

**STATEMENT BY DR. DAUD MOHAMAD,
DIRECTOR GENERAL, MALAYSIAN NUCLEAR AGENCY,
HEAD OF DELEGATION OF MALAYSIA
TO THE 53RD REGULAR SESSION OF THE GENERAL CONFERENCE
OF THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)**

16TH SEPTEMBER 2009

VIENNA, AUSTRIA

(AS PRESENTED)

Madam President,

1. On behalf of the Delegation of Malaysia, a fellow member of the SEAP Group, I wish to take this opportunity to congratulate Her Excellency Ambassador Jennifer MacMillan, the Permanent Representative of New Zealand to the IAEA, on her election as the President of this 53rd Regular Session of the General Conference. My Delegation is confident that this Conference will come to a successful conclusion under her Presidency.

2. My Delegation also wishes to congratulate the other distinguished members of the Bureau on their election. As in previous years, the Delegation of Malaysia will continue to give our full co-operation to ensure a successful conclusion of the Conference.

3. My Delegation further wishes to congratulate and welcome the Kingdom of Cambodia, a fellow member of ASEAN, as a returning Member State, and Republic of Rwanda as the newest Member State of the IAEA. Both are also fellow members of the Non-Aligned Movement (NAM) and G77.

4. My Delegation also wishes to express our appreciation to the Director General, Dr. Mohamed ElBaradei, for the review of the work of the Agency in his statement to the Conference, particularly since this was the last time that Dr. ElBaradei had presented the report of the work of the Agency as the Director General. The review was not only on the work of the Agency over the past year, but also over the past twelve years that Dr. ElBaradei had successfully served as the Director General.

5. In this regard, my Delegation shares the views of the Director General, and is just as troubled by the lack of any significant progress on nuclear disarmament and also on the perennial problems of inadequate funding for the Agency. On the statement by the Director General that a war was launched against in Iraq, with tragic consequences, despite the fact that the IAEA and the United Nations had provided impartial and factual information that pointed to the absence of weapons of mass destruction in that country. There is, therefore, a dire need to ensure the role of the IAEA as the sole universal verification agency for non-proliferation safeguards, as provided for under the NPT.

6. This need for the IAEA to remain as the sole universal safeguards verification agency is even more important with the growing interest for nuclear power development among more countries in the world, in order to meet the growing demand for energy and reduce their vulnerability to fluctuations in the cost of fossil fuels, while also reducing the emission of green-house gases to mitigate climate change. This prospect provides a good opportunity for the IAEA to promote a more universal implementation of relevant international instruments in order to ensure a peaceful, safe and secure utilisation of nuclear energy, while assuring and facilitating continuous access to the required technologies, equipment and material.

7. Towards this end, it is imperative that the IAEA be allowed to function without undue impediment, political or otherwise, from beyond the framework of the proper open-ended multilateral fora. As stated by the Director General, the credibility of the IAEA depends on its continued independence.

Madam President,

8. On nuclear technology applications, my Delegation shares the view of the Director General on the need for a dramatic increase in funding for the IAEA to assist developing Member States in their socioeconomic development in line with their respective national priorities.

In this regard, my Delegation also shares the view of the Director General that we should recognise the linkage between security and development, and on the need to address the root causes of instability and insecurity, including poverty, poor governance and endemic conflicts, towards removing any temptation for countries to seek weapons of mass destruction. The more developed Member States should provide more assistance, especially in terms of additional funding, for the IAEA to assist the developing Member States towards enhancing global peace and security, while also facilitating the development of the less developed States.

9. On the issue of the verification of nuclear weapon non-proliferation safeguards, my Delegation wishes to, again, strongly underline the need to respect the basic and inalienable rights of States, as provided for under the NPT, as well as the Statute of the IAEA, to develop research, production and use of atomic energy for peaceful purposes, without any discrimination and in conformity with their respective legal obligations. Therefore, nothing should be interpreted in a way as inhibiting or restricting this right of Member States to develop atomic energy for peaceful purposes.

10. Malaysia also believes in the importance to make a clear distinction between the legal obligations of Member States to their respective Safeguards Agreements and their voluntary commitments. The voluntary commitments of Member States should not be turned into legal safeguards obligations, and, in this regard, Member States should not be penalised for not adhering to their voluntary commitments.

11. On the implementation of the Safeguards Agreement in the Islamic Republic of Iran, Malaysia welcomes the recent positive developments that have led to the IAEA being able to acquire a better understanding of the nuclear programme in Iran. Based on the latest report of the IAEA, Malaysia is of the view that Iran has extended its fullest cooperation within its national obligations and capacity to cooperate with the IAEA in finding a settlement to the issues related to the nuclear programme in that country. Malaysia believes that the international community should move forward, by not continuing to indulge on issues of the past, since there are more important and pressing matters that need to be addressed by the IAEA, especially the needs of Member States for technical assistance, technology transfer, and the safety and security aspects of their respective nuclear energy development programmes.

12. Malaysia wishes to strongly reiterate its belief that it is only through diplomacy and continued dialogue can a long-term peaceful solution to the Iranian nuclear issue, which is mutually acceptable, be found. In this respect, Malaysia wishes to express its appreciation to the continuing cooperation of Iran, even beyond its legal obligations, and welcomes the initiatives of Iran for a greater degree of transparency. Malaysia further encourages Iran to continue its cooperation with the IAEA to resolve the remaining issues related to its nuclear programme. The Director General, on his part, has also called for diplomacy and dialogue to take its course.

13. Similarly, the IAEA should be allowed to resolve the issues pertaining to the implementation of the Safeguards Agreement in the Syrian Arab Republic without interference and undue pressure from any third party. In this regard, Malaysia calls upon other States that have information, which had led them to conclude that the installation in Syria had been nuclear-related, to provide the information to the IAEA immediately.

