In the Name of God, the Compassionate, the Merciful

Statement by H.E. Ambassador Ali Asghar Soltanieh
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to the IAEA and other International Organizations in Vienna
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Specific issue one: Nuclear Disarmament and Security Assurances
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Mr. Chairman,

I would like to associate my delegation with the statement delivered by the distinguished representative of Indonesia on behalf of the Non-Aligned Movement on this cluster.

One of the main preoccupations of the members of the NPT during negotiation of the treaty was the provision of credible security assurance to the non-nuclear weapon states. Non-nuclear weapon states decided to join the NPT, being aware of the discriminatory nature of this Treaty, with this understanding that they would not be the target of use or threat to use of nuclear weapons. Therefore, in the resolution for the adoption of the NPT, the General Assembly requested the then negotiation body to consider urgently the proposal that the nuclear-weapon states should give an assurance that they would not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories.

The continued existence of thousands of nuclear weapons many times more destructive than the first atomic bombs dropped on Hiroshima and Nagasaki, in the stockpiles of the nuclear-weapon States has kept the fate of civilization and of
humanity itself under horror and panic. Even with the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), humankind has continued to live under the shadow of threat and possible use of the world’s most destructive mass-terror weapons. Therefore, providing unconditional security assurances by the nuclear-weapon States to all non-nuclear-weapon States Parties to the Treaty against the use or threat of use of nuclear weapons has remained an important and vital issue.

It was in response to the insistent requests of non-nuclear-weapon States that the nuclear-weapon States recognized this legitimate interest for the first time in 1978 and then at the verge of the 1995 Review and Extension Conference of the NPT. The nuclear-weapon States made individual statements to the Conference on Disarmament in which they provided security assurances to non-nuclear-weapon States Parties to the Treaty. The Security Council, in its resolution 984, took note of the statements made by each of the nuclear-weapon states, in which they gave security assurances against the use of nuclear weapons to non-nuclear-weapon States Parties to the Treaty. The unilateral declarations of the nuclear-weapon States and the Security Council resolution were duly taken note of in a package of decisions by the 1995 Review and Extension Conference. Principle 8 of the decision on principles and objectives stipulated that “further steps should be considered to assure non-nuclear-weapons States Parties to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument”.

Subject to the full commitment of nuclear weapon states to their declarations, these assurances remain partial, declarative and limited with no legal burden on the part of nuclear weapon states which does not constitute at all credible assurances. Let alone the recent developments that some nuclear weapon states fully breach these commitments and in explicit and implicit manners threaten the non-nuclear weapon states. It is clear that these declarations cannot substitute the internationally legally binding commitments. The assurances provided under protocols to treaties
establishing nuclear-weapon-free zone are also subject to many conditions and is far from the expectation of non-nuclear weapon states. It seems that as long as nuclear weapons exist the shadow of the use or threat of use of these inhumane weapons will blur the life of mankind.

Indeed, if there would have been political will and honesty rather than hypocrisy and duplicity, the negotiation on NSA has been very simple and should have been reached to concrete results many years ago. It is deploring that after more than 4 decades we still live with the wish of start of negotiation on the NSA, at the same time the outside developments are not at all conducive to the goal of the NSA and the resistance in this regard is indicative of scenarios for possible use of nuclear weapons. Those who are using positive security assurances and benefiting from nuclear umbrella are supporting maintaining the reliability of the nuclear arsenals by modernizing them or they are satisfactorily silent on the lack of progress in this regard.

It is extremely dangerous that some NWS in their nuclear doctrines see the possibility of use of nuclear weapons against non-nuclear weapon states parties to the NPT and review the development of easy-to-use nuclear weapons. The matter of more concern is that the threats and dangerous doctrine of use of nuclear weapons against non-nuclear weapon States were officially and repeatedly proclaimed by the high ranking officials of the nuclear weapon states (such as those threats made by the United States and French President) and the NATO. All of these vicious developments have put the non-nuclear-weapon States more than ever under the real threat of possible use of nuclear weapons.

