

STATEMENT BY
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(MINT)
LEADER OF THE MALAYSIAN DELEGATION
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OF THE INTERNATIONAL ATOMIC ENERGY AGENCY
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VIENNA, AUSTRIA

Mr. President,

Distinguished Delegates,

1. It gives me great pleasure, on behalf of the Malaysian Delegation, to warmly congratulate Syria and you on your election as President of this 44th Regular Session of the General Conference of the International Atomic Energy Agency (IAEA). I am confident that, with your vast experience and guidance, this Conference will come to a fruitful conclusion.

2. I also take this opportunity to congratulate the other distinguished members elected to the Bureau. The Malaysian Delegation, as in previous years, will continue to give our utmost co-operation throughout this Regular Session of the General Conference.

Mr. President,

3. As a further indication of the growing importance that the world attaches to the role of the IAEA, as was also underlined in the Final Document of the 2000 Review Conference of the Nuclear Non-proliferation Treaty (NPT), we are continuing to witness the membership of the Agency increasing annually despite the reduced popularity of nuclear power. This reflects the increasing acceptance of the benefits of peaceful utilisation of nuclear technology in non-

power applications in developing countries, and, in this respect, we warmly welcome and congratulate Azerbaijan, the Central African Republic and Tajikistan on their admission as the latest members of the Agency.

4. Malaysia places strong emphasis on assisting other developing Member States in promoting the peaceful use of nuclear technology in non-power applications, and it is in this spirit that we hosted a regional IAEA seminar on “Strategies and Approaches Towards Self Reliance and Sustainability of National Nuclear Institutions” in Kuala Lumpur on 22 — 24 August this year. Fifteen Member States of the East Asia and the Pacific region participated in the Seminar, as did six other Member States from Africa, four from Europe, and two from Latin America. Malaysia was outsourced by the Agency to organise this Seminar, and, in this context, I am pleased to report to the Conference that the Seminar successfully deliberated and agreed on a number of issues, strategies and approaches that are pertinent to, and relevant for, the consideration of national nuclear institutes in achieving self-reliance and sustainability, where applicable.

Mr. President,

5. On the issue of funding of technical co-operation, Malaysia is convinced that the increase in the usable unobligated balance reported in the Technical Co-operation Report for 1999 should not be viewed as a reflection of the existence of an excess in the Technical Co-operation Fund (TCF) but rather a reflection of the lack of a commensurate level of support from the Regular Budget for the Agency’s Department of Technical Co-operation to fully utilise the TCF. Although small at this time, if left unchecked, the unspent amount of the TCF may attract claims by some quarters that the Fund is now more than adequate to fulfil all the needs of the developing Member States. In this regard, it should be recalled that the target figures for the TCF are mere political gestures that represent only about a third of the actual total requirements of developing Member States in the first place. It is in this light that Malaysia commends the Department of Technical Co-operation for its programme delivery, despite its lack of resources to fully utilise the TCF.

6. With reference to the new improved format for the request of projects for the next cycle of the Technical Co-operation Programme for 2001 — 2002, Malaysia commends the considerable improvements that have been made to ensure that requests meet model project

criteria and are consistent with national development programmes. The format has indeed improved the management of the Agency's technical co-operation programmes in the country and we are delighted to have participated in its development from the very beginning, along with other Member States.

7. Moving on to the issue of financing of safeguards, let me begin by reiterating that it was recognised at the last NPT Review Conference that such financing is a common but differentiated responsibility, and this coincides with Malaysia's position with regard to the financing of safeguards of materials of weapons origin. My delegation agrees with the view that there has been no dramatic change in the circumstances that led to the application of the shielding system since it was first introduced some 30 years ago, and, thus, believe that there is no urgent need to review this previously agreed system this year. We also appreciate the rationale to regularly review the status of Member States that are listed in the proposed frozen categories, but the termination of the shielding of these Member States over a period ranging from 10 to 28 years imposes an inflexibility since the economic status of a country may change over a much shorter period, as was demonstrated by the Asian financial crisis. Therefore, we strongly believe that there must be a review mechanism to cater for this.

8. My delegation also subscribes to the general view that the de-shielding is effectively a transfer of the obligations of developed unshielded Member States to developing Member States. It is clear that the removal of the shielding by developing Member States, particularly those without significant nuclear power generation programmes, is a very major concession for the sake of an equitable distribution of obligations among all Member States. Although per capita Gross National Product may be used as a basis for the categorisation of Member States for de-shielding purposes, we are of the opinion that other factors also need to be considered, consistent with the decision of the NPT Review Conference that the financing of safeguards is a common but differentiated responsibility. The differentiation should take into account whether a Member State is a nuclear weapon State, a State with a significant nuclear power programme or nuclear fuel processing or mining activity, or a State that occupies a designated seat on the Board of Governors.

9. We are also of the view that States that have nuclear power programmes or nuclear fuel processing or mining activities should factor into such programmes or activities the cost of safeguards, in order to stay transparent in the eyes of the international community. We are

of the opinion that the short-term attainment of neither the TCF target figures, the indicative planning figures, nor the rate of their attainment, are commensurate with the concession made by the developing Member States through the removal of shielding, in absolute terms. Such an attainment in relation to the TCF should be seen only as partly reciprocating the major gesture made by the shielded Member States. This reinforces the need to review the financing mechanism of safeguards to ensure and guarantee that prevailing circumstances across all domains of the activities of the Agency reciprocate this major concession of de-shielding.

