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**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

Geneva, 28 April 2008

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EU Statement

Mr Chairman,

1. I have the honour to take the floor on behalf of the European Union. First of all, I would like to congratulate you on your appointment as Chair of this Preparatory Committee in the year when we celebrate the 40th Anniversary of the NPT and assure you of the support of the European Union in your efforts throughout this meeting. We hope that this second session of the Preparatory Committee will provide a forum for fruitful and substantive discussion on the current situation and NPT goals, with a view to identifying consensual topics on which progress could be made during the cycle. We trust that the contributions the EU made and other further contributions will play their part in a successful and substantive conclusion to the current review cycle. The EU will spare no effort to achieve this. We are also ready to support you in your efforts to reach consensus on the remaining procedural issues for the remainder of this review cycle, which have not yet been resolved.

Mr Chairman,

2. The EU is committed to the preservation of the integrity and the strengthening of the nuclear non-proliferation regime. 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 multilateral 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 with the obligations of the Treaty.

3. The NPT Review Conference in 2010 presents us with the unique opportunity to grasp the challenges that face the nuclear non-proliferation regime. The EU is determined and dedicated to ensuring success for the 2010 NPT Review Conference.

4. The EU Member States continue to attach great importance to achieving the universality of and universal compliance with the NPT. The possession 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.

5. 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 resolution 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.

6. 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.

7. The EU also remains deeply concerned about the growing risk of nuclear terrorism and is firmly determined to combat this threat. 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.

8. 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. 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.

9. 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). We support extension of the 1540 Committee mandate in 2008. 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.

10. The EU is involved in efforts to strengthen nuclear security on a global scale in order to prevent terrorists from getting access to nuclear and radio-active materials. In addition to contributions of individual Member States, several Joint Actions in support of the IAEA nuclear security fund have been adopted, most recently on 14 April 2008. Contributions pledged so far through these Joint Actions amount to more than 20 million EUR and make the EU a major contributor to this fund. Assistance projects will be carried out in countries in Africa, Balkans, Caucasus, Central Asia, Mediterranean, Middle East and Southeast Asia in order to address the most pertinent priorities in the nuclear security field.

Mr Chairman,

11. 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.

12. 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.

13. 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.

14. In 2005, the EU drew attention to the potential implications for international peace and security of withdrawal from the NPT. The contributions and discussions during last year's PrepCom proved to be very useful and we will continue to reiterate the principles we have put forward. We urge, during this Review cycle, the adoption of measures to discourage withdrawal from the Treaty and to deal with the consequences of a NPT State's withdrawal, including suspension of nuclear co-operation.

Mr Chairman,

15. 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, 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 1737, 1747 and 1803. We reaffirm our support for the proposals presented to Iran in June 2006 by the Secretary-General and High Representative of the European Union, which can be further developed. The EU reiterates its recognition of Iran's right to nuclear energy for peaceful purposes in conformity with its NPT obligations.

16. 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.

17. 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. In this context, the EU fully supports the role of the IAEA and has adopted a Joint Action in order to make a financial contribution to the continued monitoring and verification by the IAEA of the shutdown of DPRK nuclear facilities.

Mr Chairman,

18. The EU is committed to the pursuit of nuclear disarmament and the final objective enshrined in Article VI of the NPT and welcomes the reduction of strategic and non-strategic nuclear weapons and their delivery systems since the end of the Cold War, including significant reductions by two EU member States. Moreover, it stresses the need for an overall reduction of the global stockpiles of nuclear weapons, in particular by those with the largest arsenals, while acknowledging the considerable nuclear arms reductions which have taken place since the end of the Cold War, in particular by two EU Member States. In this context, we recognise the application of the principle of irreversibility to guide all measures in the field of nuclear disarmament and arms control, as a contribution to the maintenance and reinforcement of international peace, security and stability, taking these conditions into account. We are pursuing efforts to secure transparency as a voluntary confidence building measure and encourage all States possessing nuclear weapons to agree and implement further transparency measures. The EU welcomes the increased transparency on current nuclear weapons holdings recently shown by some nuclear weapon States.

