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RÉPUBLIQUE FRANÇAISE

MINISTÈRE DES AFFAIRES ÉTRANGÈRES ET EUROPÉENNES

## **Second Session of the Preparatory Committee for the 2010 NPT Review Conference**

**(Geneva, 28 April – 9 May 2008)**

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

### **General Debate**

(Geneva, 28<sup>th</sup> April 2008)

Mr. Chairman,

1. The French delegation associates itself fully with the statement made in the name of the European Union by the Slovenian presidency.
2. I should like at the outset to congratulate you upon your election to the Chair for this second session of the Preparatory Committee for the 2007-2010 Nuclear Non-Proliferation Treaty review cycle. Your appointment brings with it a major responsibility, that of enabling this Preparatory Committee to engage in constructive debate on the concrete issues currently facing the international community with regard to the implementation of the Treaty. I wish to assure you of the full cooperation and full support of my delegation in the performance of your duties. I have no doubt that your experience and personal talents will enable you to conduct our proceedings effectively.
3. I should like to introduce my remarks by indicating what my delegation expects of this second session of the Committee. Last year, under the chairmanship of your predecessor, Ambassador Amano, we were able, despite some regrettable procedural difficulties, to launch a new review cycle and to commence, albeit all too briefly, discussions on the fundamental issues. We wish now to engage in serious and balanced debate on

all aspects of the Treaty, in order to enable us to reaffirm our support for this instrument and to progress towards a common understanding of the goals of this cycle. It is not our task at the present time to seek agreement on the various issues in the lead-up to the Review Conference. Indeed, it will be the responsibility of the third session of our Preparatory Committee to agree on the formulation of approved recommendations to be laid before the 2010 Conference. However, we must engage in frank, in-depth debate to be in a position to prepare for those future meetings. We must moreover settle the procedural issues currently pending in order to move forward with the review process.

4. The Nuclear Non-Proliferation Treaty will be 40 years old on 1 July next. As an instrument that is now virtually universal, it is invaluable for collective security and it is our duty to preserve its integrity in the face of the new challenges and new threats with which we are confronted.
5. We must all be aware of the level of security the NPT offers us by limiting the risk of proliferation of nuclear weapons themselves, by providing the mechanism aimed at enabling access to peaceful uses of nuclear energy while avoiding that nuclear goods and technologies intended for civilian purposes are diverted for non-peaceful purposes, and by encouraging nuclear disarmament in the framework of general and complete disarmament. These three pillars all have their importance in support of the objective of non-proliferation which is that of the Treaty.
6. France reaffirms its attachment to the Treaty as the keystone of the non-proliferation regime, and its conviction that we must do everything possible to support the goals of this instrument and consolidate its authority. This presupposes that all the States Party abide by their obligations and show good faith in implementing the Treaty's provisions.
7. France, backed by its unique experience in the domain of civilian nuclear energy, its active policy on non-proliferation, its exemplary record and its clear approach on disarmament, will play its role to the full.
8. It is the wish of my delegation that our proceedings in this session should allow us to demonstrate the capacity of the review process to cope with present challenges and to provide solutions for them by identifying the consensual topics on which short- and medium-term progress is possible.

9. The 2002-2005 cycle was marked by the appearance of major challenges for the Treaty. Several serious proliferation crises and the discovery of a clandestine network for the supply of nuclear goods and technologies have radically changed the terms of international security. Those crises have not been resolved at the present time.
10. Alongside these cases of nuclear proliferation and proven violations of the Treaty, we are currently witness to the rise of other threats: certain nuclear arsenals are still expanding, biological proliferation and chemical proliferation are continuing, as is the proliferation of ballistic and cruise missiles.
11. We must work during this review cycle to recreate a more secure international context by combating proliferation, and demonstrate the capacity of the review process to contribute appropriate responses. As President Sarkozy declared on 21 March, *"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. But all those who abide by them are entitled to fair access to nuclear energy for peaceful purposes"*. This is at the heart of what is at stake in this review cycle.
12. With this in mind, the Preparatory Committee must address the current issues, not those of the past and not those of the distant future. What are those issues? Firstly, the strengthening of the non-proliferation regime against the backdrop of the Iranian and North Korean proliferation crises; next, the response to the growing demand for access to civilian uses of nuclear energy in a context of growing concern for security of energy supplies. As for the issue of disarmament, we wish to see this addressed in a pragmatic, concrete manner that takes account of the substantial reductions already made in most nuclear arsenals since the end of the Cold War.

