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STATEMENT BY

THE REPUBLIC OF SOUTH AFRICA

IN THE GENERAL DEBATE (ITEM 4) OF
THE THIRD SESSION OF THE PREPARATORY
COMMITTEE FOR
THE 2005 REVIEW CONFERENCE OF
THE PARTIES TO THE TREATY ON
THE NON-PROLIFERATION OF NUCLEAR WEAPONS

(NEW YORK, 26 APRIL 2004)

(CHECK AGAINST DELIVERY)

Mr. Chairperson,

I take this opportunity to congratulate you on your assumption of the Chair of this PrepCom and assure you of my delegation's full support.

Mr. Chairperson,

South Africa is associated with the earlier statement made by Mexico on behalf of the New Agenda Coalition (NAC). We are also associated with the statement that will be made on behalf of the Movement of Non-Aligned and Other States. We fully support and reiterate the positions and approaches contained in these statements.

The South African delegation will also, in the context of national participation and in terms of groupings such as the Non-Aligned Movement and the New Agenda Coalition, be addressing the specific issues identified for our cluster and specific time debates during the periods allocated in the programme of work for those issues. This statement by our delegation, will consequently concentrate on general issues related to our work, and is focused on highlighting certain specific issues.

Mr. Chairperson,

We meet at the final stage of the preparatory process before the 2005 Review Conference, and it will be of paramount importance for this meeting of the Preparatory Committee to successfully address the specific identified tasks that were assigned to it by the 2000 Review Conference. These tasks are to:

- “(C)onsider specific matters of substance relating to the implementation of the Treaty and Decisions 1 and 2, as well as the Resolution on the Middle East adopted in 1995, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty”.
- Produce a consensus report containing recommendations to the Review Conference: “At its third and, as appropriate, fourth session, the Preparatory Committee, taking into account the deliberations and results of its previous sessions, should make every effort to produce a consensus report containing recommendations to the Review Conference.”
- Finalise the procedural arrangements for the Review Conference: “The States Parties agreed that the procedural arrangements for the Review Conference should be finalised at the last session of the Preparatory Committee.”
- Make recommendations on legally binding security assurances to the Review Conference: “The Conference agrees that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapons States parties to the Treaty on the Non-Proliferation of Nuclear Weapons strengthen the nuclear non-proliferation regime. The Conference calls upon the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue.”
- Make recommendations on the establishment of subsidiary bodies at Review Conference for the focused consideration of specific issues relevant to the Treaty:

“The establishment of such subsidiary bodies would be by the Preparatory Committee for each Review Conference in relation to the specific objectives of the Review Conference.”

These tasks cannot be avoided and it will be important to understand that, as such, this Preparatory Committee meeting has particular -- and important -- differences to the 2003 and 2002 PrepComs. We are not in a position to simply concentrate on the iteration or reiteration of policy positions concerning the NPT. Neither are we only to report on what has been accomplished or not accomplished in terms of obligations under the NPT or in terms of the agreements reached within the NPT context. Nor are we only to prepare a summary report on the deliberations that will have taken place. This PrepCom has specific identified tasks that have been assigned to it and our focus should -- first and foremost -- be on ensuring that we complete these.

Mr. Chairperson,

South Africa will therefore strongly commend an approach at this PrepCom that would result in agreements surrounding the following, namely:

- Firstly, the preparation of a Chairperson’s paper that should highlight the issues rather than to attempt to duplicate a Final Document. In the formulations used in such a paper, which should take into account the deliberations and results of the previous sessions, the PrepCom should attempt to follow the approach of the second session where representations of the differing views of States Parties on specific issues were only used where more consensual language could not be found in the time available. While there may not be full agreement on all of the formulations in such a Chairperson’s paper, it is our belief that it would be possible to attach the document to a consensus report. It could then be recommended to the President of the Review Conference and the Chairs of the Main Committees at the Review Conference for their consideration and possible use.
- Secondly, the procedural arrangements for the Review Conference (e.g. dates, rules of procedure, documentation, etc), which would also include recommendations on the organisation of work at the Review Conference. In this context, the deliberations and results of previous sessions should be taken into account (e.g. recommendations on reporting, the strengthened review process, as well as on the establishment of subsidiary bodies to Main Committees to deal with such issues as nuclear disarmament, the 1995 Middle East Resolution, security assurances, etc). These recommendations should, however, not attempt to address the substance of the issues involved, but should rather be focused on ensuring that the work at the Review Conference is organised optimally. The substance is normally only agreed to at the Review Conference and the proposed approach would consequently not prejudge the issues, leaving them open for actual deliberation at the Conference. In the case of subsidiary bodies, this approach would be consistent with the provisions of the 1995 and 2000 decisions on the strengthened review process. It would furthermore be based on the clear precedents of the establishment of such bodies at the 2000 Review

Conference to deal with nuclear disarmament and the Resolution on the Middle East. It would also be founded on the 1995 Review and Extension Conference precedent, where such a body (chaired by Australia) was established to consider the security assurances issue.

