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2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

**Statement by The Hon Alexander Downer MP
Minister for Foreign Affairs**

(Check against delivery)

Thank you Mr President. I join others in congratulating you on your Presidency of the Seventh NPT Review Conference.

Mr President, no multilateral treaty has done as much to strengthen our collective and national security as the NPT in its 35 years. But if the NPT is to continue serving our interests well, this Review Conference must tackle the serious challenges we now face.

There is no greater threat to our common future than the spread of nuclear weapons. We must recognise we face a very different world than at the NPT's entry into force. At that time, few countries had the capacity to build nuclear weapons. Today some estimates suggest 35 to 40 countries could do so. Further proliferation can only undermine confidence in the NPT, to say nothing of the profound impact it would have on the security of us all.

The time for action is now.

North Korea's rejection of the treaty and its statement that it has nuclear weapons is a grave challenge to our collective security and the security of Australia's region. Australia strongly supports the Six-Party talks as a means of resolving the North Korean nuclear issue. However, as we approach the one year anniversary of the last round of Six-Party Talks (June 2004) it is clear that the international community's patience will not last indefinitely.

We have seen Libya and Iran, as NPT parties subject to IAEA safeguards, develop clandestine nuclear programs in violation of the Treaty. That Libya abandoned its WMD ambitions was welcome. But after more than two years of IAEA investigations, concerns about Iran's compliance remain. Iran's pursuit of uranium enrichment without convincing justification underscores the potential for misuse of the Treaty's peaceful nuclear energy provisions to acquire the basis for a rapid breakout to nuclear weapons.

Particularly concerning was revelation of the A Q Khan proliferation network. Khan traded with states of proliferation concern, but it does not take much to see how terrorists could exploit such networks to acquire the means to develop nuclear or radiological weapons. There can be no doubting the desire of groups such as Al-Qaida to use such weapons should it obtain them.

Australia is convinced that this pattern of proliferation represents the gravest threat to the NPT's future. We need to send an unambiguous message to proliferators: pursuing – let alone acquiring – weapons of mass destruction violates basic standards of responsible international behaviour and will not be tolerated.

Existing non-proliferation measures are insufficient to stop determined proliferators. For this reason, in November 2004 I hosted the Asia-Pacific Nuclear Safeguards and Security Conference, which focused on the threat of nuclear proliferation and the emerging risk of nuclear terrorism. That conference agreed on the need for a sustained and comprehensive effort to enhance the nuclear safeguards and security framework. Delegations will have received the outcomes statement from the conference (NPT/Conf.2005/2).

IAEA safeguards must be strengthened. The combination of a comprehensive safeguards agreement and an Additional Protocol is the standard that would best guarantee the NPT's long-term effectiveness. The Additional Protocol should be a condition of nuclear supply to non-nuclear weapon states. Australia intends to make the Additional Protocol a condition for the supply of Australian uranium to such states and will be consulting others, both suppliers and customers, on timing for bringing this policy into force.

This Conference must recognise, as we did in 2000, that the right to peaceful nuclear energy is not unqualified. The use of peaceful nuclear energy must be in conformity with Articles I, II and III of the Treaty. We must tackle the proliferation risk posed by the spread of sensitive nuclear technology. Should there be any doubt about this need, we should simply ask ourselves: is the unbridled spread of technology of potential use in nuclear weapons programs consistent with the NPT's objectives?

The answer is no.

So what is to be done? We believe a framework could be developed to limit the spread of sensitive technology while respecting rights to peaceful nuclear energy.

Such an approach could include: enhanced controls on the supply of sensitive nuclear technology; strengthened verification and detection in states with such technologies; and political measures to ensure reliable access to fuel for civil reactors by states that forgo enrichment and reprocessing.

This Conference must also decide how to deal with NPT parties acquiring sensitive nuclear technology only to withdraw from the Treaty. Australia's views on the need for firm disincentives and appropriate responses have been circulated to delegations. As part of a more active UN Security Council role on WMD proliferation, we consider any notice of NPT withdrawal warrants immediate, automatic consideration by the Security Council.

Nuclear disarmament

Australia believes that progress on nuclear disarmament is a core NPT obligation, vital to the Treaty's political strength and vitality. We acknowledge progress in reducing nuclear arsenals, but expect further steps by the nuclear weapon states. But we do not accept that movement on nuclear disarmament should be a precondition for improvements to the non-proliferation regime. Such an approach puts at risk the security benefit all NPT parties derive from assurances that nuclear programs in non-nuclear weapon states are peaceful.

Australia shares the view of the Secretary General in his report *In larger freedom*: 'Progress in both disarmament and non-proliferation is essential and neither should be held hostage to the other'.

Entry into force of the Comprehensive Nuclear-Test-Ban Treaty would serve the interests of all NPT parties. As coordinator of the next Article XIV conference, Australia will be striving for such an outcome. In the meantime, existing moratoria

on nuclear testing must remain. Australia is contributing strongly to the CTBT International Monitoring System (IMS), including as host to the third highest number of IMS stations. Strong support for development of the IMS must be sustained.

It beggars belief that another Review Conference has begun with Fissile Material Cut-off Treaty (FMCT) negotiations yet to start. This Conference should make clear FMCT negotiations are of the highest priority. Australia's position is that to be credible and effective, the FMCT should include measures to verify that parties are complying with their obligations. Pending FMCT negotiation, we urge China to join the other nuclear weapon states in announcing a moratorium on production of fissile material for nuclear weapons. We urge India, Pakistan and Israel to also apply such a moratorium – in addition to measures that support global non-proliferation norms - and ultimately to accede to the NPT as non-nuclear weapon states.

Conclusion

The NPT has served us well but faces unprecedented challenges in a world greatly different from that at the Treaty's inception. We should be quite clear about the nature of our world and the threats that emanate from it. While the Cold War nuclear arms race has gone, today we have individuals peddling wares to make the most destructive weapons ever devised. A handful of states defy the non-proliferation disciplines almost all other countries accept. And we also face the threat of terrorist use of nuclear or radiological weapons.

It is impossible to conceive of a world free of the threat of nuclear weapons without complete and permanent assurances of non-proliferation. But our task, of course, is not just to address non-proliferation challenges. Work to strengthen the

Treaty is needed across the full range of NPT issues. The opportunities presented by this Conference to do that must be grasped. What would it say about the international system were it unable to rise to this challenge?

Thank you, Mr President