



Statement by

H.E. Dell Higgle

Ambassador for Disarmament and Permanent Representative of New Zealand
to the Conference on Disarmament, Geneva

at the

2015 Review Conference of the Parties to the Treaty on the Non-Proliferation
of Nuclear Weapons

General Debate

New York, 28 April 2015

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Madam President,

Could I first, on behalf of all New Zealanders, I convey our heartfelt sympathy to the Government and people of Nepal regarding their catastrophic earthquake.

The NZ Delegation is committed to doing everything it can to support your efforts over the next four weeks to help us reach consensus at this important meeting of States Parties to the NPT. We know that we are here to find consensus on the means to sustain our Treaty and to carry it forward in a way that meets the needs and aspirations of all our community.

Consensus is a concept that New Zealanders understand very well when it relates to nuclear, and nuclear weapon, issues. It is something we have been able to forge in our own country – a fact that was noted by the UN's High Representative for Disarmament Affairs, Ms Angela Kane, when she visited New Zealand last year. She welcomed our example as a country with consensus – “congruence” as she called it - on nuclear issues and cited our nuclear-free legislation as a classic illustration of co-operation and partnership between the different branches of government (combined, too, with a substantial advocacy role played by our civil society). She concluded that NZ's laws, policies and the views of our citizens are all congruent on nuclear matters.

I can assure you, Madam President, that this New Zealand consensus is reflected, as well, in the composition of our Delegation here. In addition to delegates drawn from Government, we are joined by Members of Parliament (notably, the leadership of New Zealand's Parliamentarians for Nuclear Non-Proliferation and Disarmament grouping), and we have representation also from our NGO community.

All of us hope for a successful outcome. New Zealand places great store by this Treaty which for 45 years now has been the anchor point for global nuclear non-proliferation and disarmament policy. Its success, particularly in constraining nuclear proliferation, has been invaluable: it has been able to do this largely on the back of the credibility of its promise – the promise of Article VI - to move forward on a world altogether free of nuclear weapons.

The terms of that promise might well have been drafted differently if, at its outset in 1968, the Treaty had been envisaged as a complete and *permanent* measure. Instead, given at the time a shelf life of only 25 years, and put in place as a stop gap against the most immediate nuclear security threats then prevailing, its text opted to deal with some issues in an *interim* fashion.

As a product of that context, and of compromise, Article VI left over for a future time the work necessary to complete its premise. Some have termed this unfinished business as the “*legal gap*” left by the NPT. It is a gap that continues to this day - notwithstanding the indefinite extension of the Treaty in 1995 and the acknowledgement by the International Court of Justice (unanimously, in its 1996 Advisory Opinion) that Article VI is the basis for an obligation to move forward and to close this gap.

What this would require is fairly clear *in broad terms*. As long ago as 1995, NZ’s then Prime Minister, Right Hon Jim Bolger, observed that, “just as we have international treaties which debar the use of chemical or biological weapons, we will eventually move to a similar sort of treaty ... regarding nuclear weapons”. Successive NZ Prime Ministers have recognised the need for the development of legal frameworks to abolish these weapons.

Last September, Secretary-General Ban declared that “[T]he time has come for those negotiations to begin. The lack of such negotiations is disrupting the delicate balance between international commitments to disarmament and non-proliferation.”

The New Agenda Coalition, which New Zealand currently coordinates, has sought to respond to the Secretary-General’s call by presenting a Paper to this Conference - Working Paper 9 (itself building on WP 18 put forward at last year’s NPT PrepCom). It fleshes out the options available to States Parties in moving forward to eliminate the “legal gap” left open in Article VI. It neither prescribes any particular negotiation process nor outcome but, rather, analyses the two legally-distinct pathways open to us in moving forward.

The Secretary-General has said that “what matters most is not *which* path is taken, but that the chosen path is heading in the right direction – toward the internationally agreed goal of the total elimination of nuclear weapons”.

The New Zealand Delegation hopes that we will, indeed, leave this meeting with light cast upon the path ahead. You can be assured, Madam President, that we are ready to play our part to that end. You can be confident, too, that New Zealand's dedication to a strong outcome on nuclear disarmament does not come at the expense of our focus, as well, on efforts to strengthen the other pillars of our Treaty: nuclear non-proliferation and the peaceful uses of nuclear technology. Our aspirations and record on these issues is fully consistent with our belief in the mutually-reinforcing nature of nuclear disarmament and nuclear non-proliferation and our insistence that *all* NPT States Parties meet *all* obligations in the Treaty.

We welcome announcement of the framework agreement reached recently in the talks between Iran and the P5+1 regarding the future of Iran's nuclear programme and hope that a comprehensive agreement will be concluded in accordance with the agreed deadline of 30 June.

We seek outcomes from this Review Conference that will strengthen the broader International Atomic Energy Agency (IAEA) nuclear safeguards system. We also look for progress on nuclear safety and nuclear security, having ourselves just hosted the first phase of an IAEA International Physical Protection Advisory Service mission and continued our active engagement in the Nuclear Security Summit and other related multilateral efforts. We will similarly welcome efforts to facilitate the peaceful uses of nuclear technology, guided by our support for the Peaceful Uses Initiative and our work to ensure export controls relating to transfers of nuclear material and related equipment are robust and effective.

We know that many here believe the NPT to be, now, at a turning point. Progress on non-proliferation and security issues is important but is not in itself enough to preserve and reinforce the effectiveness of our Treaty. Significant progress on nuclear disarmament is necessary - in the light both of our greater understanding of the catastrophic consequences and increasing risk of a nuclear weapon detonation as well as our recognition that the credibility of the NPT cannot sustain indefinite delay with respect to the implementation of one of its core provisions - Article VI. We expect the consensus we reach at this Review Conference to reflect that.

I would not like to conclude my statement today without taking this opportunity to place on record New Zealand's great appreciation to the

Secretary-General's High Representative for Disarmament to whom I referred at the outset of this statement. Ms Kane has sought with honesty and integrity to advance the rule of law on all disarmament and arms control matters. We are grateful that she has performed her role with such distinction.

Thank you, Madam President.