



Slovensko predsedstvo EU 2008  
Slovenian Presidency of the EU 2008  
La Présidence slovène de l'UE 2008

**Preparatory Committee for the  
2010 Review Conference of the Parties to the  
Treaty on the Non-Proliferation of Nuclear Weapons  
- Second Session -**

**Geneva, 28 April - 9 May 2008**

**Statement by**

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Permanent Representative of Slovenia**

**on behalf of the European Union**

**Cluster II**

**Geneva, May 2008**

**Check against delivery**

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**EU Statement**

Mr. Chairman,

1. The EU recalls that the NPT is based on three mutually reinforcing pillars: non-proliferation, disarmament and the peaceful use of nuclear energy. The EU believes that the prevention of nuclear proliferation as stated in Article I and Article II of the NPT and the pursuit of nuclear disarmament in accordance with Article VI of the NPT are essential for global peace and security. This also holds true for the peaceful use of nuclear energy, in accordance with all provisions of the Treaty. We are therefore firmly committed to the objective of strengthening the international nuclear non-proliferation regime as underlined in the EU Common Position of 25 April 2005, by which we stand. The EU continues to support the decisions and resolutions adopted at the 1995 NPT Review and Extension Conference and the Final Document of the 2000 NPT Review Conference and shall bear in mind the current situation.

2. The EU recognizes that serious proliferation challenges have arisen in recent years and stresses that the international community must be ready to face with conviction and tackle resolutely any further such challenges in the years ahead. The EU Strategy against Proliferation of Weapons of Mass Destruction agreed by our Heads of State and Government in December 2003 clearly sets out our commitment to these obligations. Integral to this strategy is our conviction that a multilateralist approach to security, including disarmament and non-proliferation, provides the best way to maintain international order. Multilateralism is based on the concept of shared commitments and obligations and we must ensure that these commitments are respected and all obligations are complied with, within the NPT framework by all States Parties. The NPT can only fulfil its role if we are confident of the compliance of all States Parties to the obligations of the Treaty.

3. In resolution 1540 adopted under chapter VII of the UN Charter, the Security Council affirmed that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. Proliferation of weapons of mass destruction and their means of delivery is potentially the greatest threat to global security, and the spread of missile technology adds a further element of concern.

Mr. Chairman,

4. By adopting sanctions resolution 1803 on Iran's nuclear programme under Article 41 of Chapter VII of the UN Charter, the UN Security Council sent for the fourth time a strong message of international resolve to Iran.

We deplore Iran's continued failure to comply with the UN Security Council and the IAEA Board of Governors' requirements, by refusing to allow IAEA inspectors the access they seek; by refusing to come clean about their past activities; and by refusing to suspend enrichment and on the contrary expanding its enrichment related activities, in order to restore international trust. We note the progress made in implementing the IAEA-Iran Work Plan and hope that Iran will address the serious concerns that the IAEA continues to have about the "alleged studies", which are critical to an assessment of a possible military dimension to Iran's nuclear programme. We call upon Iran to fulfil the requirements of UN Security Council and the IAEA, including the suspension of its enrichment-related and reprocessing activities.

The EU remains committed to an early negotiated solution to the Iranian nuclear issue and to reaffirm our firm commitment to a dual-track approach. We call upon Iran to open the way for negotiations by complying with Resolution 1696, 1737, 1747 and 1803 and suspending proliferation – sensitive activities. We reaffirm our support for the generous proposals presented to Iran in June 2006 by the Secretary-General and High Representative of the European Union. The EU reiterates its recognition of Iran's right to nuclear energy for peaceful purposes in conformity with its NPT obligations.

The EU reaffirms its full and unequivocal support for efforts to find a negotiated long-term solution to the Iranian nuclear issue, which would significantly contribute to global non-proliferation efforts, and to realize the objective of a Middle East free of weapons of mass destruction, including their means of delivery.

The EU will ensure the effective implementation of the measures contained in the UN Security Council resolutions. We call upon all countries to implement the measures in their full scope and without delay. The EU is united in its resolve not to allow Iran to acquire military nuclear capabilities and to remove any proliferation risks by the Iranian nuclear programme

5. The European Union continues to have very serious proliferation concerns with regard to the DPRK and attaches great importance to the common goal of the Six Parties to achieve the early denuclearization of the Korean Peninsula in a peaceful manner. The European Union underlines the importance of a swift and full implementation of the commitments contained in the Joint Statement of 19 September 2005, leading to the full disablement and dismantlement of the nuclear weapons programme of the DPRK in a complete, verifiable and irreversible manner. The European Union calls on the DPRK to fully comply with United Nations Security Council Resolutions 1695 and 1718 and with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, including the implementation of its Comprehensive Safeguards Agreement in full cooperation with the IAEA. The EU also recalls the DPRK's obligation not to enter into any proliferation sensitive exports. The EU fully supports the IAEA monitoring and verification activities in the DPRK.