Mr. Chairman,

I wish to make clear the position of my delegation concerning the issues at stake in this session and the review cycle.

13. Our Treaty is confronted with two grave proliferation crises in Iran and in North Korea. These crises, which have arisen at a time when the total quantity of nuclear weapons at the global level has been reduced by more than a quarter since the end of the Cold War, have led to a firm reaction from the international community with the adoption of a number of resolutions by the IAEA Board of Governors and the Security Council. I remind you that the Security Council has clearly acknowledged that

the proliferation of weapons of mass destruction and their means of delivery is a threat to international peace and security.

14. Those States' breaches of their obligations have undermined the confidence of the international community and are such as to harm the development of international cooperation on the peaceful uses of nuclear energy, to the detriment of the States that comply with their obligations. Indeed, we are faced with growing global demand for energy to which nuclear energy will make a key contribution. We must therefore endeavour to ensure responsible development of the peaceful uses of atomic energy that reconciles energy security with safeguards on non-proliferation.
15. Only a credible response from the international community, one involving the strengthening of the non-proliferation regime, can provide the international community with the assurances necessary for the peaceful use of nuclear energy and the development of international cooperation with a view to the implementation of Article IV of the Treaty, a provision to which France is strongly attached.
16. The first requirement is to confirm the relevance and credibility of the Treaty by providing a suitable response to the serious violations of it by States that have circumvented the norm of non-proliferation it puts in place. It is not acceptable for a small number of States, supported by clandestine networks, to breach their obligations while at the same time claiming the benefit of their rights, thus undermining the very foundations of the Treaty. I add that the commitment on which the NPT is founded, which is to prevent proliferation, cannot under any circumstances be made conditional upon progress towards the other goals of the Treaty.
17. The Security Council has played its role and expressed on a number of occasions a strong, and in most cases unanimous, reaction on the part of the international community to those breaches.

In the case of Iran, it has, in four resolutions in less than two years, reacted firmly to the violations committed by that country due to its grave, long-standing and repeated breaches of its safeguards agreement. The Iranian nuclear programme, which the Iranian authorities claim is directed at peaceful purposes, remains a source of grave concern for the international community. Iran is pursuing, in defiance of the international community, enrichment activities for which there is no credible civilian rationale. Despite the fact that the action plan agreed between Iran and the IAEA has made a degree of progress possible with regard to understanding of Iran's past activities, not all the questions still pending have been resolved, in particular those

relating to activities likely to have a military dimension, which, if their existence were confirmed, would constitute a flagrant violation of the NPT. It is a matter of great concern that after five years of investigation the IAEA is still not in a position to certify the peaceful nature of the Iranian nuclear programme. The development of ballistic missiles with ever greater ranges adds to these worries. We expect Iran to comply with the resolutions of the IAEA Board of Governors and the Security Council. As my delegation has constantly asserted, we wish to see a resolution of this matter by diplomatic means and we call on Iran to establish conditions for a resumption of dialogue and negotiations by suspending, as has been requested by the IAEA Board of Governors and the Security Council, its activities linked to enrichment and retreatment.

