

**Preparatory Committee for the 2010 Non-Proliferation Treaty
Review Conference
Third session
New York, 4 - 15 May, 2009**

Cluster I Statement

on behalf of the European Union

by

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(Check against delivery)

Mr Chairman,

1. I have the honour to speak on behalf of the European Union.
2. The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova and Armenia align themselves with this declaration.
3. The EU is fully committed to a successful outcome of the 2010 Review Conference which responds to the high expectations of the international community. We are committed to the preservation of the integrity and the strengthening of the NPT. We will dedicate this statement fully to a set of forward-looking proposals relevant to the first cluster issues to be part of an action plan adopted by the Review Conference.
4. These concrete and realistic disarmament initiatives were endorsed by our 27 Heads of State and Government in December last year in the "Statement on Strengthening International Security". These are as follows, I quote:
 - a. "the universal ratification of the Comprehensive Nuclear-Test-Ban Treaty, the completion of its verification regime; and the dismantling as soon as possible of all nuclear testing facilities in a manner that is transparent and open to the international community;
 - b. the start without delay and without preconditions of negotiations for a treaty banning the production of fissile material for nuclear weapons and the introduction of an immediate moratorium on the production of such material;
 - c. the establishment of transparency and confidence-building measures by the nuclear powers;
 - d. further progress in the current discussions between the United States and Russia on the development of a legally binding post-START arrangement, and an overall reduction in the global stockpile of nuclear weapons in accordance with Article VI of the NPT, in particular by the states which

* *Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.*

- possess the largest arsenals;
- e. the inclusion of tactical nuclear weapons, by those states which have them, in their general arms control and disarmament processes, with a view to their reduction and elimination;
- f. the start of consultations on a treaty banning short- and intermediate-range ground-to-ground missiles;
- g. the adherence to and implementation by all of the Hague Code of Conduct against Ballistic Missile Proliferation (HCoC);
- h. a mobilisation in all other areas of disarmament." Unquote.

The EU hopes that all other NPT States Parties will join us in promoting these disarmament initiatives.

5. The EU is committed to the pursuit of nuclear disarmament and the final objective enshrined in Article VI of the NPT and welcomes the considerable reduction of strategic and non-strategic nuclear weapons and their delivery systems since the end of the Cold War, in particular by two EU Member States. Moreover, it stresses the need for an overall reduction of the global stockpiles of nuclear weapons, in particular by those states with the largest arsenals. In this context, we recognise the application of the principle of irreversibility to guide all measures in the field of nuclear disarmament and arms control, as a contribution to the maintenance and reinforcement of international peace, security and stability, taking these conditions into account.
6. The EU stresses the need to work for general disarmament. Non-proliferation, disarmament and arms control, together with confidence, transparency and reciprocity are vital aspects of collective security.

Mr. Chairman,

7. We are pursuing efforts to secure transparency as a voluntary confidence building measure and encourage all States possessing nuclear weapons to agree and implement further transparency measures. The EU welcomes the increased transparency on current nuclear weapons holdings recently shown by some nuclear weapon States, in particular by two EU Member States.
8. Regarding the Strategic Arms Reduction Treaty (START), the EU stresses the need for more progress in structurally reducing these nuclear arsenals through appropriate follow-on processes. We warmly welcome the commitment made by the US and the Russian Federation to replace START with a new legally-binding instrument before it expires in December 2009,

which sends a positive signal. A new arms control agreement between the US and Russia reflecting further nuclear reductions is a major issue on the disarmament agenda in the perspective of the 2010 Review Conference and would be an essential step forward.

9. The issue of non-strategic or tactical nuclear weapons was included in the Final document of the 2000 Review Conference. Reductions in non-strategic nuclear weapons are an integral part of the nuclear arms control and disarmament process. We recall the unilateral initiatives by the US and Russia for reductions in the stocks of non-strategic nuclear weapons of 1991-1992 and are looking forward to their complete implementation. We encourage States concerned to examine ways to build on those initiatives, including through confidence-building measures, and to include these weapons in their general arms control and disarmament processes, with a view to their verifiable and irreversible reduction and elimination.
10. The EU wishes to highlight two other immediate priorities: the entry into force of the Comprehensive Nuclear Test Ban Treaty and the completion of its verification regime and the opening of negotiations in the Conference on Disarmament on a Fissile Material Cut-Off Treaty. We welcome the fact that the new US administration has sent positive messages on these two issues.

