danger of horizontal and vertical proliferation. It is also a frame of reference for all those countries which have not yet joined.

Although there are no formal linkages between the constituent parts of the NPT, it is important to see them as interdependent to get a clear idea of the development of this Treaty as a whole. From this perspective, we therefore note in particular the persistent imbalance between the lack of progress in achieving nuclear disarmament, as set forth in Article VI of the Treaty, and the implementation of other provisions of the Treaty, in particular Articles II and III.
This imbalance is *endangering the two compromises* which paved the way to the conclusion and to the later extension of the NPT. The first compromise concerns the renunciation by the great majority of States parties of the acquisition of nuclear arms—while maintaining the right to use nuclear energy for peaceful purposes—in exchange for a commitment by the nuclear-weapon States to negotiate in good faith to achieve nuclear disarmament. The second compromise concerns the extension of the NPT for an indefinite period in exchange for the adoption of the 'Principles and Objectives', for the establishment of a strengthened review process, and for a Resolution on the Middle East. These decisions, taken in 1995, together form a package which should not be undone. Furthermore, Switzerland continues to insist on the fact that the decision to extend the NPT in 1995 cannot mean the indefinite prolongation of the status quo, in particular concerning the situation with respect to the status of the nuclear-weapon States.

The reaffirmation of these two compromises must constitute the point of departure of our deliberations. However, our efforts must also be based on the results of the first session of the Preparatory Committee which have been included in the excellent report of the Chairman of this session, Ambassador Salander.

Mr Chairman,

One of the main challenges for the 2005 Review Conference is the question of the universality of the NPT. Following Cuba’s accession to the Treaty—which, once again, we salute—and the announcement of the Democratic People’s Republic of Korea to withdraw—an announcement which we deplore—the issue of its universality is more topical than ever.

In this context, we must first of all develop effective measures and means to apply pressure on States which are not party to the Treaty with a view to obtaining their unconditional accession. Concerted action by all States Parties is required to achieve this objective. In the meanwhile, we should include these States as partners our non-proliferation efforts. For example, proposals in this respect relating to
nuclear safety equipment and technology were made by the Director-General of the International Atomic Energy Agency, Mr. El Baradei, at an international seminar on nuclear non-proliferation in November 2002 in the United States. Secondly, we must launch a process of in-depth analysis on the question of the NPT's continued attractiveness for those States which are already party to the Treaty. To maintain and increase its attractiveness is the best way to promote its universality, to prevent States Parties from withdrawing, and to ensure optimal implementation. One way to achieve this could be to improve technical co-operation in the peaceful use of nuclear energy.

Mr Chairman,

During this current period of great uncertainty, there is an increasing risk of States Parties succumbing to the temptation to take measures incompatible with their obligations under the NPT. My country is concerned about the recent reports of allegations of non-compliance with the Treaty. Such allegations provoke questions concerning the full application of the NPT and contribute to worsening political tensions, while also endangering international peace and security. My country is in principle opposed to the resort to force - without full authorisation of the United Nations Security Council - to settle problems relating to non-compliance with obligations in the NPT. On the contrary, Switzerland prefers other approaches and generally supports measures of a more peaceful nature such as on-site verification.

Concerning the Democratic People's Republic of Korea and the tensions caused by the impossibility for the IAEA to verify nuclear safeguards in that country, Switzerland remains concerned and supports international efforts to find a peaceful solution with Pyongyang. With regard to the recent allegations against the Islamic Republic of Iran, Switzerland notes with satisfaction that during his visit to the Islamic Republic of Iran last February at the invitation of the Iranian Government, the Director-General of the IAEA, Mr. El Baradei, confirmed that Iranian nuclear facilities were compatible with its status as a non-nuclear weapon State. However,
in order to remove all concerns with respect to the Iranian nuclear programme, Switzerland supports the proposals of transparency made by Mr. El Baradei to the Government of the Islamic Republic of Iran during a recent visit to this country. Generally speaking, on-site visits without any restrictions by the IAEA or under the auspices of the UN remain the best means of assuring compliance with the obligations under the NPT.

Mr Chairman,

The best way to counter the risk of nuclear proliferation lies in the negotiation and adoption of universal and non-discriminatory instruments of nuclear disarmament with the aim of eliminating under international supervision all nuclear weapons. Due to the Iraq crisis and the relatively short period since the first session of the Preparatory Committee, there have been only few noticeable developments in the field of nuclear disarmament and non-proliferation. Allow me, nevertheless, to point out some recent aspects:

1. We applaud the continuing implementation of the new Treaty on the reduction of strategic offensive nuclear forces between the United States and the Russian Federation.

2. The efforts of the Conference on Disarmament in the area of nuclear disarmament unfortunately remain bogged down. The Conference has not yet succeeded in adopting a work programme to resume negotiations on fissile materials and nuclear disarmament. My country welcomes the efforts of the five ambassadors to facilitate the adoption of a work programme and continues to participate actively in discussions on nuclear disarmament in the plenary sessions of the Conference on Disarmament.

3. In the context of the struggle against terrorism, it is necessary to point out the efforts to strengthen the Convention on the Physical Protection of Nuclear Material and other initiatives, aimed at preventing unauthorised individuals or groups gaining access to such materials. According to recent analyses, the
danger of the use of radioactive devices -- so-called dirty bombs -- by terrorist
groups should not be underestimated. In this respect, my country welcomes the
recent conference in Vienna on this question and the German initiative within
the Conference on Disarmament.

4. Within the IAEA, 31 countries have ratified an Additional Protocol to their
Nuclear Safeguards Agreements. The capacities of the Agency to detect
undeclared nuclear activities have as a result been strengthened. My country
appeals to all States which have not yet done so to sign and ratify such
Additional Protocols as soon as possible. In Switzerland, the ratification process
is well under way and should be completed by the time of the next Review
Conference.

5. As is known, all States Parties are called upon to examine the implementation
of the “13 Steps” contained in the 2000 final document. My country welcomes
the many reports which have been prepared for this session and expresses the
hope that the submission of a large number of reports will create a solid
precedent which will have a driving effect, thus contributing to greater
transparency.

6. My country is concerned about the recent news articles reporting the
development of military doctrines which aim to use nuclear weapons against
States suspected of trying to acquire weapons of mass destruction. The use of
nuclear weapons as a preventive measure would not only be contrary to
international law and to the spirit of the NPT but also, in view of its
disproportionate character, be incompatible with international humanitarian
law. Given the size of their arsenals and the sophistication of their nuclear
weapons, the United States and the Russian Federation have a particular
responsibility to prevent such developments.