I Preparatory Committee for the 2020 Review Conference of the States Parties to the Treaty on the non-proliferation of Nuclear Weapons

Draft Chairman’s “factual summary”

Brazil

Mr. Chairman,

Brazil [fully associates itself with the statement delivered by Ireland on behalf of the New Agenda Coalition and] would like to offer the following [additional] comments on the Draft Chairman’s factual summary.

I would like, Mr. Chairman, to express my appreciation for your efforts. Following the practice of the Review process, we recognize that this summary seeks to reflect your views only, and is not binding on anyone. That notwithstanding, we welcomed the expectation, which you had expressed in consultations prior to this Prepcom, that your summary would contribute to the task of your successors. To this end, we believe that some corrections or improvements are warranted in the text.

First and foremost, a more accurate use and differentiation of expressions referring to collective views or individual views would be necessary, to avoid ambiguities and imprecisions. Secondly, it is critical not to depart from key expressions or principles agreed in previous Revcons. That does not mean we cannot divert from previous language. But that must result from more extensive discussions among States Parties, which have yet to take place, and
not at the Chair’s initiative, on his own. It is also important to use consensus language that has already been discussed extensively and agreed upon, in particular at the IAEA.

Allow me, in this regard, to mention just a few examples of paragraphs, which, in our view, could benefit from different wording:

- on paragraph 13, the principle agreed in previous Revcons is that of “increased and undiminished security for all”, and not of “equal” security.

- regarding paragraph 27, it seems exaggerated to suggest that all States Parties welcomed the increased transparency shown by nuclear weapon States. In fact, paragraphs 28 and 29 in your summary indicate that are still many shortcomings in the reporting of those States;

- with regard to paragraphs 30, 31 and 32, on a Fissile Materials Treaty, it is crucial to mention the issue of stocks, which my delegation and many others deem an essential aspect of the scope of such a treaty;

- regarding paragraph 53, reference should also be made to the 2018 UN high-level international conference on nuclear disarmament;

- on paragraphs 58 and 59, a reference to the inalienable right recognised in Article IV of the NPT would be paramount, without any conditionalities extrapolating the Treaty proper;
- a similar problem appears in paragraphs 77 and 112 of the draft, which suggest a conditionality between nuclear security and the peaceful uses of nuclear energy. May I refer you to consensus wording stemming from the IAEA General Conference resolution and the ministerial declaration on nuclear security agreed last year.

- with respect to paragraph 67, it is inaccurate to suggest that States Parties have agreed “that a comprehensive safeguards agreement, together with an additional protocol, represented the current verification standard under the Treaty”. As consolidated in IAEA resolutions on safeguards, the consensus language is that “in the case of a State with a comprehensive safeguards agreement supplemented by an additional protocol in force, these measures represent the enhanced verification standard for that State”; 
- on paragraph 73, dealing with the State-level concept, the language does not reflect the reality of the discussions that took place at the IAEA over the last years. It would be appropriate to use language from the General Conference resolutions, including the important assurances given by the IAEA Secretariat on this matter;
- A final example, Mr. Chairman, comes to paragraph 117, where more extensive reference could be made to Articles II and III of the IAEA’s Statute, with more emphasis on the role of the Agency and its Technical Cooperation Programme in the promotion of the peaceful uses of the atom.

Thank you, Mr. Chairman.