14. Also in this respect, Malaysia condemns any act, or contemplation of an act, of aggression against any nuclear installation or any installation that is alleged to be nuclear-related. Malaysia views such an act as a flagrant violation of the United Nations Charter.

15. On the other side of the issue, My Delegation fully supports the statement by the IAEA Director General that it is becoming increasingly difficult to call upon non-nuclear-weapon States to renounce such weapons in perpetuity, and accept new measures to strengthen non-proliferation, if nuclear-weapon States themselves continue to modernise their nuclear arsenals and almost glorify them. In this respect, Malaysia reiterates its firm belief in the importance of multilateral approaches towards the disarmament of weapons of mass destruction, and has consistently been calling for the establishment of a Nuclear Weapons Convention. As a peaceful nation, Malaysia has always been fully committed to its NPT obligations, besides pursuing the final objective of a total, universal and irreversible elimination of nuclear weapons.

Madam President,

16. On the issue of nuclear security, my Delegation highly appreciates the support provided to Malaysia in this regard. Malaysia also shares the view that the responsibility for nuclear security rests entirely with the respective Member State, and that the IAEA should provide assistance only upon request. Malaysia further cautions against the disproportionate focus on perceived threats to nuclear security that could result in unjustifiable denials of shipments of vital radioisotopes, particularly those required for crucial medical and healthcare applications.

17. On a larger perspective, Malaysia also cautions against linking the increasing global interest for nuclear energy to an increased nuclear security threat perception. Malaysia is against any pre-conceived stereotyping or profiling of States interested in the use of nuclear energy for power generation. On its part, Malaysia fully condemns all acts of terrorism, including that of nuclear terrorism, regardless of any motivation of the perpetrators.

18. As stated by the IAEA Director General, the linkage between security and development should be recognised, and, hence, also between technical cooperation to address the national socioeconomic needs of developing Member States, and security. In this respect, Malaysia highly appreciates the efforts of the IAEA and its Secretariat in assisting Member States, particularly developing States, towards building their technical capacities for the development of nuclear technology and applications, in line with their respective national priorities, especially with the increasing interests for nuclear power generation. Malaysia encourages the IAEA to intensify these efforts.

19. On the funding of IAEA activities, Malaysia has continued to consistently fulfill its financial obligations to the Agency in full and in a timely manner, and urges all Member States to do the same, in order to guarantee enjoying the benefits of the IAEA Technical Cooperation Programme.

Madam President,

20. From a national perspective, since becoming a Member State of the IAEA, Malaysia has greatly benefited from the Agency's Technical Cooperation Programme, primarily in non-power applications of nuclear technology. Malaysia will still continue to develop and enhance such non-power applications, particularly for the industrial, healthcare, agriculture, as well as natural resource and environmental management.

21. For the future, Malaysia is open to the use of nuclear energy as one of the fuel options for electricity generation to be realised post-2020. Given the long lead time needed to prepare for nuclear power generation, Malaysia is taking steps to determine and assess its national state-of-preparedness for this purpose, guided by the relevant IAEA recommendations and safety standards and guides. Towards this end, Malaysia is actively engaging all the relevant stakeholders at the national and international levels, towards preparing an appropriate infrastructure development plan for nuclear power. The specific decisions on nuclear power projects, however, would be subject to a new national energy policy for the period 2010 to 2030 which is being prepared.

22. To ensure a comprehensive development of both the power and non-power applications of nuclear technology, Malaysia is also developing a national nuclear policy that will serve as a guide for further development of these applications. The thrust areas for this development are research, development and commercialisation of nuclear and related technologies; development of a comprehensive national nuclear legislative and regulatory framework; human capital development and competency verification; transparent, objective, accurate and timely dissemination of public information; and compliance with the international system of nuclear governance as well as international cooperation. For this purpose, my Delegation is very grateful to the IAEA for the interest and cooperation that are being extended and further considered by the Agency to assist Malaysia plan and prepare for the use of nuclear energy to be realised post-2020.

23. At the international level, Malaysia has organised the International Nuclear Conference 2009 (INC'09) in Kuala Lumpur on 29th June to 1st July 2009, with strong participation by the IAEA. During the Conference, Mr. Yury Sokolov, the IAEA Deputy Director General for Nuclear Energy, had the opportunity to meet and discuss with the key high-level national stakeholders for the preparation for nuclear energy, and assess the seriousness and prospects for Malaysia in this respect. Malaysia hopes that the visit will provide the IAEA with a more objective understanding of the actual situation in order to design a proper technical assistance plan for Malaysia.

24. In this regard, my Delegation wishes to thank the IAEA Secretariat for the successful Nuclear Knowledge Management Mission, the first of such missions, which was conducted in Malaysia in July this year.

25. Malaysia had also hosted an IAEA Meeting on Developing and Strengthening Nuclear Safety and Security Infrastructure and Competence for Asia and the Pacific on 26-28th May 2009, which was also beneficial in planning and preparing for the use of nuclear energy for power generation in terms of regulatory development.

Finally, Madam President,

26. Malaysia wishes to record its appreciation to Dr. ElBaradei for his admirable and professional service as the IAEA Director General for the past twelve years. Malaysia fully supports the decision to accord Dr. ElBaradei the title of Director General Emeritus of the Agency.

27. My Delegation also wishes to congratulate H.E. Ambassador Yukiya Amano, the in-coming Director General of the IAEA, and assure him of Malaysia's continued support and cooperation for the IAEA to undertake its roles and responsibilities under its Statute.

I thank you, Madam President.