

STATEMENT

by H.E. Mr. Volodymyr Yelchenko, Permanent Representative of Ukraine to the International Organizations in Vienna, at the Scientific Forum during 52nd Regular Session of the IAEA General Conference “The Future Role of the IAEA”

Distinguished participants,

At the outset, please allow me to express gratitude to the organizers of this scientific forum for the possibility to discuss the issues related to the achievement of nuclear non-proliferation goals.

It is generally recognized that the Treaty on the Non-Proliferation of Nuclear Weapons, even by virtue of its name, lies at the heart of the global nuclear non-proliferation efforts.

I had the honour to chair the recent Second Session of the Preparatory Committee for the 2010 NPT Review Conference, which was taking place in the year of the forties anniversary of the treaty’s opening for signature, and I will be pleased to share with you some of my perception of the discussion, which reflected the current and future nuclear non-proliferation challenges.

In this regard I would like to note that at the Second Session of the Prepcom the NPT States parties reaffirmed the important role of the Treaty as the cornerstone of the global non-proliferation regime. It was stressed that the non-proliferation of nuclear weapons was a fundamental goal of the NPT. Concern was expressed that grave proliferation challenges strained the NPT regime, eroding confidence in the compliance by States parties with their obligations under the Treaty. States parties also recognized that in the face of grave challenges to the non-proliferation regime, preserving and strengthening the Treaty was vital to international peace and security.

I have taken note that during the discussion the nuclear non-proliferation challenges were addressed from various perspectives, which I would like to present to you now.

First, it was stressed that non-compliance with the Treaty provisions by States parties undermined non-proliferation.

Secondly, the emphasis was placed on the mutually reinforcing nature of disarmament and non-proliferation, and due respect for the right of States parties to the peaceful use of nuclear energy in conformity with the treaty.

Thirdly, States parties reaffirmed the importance of promoting the peaceful uses of nuclear energy and international nuclear cooperation for peaceful purposes in ways consistent with the non-proliferation goal of the Treaty. A number of proposals for establishing multilateral mechanisms that guaranteed the provision of nuclear fuel under strict international control were presented.

Fourthly, the universality aspect was brought to the front with the lack of progress in this area. States parties called upon India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapons states, promptly and without conditions and to bring into force comprehensive safeguards agreements, together with Additional Protocols, for ensuring non-proliferation. The security assurances of nuclear weapons states to non-nuclear-weapon States were mentioned as incentives to forgo the acquisition of WMD and achieving universality of the Treaty and a legitimate right of the non-nuclear-weapon States to receive such assurances was underlined.

Also in the focus of the discussion of non-proliferation challenges was the concern that non-States actors could gain access to weapons of mass destruction and their means of delivery. It was emphasized that the gravity of the dangers of WMD being acquired by terrorists further reinforced the need to strengthen the Treaty and its implementation. The need for adherence to existing legal instruments, especially the International Convention on the Suppression of Acts of Nuclear Terrorism, and for full compliance with Security Council resolution 1540 (2004), was stressed.

One of the underlying themes at the Second Prepcom was the total elimination of nuclear weapons as the only absolute guarantee against their proliferation. In this regard the advisory opinion of the International Court of Justice regarding the obligations of NWS was recalled and subsidiary body dealing with nuclear disarmament was sought. The issues of modernization of nuclear weapons as well as reduction of the deployed status of nuclear weapons through de-alerting and de-targeting and reduction of the reliance on nuclear weapons, with a special responsibility of the two States possessing the largest nuclear arsenals were also addressed.

Of personal interest to me, as a former Chairman of the CTBT Preparatory Commission in 2006, was the discussion highlighting the need for the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, maintaining moratorium on nuclear-weapon test explosions and commendation of the progress made by the Preparatory Commission for the CTBTO in establishing the international monitoring system.

Negative consequences to nuclear non-proliferation were also mentioned in the context of the abrogation of the Anti-Ballistic Missile Treaty and the development of missile defense systems, with the risk of a new arms race on Earth and in outer space.

The importance of the immediate commencement of negotiations in the Conference of Disarmament on a treaty concerning fissile material for nuclear weapons or other nuclear explosive devices and the urgent conclusion of such a treaty as a beneficial step towards non-proliferation was stressed.

Of particular relevance, in my view, for addressing the future challenges of nuclear non-proliferation is education on disarmament and non-proliferation, which featured prominently at the Second Prepcom, in particular, in the context of

the implementation of the Secretary-General's report on disarmament and non-proliferation education.

Coming to the main theme of our conference, I would like to note that the NPT states parties reaffirmed the role of the IAEA as the sole competent authority responsible for verifying and assuring, in accordance with the statute of the Agency and the IAEA safeguards system, compliance with the its safeguards agreements with States parties undertaken in the fulfilment of their obligations under article III, paragraph I, of the Treaty, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices.