Mr. Chairperson,

Failure to focus on these specific tasks or to reach agreements on their contents will only ensure that issues arise again at -- or in the immediate run-up to -- the Review Conference. The delayed resolution of such issues may in turn cloud the start of the Review Conference and have a negative impact on its potential for a successful outcome. In preparing such recommendations caution should, however, be exercised not to undermine the successes contained in the 2000 Final Document.

It is considered unlikely that agreement could be reached at the PrepCom on recommendations dealing with the full range of substantive issues that would need to be addressed at the Review Conference. Traditional rules of negotiation -- such as, 'nothing is agreed until everything is agreed' and the intention to make 'planned for concessions' only at the time when they are needed (i.e. at the Review Conference) -- will militate against this. A more deliberate approach is, in our view, much more likely to provide success.

Mr. Chairperson,

In the context of the deliberations on substantive issues that will be taking place at this PrepCom, South Africa will be putting forward its own views both in the context of this statement as well as in statements during our consideration of specific issues later during the meeting. We are also associated with the proposals that are being made by the New Agenda Coalition and the Non-Aligned Movement. We request that these contributions be included in the preparation of the outcome of, and the recommendations on, the PrepCom's work on substantive issues. South Africa would also strongly support the proposal for the establishment of a subsidiary body on nuclear disarmament at the 2005 Review Conference to give focused attention to the issue.

On the issue of security assurances, it will be recalled that the New Agenda Coalition submitted a paper containing the rationale for and the text of an agreement on security assurances at the 2003 PrepCom. The Non-Aligned Movement and the New Agenda Coalition, in its resolution at last year's General Assembly (UNGA58), have separately requested that a specific allocation of time be provided at this PrepCom to consider security assurances. South Africa strongly endorses these positions, especially in view of the 2000 Review Conference's directive to this PrepCom meeting to make recommendations on security assurances to the 2005 Review Conference. As it would appear to be unlikely that this PrepCom will be able to reach substantive agreement on the security assurances, South Africa also strongly supports the proposal for the establishment of a subsidiary body at the 2005 Review Conference to give particular attention to the issue.

Delegations will recall that South Africa and other delegations made specific/detailed proposals for the further strengthening or enhancement of the strengthened review process at the 2003 PrepCom. We would urge that any recommendations developed by this PrepCom to the 2005 Review Conference should also include a recommendation that the Review Conference consider the Review Process with a view to its further strengthening or enhancement.

Mr. Chairperson,

Following the conclusion of the Review Conference in 2000, the States Parties left New York heartened by the successful outcome and optimistic about the progress that could be achieved in the period until 2005. The Final Document of the 2000 Conference contained detailed elements identifying specific "means" for "future progress". What was also important about the 2000 outcome was that it addressed these issues in a balanced way with substantive agreements being achieved in both the areas of nuclear disarmament and nuclear non-proliferation. The States Parties had even gone further by reaching agreement not only on specific "means", but also on fundamental underlying principles contained within the Treaty. In looking forward, all of the States Parties determined that there was an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. They also together determined that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control. These agreements between all States Parties clearly laid down the broad parameters in which the specific "means" must now be accomplished. No longer did the possibility exist of a situation -- as some had previously attempted to argue -- where nuclear disarmament is part of some "ultimate" objective. It was made clear that, as in the case of the other weapons of mass destruction (chemical and biological), the elimination of nuclear weapons is a milestone that must be reached on the way to the ultimate objective of the disarmament process, namely, general and complete disarmament. The agreed commitment by all the States Parties to nuclear disarmament had become "unequivocal".

