Thank you, Mr. Chairman,

Malaysia is taking the floor to address the issue of safeguards. Malaysia had addressed separately the regional issues including the Middle East, in the Subsidiary Body 2 meeting this morning.

Mr. Chairman,

2. Since the last Review Conference in 2000, there had been a number of major developments of utmost concern in the area of NPT safeguards verification. Malaysia welcomes the decision of the Libyan Arab Jamahiriya and Iran to sign the Additional Protocol to the NPT Safeguards Agreement in December 2003. Malaysia encourages Iran to continue its cooperation with the IAEA, and undertake all necessary corrective measures towards satisfactory resolution of relevant outstanding issues. We believe that the increased cooperation on the part of Iran will lead to an improved chapter of confidence and interaction between Iran and the IAEA.

3. Malaysia recognizes the objective of the Additional Protocol in strengthening the effectiveness and improving the efficiency of the safeguards system towards achieving global nuclear non-proliferation objectives. However, Malaysia wishes to reiterate its main concern on the subjective nature of the description of the items listed in Annex II to the Additional Protocol. We remain convinced that it would be difficult for the front-line enforcement personnel to identify and effectively implement the control of such items as even the nuclear scientist would have difficulties in identifying those items. There would also be lack of awareness and knowledge gap among the local industries in ensuring a smooth implementation of such an extended nuclear export and import control
system. This is true even for States Parties with Additional Protocol and export control legislation in force.

4. In this regard, Malaysia wishes to reiterate its call for better co-ordination between the IAEA and other relevant international agencies, including the World Customs Organization (WCO), to harmonize the items listed in Annex II of the Protocol with international customs coding systems, so as to facilitate its implementation by national enforcement agencies.

Mr. Chairman,

5. Malaysia is concerned that attempts are being made to narrow the inalienable rights of non-nuclear weapon States through the development of unilateral export control and counter-proliferation regimes outside the framework of the NPT. Malaysia emphasizes that the export control regimes should be transparent and open to participation by all States and should ensure that they do not impose restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development. In this regard, Malaysia is of the view that proliferation concerns are best addressed through multilateral negotiated, universal, comprehensive and non-discriminatory agreements for example through the United Nations.

6. Malaysia is equally concerned over the simultaneous efforts the are being pursued in another forum by the nuclear-weapon States, to legitimise the transport of equipment, materials, software or related technology intended to be used in the delivery of nuclear weapons, beyond any of the provisions under the NPT. Malaysia views the inclusion of any such provision in the current review of the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention) or any other international instrument, as not only a dangerous precedent, but also a very unbecoming backhanded attempt to undermine the disarmament obligations under the NPT by the nuclear weapon States.

Mr. Chairman,

7. Malaysia stresses the importance of achieving a universal application of the NPT. In realizing this, we are of the view that the nuclear-weapon States need to go beyond voluntary offers of partial safeguards. The nuclear-weapon States should accept full-scope safeguards that would effectively strengthen the overall NPT verification regime. We are convinced that this could be set forth in an appropriate agreement to be negotiated and concluded with the IAEA in accordance with the Statute of the IAEA and its safeguards system.

Thank you, Mr. Chairman.