



FranceTNP2010
Turning commitments into actions
New York 3/28 May 2010



FRANCE'S ACTION AGAINST PROLIFERATION

Working paper submitted by France

“Proliferation of weapons of mass destruction constitutes a threat to international peace and security.”

This principle, first proclaimed in 1992 and enshrined into Resolution 1540 in 2004, was strongly reiterated by the United Nations Security Council meeting at the level of Heads of State and Government on 24 September 2009 on the unanimous adoption of Resolution 1887.

It is vital to stop the proliferation of nuclear, chemical and biological weapons and their delivery systems:

- Proliferation weakens the global security architecture;
- It increases the threat of diversion by terrorist groups;
- It shakes mutual trust and undermines the development of international co-operation in the peaceful uses of nuclear energy, at the expense of the vast majority of States that respect their obligations in good faith;
- It could also put a brake on disarmament efforts, especially nuclear.

Action to stop proliferation is therefore **imperative for the security of all**.

France is a resolute player in the fight against proliferation, aware as it is to its implications for the international nuclear non-proliferation regime, based on the Non-Proliferation Treaty (NPT), and for regional security and the collective security of all.

“In the face of proliferation, the international community must remain united and resolute. Because we want peace, we must show no weakness to those who violate international norms.”

Nicolas Sarkozy, President of the French Republic, Cherbourg Speech, 21 March 2008

1. RESOLUTE RESPONSE TO PROLIFERATION CRISES

In its support of the UN Security Council's role in keeping international peace and security, **France is drawing on all its resources to resolve the serious proliferation crises** currently facing the international nuclear non-proliferation regime in Iran and North Korea. In particular, it is continuing its unstinting work with its partners of the Six (United States, Russia, China, United Kingdom and Germany) to seek a diplomatic solution to the Iranian nuclear issue in a **dual-track approach** that combines dialogue and firmness.

It is vital for the international community to respond in a prompt, determined and credible manner to these proliferation crises to uphold the NPT, the bedrock of the collective security system, to preserve its members' confidence in the Treaty's capacity to ensure their security, and to prevent the development of nuclear activities for non-peaceful purposes by other countries.

2. STRENGTHENING OF THE INTERNATIONAL NON-PROLIFERATION REGIME

↪ **France supports the efforts of the International Atomic Energy Agency (IAEA) to keep its safeguards system fully credible and effective.**

- It ensures that the Agency has sufficient human, financial and technical resources to effectively conduct its **verification mission**. In this regard, it provides it with expertise and technical assistance.

23 million, it is France's total contribution to the **IAEA budget in 2009**:

- €17 million to the regular budget,
- €4 million in voluntary contributions,
- €2 million to other budgets (financial contributions and staff).

- France supports **the universalisation of the Additional Protocol**, which extends the IAEA's scope of investigation and is alone able to give the Agency all the necessary verification resources. France itself signed an additional protocol in 1998.

"Without the Additional Protocol, we cannot really do our work in a credible way"

Director General of the IAEA, Board of Governors, June 2009

↪ **Export controls are a key tool in action to curb proliferation.**

- France **supports the different informal groups of supplier countries**: the Nuclear Suppliers Group (NSG), the Australia Group, the Zangger Committee, and the Missile Technology Control Regime (MTCR) for which it provides the permanent secretariat.
- It applies **strict national controls**. Under European regulations, the recommendations by the different supplier groups are directly enforceable by national law.

- It is committed, within the NSG, to the adoption of **stricter criteria for the export of enrichment and reprocessing technologies**, which are particularly sensitive.

↳ **Support to Nuclear-Weapon-Free Zones:** In addition to the Antarctic Treaty of 1959, France is party to the protocols to the Treaty of Tlatelolco (ratified in 1974 and 1992), the Treaty of Rarotonga (ratified in 1996) and the Treaty of Pelindaba (ratified in 1996). Moreover France supports the objective of a zone free from weapons of mass destruction and their means of delivery in the Middle East.

100 States : France has given negative security assurances to over 100 States in protocols to treaties establishing zones free of nuclear weapons.

↳ **France plays an active part in the Comprehensive Nuclear-Test-Ban Treaty (CTBT) International Monitoring System.** In this capacity, it manages 24 monitoring stations.

3. ACTION TO PREVENT AND STOP PROLIFERATION TRAFFICKING

France is convinced of the need for the international standards to be effectively implemented by all **and prioritises stepping up concrete action to prevent and stop proliferation.** This means better export controls, protecting the most sensitive scientific and technical assets, stopping proliferation trafficking, criminalising proliferation activities and suppressing their financing.

↳ **France is stepping up its domestic legal provisions to combat proliferation.**

- A **bill** is currently before the French Parliament to scale up the legal resources available to combat proliferation and, in particular, criminalise its financing.
- An **interministerial instruction** was adopted in March 2009 to drive forward the efficiency of government action to combat proliferation by improving interministerial co-ordination and mobilising all the administrations and departments concerned.
- An overhaul of the **dual-use goods control** system is also underway.

↳ **France supports the scaling up of concrete action by the European Union (EU).**

As part of its Presidency of the EU, France promoted the December 2008 adoption of the “New Lines for Action”, which give the EU the means to act in these different areas.

500 civil servants trained regarding non-proliferation issues over the past ten years. France is contributing to a high-level training for EU Member States consistent with the New Lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems.

↪ **France actively participates in the many international anti-proliferation initiatives:**

- Promotion of the **enforcement of UN Security Council Resolution 1540**, which calls upon all the States to step up their national measures to combat proliferation;
- The **Proliferation Security Initiative (PSI)**, designed to intercept consignments associated with weapons of mass destruction acquisition programmes;
- The **Global Initiative to Combat Nuclear Terrorism (GICNT)**, consisting essentially of regular exercises to test international co-ordination in the event of a terrorist attack;
- The **G8 Global Partnership** against the spread of WMDs, launched in 2002, to reduce the threat from non-conventional arsenals remaining in the former USSR;
- Work by the **Financial Action Task Force (FATF)** to suppress proliferation financing.

4. WHAT FRANCE PROPOSES, WITH ITS EUROPEAN PARTNERS

- **Respond firmly to proliferation crises**, particularly in Iran and North Korea;
- Determine consequences for a **State that does not comply with its obligations** and that **withdraws** from the Treaty, including a suspension of nuclear co-operation and transfers;
- Promote the **universalization** of the Treaty;
- Universalize and strengthen the **IAEA safeguards system**, particularly with the universal adoption of the Additional Protocol;
- Strengthen **nuclear security** and the **physical protection of nuclear material**, and minimize, when it is technically and economically feasible, the use of highly enriched uranium in peaceful nuclear activities in order to prevent illicit trafficking and nuclear terrorism;
- Strengthen **export controls**, particularly of sensitive nuclear materials and technologies, and develop in this connection technical co-operation, assistance activities, and information sharing;
- Cooperate to further develop **multilateral nuclear fuel supply mechanisms**;
- Adopt **criminal penalties for acts of proliferation** and develop assistance to countries and actors, both private and public, to raise their awareness about this issue;
- Make resolute international and national efforts to combat **proliferation financing**;
- Adopt measures to prevent **intangible transfers of knowledge** and know-how, including co-operation mechanisms in terms of consular vigilance;
- Develop proliferation-resistant **technologies**;
- Call upon all States to join and implement **The Hague Code of Conduct against Ballistic Missile Proliferation (HCOC)**.