

STATEMENT

by

H.E. Ambassador Ahmed Fathalla

Assistant Foreign Minister for Multilateral Relations

before

the General Debate of the 2005 Review Conference of the NPT

Mr. President,

Allow me at the outset to congratulate you on your election as President of the 2005 Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. My congratulations also go to all members of the Bureau. I assure you of our support for your endeavors towards an outcome that is both positive and acceptable to all.

Mr. President,

The 2000 Review Conference of the NPT achieved a substantial milestone in our course towards nuclear disarmament, essentially the unequivocal undertaking by the nuclear weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament and the 13 practical steps necessary to implement article VI of the Treaty.

An honest evaluation of the current state of affairs reveals that despite a number of unilateral and bilateral steps towards nuclear disarmament, some of which have been codified, the final result has been merely the dismantlement of a limited number of nuclear weapons. This state of affairs reflects inadequate progress on the part of nuclear weapon states in fulfilling their obligations. Furthermore, we share the concern voiced by the non-aligned movement about the increased emphasis placed upon nuclear weapons within the strategic doctrines of some states and alliances, as well as the further development of nuclear weapons to render them more usable in actual military operations and thereby making their use more probable.

The current crisis is further compounded by the state of political and intellectual paralysis that has brought the multilateral disarmament machinery to a standstill, primarily because of the significant divergence of views over nuclear disarmament and the related issue of the legal and operational status of nuclear weapons. One victim of this crisis is the Conference on Disarmament, which is now devoid of substance.

At the same time we are witnessing a laxity of compliance with commitments that were only undertaken a few years ago. I cite as examples the rejection of the CTBT by some key states as well as the absence of the verification component from proposals on an FMCT, despite the fact that both were amongst the core commitments agreed upon in the 2000 Review Conference. I must also add the absence of any progress since 1995 on a comprehensive and binding framework for security assurances as another negative entry on the balance sheet before us.

Given the necessity of seeking a common vision on how to address and arrest these negative developments, Egypt reiterates the centrality of the 13 practical steps for nuclear disarmament adopted in 2000, which represent the roadmap endorsed by the international community leading to the fulfillment of the obligation of nuclear disarmament under article VI of the NPT. We believe that progress in implementing the 13 steps should be the foremost criterion in reviewing progress in the implementation of the Treaty and assessing compliance with its provisions by the nuclear weapon states, as well as the determining factor with regard to acceptance by the states parties of any further obligations under the NPT.

Mr. President,

Non-compliance with the NPT is one of the primary challenges that we are required to address, and in doing so we must be uncompromising, just and impartial. Almost all who spoke before me signaled the issue of compliance as one of the main challenges to the NPT, and Egypt firmly shares the view that fulfillment of all obligations that flow from the Treaty is the most secure foundation for ensuring the credibility of the non-proliferation regime. At the same time, we stress that the crux of compliance, the litmus test of fulfillment so to speak, is implementation of all obligations by all states parties whether nuclear weapon states or non-nuclear weapon states, as well as a genuine balance in monitoring compliance with the Treaty and in addressing cases of non-compliance.

If we are indeed correct in identifying lack of compliance as one of the major challenges before the non-proliferation regime, then addressing this challenge requires the utmost objectivity on our part in assessing the degree of compliance by all states parties with all their obligations. This is *a sine qua non* whether we are addressing compliance with article III or compliance with articles I & II. Whereas the IAEA is the final arbiter in the case of compliance with article III, assessing compliance with articles I & II compels us during this conference to review the policies and doctrines of some military alliances, such as "nuclear sharing" in order to determine whether they conform with the obligations of states under the NPT or not. Such a review must take place in tandem with any other allegations regarding non-compliance; otherwise we would fail to fulfill the standards of fairness and equality of rights and obligations for all states parties, standards which must continue to be the bedrock for credibility of this Treaty.

Mr. President,

Comprehensive safeguard agreements continue to constitute the legal obligation to be fulfilled by non-nuclear states under article III of the NPT and thus are the core of the second pillar of the Treaty, the safeguards regime.

In this regard, as we consider the issue safeguards, including the Model Additional Protocol, it is essential that we consider carefully whether it is logical or even feasible to reward the laxity in implementation of obligations under one of the treaty's pillars, namely nuclear disarmament, with the imposition of additional obligations under the other pillars of the treaty including the safeguards regime. In doing so, we would be deceiving ourselves into a false belief that we are actually correcting the structural imbalance that now exists among the three pillars. Furthermore, we cannot afford to undermine our stated objective of universality of the Treaty by continuing to condone the cooperation between some NPT parties and non-parties while calling for further restrictions on the rights of states parties.

The issue of the inalienable right of peaceful uses of nuclear energy should equally be seen with a new vision that emphasizes a common commitment by all states parties to facilitate the implementation of Article IV provisions, rather than putting restrictions on fulfilling its objectives. Hence any attempt to restrict the exercise of this right poses fundamental questions related to the possibility of the interpreting the Treaty provisions without resorting to the relevant articles relating to

its amendment as well as the possibility, if at all, of restricting the exercise of an "inalienable" right which constitutes one of the three pillars of the Treaty.

Mr. President,

In tackling the issue of universality, we cannot but recall the situation in the Middle East, and the necessity of implementing the 1995 REVIEW AND EXTENSION CONFERENCE resolution on the Middle East, in addition to the 2000 review conference final document including its implementation. In fact, the two past review conferences have paid special attention to the Middle East, as a result of the delicate security situation in the region, and its negative repercussions on the credibility of the treaty, as long as Israel remains outside it.

The 2000 review conference reiterated fairly and firmly the importance of the accession of Israel to the NPT as a non nuclear weapon state and to place all of its nuclear facilities under full scope IAEA Safeguards, as a step towards the establishment of a NWFZ in the Middle East, and achieving the universal adherence to the treaty in the region. An objective that was reiterated by the States parties and signatories to the NWFZ conference held recently in Mexico.

Today, the delegation of Egypt supported by the NAM calls upon the conference to establish a subsidiary body to implement the 1995 Middle East resolution and the 2000 Review Conference final document in this respect. Egypt emphasizes that it is important that this conference should establish a practical roadmap that guarantees the establishment of NWFZ in the Middle East, and thus contributing to the universality of the treaty.

In our view, it is not possible from now on, to measure the credibility of the Non Proliferation Regime in the region, without real progress towards the accession of Israel as a Non Nuclear Weapon State to the NPT.

Mr. President

The accurate and balanced implementation of the treaty provisions requires a proper balance in the implementation of its various pillars, as well as equality in the fulfillment of obligations and rights of the States parties to the treaty, in a manner that lives up to the aspirations of our peoples for peace, security and stability and fulfills its objective of achieving security for *all* parties.