STATEMENT BY
H.E. AMBASSADOR HUSSEIN HANIFF
PERMANENT REPRESENTATIVE OF MALAYSIA
TO THE UNITED NATIONS IN VIENNA

AT
THE THIRD SESSION OF THE PREPARATORY COMMITTEE FOR THE 2005
REVIEW CONFERENCE OF THE PARTIES TO TREATY ON THE NON-
PROLIFERATION OF NUCLEAR WEAPONS

ON
CLUSTER I

NEW YORK
MONDAY, 3 MAY 2004

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Mr. Chairman,

Malaysia firmly believes that nuclear disarmament is of paramount concern to the international community in the pursuit of efforts to eliminate weapons of mass destruction from our planet. The international community, especially the Nuclear Weapon States has the obligation to ensure a halt to the nuclear arms race and the phasing out and total elimination of nuclear weapons. Malaysia remains convinced that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is a key instrument in halting the vertical and horizontal proliferation of nuclear weapons. In this regard, Malaysia is of the view that the obligations enshrined under the Treaty should not be implemented selectively.

2. Malaysia is concerned over the slow pace of progress towards nuclear disarmament. The implementation of the 13 practical steps agreed at the 2000 NPT Review Conference has very disappointingly made very little progress. Malaysia calls for the full implementation of the unequivocal undertaking given by the Nuclear Weapon States to the total elimination of their nuclear arsenals. Although we are encouraged to see progress in unilateral and bilateral reductions of nuclear weapons, the total number of nuclear weapons deployed and remaining in stockpile is still very substantial.

3. Malaysia signed the NPT in 1968 and ratified it in 1970 and remains committed to its obligation under the Treaty.

4. The Conference on Disarmament (CD) has yet to agree on its programme of work and without this, there can be no progress in establishing a body within the CD to deal with nuclear disarmament. Malaysia is dismayed with the continued inflexible postures of the Nuclear Weapon States which have prevented the CD from establishing an Ad Hoc Committee on Nuclear Disarmament. Malaysia holds the view that the CD as the sole multilateral negotiating forum on disarmament should establish a priority basis the Ad Hoc Committee as soon as possible. Malaysia had exerted maximum efforts during its presidency of the CD from 16 February - 14 March 2004, to bring the CD delegations towards consensus agreement on a programme of work. However, the divergences between delegations were too wide to be bridged. Malaysia believes that the "Five Ambassadors' Proposal" continues to enjoy broad support from delegations.

5. Malaysia supports the immediate commencement and early conclusion of negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other explosive devices taking into account both nuclear disarmament and nuclear non-proliferation. We are concerned that prospects for positive steps towards achieving a Fissile Material Cut-off Treaty (FMCT) do not appear to be very good. As a member of the CD, Malaysia believes that efforts should continue in the CD to break the stalemate over the establishment of an Ad
Hoc Committee on a FMCT. In negotiating the Treaty, Malaysia holds the view that the prohibition of fissile material production should cover both future production and existing stocks.

6. Malaysia pledges its readiness to continue to work actively with other members of the United Nations in the area of nuclear disarmament. As a concrete effort, Malaysia had introduced for the eighth consecutive year, a resolution on the ICJ Advisory Opinion on the legality of the use and threat of nuclear weapons at the 58th Session of the General Assembly, which was supported by the overwhelming majority of member States. Resolution 58/46, inter alia, continues to underscore the unanimous opinion of the ICJ that “there exists 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”. It is also in this spirit, Malaysia and Costa Rica had submitted a working paper 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 2000 NPT Review Conference. Malaysia intends to pursue this issue at the 2005 NPT Review Conference.

7. Malaysia wishes to stress that pending the total elimination of nuclear weapons, efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances by the Nuclear Weapon States to the Non-Nuclear Weapon States should be pursued as a matter of priority. Malaysia welcomes the assurances given by certain Nuclear Weapon States in the General Debate that they remain committed to their earlier negative security assurances. However, Malaysia calls upon those Nuclear Weapon States to strengthen their assurances by signing the Protocol to the Treaty on the Southeast Asia Nuclear Weapon Free Zone, or the Bangkok Treaty, and concluding an international legal instrument on security assurances as soon as possible. In this regard, Malaysia is pleased that China has reached agreement with ASEAN on the Bangkok Treaty and its Protocol. We also welcome the firm support given by China to the conclusion of an international legal instrument on security assurances.

8. Malaysia would like to reiterate its strong commitment to pursuing the long-term objective towards the total elimination of all nuclear weapons. Malaysia wishes to underscore the importance of the multilateral approach towards disarmament. In this regard, we firmly believe that the search for genuine measures for disarmament and non-proliferation remains a high priority on the international agenda. It is imperative for all States Parties to the NPT, in particular the Nuclear Weapon States to fulfill their commitments and implement the agreements made at the 1995 Review and Extension Conference as well as at the 2000 NPT Review Conference.

Thank you Mr. Chairman.