The EU notes with concern the statement by IAEA Director General ElBaradei on 25 April 2008, relating to claims of an undeclared nuclear facility in one state party. The EU calls on the IAEA to investigate this issue, as well as on all parties concerned to fully cooperate with the Agency in order to enable it to fulfil its mandate.

Mr. Chairman,

6. The challenges the NPT is facing are requiring common efforts to preserve and to strengthen the international Non-Proliferation regime. The EU is committed to work together with all States Parties in addressing these challenges during this Review Cycle.

Mr. Chairman,

7. The EU reaffirms its full support for the work of the IAEA, this unique and indispensable organization pursuing the same objectives as we do. The IAEA is the world's focal point for peaceful nuclear co-operation and nuclear safety and it has an indispensable global role in preventing the spread of nuclear weapons and countering new threats of nuclear terrorism. The three pillars of the IAEA Statute – verification, safety and technology – have been strengthened where necessary and remain solid in the face of their respective challenges.

8. The IAEA's international safeguards system is an essential part of the global nuclear non-proliferation regime. The universal adoption and implementation of comprehensive safeguards agreements, and additional protocols to them, is an essential prerequisite for an effective and credible safeguards system.

9. The EU considers the Additional Protocols to be an integral part of the IAEA Safeguards System and adherence to them should be considered an essential means of verifying the fulfilment of States Parties' obligations under Article III of the NPT. By raising the standard for compliance and by making it easier to detect violations, Additional Protocols strengthen the nuclear non-proliferation regime. The EU considers that the IAEA Comprehensive Safeguards Agreements and Additional Protocols, constitute the current verification standard, and accords a high priority to their implementation. We call on all States that have not yet done so to conclude and bring into force Additional Protocols with the IAEA.

Mr. Chairman,

10. The illicit trade in highly sensitive nuclear equipment and technology is a matter of serious concern for the European Union and, indeed, all States Parties to the NPT. The EU is committed to strong nationally and internationally coordinated export controls which we see as an indispensable complement to our non-proliferation obligations under the NPT.

11. UNSC resolution 1540 complements our efforts to tackle proliferation by explicitly addressing illicit trafficking and procurement networks, and in particular, the involvement of non-state actors in the proliferation of WMD technology. We urge states to implement fully UNSCR 1540's provisions. The EU welcomes the reiteration of UNSC resolution 1540 (2004) and the extension of the 1540 Committee mandate for a further period of two years by UNSC resolution 1673 (2006). In this context, the EU welcomes the adoption of the UNSC resolution 1810 on 25 April 2008 and the extension of the 1540 Committee mandate for a further period of three years. We call for full compliance with these legally binding resolutions to realise the goal in UNSCR 1673 of full implementation of UNSCR 1540. To this end, the EU has adopted a Joint Action in 2006 and is currently in the final stages of preparing a second one, consisting inter alia of a series of thematic workshops in several regions, with a view to enhancing export controls.

12. In view of the enhanced proliferation threat, the EU considers it necessary for exporting states to assume their responsibilities and take measures to ensure that exports of sensitive materials, equipment and technologies are subject to appropriate surveillance and control. Export controls ensure that transfers take place for peaceful purposes as required by the NPT, facilitating also co-operation and technological development. The EU will work towards strengthening the efficiency of export controls, preventing any uncontrolled dissemination of the most sensitive technologies, in

particular by non-state actors, and defining adequate consequences for situations of non-compliance. We will however pay great attention to the preservation of the core principles of the Treaty and, in particular, development of and cooperation on peaceful uses of nuclear energy. The EU will act in a way that preserves the vast majority of countries, which respect their commitments, from the consequences of non-compliance by a few. We will avoid creating dividing lines among the international community. Therefore, the EU will focus on strengthening export control policies and practices, within the EU and beyond, in co-ordination with partners.

13. Co-ordination of national export control policies contributes significantly to the non-proliferation objectives of the NPT. In this regard, the EU underlines the work of the Zangger Committee. The Member States of the EU also play an active role in the Nuclear Suppliers Group. We consider that the work of this group makes an important contribution to the non-proliferation of nuclear weapons. The EU Member States abide by the NSG's requirement that transfers of trigger list items can only be made to states which have in place a Comprehensive Safeguards Agreement with the IAEA. EU Member States are also working within the NSG to ensure that the ratification of the Additional Protocol becomes a condition of export of controlled nuclear and nuclear related items and technology.

14. The EU calls on that all States Parties to the NPT follow the understandings of Zangger Committee and the guidelines of the NSG when considering exports of sensitive nuclear materials, equipment and technologies. The EU supports every effort for the achievement of maximum transparency in all nuclear related exports. The EU has introduced a working paper on the common approach of the EU in this regard.

