Mr. Chairman,

Let me first associate myself with previous speakers in congratulating you on assuming the chairmanship of this Committee. Please be assured of the full cooperation and support of the Brazilian delegation in carrying out your tasks.

Brazil’s fundamental message to this Review Conference has been stated in the General Debate: the measure of success of the implementation of the Treaty is related to the fulfillment of the original Treaty’s compromise. The persistent implementation gap between non-proliferation and disarmament obligations discredits the NPT bargain and threatens to corrode the foundation upon which the regime was built.

Non-proliferation has been the most successful of the three pillars of the NPT. With one exception, none of the 185 States that have become parties to the Treaty as non-nuclear-weapon States has since built or acquired a nuclear weapon or a nuclear explosive device. These States have been complying with their obligations under the Treaty and keeping their end of the fundamental bargain.

In this connection, Brazil remains supportive of IAEA efforts to promote more efficient and effective safeguards, in strict accordance with the relevant legal instruments entered into by Member States with the Agency. We welcome, in
particular, the intensive consultation process between the IAEA Secretariat and Member States in clarifying the so-called "State-level Concept". Brazil looks forward to working with the Secretariat on practical arrangements for the implementation of appropriate safeguards measures for use in the field, if such arrangements are not already in place.

In fact, Brazil, along with and Argentina, entered into an arrangement – the Quadripartite Agreement, between Argentina, Brazil, the Brazilian-Argentine Agency for the Accounting and Control of Nuclear Materials (ABACC) and the IAEA –which submitted our nuclear programs to a double verification system of safeguards three years before the Model Additional Protocol was approved.

Mr. Chairman,

The compliance record by non-nuclear weapon States stands in stark contrast to the implementation of disarmament commitments by nuclear-weapon States. In practice, 45 years after entry into force of the NPT, the burden of the regime remains almost exclusively on the non-nuclear-weapon States. This situation is in itself unjustifiable and unsustainable, and it is for that reason that this Conference has a special responsibility on the Disarmament pillar.

It is thus striking to see the recurrence of suggestions usually by nuclear-weapon States or States members of military alliances based on the use of nuclear weapons that, if adopted, would serve not only to maintain the present implementation gap, but actually to widen it, with the imposition of yet additional obligations on those same countries that are already doing their part - the non-nuclear-weapon States.

Two such suggestions are of particular concern: (i) that the Additional Protocol, together with a Comprehensive Safeguards Agreement (CSA), constitutes "the verification standard" pursuant to Article III.1 of the NPT; and (ii) that the Additional Protocol should be required as a condition for the supply of nuclear items to non-nuclear-weapon States.

The verification standard pursuant to the NPT is clearly set out in the Treaty's text, particularly in Articles III.1 and III.4. These provisions leave no doubt that the verification standard is that enshrined in the Comprehensive Safeguards Agreements that were to be negotiated with the IAEA shortly after entry into force of the NPT.

It is one thing to note that Member States in the IAEA subsequently agreed to develop measures or instruments aimed at improving the effectiveness and efficiency of safeguards, and that a State may conclude that it is in its interest to implement these measures or to sign and ratify an Additional Protocol.

As a legal matter, however, such developments must not be confused with the obligation to conclude an agreement with the IAEA in order to comply with the
requirements of Articles III.1 and III.4 of the NPT. Developing the model for such an agreement was a task that was completed soon after the NPT entered into force. And negotiating and concluding such an agreement with the IAEA is a task that has been completed by most of the non-nuclear-weapon States parties to the NPT.

To make the Additional Protocol part of the "verification standard" pursuant to Article III of the NPT would require an amendment of the Treaty. Without such an amendment, this claim amounts to an exercise in evolutionary interpretation that has no basis in international law.

For the same reasons, the suggestion to make the Additional Protocol a necessary condition for the supply of goods and technology to non-nuclear-weapon States finds no basis in the NPT. Moreover, if adopted, it would counter the letter and the spirit of Article IV.2 of the Treaty, which commits all the parties to the Treaty to "facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy".

We expect States parties to join Brazil in rejecting these suggestions, first, because they are not supported by and may even go against the provisions of the NPT, and, second, because they further aggravate the Treaty's inherent imbalance and discrimination - which is exactly the opposite of what we should strive to achieve in this Conference.

Mr. Chairman,

For the Brazilian delegation, as regards nuclear non-proliferation, this Review Conference should, among others:

- recognize that the NPT has been highly successful in preventing nuclear proliferation throughout its 45 years of existence;

- recognize that, for non-proliferation to be sustainable over the long term, nuclear weapons must not be relied upon by any State as an essential means for its security, and that the complete elimination of nuclear weapons is therefore the only way to remove incentives to proliferate;

- call upon all States parties which have not yet done so to conclude and bring into force comprehensive safeguards agreements with the IAEA in accordance with Article III of the Treaty;

- encourage the IAEA to assist those States parties in the conclusion and entry into force of comprehensive safeguards agreements;

- recommend that IAEA safeguards be assessed and evaluated regularly, and that measures aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards be considered in close consultation and coordination
with Member States while ensuring consistency with their respective safeguards agreements with the Agency;

- recognize that the largest stockpiles of nuclear materials are in the States possessing nuclear weapons and are not subject to multilaterally verified accounting and control, and thus call for the wider application of IAEA safeguards to nuclear material in nuclear-weapon States and in States not parties to the Treaty;

- call upon States parties to facilitate, pursuant to Article IV of the Treaty, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy with non-nuclear-weapon States parties to the Treaty, without the imposition of conditions that are not called for by the NPT.

Finally, Mr. Chairman, Brazil joins others in voicing our disappointment with the postponement of the Conference on the Establishment of a Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction in the Middle East, which should have taken place in 2012, as provided for by the 2010 NPT Action Plan. Brazil believes that the successful convening of the Conference represents an integral part of the NPT – and, in this specific case, maintaining the status quo and failing to fulfill a mandate that dates from 1995 means to regress. In our view, the Conference must be held at the earliest possible date. We urge all countries of the region, without exception, to attend it, as it can represent the beginning of a process designed to foster confidence-building measures among neighboring States.

Thank you, Mr. Chairman.