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STATEMENT  
BY

THE REPUBLIC OF SOUTH AFRICA  
DURING THE GENERAL DEBATE  
OF THE 2005 REVIEW CONFERENCE  
OF THE STATES PARTIES  
TO THE TREATY ON THE NON-PROLIFERATION  
OF NUCLEAR WEAPONS

DELIVERED BY  
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CHAIRPERSON OF THE SOUTH AFRICAN  
COUNCIL FOR THE NON-PROLIFERATION  
OF WEAPONS OF MASS DESTRUCTION  
AND SOUTH AFRICA'S GOVERNOR  
ON THE BOARD OF THE IAEA

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Check against delivery

Mr President,

South Africa also congratulates you on your assumption of the Presidency of the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Likewise, I also congratulate the other members of the Bureau on the assumption of their important positions. Please be assured of my delegation's full co-operation and assistance to all office bearers during this Review Conference.

During the deliberations of this Review Conference, South Africa will put forward its own views both in the context of this statement, as well as in statements in the three Main Committees and during our consideration of specific issues. My delegation also associates itself with the statements made by the Non-Aligned Movement and the New Agenda Coalition.

Mr President,

South Africa believes that the NPT is not an instrument standing on its own. Over the last 35 years, by becoming States Parties to the NPT, by entering into the relevant IAEA safeguards agreements and by giving consensus agreement to commitments and undertakings in the final documents of Review Conferences, the States Parties have created the Treaty Regime. In this way the States Parties have made the NPT the centrepiece of a Treaty Regime that encompasses an inter-linking network of obligations, commitments and undertakings on nuclear disarmament, nuclear non-proliferation and allowing the use of nuclear energy for peaceful purposes.

The 1995 decision on the indefinite extension of the NPT was made possible by agreements on the *Strengthening of the Review Process for the Treaty* and a set of *Principles and Objectives for Nuclear Non-Proliferation and Disarmament*. The effect of these inter-linking agreements was to make the decision on the Treaty's extension conditional on undertakings and commitments that addressed the full range of NPT obligations but also provided certainty on the continued existence of the Treaty.

In 2000 we achieved a significant success by agreeing on the "unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed". In addition, it had been agreed that nuclear disarmament is not part of some "ultimate" objective, but a milestone to be reached on the way to the real objective of the disarmament process, namely general and complete disarmament. To fulfil their obligations under the Treaty, both the nuclear-weapon States and the non-nuclear-weapon States were to implement the practical steps for systematic and progressive efforts to eliminate nuclear weapons.

In 1995 and 2000, we therefore collectively made significant progress in reaching consensus agreements on obligations, commitments and undertakings that not only improved the effectiveness of the Treaty Regime, but also served further to entrench the central NPT bargains. South Africa believes that the challenges flowing from 1995 and 2000 are to reinforce the NPT bargains and to build on the commitments and undertakings that have already been agreed to so as to continue on an irreversible path towards the achievement of the purposes and objectives of the Treaty.

In the run-up to 2005, there has, however, been considerable concern about the effect of changed political dynamics on the Treaty Regime and on the potential consequences for a successful outcome to the 2005 Review Conference. This was exacerbated by the failure of the preparatory process for this Review Conference. Notwithstanding this setback, the continued vitality and effectiveness of the NPT, as an instrument to achieve the international community's common goals and as a building block for maintaining international peace and security, is dependent on the

implementation of the Treaty Regime as a whole. South Africa recommends that we should guard against the continual reopening of the debate on obligations, commitments and undertakings, which may provide the logical foundation for others to also reinterpret, negate or withdraw from other parts of the bargains struck.

Mr. President,

South Africa continues to believe that nuclear disarmament and nuclear non-proliferation are mutually reinforcing processes that require continuous and irreversible progress on both fronts. We are convinced that the only real guarantee against the use or threat of use of nuclear weapons is their complete elimination and the assurance that they will never be produced again. South Africa therefore believes that we should without delay accelerate the implementation of the practical steps for systematic and progressive efforts to eliminate nuclear weapons. In this connection, South Africa strongly supports the proposal for the establishment of a subsidiary body on nuclear disarmament at this Review Conference to give focused attention to the issue.

South Africa believes that nuclear weapons do not guarantee security, rather, they distract from it. The longer nuclear weapons exist, the longer the world will have to wait to be free from the use or threat of use of such weapons. Many also fear that such weapons could also fall into the wrong hands. However, our belief is that nuclear weapons are illegitimate, irrespective in whose hands these weapons are.

Those who rely on nuclear weapons to demonstrate and exercise power should recognise that such dependence on weapons of mass destruction only serve to increase insecurity rather than promote security, peace and development.

South Africa also recognizes that the recent developments in and experiences of the illicit network in nuclear technology to manufacture nuclear weapons presents a serious challenge to the NPT. South Africa believes that it is important to review and improve controls over nuclear material, technologies and equipment to prevent nuclear weapons proliferation and illicit trafficking. It is for this reason, Mr. President that the South African government in co-operation with other countries, as well as the IAEA, undertook a thorough and urgent investigation into the contravention of relevant South African non-proliferation legislation and is in the process of prosecuting those allegedly involved in these illicit activities. This is yet another demonstration of South Africa's commitment to the Treaty's non-proliferation provisions.

