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Statement by H.E. Mr Richard Ryan,  
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on behalf of the European Union

in the

GENERAL DEBATE

Third Session of the Preparatory Committee for the  
2005 Review Conference of the Parties to the Treaty on the  
Non-Proliferation of Nuclear Weapons

New York, 26 April, 2004

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Mr Chairman,

I have the honour to take the floor on behalf of the European Union. The Acceding Countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia; Candidate Countries Bulgaria and Romania; the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Serbia and Montenegro; and the EFTA countries and members of the European Economic Area Iceland, Liechtenstein and Switzerland align themselves with this statement.

I would begin by congratulating you on your appointment as Chair of this Preparatory Committee and assure you of the support of the European Union in your efforts throughout this meeting. This is of course the third such meeting in this process and I would also like to commend your predecessors Ambassadors Salander and Molnar for their excellent work at our meetings in 2002 and 2003.

Mr. Chairman

The EU is committed to the preservation of the integrity of the Treaty on the Non-Proliferation of Nuclear Weapons. This is enshrined in the EU Strategy Against Proliferation of Weapons of Mass Destruction agreed by our Heads of State and Government in December 2003. Integral to this Strategy is our conviction that a multilateralist approach to security, including disarmament and non-proliferation provides the best way to maintain international order. These principles both inform and underpin the approach of the European Union to this the Third Preparatory Committee of the 2005 Review Conference of the NPT.

The EU continues to regard the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of the global non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament under Article VI and an important element in the further development of the applications of nuclear energy for peaceful purposes. On the occasion of this meeting, the EU reiterates its support for the Final Document of the 2000 Review Conference and the Decisions and Resolution of the 1995 Review and Extension Conference. We look forward to the consideration of all relevant issues during this meeting. We must build on our work in the previous preparatory committees which, we trust, may help us to formulate recommendations which will assist in laying the foundations for the work of next year's Review Conference. The EU stands ready to participate actively in this effort.

Mr. Chairman

As we begin the third Preparatory Committee of this Review Cycle we can take stock of the many developments affecting the NPT, which have occurred since 2000. Since its entry into force the NPT has helped to slow and in some cases reverse the spread of military nuclear capability but it has not been able to prevent it completely. The Treaty has faced many challenges since the last Review Conference.

Multilateralism is based on the concept of shared commitments and obligations and we must ensure, within the NPT framework that these commitments and obligations are complied with by all States Parties. The EU will place particular emphasis on a policy of reinforcing

compliance with the Treaty. Such a policy must be geared toward enhancing the detectability of significant violations and strengthening enforcement of the prohibitions and norms established by the Treaty. The role of the UN Security Council as the final arbiter of the consequences of non-compliance as foreseen in multilateral regimes needs to be effectively strengthened.

To ensure effective detectability of violations and to deter non-compliance, the EU will make best use of, and seek improvements to, existing verification mechanisms and systems. The EU is committed to ensuring that compliance mechanisms under the IAEA are properly funded, robust and able to detect breaches of the provisions of the Treaty and the Safeguards Agreements which underpin it.

The NPT can only fulfil its role if we are confident of the compliance of States Parties to the Treaty.

Mr. Chairman,

The EU continues to attribute great importance to the fight against terrorism, the continuing urgency and importance of which has been underlined so tragically by the recent attacks in Madrid. The EU strongly supports all measures that are aimed at preventing terrorists from acquiring nuclear, radiological, biological, and chemical weapons and their means of delivery. We therefore supported and welcomed the inclusion of an anti-terrorist clause in each of the export control regimes. We also welcome efforts in other fora such as the G8 to prevent terrorists or those that harbour them from acquiring or developing weapons of mass destruction, missiles and related equipment and technology. We call upon all States to take effective measures to address the problem of diversion of and trafficking in WMD materials, and of the participation of non-state actors in proliferation of WMD. In this context, the EU also underlines the importance of the early adoption of the well-defined amendment to the Convention on Physical Protection of Nuclear Material.

