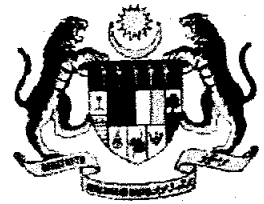


MALAYSIA

*Permanent Mission of Malaysia
to the United Nations and Other International
Organisations in Vienna*



**STATEMENT BY H.E. DATO' MOHD. ARSHAD M. HUSSAIN
PERMANENT REPRESENTATIVE OF MALAYSIA TO THE CTBTO**

**ON BEHALF OF THE
NON-ALIGNED MOVEMENT (NAM)
STATE SIGNATORIES AND RATIFIERS TO THE
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY (CTBT)**

**AT
THE CONFERENCE ON FACILITATING THE ENTRY INTO FORCE
OF THE CTBT**

VIENNA, 17 SEPTEMBER 2007

Prinz Eugen Strasse 18
A1040 Vienna, AUSTRIA
Telephone: (43-1) 505 1042/505 1569/505 6323 Facsimile: (43-1) 505 7942 E-mail: malvienna@kln.gov.my

**STATEMENT BY H.E. DATO' MOHD ARSHAD M. HUSSAIN,
PERMANENT REPRESENTATIVE OF MALAYSIA TO THE CTBTO
ON BEHALF OF THE NON-ALIGNED MOVEMENT (NAM)
STATE SIGNATORIES AND RATIFIERS TO THE
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY (CTBT) AT THE
CONFERENCE ON FACILITATING THE ENTRY INTO FORCE OF THE CTBT
VIENNA, 17 SEPTEMBER 2007**

Mr. President,

I have the honour to deliver this statement on behalf of the Non-Aligned Movement (NAM) State Signatories and Ratifiers to the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

2. Let me first of all congratulate you on your election to preside over this Conference. I am confident that with your able leadership, skill and guidance, the Conference will reach a fruitful conclusion. You can be assured that NAM will give its full support and cooperation in facilitating your task as President.

3. I would also like to thank Ambassador Thomas Stelzer, Permanent Representative of Austria in Vienna and Ambassador Ana Teresa Dengo, Permanent Representative of Costa Rica in Vienna for conducting the informal consultations on the draft Final Declaration of the Conference. Our appreciation also goes to the Secretariat for preparing the necessary documents. I also wish to take this opportunity, on behalf of NAM State Signatories and Ratifiers, in expressing our appreciation for the efforts undertaken by Ambassador Jaap Ramaker, Special Representative to promote the entry into force of the Treaty.

4. The Movement has taken several principled positions on the issues of disarmament and international security during the 14th NAM Summit in Havana, Cuba in September 2006. In this regard, it is pertinent for me to highlight that NAM expressed its strong concern at the growing resort to unilateralism and in this context, underlined that multilateralism and multilaterally agreed solutions, in accordance with the UN Charter, provided the only sustainable method of addressing disarmament and international security issues.

5. In the context of the CTBT, NAM would like to reiterate its long-standing and principled position for the total elimination of all nuclear testing. In this regard, NAM supports the objectives of the Treaty, which is intended to enforce a comprehensive ban on all nuclear test explosions, to stop the qualitative development of nuclear weapons that would pave the way towards the total elimination of nuclear weapons. NAM also wishes to stress that the significance of achieving universal adherence to the CTBT, including by the five nuclear-weapon States would, inter alia, contribute towards the process of nuclear disarmament and therefore towards the enhancement of international peace and

security. NAM believes that if the objectives of the CTBT were to be fully realized, the continued commitment of all States signatories, especially the five nuclear weapon States, to nuclear disarmament, would be essential. We hope that further progress towards the entry into force of the Treaty could be made as a result of this Conference.

Mr. President,

6. NAM is pleased to note that since the opening for signature of the CTBT in New York eleven years ago on 24 September 1996, 177 States have signed the Treaty, and 140 States have ratified it. The number of signatures and ratifications indicate the acceptance of the Treaty, which is aimed at banning forever all forms of nuclear test explosions, by the international community. NAM takes note that only 34 out of 44 States listed in Annex 2 of the CTBT, whose ratifications are required for the entry into force of the Treaty have done so. In this regard, NAM, while calling on all those States whose ratifications are required for entry into force of the Treaty and who are in a position to do so to ratify it, urges, in particular the two nuclear weapon States, to ratify the Treaty without delay. NAM also urges those States in the Annex 2, which have not even signed the Treaty, to sign and ratify it without delay.

7. NAM places special emphasis on the role of the nuclear weapon States because NAM believes that they have a special responsibility to see the early entry into force of the Treaty, not only because they are among the 44 States listed in Annex 2 to the Treaty, but also because, on account of their position, they are expected to lead in making the ban on tests a reality. NAM reaffirms that one of the most significant factors in facilitating the entry into force of the CTBT is the ratification of the Treaty by the nuclear weapon States, as they bear a special responsibility in this regard as they have committed in 1995 and 2000 NPT Review Conferences. Positive decisions by the nuclear-weapon States would have the desired impact on progress towards entry into force of the CTBT. Early ratification by nuclear weapon States would pave the way and encourage the remaining countries listed in Annex 2 to the CTBT, especially the three States with unsafeguarded nuclear facilities, to sign and ratify the Treaty. We are concerned and disappointed that one nuclear weapon State has taken the position not to proceed with the ratification of the Treaty. The failure of this nuclear weapon State to ratify the Treaty, and by not supporting the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) through rejection of one of the main elements of the Treaty's verification regime, is undermining this important instrument against nuclear testing. We hope that the State concerned would reconsider its position.