Mr. President,

10. On a related issue, Malaysia welcomes the Final Document of the 2000 NPT Review Conference, particularly on the relationship between the Safeguards Agreement and the Additional Protocol, among others. While we appreciate the need for the Agency's strengthened safeguards system to eventually encompass both the Safeguards Agreements and the Additional Protocols, the decision embodied in the Final Document of the NPT Review Conference provides a grace period for States Parties to adequately prepare for the implementation of the Additional Protocol by reviewing and updating their national legal instruments as necessary. This is especially so since the Additional Protocol is expected to go beyond the traditional areas of jurisdiction of national nuclear regulatory authorities.

11. Malaysia also welcomes the recommendation by the NPT Review Conference for the Agency and the Member States to consider ways and means to promote and facilitate the conclusion and entry into force of Safeguards Agreements and Additional Protocols, including, for example, specific measures to assist States with less experience in nuclear activities to implement legal requirements. The recommendation should serve as a more meaningful alternative of encouraging more States to sign the Additional Protocol in a spirit of mutual trust and co-operation, and it is hoped that proponent States that have had experience in bringing into force the Additional Protocol would come forward to assist others, especially those with similar legal systems, towards this end.

12. My delegation would also like to take this opportunity to join other Member States of the Association of South-east Asian Nations (ASEAN) in acknowledging the assistance and co-operation of the Agency in exploring the appropriate mechanisms for implementing the Treaty on the South-east Asia Nuclear Weapon-Free Zone (SEANWFZ) or the Bangkok

Treaty, particularly in supporting the ASEAN-IAEA Workshop on the Implementation of the SEAN WFZ Treaty held in Bangkok on 23–25 August this year. In this respect, Malaysia is pleased to note that the Treaty has been instrumental in encouraging States in the region that had otherwise not signed safeguards agreements with the Agency to do so in order to fulfil their obligations under the Treaty. Unlike most other nuclear weapon-free zone treaties, the Control System for the Bangkok Treaty also provides for nuclear and radiological safety, including the safe disposal of nuclear and radioactive wastes, in addition to the usual provisions for safeguards verification, and this introduces an added difficulty in devising an appropriate verification system to ensure compliance by States Parties, which the Agency may be able to help resolve.

Mr. President,

13. I would also like to take this opportunity to inform the General Conference the outcome of the Twenty-seventh Session of the Islamic Conference of Foreign Ministers (ICFM) Session of Islam and Globalisation that was convened in Kuala Lumpur on 27–30 June 2000, specifically on issues relating to matters under the purview of the Agency. Fifty-two Member States and four other observer States participated in the Conference.

14. On the issue of nuclear disarmament, the ICFM reaffirmed once again the position of Member States in calling for a world free of weapons of mass destruction, notably nuclear weapons, and on the significance of this for the security and safety of Islamic States. It also called upon all States to adhere to the NPT and the Comprehensive Nuclear Test Ban Treaty (CTBT), and requested the nuclear States to meet the commitments they made in relevant international declarations and resolutions within the binding time frame. The ICFM further affirmed the inalienable right of States to develop peaceful nuclear programmes for their economic and social development and to acquire the technology required for these programmes.

15. The Islamic Conference of Foreign Ministers also urged all States, especially the nuclear weapon States, once again, to exert pressure on Israel to join the NPT, and called upon the international community and the Security Council to compel Israel, which continues its secret nuclear programmes, to abide by relevant U.N resolutions, and to implement forthwith the resolutions of the Agency, calling for the subjection of all Israeli atomic

facilities to the IABA Comprehensive Safeguards System, as well as the special resolution on the Middle East adopted by the 1995 and 2000 NPT Review and Extension Conference, as these steps are necessary for the establishment of mass-destruction-weapon-free zone in the Middle East. The ICFM further noted that the establishment of a nuclear weapon-free zone in Central Asia is one of the most important factors to consolidate the system of nuclear non-proliferation. It also welcomed the agreement concerning the establishment of a nuclear weapon-free zone in Africa.

16. The ICFM also encouraged the States to conclude equitable and non-discriminatory agreements on nuclear disarmament and non-proliferation, considering that such agreements may contribute to the enhancement of confidence and the availability for development resources, realizing, by the same token, the need to strengthen regional security and stability through the settlement of ongoing conflicts, and to ensure a fair and balanced disarmament that should be reduced to the lowest possible level.

17. On the issue of dumping of nuclear and toxic wastes, the Islamic Conference of Foreign Ministers condemned all the entities that dump their own toxic wastes on the territories of the Organisation of Islamic Countries (OIC) Member States or in their territorial waters, and considered these practices as an abominable crime against the right of the Member States peoples and against mankind in general. The ICEM also called on Member States to intensify efforts at the United Nations, and more particularly at the IAEA, to conclude a binding treaty for an irrevocable ban on the dumping of nuclear and toxic wastes.

18. Finally, Mr. President, my delegation welcomes the statement made to the General Conference by Dr. Mohamed ElBaradei, the Director General, and share his concern on the cash flow problems faced by the Agency. In this regard, I would like to assure that Malaysia will continue to fulfil her financial commitments to the Agency in full, including the TCF and the assessed programme costs.

I thank you Mr. President.