

Presentation by Amb. Enkhsaikhan, Mongolian Focal Point
on implementation of 2005 Tlatelolco Declaration

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First of all I would like to thank the other focal points for briefing on implementation of the 2005 Tlatelolco Declaration and on other measures taken in accordance with the treaties concerned.

Mongolia, one of the participants of the Mexico conference, has also been taking measures to uphold the spirit of that conference and implement its recommendations and decisions. The focal point can divide the implementation of the Tlatelolco declaration into three levels: national, sub-regional and international. I shall briefly touch upon each one of them within the time allocated to me.

At national level. As you all may know, in 2000 Mongolia adopted a law defining the status at the national level and criminalizing acts that violate it. In 2006 the Government of Mongolia has set up an inter-agency working group to assess the implementation of the law. It assessed implementation of each and every article of the law and presented its findings to the Government and the standing committee on foreign and security policy of the parliament. The working group found the implementation quite satisfactory, though pointed out several areas where additional efforts were needed. Thus the provision of Article 4.2 of the law, which stipulates that transport through the territory of Mongolia of nuclear weapons, parts or components thereof, as well as of nuclear waste or any other nuclear material designed or produced for weapons purposes shall be prohibited, cannot be verifiably implemented due to the country's long border with the two neighbors (over 8,000 kms), lack of qualified national personnel and necessary equipment to detect possible violations at the border or border crossings.

Mongolia has 4 international standard border posts, 8 major regional posts of entry, 10 regionally supervised posts of entry and 2 temporary ones. Out of these border posts only 2 had radiation detection equipment. With the resumption of uranium exploitation and the increase of the use of nuclear technologies and radiation sources, of export/import of radioactive sources, the risk of smuggling of radioactive material will naturally increase. Bearing all these in mind, as well as UNSC resolution 1540 (2004) aimed at preventing non-state actors from illegally acquiring, using or transferring nuclear material, the inter-agency working group has recommended to strengthen border controls to detect, deter and prevent illicit trafficking in nuclear-related items. Hence since 2006 technical capacity of 5 border posts have been strengthened and some of the personnel have undergone appropriate technical training.

The government is now working to equip or up-grade technical capacity at other 4 border posts and train border and other necessary experts (if there is anyone that is interested in this issue, a more detailed information can be provided by Ms. Rinchenmyadag of the International Organizations Department). The working group underlined that periodic review of

implementation of the law would be necessary and useful for the viability and credibility of the zone. That same year Mongolia has informed member States of the United Nations, including members states of NWFZ treaties, on the implementation of the law and the follow-up measures.

Also at the national level, a workshop with the participation of all the relevant state bodies, research institutes and NGOs was organized to address the issues of implementation of the law and General Assembly resolution entitled "Mongolia's international security and nuclear-weapon-free status". An open exchange of views was undertaken on the best ways and means of formalizing the status, the challenges to it and how to address them.

At the regional level, the Mongolian government continued to pursue its policy of institutionalizing the status. Thus in September 2007 a draft treaty defining Mongolia's nuclear-weapon-free status, including possible commitments of Mongolia and its two neighboring nuclear-weapon States, has been presented to China and Russia. Last month the three sides met in Geneva and had an exchange of views on the draft and how to address some of the issues reflected in it.

Relevance of the single-State nuclear-weapon-free zone. It is a novel idea that developed from a necessity by a State that could not be part of traditional (i.e group) nuclear-weapon-free zones. Due to geographical, geo-political or some other reasons some states cannot be part of traditionally understood and accepted NWFZs (and there are almost a dozen of such cases), one of such examples being my country – Mongolia. Just because such countries cannot be part of traditional NWFZs, it does not mean that their security concerns can be ignored. That would leave a loophole or a lacunae in the growing network of NWFZ or nuclear-free areas and would also be counter to the principle of sovereign equality of states. If one is to agree with the notion of "safety in numbers", ignoring this issue would create a "blind spot" for a potential breach or hazard.

Mongolia is a positive example of addressing such an issue not only at the national level, but also of promoting international security, predictability and stability. We can take another example. Afghanistan. Like Mongolia it is a land-locked country. Economically, especially with respect to trade and access to world markets, it is dependent on its neighbors, some of which happen to be de jure or de facto nuclear-weapon states. Land-locked Afghanistan could be "susceptible to persuasion" to host nuclear weapons or parts thereof or parts of nuclear-weapon system; or it could become a transit route for smuggling of nuclear and/or radioactive materials. Since Asia does not have regional security mechanism, some other land-locked Asian countries could also be susceptible to such pressures. Therefore until a traditional NWFZ is established in the region, such countries would need security assurances from their neighboring states not only with respect of non-use or threat of use of nuclear weapons, but that their territories would not be used for placing nuclear weapons, parts of such weapons or systems. We hope that Mongolia would be an inspiring case for addressing such "blind spots".

At the international level, Mongolia has been supporting the efforts to strengthen the non-proliferation regime and promote nuclear disarmament. This is evidenced by the statements of its representatives and co-sponsorship of resolutions and decisions at international fora, including at UNGA, UNDC, CD, IAEA, ARF and other fora. Since 2005 UN Secretary-General has presented to the General Assembly two reports on implementation of its resolutions regarding Mongolia's status. Likewise, the General Assembly adopted two resolutions on this issue. The ministerial meeting of NAM that is currently being held in Havana has reiterated its support for Mongolia's policy of institutionalizing its status and "welcomed the start of talks by Mongolia with its two neighbors to conclude the required legal instrument, and expressed the hope that it would soon result in the conclusion of an international instrument institutionalizing the status".

As per decision taken in Mexico in 2005, the Mongolian focal point has sent letters of introduction to focal points of other NWFZs. I would like to take this opportunity to thank the focal points for their response and have expression of readiness to work together for the common cause.

After Mexico conference, in December of that year Mongolian civil society activists, scholars and experts have established an NGO named Blue Banner that is devoted to promoting non-proliferation, nuclear disarmament and formalization of Mongolia's. President of the organization is H.E. Mr. Ochirbat (who has been invited to attend the opening of this meeting). As President of Mongolia he went in 1992 to UNGA and declared the country a nuclear-weapon-free zone. Blue Banner is now quite known within the disarmament NGO community. In 2007 it organized in Mongolia GPPAC-NEA and IPPNW North Asia meetings that discussed issues connected with promoting non-proliferation, nuclear disarmament and the possibility of establishing a NEA-NWFZ. The outcome documents of these meetings can be found in the special issue of the Mongolian Journal of International Affairs that you have been provided with for your information. Last week the Blue Banner issued a statement calling for promoting further the goal of a nuclear-free world and, for that purpose, conclusion of a nuclear weapons convention as proposed by Costa Rica and Malaysia.

The Mongolian focal point initiated holding this meeting of focal points believing it would be highly useful if it addresses the issues of preparations for the 2010 NPT prepcom, for the second Conference of states parties or signatories of NWFZ treaties, and if, possible, making a joint statement on issues of common concern and interest. More than three decades have passed since a comprehensive study had been undertaken on NWFZs in all its aspects. We believe that perhaps it would be useful to ask the UN to undertake a second study on the basis of the accumulated rich experience as well as comments of governments and NGOs.