18. North Korea, after having announced its intention to withdraw from the NPT, has claimed entitlement to conduct a military programme. This has led to condemnation and appropriate responses from, in particular through two United Nations Security Council resolutions. We wish to see the political settlement of this crisis within a multilateral framework enable the complete, verifiable and irreversible dismantling of North Korea's programmes. The issue of proliferation transfers from that country to several other States is also a source of concern that must be dealt with seriously. In this regard, recent information reporting support of North Korea to a 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.
19. These crises demonstrate that it is imperative to strengthen the nuclear non-proliferation regime. This is so because if doubts arise as to the capacity of the international community to dissuade those who wish to carry on nuclear development for other than peaceful ends, we risk leading some countries to consider that their security will be better assured by developing similar capabilities rather than by complying with international non-proliferation norms.
20. In order to strengthen the nuclear non-proliferation regime, it is imperative, firstly, to ensure the universal application of the IAEA safeguards agreements, this being an obligation under Article III of the Treaty and, secondly, to ensure the universalisation of the additional protocols, the combination of these two instruments constituting the current standard enabling the Agency to perform its mission. We must also promote strict export controls, especially within the Nuclear Suppliers Group (NSG), in order to prevent proliferation transfers.

21. In addition, we must also forestall the danger of terrorism associated with the availability and circulation of nuclear goods, especially via clandestine networks. My country is making an active contribution to the implementation of Security Council Resolution 1540, is supporting IAEA action, and is pleased to note the adoption of the convention against nuclear terrorism and the revision of the Convention on physical protection of nuclear materials. To conclude, France is a participant in the Global Initiative to Combat Nuclear Terrorism which offers States adhering to it the possibility of taking part in operational cooperation with the aim of forestalling and responding to the threat of nuclear terrorism. We must continue our efforts in this area.
22. It is also of fundamental importance that we continue the discussions commenced last year on the issue of withdrawal from the Treaty, as was envisaged at the 2005 Review Conference. This is so because it would be unacceptable for any State, after having benefited from the provisions and cooperation for which Article IV provides in order to acquire nuclear materials, facilities and technology, to withdraw subsequently from the Treaty and use them for military purposes. Several contributions have been submitted in 2007 on this question, notably by the European Union.
23. The right laid down in Article X is not in question, and there is no intention of modifying the terms for withdrawal. But this must not preclude consideration by us of the consequences withdrawal would entail, nor our recalling or restatement of certain principles whose purpose is to organise the response of the international community where such withdrawal is announced, in particular regarding nuclear materials, facilities, equipment and technology transferred for peaceful purposes prior to withdrawal.
24. The other major issue for the early 21<sup>st</sup> century is the need to meet the growing demand for energy. Nuclear energy can enable us to cope with that demand, reducing the use of fossil fuels, which are limited, and providing a form of energy that is widely available, economic and protective of the environment, given that nuclear energy produces neither greenhouse gases nor air pollution. For these reasons, nuclear energy can make a key contribution to sustainable development.
25. France attaches great importance to the development of civilian applications of atomic energy within the framework defined by Article IV of the NPT, and intends to work to ensure that the provisions of that article are fully applied. My country shall make sure that this right recognized by the Treaty is protected and promoted for all countries that comply unequivocally with their international obligations. As the

President of the French Republic declared on 24 September 2007 at the United Nations Conference on Climate Change, *“France is ready to help any country which wants to acquire civil nuclear energy. We cannot have an energy for the future for Western countries and Eastern countries without access to it”*. There is no contradiction between this commitment and the will to consolidate the non-proliferation regime.

26. My country fully supports the inalienable right recognised for parties to the Treaty to develop nuclear energy for peaceful purposes, but it recalls that according to the provisions of Article IV, that right is not unconditional. Indeed, under the terms of the Treaty, such entitlement is subject to the following conditions:
  - Firstly, conformity with the non-proliferation obligations laid down in Articles I and II of the Treaty, and acceptance of the IAEA safeguards as defined in Article III;
  - Secondly, the pursuit, in accordance with the principle of good faith, of “peaceful purposes”.
27. Indeed, the right to peaceful use must not be diverted to allow the use of nuclear materials, equipment and technology for purposes contrary to the intentions of the Treaty. No State failing to meet its obligations with regard to non-proliferation and the application of IAEA safeguards, or whose nuclear activities are not directed towards identifiable peaceful ends, can claim the benefit of the stipulations contained in Article IV.
28. We are obliged to acknowledge that the proliferation crises that have arisen in North Korea and Iran, crises that result from the breach by both States of their obligations under the Treaty, have shattered the confidence of the international community that is a necessary condition to be met for the application of Article IV. If this provision is to apply fully and entirely, it is important that the conditions for confidence should be restored.
29. This must involve a resolution of the Iranian and North Korean crises, settlement of which has already taken too long.
30. That being said, for the vast majority of States Party to the Treaty the issue of non-compliance with the NPT, or the lack of peaceful purposes, simply does not arise. It is in their interests, in order to protect their rights, for us to show no weakness in our attitude to those who break the common rule.

