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Mr. Chairman, during this third “specific issue” session, my Delegation would like to address two important NPT issues. The United States has already addressed nuclear security in our statement and paper on nonproliferation, and we covered most dimensions of the peaceful uses of nuclear energy in our statement and paper on that topic. Today we would like to emphasize the safety of peaceful nuclear activities. Under the final “specific issue” item – other provisions of the Treaty – we would also like to address the need for Parties to discourage abuse of the NPT withdrawal provision.

**Nuclear Safety**

The United States is committed to nuclear power as a component of our secure energy future and a means for meeting the world’s growing energy needs. In light of the tragic accident at Fukushima, we must redouble our national efforts and strengthen international cooperation among governments, industry, and multilateral organizations to ensure its safe and responsible use. Nuclear safety, along with security and safeguards, are key factors enabling the robust and sustainable development of nuclear energy.

The U.S. Nuclear Regulatory Commission has completed a comprehensive near-term safety review of all 104 active nuclear power plants in the United States and has established a Task Force to develop recommendations for improving our regulatory framework and safety procedures. As we develop and construct next-generation nuclear power plants, we will integrate the lessons we are still learning from Japan.
We believe that safety is the responsibility of the sovereign nation and urge all nations with nuclear power reactors to conduct safety reviews and ensure their own reactors meet the highest, most up-to-date standards of safety. We call on all nations with nuclear reactors to adhere to the Nuclear Safety Convention, which remains our best instrument for promoting international safety standards, and to join the other relevant international nuclear safety conventions.

Mr. Chairman, the United States supports the IAEA’s leading role in advancing nuclear safety globally and the IAEA Action Plan on Nuclear Safety which represents a comprehensive roadmap for addressing the lessons learned and safety concerns arising from the Fukushima accident.

In particular, the United States advocates enhanced national nuclear safety infrastructures; establishment of strong, independent nuclear regulatory authorities; strengthened global emergency preparedness and response, with improved communication and transparency; increased participation in IAEA’s peer review programs; and commitment to a robust nuclear safety culture.

The events of Fukushima also emphasize the need for a global nuclear liability regime to ensure that accident victims are compensated and to support a stable legal environment for nuclear energy’s expansion. We believe the Convention on Supplementary Compensation for Nuclear Damage fits this need, and we encourage all states to adopt the Convention.
With mutual resolve, we can make concrete improvements to nuclear safety practices around the world. The United States is eager to work with other NPT Parties to achieve this goal together.

**Discouraging Abuse of the Treaty’s Withdrawal Provision**

Mr. Chairman, at the 2010 Review Conference (RevCon), Parties discussed the issue of withdrawal from the Treaty, in particular, how to respond in the event a State violates its Treaty obligations and then announces that it intends to withdraw from the NPT, pursuant to Article X. The RevCon discussion was quite rich, with the involvement of a number of key delegations. Some progress was made on the issue, but full agreement was not reached.

My Delegation agrees with other Parties that believe we should carry forward the discussion on this important issue, which represents a critical challenge to the Treaty. The United States would like to emphasize – again – that we do not seek to amend the Treaty to revise Article X, or to undermine the sovereign right of each state to determine what jeopardizes its “supreme interests,” which is the criterion for withdrawal specified in that Article. Quoting from Article X, the Treaty also requires that a withdrawing Party “shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.”
With these Article X rights come responsibilities. If a Party were to withdraw from the Treaty, it would be an abuse of the right to do so for the state then to develop nuclear weapons using any nuclear material, equipment, or technology that was supplied for peaceful purposes on the basis of that state’s NPT membership. It is of particular concern that the safeguards agreement required by NPT Article III would normally terminate upon the withdrawal of a Party from the Treaty. Subsequently, unless other arrangements are made, or other safeguards agreements already exist, the Party’s nuclear activities would no longer be subject to international verification.

Abuse of Article X, including through withdrawal by a Party while in violation of its NPT obligations, would undermine the integrity of the Treaty, in which all Parties have a clear interest, and may threaten the maintenance of international peace and security. As reflected in Part 1 of the 2010 Final Document, many Parties have underscored that, under international law, a withdrawing Party is still responsible for violations of the Treaty committed prior to its withdrawal. Even if withdrawal is carried out in accordance with the provisions of the Treaty, it would not affect any other existing legal or political commitments between the withdrawing State and any other Party, including those related to alternative IAEA safeguards arrangements.

Mr. Chairman, given these concerns, the United States believes that NPT Parties should consider how best to reduce any Party’s incentive to abuse Article X and to make use of the intervening three-month notice period prior to the effective date of the withdrawal. As the United States has suggested in previous NPT meetings, measures in the following areas should be considered for this purpose.
• Consultations: Consultations could take place with the withdrawing Party prior to the effective date of withdrawal. Numerous States at the 2010 RevCon supported the idea that, upon announcement by a Party of the intention to withdraw, immediate consultations among States parties and regional diplomatic initiatives should take place.

• Verification: NPT Parties could request that the IAEA provide, before withdrawal becomes effective, the conclusions the Agency can draw using the verification authorities available to it under the withdrawing state’s safeguards obligations.

• Continuity of Safeguards: NPT Parties could require, in legally-binding supply agreements, that any nuclear material or equipment they supply, or any material or equipment derived from items they supply, be subject to safeguards if the recipient state’s NPT safeguards agreement is terminated.

• Right of Return: Numerous States at the 2010 RevCon “acknowledge(d) that nuclear supplying States can consider incorporating dismantling and/or return clauses in the event of withdrawal in arrangements or contracts concluded with other States parties as appropriate in accordance with international law and national legislation.” NPT Parties could develop mechanisms along these lines, for use in the event of termination of the NPT safeguards agreement as a result of withdrawal from the Treaty.
• Further Nuclear Supply: NPT Parties could make it part of their policy on nuclear supply to suspend further supply of nuclear material or equipment to a withdrawing Party that is determined to be in violation of its NPT or IAEA safeguards obligations.

Mr. Chairman, my Delegation looks forward to further discussion of the important issues of nuclear safety and abuse of the withdrawal provision today and throughout the new NPT review cycle. Thank you very much.