



# SRI LANKA

Statement

by

H.E. Prasad Kariyawasam

Permanent Representative of Sri Lanka

to the United Nations

at

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

New York

10<sup>th</sup> May 2005

(Please check against delivery)

Mr. President, Your Excellencies, Distinguished Delegates:

Mr. President, may I first convey to you our warmest congratulations on your unanimous election as President of the 2005 Review Conference. May I also felicitate the Chairpersons of all Committees, and your bureau, all of whom, like you, are very well-known experts in the field of disarmament? I assure you, Mr. President and your bureau, of our cooperation and support.

Mr. President,

Sri Lanka associates itself with the statement delivered by Malaysia, on behalf of the Group of Non-Aligned States Parties.

Mr. President,

In our reckoning, NPT is not an instrument for power-play or a regime for political posturing or status-seeking. It is a widely-accepted normative instrument containing a set of valuable norms that has been designed to create a path towards eliminating a class of abominable weapons that has once wreaked havoc on Earth. Therefore, let us first remind ourselves at this Conference, once again, the horrifying human toll and the catastrophic destruction that can result if we ever use such weapons again. An eyewitness description from the use of a nuclear weapon in Hiroshima and Nagasaki describes destruction and suffering that had no parallel in the battle-scarred history of the human race:

I quote:-

"Hundreds of injured people were trying to escape to the hills past our house. Great sheets of skin had peeled away from their tissues to hang down like rags on a scarecrow. All through the night they went past our house, but this morning they had stopped. I found them lying on both sides of the road, so thick that it was impossible to pass without stepping on them. And they had no faces! Their eyes, noses and mouths had been burned away. It was hard to tell front from back."

Unquote:

Mr. President,

Sixty years later, nuclear devices are not only still being developed but also being further refined and re-modelled. At the same time, nuclear weapons in stockpiles carry thousands times more explosive power than the bombs that devastated Hiroshima and Nagasaki. The review of the NPT, in our view, must take place bearing these facts in mind.

Mr. President,

A fundamental feature of the NPT is that it is a political bargain and should be a win-win situation for all stakeholders. The regime of the NPT stands on three pillars – nuclear disarmament, non-proliferation and promotion of peaceful uses. Just as much as a tripod will collapse if any one of its legs is weakened or removed, so also will the NPT collapse if we focus

exclusively on nuclear disarmament to the exclusion of nuclear non-proliferation or vice versa. We would also be failing to strengthen the Treaty and promote peaceful uses if we do not build a firewall between the uses of nuclear energy and proliferation of nuclear weapons. The NPT must be seen holistically and no State Party can emphasize one pillar's importance over the other two. The long-term success of the Treaty therefore depends on the achievement, in equal measure, of the objectives enshrined in all these three pillars. Naturally then, a successful outcome of this Conference requires a balanced approach towards all the components of the Treaty.

Mr. President,

NPT is also a legally binding instrument. It is designed for promoting concomitantly both nuclear proliferation and disarmament together with a reinforcement of the process of reviewing the Treaty's functioning. The success of this regime like any other legal instrument depends entirely on compliance, both in letter and spirit. However, such adherence to the treaty provisions must encompass all three pillars of the NPT regime.

Provisions of the Treaty are inter-connected and inextricably linked through a bargaining process which continued even after the Treaty regime came into being in 1967. In 1995 the decision by the States Parties to extend the NPT regime indefinitely was another compromise in this process. This extension was predicated upon the adoption of principles and objectives of nuclear non-proliferation and disarmament.

Chapter 5 of the Report of the UN High-level Panel on Threats, Challenges and Change addresses extensively issues related to proliferation and disarmament of Weapons of Mass Destruction, in particular, nuclear weapons. Some recommendations by the High-Level Panel on this subject merit our attention and indeed could form a basis for our deliberations at this conference.

In the Secretary General's report on "In Larger Freedom", it is stated that "The unique status of the nuclear-weapon states also entails a unique responsibility, and they must do more, including but not limited to further reductions in their arsenals." Article 6 of the Treaty, lies at the very heart of the Treaty, seeking to achieve a fundamental balance between the obligation undertaken by the vast majority of States parties, never to acquire nuclear weapons, and the continued retention of nuclear weapons into an indefinite future by the nuclear weapon States parties.

