

**Second Session of the Preparatory Committee for the 2010 NPT Review
Conference
(Geneva, 28th April – 9th May 2008)**

**Statement by H.E. Ambassador Jean-François Dobelle
Permanent Representative of France to the Conference of Disarmament
Head of the French Delegation**

“Chapter 2”

Mr Chairman,

1. The French delegation wishes to fully associate itself with the declaration made by the Slovenian presidency in the name of the European Union.

Mr Chairman,

2. This second session of the Preparatory Committee for the examination of the 2006-2010 NPT is held in a context which is marked by the continuation of serious crises linked to proliferation and to the non compliance of commitments made.
3. The nuclear programme in Iran, whose peaceful aims are claimed by the Iranian authorities, remains a serious source of concern for the international community. In defiance of the international community, Iran is continuing its enrichment activities, which have no credible civil rationality. Even though the action plan agreed between Iran and the IAEA has enabled a certain amount of progress on the understanding of past activities in Iran, there remain outstanding questions to be resolved, in particular with regard to activities likely to have a military dimension, which if they were to be confirmed would constitute a flagrant violation of the NPT adding up to the recorded violations of the safeguards agreement between Iran and IAEA . It is extremely worrying that after five years of investigations, the IAEA is still not able to confirm the peaceful nature of the Iranian nuclear programme. The development of increasingly long-range ballistic missiles adds to these concerns. We expect Iran to comply with the resolutions of the Council of Governors of the IAEA and with those of the Security Council, which in the form of four resolutions in less than two years has reacted firmly to violations committed by this country in the form of previous, serious and repeated failures to comply with its agreement on guarantees. As my delegation has constantly stated, we wish to see the resolution of this dossier through diplomatic channels and we call upon Iran to establish the conditions for a return to dialogue and negotiation by suspending its activities linked to enrichment and reprocessing as required by the Council of Governors of the IAEA and the Security Council.
4. North Korea, after having announced its intention to withdraw from the NPT, has announced a military programme. This programme has been condemned and has

elicited appropriate responses from the international community, in particular in the form of two resolutions by the Security Council. We wish to see the political settlement of this crisis within a multilateral framework which will enable the complete verifiable and irreversible dismantling of the North Korean programmes. The question of proliferating transfers by this country to several different States is also a source of concern which must be taken seriously. In this regard, recent information reporting support of North Korea to a possible nuclear programme of Syria is a source of concern. We call on Syria to come clear about its past and current nuclear activities, and we encourage the IAEA to launch a thorough investigation into these activities.

5. It is particularly important for the international community, at a time when more and more countries are envisaging recourse to nuclear energy in order to meet their developing energy requirements, to be able to prove its capability of responding to these challenges and of containing the threat which proliferation represents for international peace and security.
6. Any failure to meet its obligations on the part of one State shakes international confidence and damages the development of international co-operation on the peaceful use of nuclear energy, to the detriment of the great majority of those States which are meeting their obligations in good faith.
7. It is therefore necessary to prepare the ground so that international co-operation can develop as allowed for by article IV of the Treaty to which France is particularly attached.
8. In order to achieve this, we must support the efforts of the IAEA, which continues to occupy an essential place in the international system of nuclear non-proliferation, so that its system of guarantees remains fully effective and credible.
9. From our point of view, the credibility of the system of guarantees is based in particular on their universalisation and reinforcement.
10. Although the Treaty is now an almost universal instrument, the obligation imposed by article III on the State parties concerned, to conclude an agreement on generalised guarantees has not been complied with by all parties. At the present time, 30 States have no generalised agreement on guarantees in force; 14 of them have made no approach of this kind to the IAEA. Universalisation of the system of generalised guarantees therefore remains a priority and the French delegation invites all States who have not yet expressed their support for the regime of non-proliferation in a concrete fashion to do so by signing an agreement on generalised guarantees as soon as possible.

Mr Chairman,

11. Universalisation of the additional protocol, which provides the international community with credible assurances as to the exclusively peaceful aims of civil nuclear programmes, must progress even further. To date, 86 states have an

additional protocol in force, 30 others have signed one but not yet ratified it. These figures are encouraging but we must continue our efforts.