Mr Chairman,

In this context, the EU notes the importance of the declarations made by the Presidents of Russia and the United States of America in 1991 and 1992 on unilateral reductions in their stocks of non-strategic nuclear weapons and calls on all States with non-strategic nuclear weapons to include them in their general arms control and disarmament processes, with a view to their reduction and elimination.

The Strategic Arms Reduction Treaty (START), which reduced US and Russian strategic nuclear weapons arsenal to 6,000 accountable warheads, is due to expire in 2009. We note that the US-Russia Moscow Treaty on Strategic Offensive Reductions, which limits each side to no more than 1,700 - 2,200 operationally deployed strategic nuclear warheads, will expire on 31 December 2012. While welcoming the reductions in deployed nuclear weapons which START and the Moscow Treaty have brought about, the European Union stresses the need for more progress in structurally reducing these nuclear arsenals through appropriate follow-on processes. In this regard the EU is encouraged by the ongoing discussions between the United States and the Russian Federation on the development of a post - START arrangement, and particularly welcomed the recent

announcement following the Sochi meeting that they will work towards a legally binding agreement.

The EU welcomes the reaffirmation by the United States and Russia of their continued support for the INF Treaty in their joint statement at the 62nd Session of the UN General Assembly and notes the suggestion to discuss the global elimination of all intermediate and short-range ground-to-ground missiles. In this context, the EU notes the proposal of the President of the French Republic presented in March 2008 to open negotiations on a treaty banning short- and intermediate-range ground-to-ground missiles.

19. The EU stresses the need for general disarmament. Non-proliferation, disarmament and arms control remain indispensable elements of cooperative security between states.

20. The EU recognises the importance, from the point of view of nuclear disarmament, of the programmes for destruction and elimination of nuclear weapons and of fissile material as defined under the G8 Global Partnership. The EU recalls that EU Member States and the European Community participate in this effort which entails, inter alia, the deactivation of thousands of nuclear warheads, and efforts to convert military stockpiles of fissile material into a physical state which can no longer be used in nuclear weapons.

21. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) constitutes a fundamental instrument in the field of nuclear disarmament and non-proliferation. The EU believes that a legally binding prohibition of nuclear weapons test explosions and all other nuclear explosions as well as a credible verification regime, are vital.

A new momentum towards the entry into force of the CTBT can now be sensed. We therefore reiterate our call on States, particularly those listed in Annex II, to sign and ratify the Treaty without delay and without conditions and, pending its entry into force, to abide by a moratorium on nuclear testing and to refrain from any action contrary to the obligations and provisions of the CTBT. We also welcome the recent ratifications by Colombia, Malaysia, Barbados, Bahamas, Dominican Republic and Palau. The EU urges all States to dismantle all their nuclear testing sites in a manner that is transparent and open to the international community.

The 10th anniversary of the opening for signature of the CTBT in 2006 as well as the occurrence of nuclear tests after that underlines the need to redouble our efforts to complete the outstanding ratifications required for the Treaty to enter into force. In this regard, we would like to commend the recent ratifications as they give a strong signal to the nine States which still need to ratify the Treaty for it to enter into force. The EU calls upon States which have signed or ratified the CTBT to pay their contributions to the Preparatory Commission of the CTBTO in time.

The EU would also like to express its high appreciation for the substantial work of the CTBT Organisation Preparatory Commission. We will also continue to actively support the work of Special Representative Ambassador Ramaker to promote universal accession.