The United States by developing new types of easy-to-use nuclear weapons and recently allocation of billions of dollars to modernize its nuclear arsenal, construction of new facility for production of nuclear weapons and naming non-nuclear-weapon States as targets of such inhumane weaponry, is acting in contravention of the Article 2 (4) of the Charter of the United Nations, and clearly violating its obligations under
Article VI of the Treaty and putting its commitment in its 1995 unilateral statement under serious question. Hundreds of millions of dollars have already been allocated to the nuclear weapon development projects such as those in the United Kingdom Trident or the United States mini-nukes and recently the addition of a nuclear-armed ballistic missile submarine to French nuclear arsenals. The recent threat by some nuclear weapon states against the non nuclear weapon states is the blatant breach of the UN Charter, the agreed principles in the SSOD1 and the advisory opinion of the ICJ on illegality of use of such weapons which shall not be tolerated any more. The international community should not await the deployment of such weapons to react. Such policies and practices seem to have learned no lesson from the massacre of Hiroshima and Nagasaki, therefore should be condemned and not to be repeated anymore.

The negative security assurances are morally incontrovertible. These assurances are not a favor to be granted by nuclear-weapon States. These assurances are not optional choice of the nuclear weapon states. Based on International Humanitarian Law and the principles of security for all, Justice and good faith, they are the legitimate right of those countries who deliberately renounce the nuclear weapon in the framework of the NPT and they are legal obligation of Nuclear weapon states. From the international security and stability point of view, the decision of non-nuclear weapon states not to pursue nuclear weapons is more important than of the decision of those who stick to their nuclear weapons. We believe that the unconditional, non discriminatory legally binding credible security assurances to the non nuclear weapon states are only partially counterbalances the renunciation of nuclear weapons by non-nuclear-weapon States.

Having reviewed all the views expressed on this very important subject, we remains convinced that the only absolute guarantee against the use or threat of the use of nuclear weapons is their total elimination through transparent, verifiable and irreversible measures, in accordance with article VI of the NPT and as stipulated in
the Advisory Opinion of the International Court of Justice in 1996. Pending achieving that goal, nuclear-weapon States must provide legally binding credible and effective security assurances to the non-nuclear-weapon States against the use or threat of use of these weapons. Therefore, the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear weapon States should be pursued as a matter of priority by the international community.

Nuclear weapons should not imply political clout and capability to shape and influence world events or change the decisions of sovereign States. Holding onto and expanding nuclear arsenals should be condemned rather than condoned or tolerated. Any increase in nuclear capability should equal a reduction in political credibility. As long as such weapons are in the stockpiles of the nuclear-weapon States, no one on the earth has any security. It is therefore imperative to move on with a concerted and firm resolve to stop and reverse this fast-paced drive. Certain nuclear-weapon States have tried to create smokescreens in the international forums, including the Treaty review process, to deflect attention from their abysmal record and policies.

According to the Nuclear Pasture Review and the statement of the president the United States shall use nuclear weapons against others in case of facing non-nuclear threat. The fact that except china, other nuclear weapons states have not committed to “No first use” policy, has created a serious nuclear security concern.

Pending the total elimination of these inhuman weapons, as stipulated in the Advisory Opinion of the International Court of Justice on 8 July 1996, the NPT Review Conference should announce unequivocally that to use or threaten to use nuclear weapons is illegal. At the same time efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances to all non-nuclear-weapon States Parties to the Treaty should be pursued as a matter of priority by the international community. Therefore, we propose that the 2015 Review Conference establish an ad hoc committee to work on a draft of a legally binding instrument on the illegality of nuclear weapons and providing unconditional security
assurances by the five nuclear-weapons States to all non-nuclear-weapons States Parties to the Treaty, and to submit its draft to the Review Conference for consideration and adoption. As a first step to address the twin issues of illegality of use and negative security assurances, we continue to believe that, the 2015 Review Conference should adopt a decision through which the Conference “decides that the use or threat of use of nuclear weapons against any non-nuclear-weapons State Party to the NPT shall be prohibited”.

Recalling the fact that by joining NPT, Iran and other non-nuclear weapons states have compromised their national security for the sake of global security and establishment of world free from nuclear weapons, they cannot tolerate the status quo anymore. We therefore strongly urge the upcoming Review Conference, in 2015, to move a step forward and to make a concrete decision on the legally binding negative security assurances in order to assure all the non-nuclear-weapons States Parties to the Treaty, on a non-discriminatory and unconditional basis, against the use or threat of use of nuclear weapons.

I thank you Mr. Chairman