31. It is in this spirit that France is cooperating with a growing number of countries and institutions, with particular attention to the needs expressed by developing countries, thus providing a practical demonstration of its total commitment to the development of atomic energy for peaceful purposes. My country has for example signed since last summer a large number of bilateral nuclear cooperation agreements, in particular with countries in North Africa and the Middle East.
32. We must work together to reconcile the requirement to meet energy needs, the requirements of protection of the environment and the requirements of non-proliferation. To accomplish this, the States Party to the NPT must promote responsible development of the peaceful uses of nuclear energy in a multilateral, transparent and rigorous framework based on enhanced international cooperation and guaranteeing that sensitive technologies and goods are not misused for other than peaceful purposes.
33. To that end, we must promote mutual understanding of the *conditions to be met for the exercise of the right to make peaceful use of atomic energy*, a right that must be enjoyed by as many States as possible insofar as they abide by their non-proliferation obligations and pursue in good faith activities directed at peaceful goals.
34. We must also reflect on pragmatic short- or medium-term solutions *to forestall the risks associated with the dissemination of sensitive technologies*, working on concrete and realistic multilateral mechanisms to assure supplies of nuclear fuel to meet the needs of beneficiary countries, putting effective export controls in place, and developing innovative technologies resistant to proliferation. In particular, initiatives on fuel supply assurances are not aimed in any way at depriving countries of their rights as recognised by Article IV of the NPT, nor at creating a mechanism to replace the market; on the contrary, they are intended to facilitate the development of non-proliferating and economically viable nuclear energy programmes while at the same time preventing dissemination of sensitive fuel-cycle technologies devoid of credible and justifiable civilian uses.
35. To conclude, we must encourage the setting up of the necessary *safety and security* infrastructures by countries developing civilian nuclear energy. France is willing to assist any country expressing the desire to build the required infrastructure over time. It is currently setting up for this purpose a specialised agency to facilitate cooperation in this area.



Mr. Chairman,

36. The priority to be attached to dealing with proliferation, which endangers international peace and security, does not lead us to forget our shared commitments on nuclear disarmament and general and complete disarmament.
37. France complies fully with its commitments under Article VI of the NPT. It emphasises its attachment to the programme of action adopted by the NPT Review and Extension Conference in 1995 with a view to defining the preferred action in the context of implementation of Article VI. On the basis of this programme, which is a fundamental reference, my delegation recalls that the entry into force of the CTBT and the negotiation of the "Cut-Off" Treaty are urgent priorities for the implementation of Article VI. I shall return to this point.
38. The President of the French Republic, Mr. Nicolas Sarkozy, made on 21 March in Cherbourg, France, a major statement on our defence and disarmament policy in which he recalled France's accomplishments in the area of nuclear disarmament, made important announcements regarding the French nuclear arsenal and put forward innovative proposals to the international community on the further pursuit of disarmament.
39. France has an exemplary record on nuclear disarmament: France was, along with the United Kingdom, the *first Nuclear Weapons State* to ratify the Comprehensive (Nuclear) Test-Ban Treaty (CTBT); it was the *first State* to decide to shut down and dismantle its facilities for production of fissile materials for explosive purposes; it is the *only State* to have transparently dismantled its nuclear testing site; it is the *only State* to have dismantled its surface-to-surface nuclear missiles; it is the *only State* to have voluntarily reduced by a third the number of its nuclear-powered ballistic missile submarines.
40. My country never participated in the arms race and applies a principle of *strict sufficiency*.
41. To underscore his wish for France to continue to make an active and concrete contribution to disarmament, President Sarkozy announced further reductions in our arsenal of *one third of the total number of nuclear weapons, missiles and aircraft in the airborne component of our nuclear forces*.
42. Lastly, the President of the Republic demonstrated a degree of transparency that is unprecedented from any Nuclear Weapons State and whose importance is there for

all to see: he has stated clearly the size of our arsenal following the aforementioned reduction, when it will contain *less than 300 nuclear warheads*, adding that *France has no other weapons besides those in its operational stockpile*. He invited *international experts* to come and witness for themselves the dismantlement of our production facilities for fissile military materials.