Against this backdrop, the accomplishments that have been achieved in the implementation of the NPT and of the agreements and undertakings made at the 2000 NPT Review Conference, however, are a blemished record. While there has been progress in expanding the application of the non-proliferation provisions of the Treaty (particularly in the context of the International Atomic Energy Agency (IAEA) and the conclusion of additional protocol agreements to existing safeguards), the same cannot be said for nuclear disarmament. While it is true that the periods since 1995 and 2000 have seen developments which have impacted negatively on the goal of nuclear weapons non-proliferation -- the proliferation of States with nuclear weapons capabilities, a withdrawal from the NPT, the proliferation of nuclear weapons technologies and an instance of declared non-compliance -- it continues to be fair to say that the overwhelming majority of non-nuclear-weapons States Parties to the NPT have demonstrated, and are continuing to demonstrate, their full commitment to, and compliance with, their obligations. On the other hand -- and by way of example:

- There has been only limited progress made in implementing the thirteen steps on nuclear disarmament to which all States Parties agreed at the 2000 Review Conference.
- The Anti-Ballistic Missile Treaty has been abrogated, with the concomitant threat of a renewed arms race.
- Pressure appears to be waning on the three States which are not yet parties to the NPT, and which operate unsafeguarded nuclear facilities, to accede to the Treaty as non-nuclear-weapon States promptly and without condition, and to bring into force the required comprehensive safeguards agreements, together with additional protocols. To the contrary reports indicate greater co-operation with these States, even in the field of nuclear co-operation.
- The possibility remains that nuclear weapons can fall into the hands of terrorists as a result of a continued retention of, or aspiration to, nuclear weapons capabilities.
- The Conference on Disarmament has continued to fail to deal with nuclear disarmament and to resume negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons and other devices, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives.
- The Comprehensive Nuclear-Test-Ban Treaty has not yet entered into force.
- There is no sign of engagement by all five nuclear-weapon States in a plurilateral process leading to the total elimination of nuclear weapons.
- There are new emerging approaches to the broader role of nuclear weapons as part of security strategies, including rationalisations for the use, and the possible development of new types, of nuclear weapons.

Mr. Chairperson,

The primary goal of the States Parties to the NPT to not only promote, but to achieve, the full implementation of the Treaty, as well as its universality, is clearly confronted by problems. These problems span the full spectrum of the purposes and provisions of the Treaty -- ranging from nuclear disarmament, nuclear non-proliferation and the application of safeguards to the peaceful uses of nuclear energy. The continuing lack of balance in the emphasis that is placed on different purposes and provisions of the Treaty by different States Parties exacerbate these problems and may provide stumbling blocks to successful outcomes at this PrepCom and at the 2005 Review Conference. A failure to recognise that all of the purposes and provisions of the Treaty are not only dependant upon one-another but that they are also inter-linked, will continue to be the single most important problem faced by the States Parties when they come together under the umbrella of the Treaty.

The perception of a lack of balance -- which is normally determined by the political or security perceptions of a particular States Party -- has been a perennial source of complaint in the NPT. The problems of imbalance and selective emphasis on preferred aspects of the NPT have been exacerbated in the recent past by the sole emphasis that is being placed on non-proliferation -- whether it is on the part of so-called "rogue" States,

terrorists or the traffickers of nuclear weapons technology. These issues are of undoubted importance and need the consideration of the NPT States Parties. They do not, however, provide a rationale for failing to address the other key elements of the Treaty.

Care should also be taken not to heighten tensions within the NPT and not to promote "quick-fix" solutions that may provide the foundation for greater problems in the future. Cases in point are, for example:

- Deliberately ignoring the core bargain of the NPT where States undertook not to aspire to nuclear weapons on the basis that all States Parties would work for their elimination.
- The effect of expanding the current "have/have-not" regime with regard to nuclear weapons also to the capacity to produce nuclear fuel.
- Approaching the issues surrounding nuclear-fuel exclusively as a problem in non-proliferation, without any recognition of the importance of such controls in shaping the future of disarmament.
- The impact that this would have on key NPT goals, such as the call of the States Parties for the negotiation of a Fissile Material Treaty.
- The potentially diminished role of Treaty regimes due to a reliance on the UN Security Council and the potential negative consequences for the NPT.
- An approach to proliferation that does not recognise it as a global challenge requiring co-operation at the global level.
- The reliance on limited solutions to the detriment of the role that the NPT was intended to play as a sustainable methodology of obtaining such commitments from all States.

Mr. Chairperson,

In conclusion, I recall that a recent article in the Economist, entitled "A world wide web of nuclear danger", predicted that "Next year's five yearly treaty review already looks likely to turn into a bad-tempered huddle." Despite such predictions and despite the difficulties confronted by the Nuclear Non-Proliferation Treaty, it is South Africa's firm conviction that the Treaty remains too valuable an instrument of international peace and security -- and of nuclear disarmament and nuclear non-proliferation -- for States Parties to be deterred. The work that we will be undertaking over the next two weeks, a positive outcome of this meeting and the atmosphere that reigns between the Parties will be key determinants as we look forward to a successful Review Conference. South Africa is committed to this process and we stand ready to play our role in achieving a successful outcome.

Mr. Chairperson, I thank you.