

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

**- Specific Issue -
Other provisions of the Treaty, including Art.X**

**Statement by Ambassador Bernhard Brasack
Permanent Representative of Federal Republic of Germany to the
Conference on Disarmament
on behalf of the European Union**

Vienna, 11 May 2007

Mr.Chairman,

1. In 2005 the EU drew attention to the potential implications for international peace and security of withdrawal from the NPT in introducing a Working paper. The 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons discussed under the subsidiary body 3 entitled "Other provisions of the Treaty including Article X" intensively the issue of withdrawal. The contributions and discussions during the NPT Review Conference proved to be very useful, possible conclusions of the Conference seemend to be within reach. The Review Process leading up to the 2010 Conference should therefore build upon this discussion and the EU stands ready to contribute to this debate in recalling its common approach to this issue.
2. The EU is committed to the preservation of the integrity of the NPT and the strengthening of its implementation. The authority of the Treaty must be maintained. While each State Party has a sovereign right to withdraw from the Non-Proliferation Treaty a withdrawal could, in a given case, constitute a threat to international peace and security.
3. The legal requirements as set out in Article X and the implications of a withdrawal should therefore be clarified and an understanding should be reached on appropriate actions in case of an announced withdrawal from the Treaty.
4. The EU Working Paper NPT/CONF.2010/PC.I/WP.25 spells out the different roles of interested parties and depositories of the Treaty in the event of a possible withdrawal and underlines the central role of the Security Council as the final arbiter in maintaining international peace and security. Any withdrawal notification under Article X, paragraph 1, should prompt the Security Council to consider this issue and its implications as

a matter of urgency, including examination of the cause for the withdrawal, which according to the requirements of Article X has to be "extraordinary events related to the subject matter of the Treaty".

Mr.Chairman,

5. In cases where a withdrawal of a state from the NPT can finally not be avoided, a state should remain internationally liable for any violations of the NPT committed prior to withdrawal and as a matter of principle all nuclear materials, equipment, technologies and facilities, acquired or developed for peaceful purposes, of a State Party to the Treaty on the Non-Proliferation of Nuclear Weapons should remain, in case of a withdrawal from the Treaty, restricted to peaceful uses only and as a consequence have to remain subject to IAEA safeguards.

Mr. Chairman,

6. The EU will continue to reiterate the existing principles and urge, during this Review Cycle, the adoption of measures to discourage withdrawal from the Treaty. The EU calls on all States Parties to join this discussion and to prepare for possible decisions at the 2010 Review Conference.

Thank you, Mr.Chairman