In the name of God, the compassionate, the merciful

Statement by
the Delegation of the Islamic Republic of Iran
at the First Session of the NPT Preparatory Committee
Cluster 3 Specific Issues - on Other Provisions
Vienna, 10 May 2012

Mr. Chairman,
My delegation associates itself with the statement made by the distinguished representative of Egypt on behalf of the Non-Aligned Movement.

Mr. Chairman,
The most important issue that falls under the purview of today’s meeting is the issue of universality of the NPT. The 1995 NPT Review and Extension Conference established in its decision on “principles and objective for nuclear non-proliferation and disarmament” that universal adherence to the Treaty is an urgent priority. According to the 1995 decision on “strengthening the review process for the Treaty”, Review Conferences “should address specifically what might be done to achieve the universality of the Treaty”. The Islamic Republic of Iran, therefore, strongly believes the upcoming Review Conference needs to make specific recommendations and decisions to this end.

It is also worth recalling that in the 1995 decision on principles and objectives all the States Parties made a commitment to make every effort to achieve the objective of universal adherence to the Treaty. This commitment was reaffirmed by the States Parties in the Final Documents of the 2000 and 2010 Review Conferences in which they
undertook to make determined efforts towards the achievement of universality of the Treaty and refrain from any action that can negatively affect prospects for the universality of the Treaty. In this context, the decisions and Resolution of the 1995 Review and Extension Conference and the agreements of the 2000 and 2010 Review Conferences have provided a solid base for pursuing and implementing this undertaking.

Unfortunately, since the 2005 Review conference disturbing developments have taken place in violation of this undertaking. The most obvious example is the NSG decision of September 2008 which has rendered the universality of the Treaty less attainable. When non-parties freely receive nuclear cooperation, they never see any advantage in adhering to the NPT. The 2015 Review Conference has to address this issue and make a decision on complete prohibition and cessation of nuclear transfers to non-parties to the NPT. We also propose that the upcoming conference appoint a facilitator for universality and ask him or her to report to the Preparatory Committees and the Review Conferences.

Another example of violation of the commitment to make determined efforts towards the achievement of universality of the Treaty can be clearly seen in the Middle East region where the only non-party to the NPT continues to receive a great deal of economic and military aid from a certain nuclear-weapon State party to the Treaty. With this aid the Israeli regime can afford to run its unsafeguarded nuclear establishment at which it produces the plutonium for its underground nuclear weapons program. It also enjoys cooperation of the same Party to the NPT in developing ballistic-missile defence systems which includes technologies that could assist Israeli regime in developing missiles for delivering nuclear weapons. Another nuclear weapon State provide missile to that regime and recently the world witnessed providing submarines capable for delivery of nuclear weapons. Such policy cannot certainly be characterized as responsible and determined effort towards achievement of universality of the Treaty in the Middle East.

Mr. Chairman,
The Islamic Republic of Iran will work with other parties in order to advance and highlight the following points as recommendations of the Preparatory Committee to the 2015 Review Conference:

- To recognize that non-adherence to the NPT pose a threat to international peace and security.
- To call upon the non-parties to accede to the NPT as non-nuclear weapon States,
- To recognize that unsafeguarded nuclear facilities of the non-parties to the treaty and providing nuclear cooperation and assistance to them by certain nuclear weapons States threaten the peace and security, in particular in the region of Middle East.
- To express deep concern at the decision of NSC in September 2008 which was made under the political pressure of a certain nuclear-weapon State in violation of the commitment to universality and that of the paragraph 12 of the 1995 decision on principles and objectives and the 2000 Final Document of the Review Conferences.
- To reaffirm the commitment of all States Parties to cease and prohibit completely the transfer or sharing of all nuclear related equipment, information material,
facilities, resources or devices, or the extension of scientific and technical assistance in the nuclear field to non-parties to the treaty without exception.

Mr. Chairman,
I now would like to address the issue of article X. Contrary to the argument that some make, there is neither necessity nor urgency to focus on the issue Article X in the Review Conferences. In the past 40 years, no frequency can be found in exercising the right of withdrawal under Article X. Since the entry into force of the Treaty, no mention of Article X in the consensual final documents of the NPT Review Conferences can be seen. So far, the right of withdrawal has been employed only one time, and ironically, as a result of intimidation and threats against the withdrawing Party by a certain State that is fervently advocating the limitation of the right of withdrawal.

My delegation believes that the NPT Review Conferences and their Preparatory Committees have more important priorities and challenges to deal with, such as those emanating from non-implementation of the disarmament obligations, the development and modernization of the nuclear weapons and the irrational doctrines of possible use of such inhumane weapons. Indeed, the major challenges that the NPT is facing today are the full implementation of the two pillars of the treaty, namely nuclear disarmament and cooperation on peaceful use and development of nuclear energy.

Generally speaking, there are two categories of treaties and conventions with regard to "the withdrawal clause". Some conventions such as the UN Convention on the Law of the Sea do not have such clauses. In the second category which includes the NPT, a convention or a treaty is very explicit in terms of the withdrawal. Therefore, the NPT recognizes the existence of the unconditional right of a State to withdraw in exercising its national sovereignty.

Withdrawal clause creates a lawful, public mechanism for a State party to terminate its treaty obligations and withdraw from the membership in the treaty in specific circumstances. Any proposal regarding Article X that goes beyond the provisions of the NPT and challenges the lawfulness of the right of withdrawal or is aimed at limiting or conditioning the sovereign right of States parties to withdraw will be unacceptable.

Proposals that actually reinterpret the articles of the NPT are tantamount to amending the Treaty. If any State Party has proposal for the amendment of the NPT, it must follow the procedures stipulated in the Article VIII of the Treaty. Wording of the Article X of the NPT has left determination of the existence of the extraordinary events completely to the discretion of the withdrawing State, leaving no room for reinterpretation.

Mr. Chairman,
In conclusion, the Islamic Republic of Iran reiterates that the main challenges facing the NPT are essentially the continued existence of thousands of nuclear warheads and their development and modernization by certain nuclear weapon States as well as the irrational doctrines for possible use or threat to use them.
The nuclear weapons States must work sincerely and seriously toward the total elimination of nuclear weapons, which is the root cause of the NPT problems, and till realization of that goal, unwarranted focus on irrelevant issues would not have desirable results.

It is a matter of serious concern that main priorities like universality of the NPT have been neglected or undermined by some nuclear weapon states in favor of issues like Article X. In such a situation, the insistence of a few State Parties who try to highlight non-issues like Article X while overlooking their fundamental obligations is questionable. Moreover, the discussions on Article X during the 2010 Review Conference made it clear that there is no consensus on proposals for reinterpretation or limitation of the right of withdrawal. So, there is no point in further deliberation on this issue in the NPT review process.

The Islamic Republic of Iran believes that in order to tackle the withdrawal issue, an incentive-based approach should be adopted to encourage any withdrawing Party to return to the Treaty. In such an approach the focus should be the elimination of motives or threats that may prompt decision to withdraw.

I thank you Mr. Chairman.