

## **IAEA GENERAL CONFERENCE**

**28 September 2005**

### **NEW ZEALAND STATEMENT**

Mr President

I would like first to congratulate you on assuming the Presidency of this year's General Conference. You have the full support of the New Zealand delegation and we are sure you will guide this conference to a successful conclusion.

I would also like to take this opportunity to convey New Zealand's congratulations to Dr Mohamed ElBaradei on his re-appointment for a third term as Director General of the Agency. Dr ElBaradei enjoys New Zealand's full confidence as he continues in this important role.

Mr President

This is a time of increased challenge to the non-proliferation regime. This challenge is being presented in unprecedented ways. Global security is a global concern. It is imperative therefore that the international community works

together to agree and coordinate effective responses to these challenges. The Agency has an increasingly vital role in this collective response, working with member states to safeguard and secure nuclear materials for exclusively peaceful purposes.

The risk of weapons of mass destruction falling into the hands of terrorists, or states that are not fully complying with international treaties, has been identified as an issue requiring continued priority attention. New Zealand shares the Agency's assessment that the threat of nuclear terrorism and other malicious acts involving nuclear material remains real, transnational and multifaceted. We welcome therefore the Nuclear Security Plan for 2006-2009. New Zealand has demonstrated its support for this part of the Agency's work in contributing to the Nuclear Security Fund each year since it was established, including a contribution this year of NZ\$25,000.

New Zealand welcomed the successful outcome of the conference of the amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM) in July. The amendments adopted broaden the reach of the Convention and make it more effective in guarding against terrorist attacks on nuclear material, wherever these are.

Mr President

Preventing the spread of nuclear weapons through the implementation of safeguards under the Nuclear Non-Proliferation Treaty (NPT) is a fundamental pillar of the Agency's work.

New Zealand was disappointed that this year's NPT Review Conference could not agree on an outcome. But the NPT's obligations are enduring. As you know, we believe that the disarmament commitment given by the nuclear weapons states, reaffirmed unequivocally at the NPT Review Conference in 2000, must be honoured, just as the non-proliferation objectives of the Treaty must be adhered to.

One of the 13 practical steps to disarmament agreed at the NPT Review Conference in 2000 is the early entry into force of the Comprehensive Nuclear Test Ban Treaty (CTBT). It is disappointing that this has yet to be achieved, but at last week's CTBT entry into force Conference we emphasised New Zealand's continued strong commitment to this Treaty and its early entry into force, and we will continue to work to achieve that objective.

It is disappointing too that the United Nations High Level Summit outcome document failed to include reference to disarmament and non-proliferation; despite widely shared concerns about the issues facing us all.

As a result, the road ahead for proponents of nuclear non-proliferation and disarmament will be challenging. To meet this challenge it is important that all states return to the disarmament and non-proliferation agenda with renewed vigour.

Mr President

One of the Agency's key roles is verifying and assuring member states that nuclear material is not being diverted from peaceful uses. The Director General has made clear to us that in order to be able to fulfil this mandate, he must have the tools, including an Additional Protocol. We believe that the Additional Protocol is the contemporary verification standard and should be a condition of nuclear supply. We urge those states that have not concluded Additional Protocols with the Agency to do so as soon as possible.

New Zealand welcomed the decision at last week's Board meeting to modify SQPs in order to address the weakness identified by the Director General in the current safeguards system. We also welcome the Agency's offer of assistance to small states to assist in implementation of this decision.

Mr President

For almost three years New Zealand has been concerned that the Agency has been unable to reach any conclusions regarding the DPRK's nuclear activities. North Korea's withdrawal from the NPT in 2003 and its declaration that it possesses nuclear weapons created a serious challenge to the non-proliferation regime and the stability and security of the Asia Pacific region.

The agreement reached at the Six Party Talks in Beijing, and in particular DPRK's commitment to abandon all nuclear weapons and existing nuclear programmes and to return at an early date to the NPT and to IAEA safeguards, is therefore very welcome. We encourage all parties to work to ensure that the opportunity that has now been created will produce an enduring and comprehensive outcome.

Mr President

We recognise Iran's right under Article IV of the NPT to develop nuclear energy for peaceful purposes in conformity with Article II.