Experience has, however, shown that no control regime, no matter how comprehensive, can fully guarantee against abuse. Furthermore, the success of such controls remain dependent on effective information-sharing and co-operation among the relevant parties and the central role the IAEA can - if allowed - play in addressing this illicit trade. South Africa wishes to take this opportunity to again thank the IAEA for the constructive role it is playing in the investigation of the network that has lead to the prosecution of those involved in contravening South Africa's non-proliferation legislation.

While concerns have been expressed by some about the implementation of nuclear non-proliferation Treaty Regime obligations, commitments and undertakings by non-nuclear-weapon States parties, it should be recognized that the Regime's non-proliferation obligations are largely being successfully implemented.

With respect to the concerns about Iran's use of nuclear technology for peaceful purposes, we are pleased that the IAEA has so far found no diversion to military purposes. We welcome the Paris Agreement and as President Mbeki has said, there is no need for "a confrontation", over the matter,

which can be resolved through dialogue and negotiations. It is crucial that all the parties involved act with sincerity and goodwill in accordance with the Paris Agreement.

Mr. President,

At this Review Conference we should guard against the adoption of new measures that would restrict the inalienable right of States Parties to verifiably utilise nuclear energy for peaceful purposes. There is a growing concern that while demands are being made for non-nuclear-weapon States to agree to new measures in the name of non-proliferation, concrete actions towards nuclear disarmament are neglected.

South Africa wishes to reiterate that it cannot support unwarranted restrictions on the NPT's guaranteed access to such nuclear capabilities for peaceful purposes by States that are fully compliant with their obligations under the NPT. The imposition of additional restrictive measures on some NPT States Parties while allowing others to have access to these capabilities, only serves to exacerbate existing inequalities that are already inherent in the NPT and undermines one of the central bargains that are contained in the Treaty.

South Africa notes the report on "Multilateral Approaches to the Nuclear Fuel Cycle", which was recently submitted by the Expert Group to the Director-General of the IAEA, and we stand ready to participate in further work that might be undertaken on this issue.

Mr. President,

South Africa notes with concern that around 40 States Parties have yet to take the first basic step before the Additional Protocol can be signed, i.e. the conclusion of a Safeguards Agreement with the IAEA as required by Article III of the Treaty. We recognise that this may be due to the absence of a nuclear infrastructure in many countries. Corresponding to paragraph 10 of the Principles and Objectives, those States Parties who still have to fulfil this Treaty obligation are urged to do so without delay. In this context, my delegation wishes to thank the IAEA for its continued efforts to assist these States in guiding them through the process.

South Africa welcomes steps undertaken to strengthen the IAEA's safeguards system. Not only were measures introduced for which the Agency always had the legal authority to undertake, but the Additional Protocol was also negotiated and the number of protocols that have been signed have grown significantly in recent years. This, in our view, represents a recognition by States Parties of the value of the Additional Protocol as an instrument for building confidence in the peaceful application of nuclear energy.

Mr President,

Non-nuclear-weapon States benefit, potentially, in two important ways from the NPT. Firstly, the threat posed by the further proliferation of nuclear weapons is constrained. Secondly, under the NPT there is a promise in Article IV of the promotion of nuclear energy for peaceful uses and of the transfer of technology, materials and equipment to those countries that could greatly benefit from it. Many interpret Article IV to be about the promotion of nuclear energy. This is certainly true, but the requirements for developing States are in many instances more basic -- the peaceful uses of nuclear energy in amongst others, health and agriculture has the potential of positively affecting and improving the livelihood of countless numbers of people. It is for this reason that South Africa places a high premium on the IAEA's Technical Co-operation Programme, and why we are concerned about the inability of the Voluntary TC Fund to meet the legitimate needs of developing countries. In this respect, States Parties are urged to pledge and pay their contributions to the TC Fund. Ways should be

sought to make this Fund stable and assured as required by paragraph 19 of the Principles and Objectives.

Mr. President,

The challenge of the 2005 Review Conference is to ensure that the Treaty Regime emerges as a strengthened instrument essential in circumscribing the threat posed by nuclear weapons and by the proliferation of the capabilities to produce them as well as guaranteeing access to peaceful uses of nuclear energy. Individual elements of the NPT's bargains should not be deliberately isolated and then approached singularly, or in a process where one or more of the individual elements are ignored or minimised. Any desire, be it by the non-nuclear-weapon States or the nuclear-weapon States, to address only one aspect of the NPT bargains - be it nuclear disarmament, nuclear non-proliferation, safeguards, the peaceful uses of nuclear energy or universality - should be guarded against.

