

**First session of the Preparatory Committee for the 2010 Review
Conference of the Parties to the N.P.T.
- Cluster II -**

**Statement by Ambassador Rüdiger Lüdeking, Deputy
Commissioner of the Federal Government for Arms
Control and Disarmament
on behalf of the European Union**

Vienna, 9 May 2007

Mr. Chairman,

1. The EU believes that the prevention of nuclear proliferation and the pursuit of nuclear disarmament in accordance with Article VI of the NPT are essential for global peace and security. This holds true as well 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.

2. In resolution 1540 adopted under chapter VII of the UN Charter, the Security Council affirmed that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. Proliferation of weapons of mass destruction and their means of delivery is potentially the greatest threat to global security, and the spread of missile technology adds a further element of concern.

Mr. Chairman,

3. The EU notes with concern that serious nuclear proliferation events have occurred since the end of the 2000 Review Conference. Our conviction, as expressed in the EU's Strategy against the Proliferation of WMD, is that a multilateral approach to non-proliferation provides the best

means of countering the threat to international peace and security resulting from the proliferation of WMD and their means of delivery. 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 State Parties. The NPT can only fulfil its role if we are confident of the compliance of all States Parties to the obligations of the Treaty.

4. Political and diplomatic preventative measures and resort to the competent international organisations form the first line of defence against proliferation. The UN Security Council plays a central role. We welcome the adoption of UNSC resolutions 1695, 1696, 1718, 1737 and 1747.

5. The unanimous adoption of Security Council Resolutions 1737 and 1747 reflects the international community's profound concerns over Iran's nuclear programme. We deplore Iran's failure to comply with the earlier resolutions of the Security Council and the IAEA Board of Governors. We are greatly concerned by Iran's increasing lack of co-operation with the IAEA and the latest announcement by Iran that it intends to begin uranium enrichment on a so-called industrial scale. Such a step directly contradicts the repeated requests of the IAEA Board of Governors, made mandatory by the UNSC decisions, to suspend all enrichment-related activities. We call upon Iran to open the way for negotiations by complying with the requirements as set out in Resolutions 1696, 1718, 1737 and 1747. We remain committed to seeking a negotiated solution that would address the international community's concerns. A solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery.

At the same time the EU will ensure the effective implementation of the measures contained in the Security Council resolutions. We call upon all countries to implement the measures in full and without delay. The EU is united in its resolve not to allow Iran to acquire military nuclear capabilities and to see all concerns surrounding its nuclear program, in terms of proliferation, resolved.

6. While fully endorsing the diplomatic efforts undertaken in the framework of the Six Party Talks the EU continues to be concerned by the situation on the Korean peninsula. We urge DPRK to comply with UNSC 1718 and to implement its commitments contained in the Joint Statement of September 2005. We urge DPRK to dismantle its WMD and ballistic programmes in a complete, irreversible and verifiable way, to observe the obligations under the NPT, to sign and ratify the CTBT, to refrain from any

further tests of a nuclear device and to re-establish the moratorium on long-range missile testing. The EU remains committed to the objective of the denuclearization of the Korean Peninsula and has made clear that it strictly condemns the nuclear test announced by the DPRK on 9 October 2006.

Mr. Chairman,

7. The challenges the NPT is facing are requiring common efforts to preserve and to strengthen the international Non-Proliferation regime. The EU is committed to work together with all States Parties in addressing these challenges during this Review Cycle.

Mr. Chairman,

8. In this year of the 50th anniversary of the IAEA Statute's approval, the EU has already reaffirmed earlier its full support for the work of this unique and indispensable organization pursuing the same objectives with us. The IAEA's international safeguards system is an essential part of the global nuclear non-proliferation regime. To detect and therefore to deter the diversion of nuclear materials for use in nuclear weapons and, particularly with the provisions of the Additional Protocol, to increase confidence in the absence of non-declared nuclear activities is the aim of international safeguards. The universal adoption and implementation of comprehensive safeguards agreements, and additional protocols to them, is therefore a pre-requisite for an effective and credible safeguards system.

9. The IAEA can only give credible assurances of the absence of undeclared nuclear activities in a country if that country has a Comprehensive Safeguards Agreement and an Additional Protocol in force. In this respect the EU regrets that many States Parties still have to fulfil their obligations under the NPT, not having a Comprehensive Safeguards Agreement with the IAEA in force. Therefore the EU calls on all states that have not yet done so to conclude and bring into force Comprehensive Safeguards Agreements and Additional Protocols with the IAEA.

10. 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 NPT. The EU considers that the IAEA Comprehensive Safeguards Agreements, including the Additional Protocols, constitute the verification standard, and accords a high priority to their implementation. The EU repeats its call made already at the 2005 Review Conference to agree on recommendations to this effect in the current Review Cycle. The EU will introduce a working paper on safeguards and verification, introducing the basis approach of the EU in this regard.