During the discussions at the Second Prepcom major non-proliferation challenges were associated with the universalization and strengthening of the IAEA safeguards system. In this regard the important work of the IAEA in implementing safeguards to verify compliance with the non-proliferation obligations of the Treaty was stressed. The need for strengthening the role of the IAEA and reaffirmation that nothing should be done to undermine the authority of the Agency in verifying non-diversion was underlined. The need to effectively address violations of safeguards obligations in order to uphold the integrity of the Treaty was particularly noted.

Concern was expressed that some 30 States parties had yet to bring into force safeguards agreements, as required by article III and that only 87 had Additional Protocols in force. It was stressed that States parties must have both a comprehensive safeguards agreement and an Additional Protocol in place for IAEA to be able to provide credible assurances of both the non-diversion of declared material and the absence of undeclared nuclear material or activities in the States concerned.

I cannot but mention the contribution of internationally recognized nuclear-weapon-free zones to the cause of global nuclear non-proliferation, as well as the importance of the entry into force of all the nuclear-weapon-free zone treaties, which was emphasized at the Prepcom.

As to the specific country-related problems, the continued verification by the IAEA of the non-diversion of declared nuclear material in the Islamic Republic of Iran and the IAEA inability to verify the absence of undeclared nuclear material and activities in that country were mentioned.

It was also recognized that the nuclear activities of the Democratic Peoples' Republic of Korea presented a grave challenge to the Non-Proliferation Treaty. While certain progress in the monitoring and verification arrangements implemented by IAEA with the agreement of the DPRK was noted, the concerns were expressed that the DPRK had no yet submitted a complete and correct declaration of all its nuclear programmes and activities. The DPRK was called upon to abandon all nuclear weapons and existing nuclear programmes as well as associated ballistic missile programmes in a complete, verifiable and irreversible manner, and to return promptly to compliance with the obligations under the NPT

and the IAEA comprehensive safeguards agreement. Unfortunately, the recent steps by the DPRK in defiance of previous arrangements can only add to those concerns.

There was also concern about reports of alleged clandestine nuclear activities by the Syrian Arab Republic, and calls were made for prompt clarifications regarding those activities in cooperation with the IAEA.

Certainly, concerns were expressed regarding the nuclear capability of Israel. States parties called upon Israel to accede to the treaty as soon as possible as a non-nuclear weapon States, conclude a comprehensive safeguards agreement and place its nuclear facilities under full scope of IAEA safeguards.

The new proliferation threat posed by the clandestine activities and networks for the supply of nuclear goods and technologies were noted. It was emphasized that only through proactive and full cooperation and assistance to the Agency could such proliferation threats be addressed. States parties noted the importance of enhancing cooperation among themselves and with international organizations, in particular IAEA, to prevent, detect and respond to suspected proliferation activities and illicit trafficking of nuclear material, equipment and technology.

The strengthening of the physical protection of nuclear materials and facilities as an element of non-proliferation regime, in particular in the light of the heightened risk of nuclear terrorism was also highlighted.

The proliferation risks associated with the growing global energy demand were also mentioned. In this regard, attention was drawn to the significance of developing proliferation resistant nuclear technologies, including through the international project on Innovative Nuclear Reactors and Fuel Cycles (INPRO).

It is important to mention the discussion concerning the promotion of multilateralism in the nuclear fuel cycle and the supply of nuclear fuel, which was considered as a significant contribution to confidence-building in the field of non-proliferation, to peaceful uses of nuclear energy and to the overall strength of the non-proliferation regime. The ongoing discussions in IAEA on fuel supply assurances mechanism were welcomed. It was stressed the existing proposals should be addressed in a multilaterally negotiated, comprehensive, economically viable and non-discriminatory manner under the auspices of IAEA, without restrictions on access to nuclear material, equipment and technology for peaceful purposes.

In conclusion, I wish to note that the 2008 PrepCom was a constructive, and as a result, a substantive exercise. Whether these positives can be carried forward to 2009 and help build a substantive and effective review conference in 2010 will be hoped for. Certainly, much more work is needed to promote consensus around key measures to strengthen the treaty's three pillars: zero tolerance of proliferation;

a clear forward plan on multilateral nuclear disarmament; and supporting the right to the safe, secure and peaceful use of nuclear energy.

In view of the evolving challenges facing the nuclear non-proliferation regime it becomes increasingly important to have appropriate mechanisms in place to minimize the risks of nuclear proliferation. The NPT relative success in slowing proliferation has been attributed to the combination of the political commitment by most states to the objective of non-proliferation, and a technical mechanism – IAEA safeguards - for verifying that this commitment is being honoured. Indeed, the IAEA will remain an indispensable part of the multilateral nuclear non-proliferation regime and global security system and its role should be significantly strengthened. I hope that our deliberations in the course of two days will help us identify the ways of enhancing the important work of IAEA.