22. We would like to underline the importance the EU attaches to the Conference on Disarmament as the single multilateral forum available to the international community for disarmament negotiations. The EU has been working constructively for several years towards the adoption of a programme of work. We are also striving for and will spare no efforts to revitalise this unique forum here in Geneva in order to facilitate the start of work. The European Union is satisfied with the maintaining of the six presidencies platform formula (P6) adopted in 2006 and 2007 and retained in the 2008 session and declares its full support to it. We further expect that the formula will be used also in the future. The EU attaches a clear priority and great importance to the negotiation without pre-conditions in the Conference on Disarmament, of a treaty banning the production of fissile material for nuclear weapons and other explosive devices (FMCT), as a means to strengthen disarmament and non-proliferation. The EU appeals to all delegations in the

Conference on Disarmament to work towards achieving a consensus on a programme of work that would enable the Conference to start as soon as possible the negotiation of an FMCT.

23. As part of its Weapons of Mass Destruction Strategy, the European Union will promote a stable international and regional environment and address the root causes of instability. The EU will play its part in addressing the problems of regional insecurity and the situations of conflict, which lie behind many weapons programmes. We recognise that instability does not occur in a vacuum and we are committed to fostering regional security arrangements and regional disarmament and arms control processes.

24. The EU recognizes the continuing high value of the existing legally binding security assurances to non-nuclear weapon States Parties to the NPT on the use of or threat of use of nuclear weapons, provided for by the protocols to the treaties establishing nuclear weapons free zones and unilateral declarations of nuclear weapons States, noted by UNSC Resolution 984/1995 and reaffirmed at the sixth NPT Review Conference. Positive and negative assurances can play an important role in the NPT regime and can serve as an incentive to forego the acquisition of WMD. We are committed to promote further consideration of security assurances.

25. 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,

26. 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. 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.

27. In accordance with Article IV of the NPT and Article II of the IAEA's Statute, the EU reaffirms its support for the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with Articles I, II and III of the Treaty. The EU notes in this regard that a growing number of States Parties to the NPT shows interest in developing civil nuclear programmes aimed at addressing their long-term energy requirements and other peaceful purposes. The EU recognizes the clear necessity for the

2010 Review Conference to address this issue. The EU will work towards promoting a responsible development of peaceful uses of nuclear energy within a framework ensuring that sensitive technologies and goods for non-peaceful purposes are not disseminated. International co-operation based on a responsible development of peaceful uses of nuclear energy indeed furthers implementation of the NPT and enhances the legitimacy of the global non-proliferation regime.

28. The EU underlines the importance of continuing international cooperation in order to strengthen nuclear safety, safe waste management and physical protection of nuclear material and calls upon States that have not yet done so to accede to all the relevant conventions as soon as possible. The EU recalls the importance of the IAEA Code of Conduct on the Safety and Security of Radioactive Sources.

29. The EU welcomes the initiative of the Director-General of the IAEA, Mr El Baradei, to discuss the multilateralisation of the nuclear fuel cycle in the IAEA. The IAEA should play a leading role in these discussions. As the EU Member States witnessed more than 50 years ago, transparency, coordination and control of key substances or sensitive technologies can lead to more confidence and trust among participating States. The EU thus stands ready to participate in the discussion which aims to develop mechanisms for access to nuclear fuel services or to fuel itself for those countries that have chosen the nuclear power option, with the aim of strengthening the NPT. In that respect, the EU stresses the need to come up with pragmatic solutions that reflect economic reality and the real needs of the recipient countries, and conform to the most stringent safety and security requirements and responsible waste management.

Mr Chairman,

30. The European Union hopes that this second Session of the Preparatory Committee will help to build on the foundations laid in Vienna for a successful Review Cycle. We must pay due consideration to all aspects of the implementation of the Treaty - disarmament, non-proliferation and peaceful use. Such consideration will allow us to emerge from this preparatory process and move forward to the Review Conference 2010 in order to effectively uphold and strengthen the international nuclear non-proliferation regime. The EU is committed to contributing to the complete fulfilment of all objectives enshrined in the NPT.

Thank you Mr President.