8. NAM recalls the undertaking by the nuclear weapon States at the time of negotiation of the CTBT to ensure that the Treaty would halt both vertical and horizontal proliferation, thereby preventing the appearance of new types of nuclear devices, as well as nuclear weapons based on new physical principles.

The nuclear weapon States stated at that time that the only steps to be followed would be to maintain the safety and reliability of the remaining or existing weapons, which would not involve nuclear explosions. In that regard, NAM calls upon those States to continue to refrain from conducting nuclear test explosions for the development or further improvement of nuclear weapons. The Movement wishes to re-emphasize the principles of the non-proliferation regime, both vertically and horizontally. NAM also underscores the importance of the five nuclear weapon States observing the moratorium on nuclear weapon test explosions since the opening for signature of the Treaty. However, NAM believes that moratoriums do not take the place of the signing, ratification and entry into force of the Treaty.

9. In this regard, NAM wishes to emphasize that the development of new types of nuclear weapons is contrary to the guarantee given by the five nuclear weapon States at the time of the conclusion of the CTBT, namely, that the Treaty would prevent the improvement of existing nuclear weapons and the development of new types of nuclear weapons. Pending the entry into force of the Treaty, we call upon States to refrain from any actions contrary to its objectives and purpose. In this context, NAM is seriously concerned by the decision by a nuclear weapon State to reduce the time necessary to resume nuclear testing to 18 months as a setback to the 2000 NPT Review Conference agreements. The lack of progress in the early entry into force of the CTBT also remains a cause for concern. NAM also notes with concern the recent statement by this nuclear weapon State in July 2007 in which it purportedly justified on the need to invest in the Reliable Replacement Warhead (RRW) and thus modernizing its nuclear infrastructure as part of its nuclear deterrent force. This nuclear weapon State even argued that delays on RRW would raise the prospect of having to return to underground nuclear testing, which in our view goes against the spirit and letter of the CTBT. NAM is of the view that the development of new types of nuclear weapons, is in contravention not only with the undertakings provided by the nuclear weapon States at the time of the conclusion of the CTBT, but also with the Article VI of the Nuclear Non-Proliferation Treaty (NPT).

10. NAM strongly calls upon all nuclear weapon States as well as all those States that possess nuclear weapon capabilities to observe the spirit and letter of the CTBT and abide by their commitments and obligations in accordance with the NPT in reducing and ultimately eliminating those weapons under strict and effective international control. In this regard, NAM is gravely concerned by the statement made by the Prime Minister of Israel on 11 December 2006, in which he publicly admitted Israel's possession of nuclear weapons. NAM wishes to express its great concern over the unsafeguarded nuclear capabilities of Israel, which pose a serious and continuing threat to the regional and international security. NAM believes that this is in grave violation of the spirit and letter of the CTBT. NAM condemns Israel on its actions and the said statement in this regard, and for continuing to develop and stockpile nuclear arsenals. NAM, therefore,

demands that Israel renounces its possession of nuclear weapons, accedes to the NPT without delay, places promptly all its nuclear facilities under the IAEA full-scope safeguards according to Security Council Resolution 487 (1981), and conducts its nuclear related activities in conformity with the non-proliferation regime.

11. NAM remains fully committed to its obligations under the NPT and the agreements reached at both the 1995 and 2000 NPT Review Conferences. NAM, in this regard, calls upon the five nuclear-weapon States to honour their commitments to the full implementation of the 13 practical steps, as contained in the 2000 NPT Review Conference Final Document for systematic and progressive efforts to implement Article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 decisions on principles and objectives for nuclear non-proliferation and disarmament.

Mr. President,

12. NAM would like to commend the continuing efforts of the Provisional Technical Secretariat to establish a global verification regime. NAM believes that 10 years after the establishment of the Preparatory Commission for the CTBTO, the advanced phase of the build-up of the verification system is in place. The reaction of the system to the 9 October 2006 event in the DPRK demonstrated this reality very well. NAM is therefore of the view that the present verification system is adequate for the purpose of its provisional operation. NAM also underlines the mandate of the Preparatory Commission which is the preparation of the verification system on a provisional basis, and calls on the Provisional Technical Secretariat to observe this very important concept before entry into force of the Treaty.

13. NAM believes that all elements of the verification regime are equal in their importance. Therefore a balance should be established in the development of the IMS, IDC and OSI.

14. NAM also believes that besides its primary functions, the verification system could also bring scientific and civil benefits in conformity with the Treaty including tsunami warning systems and possibly other disaster alert systems. In this regard, NAM believes that the focus of transmitting the data should be to the tsunamigenic region and such matter should not prejudice the mandate of the Preparatory Commission on provisional operation of the verification regime.

15. Regarding the current financial situation of the Preparatory Commission, NAM is concerned about the non-payment by a major contributor of its financial obligations to the Preparatory Commission and notes that during the recent years a large amount has not been paid by this major contributor. Such a situation, if it continues, would create a serious challenge to the CTBT verification regime and jeopardize the future of the whole system. In this regard, NAM urges this State

Signatory to reconsider its political position and selective approach towards the Treaty and support fully the Preparatory Commission.

16. NAM is also of the view that the frequency of Article XIV Conferences is a matter that needs to be discussed and reviewed by the conference. We therefore are of the view that the best approach is for the next Conference to be held, in accordance with Article XIV of the Treaty, will take place no sooner than 2010.

17. Finally, let me conclude by reaffirming the NAM's full support for the objectives of the CTBT. NAM hopes that the outcome of the Conference would pave the way towards the total elimination of nuclear weapons which would make this world a safer place for all mankind.

I thank you Mr. President.