15. The EU encourages also all States to participate in the Proliferation Security Initiative.

Mr. Chairman,

16. The EU also remains deeply concerned about the growing risk of nuclear terrorism and is firmly determined to combat this threat. We continue to call upon all states to take effective measures to address the problem of diversion of and trafficking in WMD materials and of the participation of non-state actors in proliferation of WMD. The EU fully supports the objectives of the Global Initiative to Combat Nuclear Terrorism and the Proliferation Security Initiative as an illustration of the international community's efforts to combat these threats.

17. The EU recognises and supports the international legal instruments designed to provide the obligations and guidance concerning the responsibility of states to establish and maintain an effective nuclear security regime. Early accession and ratification of the amended Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism; full implementation of UNSCR 1540 and UNSCR 1373 and further work towards implementing the Code of Conduct for the Safety and Security of Radioactive Sources would bring the international nuclear and radioactive security regime into significantly greater effect.

18. The EU supports the efforts of the IAEA through its nuclear security fund to spread the objectives and fundamental principles of nuclear and radioactive security to its wider membership. The Convention on the Physical Protection of Nuclear Material and the Code of Conduct on the Safety and Security of Radioactive Sources represent essential features of this work. The EU encourages as many States as possible to ratify the amended Convention and observe the principles contained in the Code. It undertakes to promote the application of the amended Convention and the Code of Conduct, collectively or individually, encouraging States to request the assistance of the Agency in this area as necessary.

19. The EU supports assistance for key states, in partnership with the IAEA, in taking forward efforts to account for and securely manage all high-level radioactive sources in their territory, including the search for and safe and secure recovery of sources no longer under regulatory control. The EU supports continued international discussion of means and methods to improve the co-ordination and information sharing between States Parties. The EU introduced a working paper on nuclear security at the first session of this Preparatory Committee spelling out in more detail the common approach of the EU in this regard.

Mr. Chairman,

20. The EU Member States continue to attach great importance to achieving the universality of and universal compliance with the NPT. The possessions of nuclear weapons by states outside the NPT and non-compliance with the Treaty's provisions by States Parties to the Treaty undermine non-proliferation and disarmament efforts. Therefore the EU calls upon all states not party to the NPT to pledge commitments to non-proliferation and disarmament and to become States Parties to the NPT as non-nuclear weapon States.

21. The EU continues to attach great importance to the development of internationally recognized Nuclear Weapon Free Zones, established on the basis of arrangements freely arrived at among states of the regions concerned, as elaborated in the guidelines adopted by the UNDC in its 1999 substantive session. Effective Nuclear Weapon Free Zones enhance regional and global peace and security and are a means to promote nuclear disarmament, stability and confidence. The EU welcomes and encourages the signature and ratification by the nuclear-weapon States of the relevant protocols to the treaties establishing Nuclear Weapon Free Zones following the completion of the necessary consultations as specified by the United Nations Disarmament Commission's 1999 Guidelines. We hope that the outstanding issues concerning Nuclear Weapon Free Zones can be resolved through such consultations in accordance with the UNDC guidelines and with the agreement of all parties involved.

Mr. Chairman,

22. The EU remains committed to the full implementation of the resolutions on the Middle East adopted by the United Nations Security Council and the 1995 NPT Review and Extension Conference. The EU calls upon the States of the region to establish an effectively verifiable zone free of nuclear weapons, as well as of other weapons of mass destruction and their means of delivery. We call upon all States in the region that have not yet done so to accede to the NPT, the Biological and Chemical Weapons Conventions and to conclude with the IAEA Comprehensive Safeguards Agreements and the Additional Protocol. We believe that the accession of all States in the area to the IAEA's Comprehensive Safeguards Agreements and the Additional Protocol should be a priority for the international community as a whole, and would represent a crucial contribution to an overall improvement of the security situation and confidence in the Middle East.

Mr. Chairman.

23. In accordance with the EU-Strategy against Proliferation of Weapons of Mass Destruction mentioned earlier, the EU has taken already a series of measures to foster co-operation on non-proliferation. The EU is providing help and support to implement effective export controls, to reinforce nuclear security, to contribute to global disarmament and the elimination of WMD, to help improve the nuclear materials accountancy and export control systems of states concerned, to implement the Additional Protocol of the IAEA. To this end the EU is organising workshops and seminars on non-proliferation, universalisation and multilateralist approaches on an international and regional level.

24. In the same spirit the EU and its Member States are looking forward to cooperate constructively with all States Parties at this PrepCom as well as during the whole review cycle in order to find consensus on ways to uphold effectively the NPT and to strengthen the Non-proliferation regime. The EU is committed to contributing to the complete fulfilment of all objectives enshrined in the NPT.

Thank you, Mr Chairman.

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