Mr. Chairman,

11. The EU salutes the announcement by US President Obama that the new US Administration will immediately and aggressively pursue U.S. ratification of the CTBT. We hope that this will create a new momentum for its entry into force. The EU intends to contribute to this momentum, ahead of the 2010 NPT Review Conference and, in the shorter term, of the 2009 Conference on Facilitating the Entry into Force of the CTBT (Article XIV Conference), which we hope will be attended at ministerial level or higher. The EU will spare no efforts to promote the early ratification of the Treaty by the few remaining Annex 2 States, so that it can enter into force. To this end and in the context of broader efforts, we sent in February 2009 a letter to all remaining Annex 2 States and appealed to them to sign and/or ratify the Treaty expeditiously. As we make clear in our current EU working paper, the CTBT is an instrument that is crucial to nuclear disarmament and non-proliferation. Its entry into force will strengthen the international security architecture, which is based on the NPT. The EU will continue to offer practical support, both for the universalisation of the CTBT and the credibility of its verification regime.

Mr. Chairman,

12. The EU attaches a clear priority and great importance to the negotiation without pre-conditions in the Conference on Disarmament (CD) on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices (FMCT) including verification provisions, as a means to strengthen disarmament and non-proliferation. These negotiations are long overdue and their successful conclusion would constitute a significant achievement to nuclear disarmament efforts in accordance with article VI of the NPT. Logically, an FMCT constitutes the next multilateral instrument to be negotiated in the nuclear disarmament field and would thus complement the NPT and CTBT.
13. The EU urges all CD members to seize this moment and get the CD back to substantial work. We appeal to all delegations in the CD to work towards achieving a consensus on a programme of work that would enable the CD to start as soon as possible the negotiation of an FMCT. The EU welcomes the efforts of this year's CD Presidencies (the P-6) to strengthen the existing basis for consensus on a Programme of Work and stands ready to continue consultations to that end. The EU takes note of the Presidential Non-Paper.
14. Pending the entry into force of an FMCT, the EU calls on all states concerned to declare and uphold an immediate moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices. We also call on all States concerned to dismantle their facilities dedicated to the production of fissile material for nuclear weapons. We welcome the two recent visits, at Pierrelatte and Marcoule, of the facilities formerly dedicated to such purposes and currently undergoing dismantlement, which France organised for CD Member States and for non-governmental experts respectively.
15. The EU recognizes the continuing high value of the existing legally binding security assurances to non-nuclear weapon States Parties to the NPT on the use of or threat of use of nuclear weapons, provided for by the protocols to the treaties establishing nuclear weapon free zones, and of the unilateral declarations of nuclear weapon States, noted by UNSC Resolution 984/1995 and reaffirmed at the 2000 NPT Review Conference. Positive and negative assurances can play an important role in the NPT regime and can serve as an incentive to forego the acquisition of WMD. We are committed to promote further consideration of security assurances.

Mr. Chairman,

16. The question of the proliferation of missiles which could be used to deliver weapons of mass destruction is also a matter of major concern in the context of international security. Recently conducted missiles tests outside all the existing transparency and pre-notification schemes deepen our concerns in this respect. The aggravation of missile proliferation, in particular with short- and intermediate-range, requires from the international community to come up with a collective and normative response. For these ends, we propose to start the consultations on a treaty banning short- and intermediate-range ground-to-ground missiles. They could in particular enable us to determine how such a treaty may contribute to addressing concerns regarding missiles, to eliminating existing lacunas in existing arrangements regarding missiles and to strengthening security at global and regional level.

17. We believe that universalisation of The Hague Code of Conduct against Ballistic Missile Proliferation (HCoC) and its enhancement could contribute significantly to the strengthening of the global non-proliferation and disarmament efforts. We invite all HCoC Subscribing States to comply with their obligations. Continued lack of adherence to the provisions of prelaunch notifications and annual declarations undermines the Code's mission.

18. We need also to address broader strategic matters. Some nations' concerns are probably not only about nuclear postures and arsenals, but also about missile defence or conventional capabilities. In that regard, the already mentioned EU "Statement on strengthening international security" reflects the EU's comprehensive approach to disarmament and security.

Mr Chairman,

19. The European Union hopes that this session will help us to seize the current opportunities and to build on the foundations laid in 2007 and 2008 in order to achieve a successful review cycle and to move toward a safer world. We must pay due consideration in a balanced manner to all aspects of the implementation of the Treaty - disarmament, non-proliferation and peaceful use of nuclear energy. In particular, non-proliferation and disarmament are mutually reinforcing. The EU will continue to encourage the progress made towards systematic and progressive efforts towards disarmament, and will remain fully committed to the effective implementation of Article VI of the NPT.

Thank you, Mr Chairman.