12. It may be that certain States have not signed the additional protocol because they fear that the implementation of this instrument requires administrative capabilities which they do not possess, such as a national authority competent in this field, or because they consider that the absence of activities concerned in their country means that the signature of an additional protocol is not necessary. The IAEA can provide all the necessary assistance to these States, backed up by national guarantee support programmes for these member States.
13. It seems that other States make a link between the reinforcement of guarantees and subjects of another nature.
14. The reinforcement of IAEA guarantees is however for the benefit of all:
 - The application of a credible and effective system of guarantees enables us to envisage the expansion of nuclear energy throughout the world with **confidence**. No doubt article IV of the Treaty will be more widely implemented if the IAEA is able to provide States, which like France wished to respond to the requests for cooperation which it receives, credible assurances as to the exclusively peaceful uses of the nuclear programme engaged upon by the partner country ;
 - this is not all. The system of guarantees is not only a vital tool for non-proliferation and the development of peaceful uses, it is also recognized that the Agency's guarantees contribute to the reinforcement of nuclear safety in the world and to the protection of all of us against the threat of nuclear terrorism.
15. In this context, France encourages the international community, the IAEA and all States which are party to it, to remain mobilised in the service of the promotion of guarantees. In this respect, France announces the coming into force of the protocol on the application of guarantees relating to the Treaty of Tlatelolco in its overseas territories.

Mr Chairman,

16. Investigations carried out by the IAEA have revealed the existence of a vast international network for the trafficking of sensitive technologies. There is still much work to be done in order to reveal the full extent of this traffic. It is vital that all member states give their active assistance to the work of the Agency. Reinforcement of the non-proliferation regime is a priority which necessarily depends on reinforcement of international cooperation.
17. Stringent export control is an indispensable condition for the development of nuclear trade. It is becoming indispensable, when an increasing number of states have industrial capability in the nuclear field, to share a common discipline for management of the export of the most sensitive assets.

The Zangger committee, whose role is recognized in the implementation of the provisions of article III-2 of the NPT, must continue its action with a view to the universalisation of the general principles of export controls. If the export control rules are to be stringent and suited to the difficulties encountered, they should be coherent with the other obligations under the Treaty. This constant concern guides France in its action within the Group of Nuclear Suppliers which we conceive as a vital instrument for the promotion of a credible and balanced approach to export controls.

18. In so far as concerns the most sensitive technologies, in particular those relating to enrichment and reprocessing: their possible transfer should be evaluated with respect to a series of criteria in relation to the aims of the Treaty, so as to benefit those countries which effectively require it, which are capable of receiving it and which have made a long-term commitment to the non-proliferation regime.
19. In parallel with this, those States wishing to develop an electronuclear programme, and which does not develop a complete fuel cycle, should receive guarantees of sustained ongoing access to the enrichment and reprocessing markets. The international initiatives which have been proposed in recent years are intended to meet this requirement. Moreover France has been an active promoter of one of these initiatives with several partners. It will continue to contribute to the ongoing discussions in order to find pragmatic solutions which provide guarantees for the international community and comply with the best possible security requirements.
20. Finally, access to non-sensitive technologies should be more flexible and the corresponding rules should be re-examined in this direction in particular for developing countries.

Mr Chairman,

21. I would like to end by mentioning the constant concerns of the international community with respect to the risks of proliferation which may result from the Treaty and recall the position of the French delegation on the subject.
22. The French delegation considers that it would be unacceptable for a State which has benefited from the provisions and the cooperation provided for by article IV to acquire nuclear materials, installations and technologies and then to withdraw from the Treaty and use them for military purposes.
23. It is vital that discussions continue on the conditions which should legitimately be attached to the use of the technologies acquired, in an established legal environment. In particular, it should be stated that any State which withdraws from the Treaty should freeze all nuclear assets acquired from a third-party country for peaceful uses, under the control of the IAEA, and then dismantle or return them, before its withdrawal. It would also be necessary to sign an INFCIRC/66 type agreement per installation, while waiting for their dismantlement and return.

24. The French delegation draws the attention of delegations to the working document submitted by the European Union concerning the question of withdrawal from the Treaty.

Thank you Mr Chairman.