The challenges facing international peace and security today require from us all to ensure that the Treaty is indeed strengthened in all its aspects. It is for this reason that the 2005 NPT Review Conference is not just another meeting on the international conference calendar. In meeting this expectation, South Africa would like to propose to the Conference that it overcomes the near crisis for the Treaty and adopts a constructive and positive approach that can provide the Review Conference with an opportunity to meet the challenges that arise out of 1995 and 2000, and to focus our attention on reaching consensus agreements on the obligations, commitments and undertakings that are believed to be implementable and achievable in the period before 2010. Such measures should, *inter alia*, include agreements on:

1. the necessity for all States to spare no efforts to achieve universal adherence to the NPT, and the early entry into force of the CTBT;
2. measures to address the proliferation threat posed by non-State actors;
3. further reinforcing the IAEA safeguards norm as a means to prevent proliferation;
4. the special responsibility of States owning the capability that could be used to develop nuclear weapons to build confidence with the international community that would remove any concerns about nuclear weapons proliferation;
5. the requirement that all States must fully comply with commitments made to nuclear disarmament and nuclear non-proliferation and not to act in any way that may be detrimental to nuclear disarmament and non-proliferation or that may lead to a new nuclear arms race;
6. the necessity to accelerate the implementation of the 13 practical steps for the systematic and progressive efforts to achieve nuclear disarmament agreed to at the 2000 Review Conference;
7. the need for the nuclear-weapon States to take further steps to reduce their non-strategic nuclear arsenals, and not to develop new types of nuclear weapons in accordance with their commitment to diminish the role of nuclear weapons in their security policies;
8. the completion and implementation of arrangements by all nuclear-weapon States to place fissile material no longer required for military purposes under international verification;
9. the need to resume in the Conference on Disarmament negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable fissile material treaty taking into account both nuclear disarmament and nuclear non-proliferation objectives;
10. the establishment of an appropriate subsidiary body in the Conference on Disarmament to deal with nuclear disarmament;
11. the imperative of the principles of irreversibility and transparency for all nuclear disarmament measures, and the need to develop further adequate and efficient verification capabilities; and,
12. the negotiation of legally binding security assurances by the nuclear-weapon States to the non-nuclear-weapon States Parties.

We believe that these 12 inter-related measures, agreed by consensus, would constitute the basis for work to be undertaken until 2010.

Mr. President,

After the Hiroshima and Nagasaki bombings, millions within South Africa campaigned for the total elimination of all nuclear weapons. The national liberation movement in South Africa opposed the apartheid bomb and supported the call of the Non-Aligned Movement for nuclear disarmament and the redirection of the resources that would thus be saved to the task of defeating poverty and underdevelopment.

In this regard, President Mbeki recently stated that “Because, from the very beginning, our struggle was about saving lives, an objective that has found its place in our national Constitution, which includes the right to life, our movement was appalled by the threat to human existence posed by the use of nuclear weapons of mass destruction. Like the rest of humanity, our people had also witnessed the carnage caused by these weapons when the United States dropped them on Hiroshima and Nagasaki in Japan towards the end of the Second World War.” He further stated that “The situation should not be allowed to continue that the Nuclear Weapons States oblige everybody merely to focus on the issue of non-proliferation, while completely ignoring the demand of the overwhelming majority of humanity for the complete abolition of WMDs, an objective which our country has already achieved”.

During the process of our democratic transformation South Africa voluntarily decided to dismantle its nuclear weapons arsenal with the hope that this example would be emulated. On the contrary, South Africa like many others remain deeply concerned by the continued retention of nuclear weapons and security doctrines that envisage the use of nuclear weapons. Due to this reality, South Africa believes that non-nuclear-weapon States have the right to be provided with internationally legally binding security assurances under the NPT that would protect them against the use or threat of use of nuclear weapons, in line with 1996 Advisory Opinion of the International Court of Justice, as well as proposals submitted during the preparatory process for the Review Conference. Security assurances would strengthen the nuclear non-proliferation regime, and rightfully belongs to those who have given up the nuclear weapon option. South Africa strongly believes that security assurances should be considered in a subsidiary body in Main Committee I of this Conference.

In conclusion, Mr President, my delegation believes that in order to make the world a safer place and prevent the proliferation of nuclear weapons, those who possess these weapons must begin a committed step-by-step process to eliminate their nuclear weapons with a sense of urgency in accordance with the commitments made at previous review conferences.

Furthermore, if we negotiate in good faith on the basis of obligations, commitments and undertakings that are implementable and achievable in the foreseeable future and in the period before 2010, this Review Conference would be able to significantly contribute towards a more peaceful and secure tomorrow. Then, as States Parties, we will emerge from this Review Conference with full confidence that the NPT is not under threat. That, as partners, we will leave this Conference with a clear message that the proliferation of material, equipment and technology that can be used in the development of nuclear weapons will not be allowed and with the conviction that our dream of a world without nuclear weapons are indeed becoming a reality.

During his State of the Nation address on 21 May 2004, President Mbeki committed South Africa to work for a successful 2005 NPT Review Conference. We shall therefore work relentlessly for the success of this Conference and we urge everybody gathered here to co-operate in the interest of

preserving and strengthening the NPT, the cornerstone of nuclear disarmament, nuclear non-proliferation and the peaceful use of nuclear energy.

I thank you.