At the same time we support a number of recent Board resolutions which have called on Iran to fully suspend enrichment-related and reprocessing activities as a voluntary confidence building measure, essential to addressing outstanding

questions relating to Iran's nuclear programme. As the Director General noted on Monday, Iran needs to demonstrate additional transparency, beyond its legal obligations, in order to assist in the verification of its nuclear programme and to address the confidence deficit.

Mr President

The resolution adopted by the Board last Saturday gave Iran some time before the finding of non-compliance is reported to the Security Council. We call on Iran to put in place full transparency and cooperation with the IAEA, to respect all its commitments and to continue negotiations on long-term arrangements.

Mr President

Nuclear safety is another important pillar of the Agency's work. New Zealand is committed to the principles and objectives of the Code of Conduct on the Safety and Security of Radioactive Sources, and the guidance on the import and export of sources, and has written to the Director General to confirm this.

Mr President

The safety of transport of radioactive material is of very considerable significance to New Zealand. Large shipments of spent fuel and radioactive

waste are from time to time shipped past our shores, and we wish to do all that we can to ensure that adequate safety measures are in place to prevent any accident or incident ever occurring or, should one occur, that our population would be adequately protected in any such scenario.

In this context we welcome the TranSAS mission to Japan which will take place in December this year. Given that shipments past New Zealand are generally ones travelling between Japan and Europe we are especially appreciative of Japan's willingness to accept such a mission.

You will recall too that at the recent UN High Level Summit, leaders agreed that states should maintain dialogue and consultation, in particular under the aegis of the IAEA and IMO, with the aim of improving mutual understanding, confidence building, and enhanced communications in relation to safe maritime transport of radioactive materials.

Since last year progress has been made on two issues of particular concern to New Zealand relating to this issue.

On liability, INLEX is usefully undertaking work to clarify the application and scope of the existing liability regime, and any serious gaps, and we look forward to the continuation of its work. Countries in our region remain very concerned about the possibility of an incident, which could cause serious environmental

damage, and, even without an actual release of radiation, significant economic loss. For us, as well as for coastal states in other regions who like us have no nuclear industries, it is important that we as innocent victims in any such incident are not left to carry any such loss. If there is to be an effective global liability regime, it must in our view therefore cover the provision of adequate compensation in such a situation.

It is important also, given the potential harm that might be sustained should there be an incident involving a vessel carrying radioactive materials, that coastal states are provided with adequate advance information concerning such shipments. Such information exchange can contribute toward the safety of such shipments and the effectiveness and timeliness of any response to an incident should it occur. Informal discussions were held in July this year, with Agency involvement, between coastal states and shipping states to build confidence, better understand each other's concerns, and explore how these communication issues might be taken forward and procedures for the exchange of information be improved. We have agreed to continue these discussions, and hope that we might work towards an understanding of future practice which meets the concerns of both sides.

Mr President

As a strong supporter of the NPT, New Zealand supports the principle that others should have access to nuclear technology for peaceful uses in conformity with article II – particularly the many civilian applications which are not related to nuclear power generation and which could enhance the lives of millions of people worldwide.

New Zealand has rejected the use of nuclear power for itself. We do not believe that nuclear power is compatible with the concept of sustainable development, given the long-term costs and problems (both financial and ecological) associated with the disposal of nuclear waste. We are aware of our commitment under the Agency's Statute to support all pillars of the Agency's mandate. But there is currently no mechanism available to us to ensure that any contribution to the Agency's main technical cooperation programme would not go towards projects, which promote the use of nuclear power as an energy option. Therefore we have looked to contributing instead to specific extra-budgetary technical cooperation projects.

Building on our first time contribution to the Agency's technical cooperation activities through support for malaria research in 2004, we were pleased this year to make a contribution to the Programme of Action for Cancer Therapy.

This project will assist developing states access radiotherapy equipment and, working together with others, address all aspects of cancer control.

Mr President

The failure of the NPT RevCon coupled with continued security challenges facing the global community mean the road ahead for proponents of nuclear non-proliferation and disarmament will be challenging. I wish to express New Zealand's ongoing support and commitment to the Agency's programme of work and the indispensable contribution it makes to the multilateral disarmament and non-proliferation system. I also wish to thank the Director General and his staff for their stalwart efforts over the past year in pursuit of this objective.