43. The President also recalled that *none of France's nuclear weapons is targeted against anyone*.

Mr. Chairman,

44. In the course of this review cycle, France wishes to address the issue of nuclear disarmament in a responsible and practical manner.

That is why I wish to draw the attention of the States Party to an innovative proposal put forward by President Sarkozy on 21 March. The President of the Republic indeed underlined the fact that reciprocity is the very foundation of collective security and disarmament. He therefore proposed to the international community an action plan to which he calls on the nuclear powers to give a firm commitment between now and the 2010 NPT Review Conference. The plan is defined by eight points:

- universal ratification of the CTBT to permit its entry into force, beginning with the two Nuclear Weapon States recognized by the NPT that have signed but not yet ratified it;
- dismantlement of all nuclear testing sites in a manner that is transparent and open to the international community;
- the opening without delay in the Conference on Disarmament of negotiations for a Treaty banning the production of fissile materials for nuclear weapons ("cut-off");
- establishment of an immediate moratorium on the production of such materials;
- definition of transparency measures by the five nuclear weapon States recognised by the NPT;
- opening of negotiations for a treaty banning short and intermediate range surface-to-surface missiles;
- adherence to and implementation by all of the Hague Code of Conduct Against Ballistic Missile Proliferation (HCOG);

- and, parallel to this, mobilisation on all other areas of disarmament.

Mr. Chairman,

45. France has a clear approach with regard to disarmament, as well as security. Its commitment to nuclear disarmament is expressed in action and concrete proposals. That is the contribution my country wishes to bring to the NPT review process.
46. However, we can continue to move forward in this direction only if the will to move forward is unanimously shared. We hope that all nuclear powers and all other States will join with us in promoting and implementing the action plan put forward by the President of the Republic. This is an ambitious programme which we consider genuinely capable of taking us forward on the path to both nuclear disarmament and general and complete disarmament.
47. We must nevertheless be realistic: such progress toward disarmament does not mean that we should not strengthen the non-proliferation regime. The realities have taught us that progress on nuclear disarmament does not go hand in hand with any lessening of proliferation.

Mr. Chairman,

48. I wish to recall the importance of the issue of NPT universality. This is a clear goal for the European Union, as it has recalled on numerous occasions.
49. It is desirable that we should, as of now, encourage India, Israel and Pakistan, through dialogue, to adhere as far as possible to international standards on non-proliferation and export controls. Progress has been made in this direction and we should be pleased that this is the case, but much more remains to be done.
50. France reaffirms its attachment to the establishment of a zone free of weapons of mass destruction and their means of delivery in the Middle East, in accordance with the resolution adopted by our Review Conference in 1995. It wishes all interested States to contribute to the achievement of this goal. It recalls that, as the Security Council has declared, a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to achieving the objective of a Middle East free of weapons of mass destruction, including their means of delivery.

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51. In conclusion, Mr. Chairman, it is our wish that this second session of the Preparatory Committee should enable us to meet the expectations of the international community with regard to the Treaty.
52. Everything suggests that we are entering a new nuclear era. For this to be synonymous with collective security and shared prosperity, it is imperative that we work together over the years to come to encourage the responsible development of the peaceful uses of nuclear energy, strengthen control of the fuel cycle to forestall any risk of proliferation, and continue to progress down the road to disarmament, nuclear disarmament in particular. France will play to the full its role in those efforts in order to confirm the relevance of the NPT in its core tasks: 51 years after the launch of the "Atoms for Peace" initiative by President Eisenhower, the Treaty must permit the development of the civilian uses of atomic energy, while at the same time making the world a safer place.
53. Mr. Chairman, I thank you.