Mr. Chairman,

11. 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 European Union is committed to strong nationally and internationally coordinated export controls which we see as a necessary complement to our non-proliferation obligations under the NPT. 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 remain committed to implementing UNSCR 1540. The EU welcomes the reiteration of the UNSC resolution 1540 (2004) and the extension of the 1540 Committee mandate for a further period of two years by the UNSC resolution 1673 (2006). We call for full implementation of these legally binding resolutions consistent with the goal in UNSCR 1673 to reach by 2008 compliance through the achievement of implementation of all provisions of UNSCR 1540.

12. In view of the enhanced proliferation threat, the EU considers it necessary for exporting states to assume their responsibilities and take measures to ensure that exports of sensitive materials, equipment and technologies are subject to appropriate surveillance and control. Export controls ensure that transfers take place for peaceful purposes as required by the NPT, facilitating also co-operation and technological development. The EU will work towards strengthening the efficiency of export controls, preventing any uncontrolled dissemination of the most sensitive technologies, in particular by non-state actors, and defining adequate consequences for situations of non-compliance. We will however pay great attention to the preservation of the core principles of the Treaty and, in particular, development of and cooperation on peaceful uses of nuclear energy. The EU will act in a way that preserves the vast majority of countries, which respect their commitments, from the consequences of non-compliance by a few. We will avoid creating dividing lines among the

international community. Therefore, the EU will focus on strengthening export control policies and practices, within the EU and beyond, in coordination with partners.

13. Co-ordination of national export control policies contributes significantly to the non-proliferation objectives of the NPT. In this regard, the EU supports the work of the Zangger Committee. The Member States of the EU also play an active role in the Nuclear Suppliers Group. We consider that the work of these groups make an important contribution to the non-proliferation of nuclear weapons. The EU abides by the NSG's requirement that transfers of trigger list items 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.

14. The EU calls on that all States Parties to the NPT follow the understandings of Zangger Committee and the guidelines of the NSG when considering exports of sensitive nuclear materials, equipment and technologies. The EU supports every effort for the achievement of maximum transparency in all nuclear related exports. The EU will introduce a working paper on the common approach of the EU in this regard.

15. The EU encourages also all States to participate in the Proliferation Security Initiative.

Mr. Chairman,

16. The EU also remains deeply concerned by the growing risk of nuclear terrorism and is determined to combat this threat. The EU strongly supports all measures that are aimed at preventing terrorists from acquiring nuclear, biological, chemical and radiological weapons and their means of delivery. We continue to call upon all states to take effective measures to address the problem of diversion of and trafficking in MWD materials and of the participation of non-state actors in proliferation of WMD.

17. The EU recognises and supports the international legal instruments designed to provide the obligations and guidance concerning the responsibility of states to establish and maintain an effective nuclear security regime. Early accession and ratification of the amended Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism; full implementation of UNSCR 1540 and UNSCR 1373 and further work towards implementing the Code of Conduct for the Safety and Security of Radioactive Sources would bring the international nuclear and radioactive security regime into significantly greater effect.

18. The EU supports the efforts of the IAEA through its nuclear security fund to spread the objectives and fundamental principles of nuclear and radioactive security to its wider membership. The Convention on the Physical Protection of Nuclear Material and the Code of Conduct on the Safety and Security of Radioactive Sources represent essential features of this work. The EU encourages as many States as possible to ratify the amended Convention and observe the principles contained in the Code. It undertakes to promote the application of the amended Convention and the Code of Conduct, collectively or individually, encouraging States to request the assistance of the Agency in this area as necessary.

19. The EU supports assistance for key states, in partnership with the IAEA, in taking forward efforts to account for and securely manage all high-level radioactive sources in their territory, including the search for and safe and secure recovery of sources no longer under regulatory control. The EU supports continued international discussion of means and methods to improve the co-ordination and information sharing between States Party. The EU will introduce a working paper on nuclear security spelling out in more detail the common approach of the EU in this regard.

Mr. Chairman,

20. 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 party to the Treaty undermine non-proliferation and disarmament efforts. Therefore the EU continues, in accordance with the Common Position of 25 April 2005 mentioned above, to call on all states not party to the NPT to pledge commitments to non-proliferation and disarmament and to call upon those states to become States Parties to the NPT as non nuclear weapon States.

21. 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 Nuclear Weapon Free Zones following completion of the necessary consultations. We hope that outstanding issues concerning Nuclear Weapon Free Zones can be resolved through full consultations in accordance with the UNDC guidelines and with the agreement of all parties involved.

Mr. Chairman,

22. In this regard 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 the IAEA's 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 for the security and confidence in the Middle East.

Mr. Chairman.

23. In accordance with the EU-Strategy against Proliferation of Weapons of Mass Destruction mentioned earlier, the EU has taken already a series of measures to foster co-operation on non-proliferation. The EU is providing help and support to implement effective export controls, to reinforce nuclear security, to contribute to global disarmament and the elimination of WMD, to help improve the nuclear materials accountancy and export control systems of states concerned, to implement the Additional Protocol of the IAEA. To this end the EU is organising workshops and seminars on non-proliferation, universalisation and multilateralist approaches on an international and regional level.

Mr. Chairman,

24. In the same spirit the EU and its Member States are looking forward to cooperate constructively with all States Parties at this PrepCom as well as during the whole review cycle in order to find consensus on ways to maintain effectively the NPT and to strengthen the Non-proliferation regime.