In this regard, let us also recall the Advisory Opinion of the International Court of Justice in 1996 which expanded the scope of Article 6, by insisting that Article 6 meant that the compulsion is not only to negotiate, but to negotiate towards a final conclusion.

Mr. President,

The Final document of the 2000 Review Conference reiterated that there is an obligation on the part of the nuclear weapon states not just to reduce their nuclear weapons but to eliminate them completely. For this purpose, 13 Practical Steps were identified detailing specific

benchmarks to manifest a continued commitment to non-proliferation and nuclear disarmament. However, as we all know, there is a yawning gap between promise and performance. The challenge facing this Conference in our view is not only narrowing this gap, but also to agree on measures to roll-back deviations that have taken place since the 2000 Review Conference.

Mr. President,

Despite the gloom overhanging the NPT, we also reckon that since the 2000 Review Conference, there have been several positive developments. We welcome Cuba's decision to accede to the NPT, especially since this regime requires universal adherence in order to be effective and decisive. The SORT Treaty between the United States and Russia is also a step in the right direction.

Nevertheless, Mr. President, the 2005 NPT Review Conference, no doubt, comes at a critical juncture for the NPT regime. There are serious concerns about the implementation of several aspects related to the Treaty. Some such issues that require our urgent attention include; proliferation, both vertical and horizontal; negative security assurances to non-nuclear weapon states; commencing negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices; the black market for nuclear materials and know-how; the question of unilateral withdrawal from the NPT; the possibility of Non-State actors acquiring nuclear material or even weapons; and lack of commitment to assist in peaceful uses. These matters, no doubt, require our attention.

Mr. President,

Do we give enough attention to these threats? In this regard, the eminent Sri Lankan, Mr. Jayantha Dhanapala, Under-Secretary General for Disarmament Affairs from 1998-2003, who was also the Chair of 1995 Review Conference, notes in his recent, well acclaimed publication, "Multilateral Diplomacy and the NPT", and I quote, "Of all the challenges ahead for the treaty, complacency is arguably the greatest to overcome, because the NPT is not implemented on auto-pilot. It requires constant vigilance, care and attention not just by responsible government officials, but also by the non-governmental community, the news media and the general public." He further states that "the mighty NPT is not invulnerable to the risks of decline or collapse. The proven cases of non-compliance by NNWS and the snail's pace of nuclear disarmament have not contributed to the health of this regime."

Mr. President,

These words are most timely and come from a person who is very familiar with the NPT regime through a tireless and relentless pursuit of its objectives over a long period. We surely need to heed these words.

Mr. President,

Our world is globalizing relentlessly. This trend, coupled with incessant technological advancement makes it easy for technology, ideas and resources to move across boundaries and traverse the world. In such a scenario, any global action encompassing a region or the international community be it punitive or voluntary, will not work without widespread support and legitimacy to back up. Only multilateral mechanisms effected through the UN family have that legitimacy and the potential for successful implementation of measures that require universal adherence. The NPT is a near universal Treaty that promotes a set of norms, which if implemented properly and faithfully will, no doubt, lead us towards a secure world. The question is how far we are committed to this regime. Have we taken enough care to ensure proper implementation of compliance with all its aspects, which means all three pillars, both in letter and spirit? Moreover, unlike many other disarmament instruments, the NPT lacks a permanent or semi permanent mechanism or a structure to monitor the implementation of the NPT between five year cycles of the Review Conference. Do we therefore recognize that there is an institutional deficit in the NPT regime?

In this backdrop Mr. President, the entire international community has an enormous stake in the success of the multilateral regime of the NPT. This regime as envisaged three decades ago is still capable of delivery. The regime's fundamental principles are still valid and based on solid ground. Therefore, it is our shared responsibility in achieving a secure world in this the sixtieth year of our world body by ensuring that all the objectives of the NPT are fulfilled. You cannot achieve more security by having more nuclear weapons in the existing nuclear weapons states. Nor is the cause of international peace and security better served by having more nuclear weapon states in the world.

Mr. President,

It is not possible to proliferate what does not exist and consequently the elimination of nuclear weapons is the surest guarantee of non-proliferation.