The EU deplors the announcement of the DPRK in January 2003 of its intention to withdraw from the NPT. We continue to urge the DPRK to return to full compliance with its international non-proliferation obligations under the NPT, including its Safeguards Agreement with the IAEA. Any clandestine nuclear weapons programme must be completely, verifiably and irreversibly dismantled. The EU restates its firm resolve to contribute to the search for a peaceful solution, through negotiations, to the DPRK nuclear issue and welcomes the dialogue within the framework of the Six Party Talks in this connection.

There are concerns about the nuclear programmes of a number of other countries. These relate in particular to civilian nuclear programmes, which might be misused for military ends. In this context, the EU notes with interest the ongoing discussion on measures to strengthen control over the most sensitive parts of the fuel cycle.

The Iranian nuclear programme is currently under investigation by the International Atomic Energy Agency. The European Union welcomes the commitments which Iran has made in the context of this investigation, including the signature on 18 December 2003 by Iran of the Additional Protocol and its voluntary suspension of all enrichment-related and reprocessing

activities throughout Iran, including the assembly and testing of centrifuges and the domestic manufacture of centrifuge components. At the same time, the EU notes with great concern that a number of questions remain unanswered. The EU urges Iran to provide full and pro-active cooperation with the Agency in resolving all outstanding questions in a spirit of full transparency.

On 19 December 2003 Libya announced its decision to eliminate all material, equipment and programmes which lead to the production of Weapons of Mass Destruction. Following on from the recent IAEA work in Libya, the EU notes that since the early 1980s, Libya has been in breach of its obligation to comply with the provisions of the Safeguards Agreement with the Agency. At the same time we warmly welcome the fact that Libya brought this undeclared programme to the attention of the IAEA and its cooperation with the Agency. We further welcome Libya's ratification of the Comprehensive Test Ban Treaty and its signature and decision to implement an Additional Protocol with the IAEA.

We note the conclusion of the Director General of the IAEA that the conversion and centrifuge programmes of Iran and Libya share common elements and that the basic technology is very similar and was largely obtained from the same foreign sources. This is a matter of serious concern. We therefore fully endorse his call for full cooperation from all IAEA member States in identifying the supply routes and sources of the technology and related equipment and nuclear and non-nuclear materials.

The illicit trade in highly sensitive nuclear equipment and technology is a matter of serious concern for the European Union and indeed all State Parties to the NPT. The European Union is committed to strong national and internationally coordinated export controls which we see as a necessary complement to our non-proliferation obligations under the NPT. Recent revelations have demonstrated the need for us to reinforce our efforts to tackle illicit trafficking and procurement networks and to address the issue of involvement of non-state actors in the proliferation of WMD technology.

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 to 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 co-ordination with partners.

Mr. Chairman,

We welcome the accession to the Treaty in 2002 and 2003 respectively of Cuba and Timor Leste. Cuba's accession to the NPT and to the Tlatelolco Treaty made the nuclear weapons free zone in Latin America and the Caribbean complete. The EU Member States

continue to attach great importance to achieving the universality of, and universal compliance with the NPT. In this connection we regret that there are three countries, India, Israel and Pakistan, remaining outside the Treaty. In accordance with the EU Common Position on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery, adopted in November 2003, we continue to call on them to accede unconditionally to the NPT as non-nuclear weapon States.

We have also welcomed the conclusion of the Moscow Treaty between the Russian Federation and the USA on strategic offensive reductions till 2012. It is an important step in the context of international security and a contribution to the efforts of the international community in the field of disarmament and non-proliferation. In this context, the principles of irreversibility and transparency remain important.

Mr. Chairman,

The IAEA's international safeguards system is an essential part of the global nuclear non-proliferation regime. In this respect the EU recognises the need for an adequately funded and cost-efficient safeguards system and welcomes in this regard the adoption in July 2003 of a financial package for 2004-2007 which includes an increase of the safeguards budget, agreed as necessary for agency safeguards to remain effective and efficient and therefore credible.

The universal adoption and implementation of comprehensive safeguards agreements, and additional protocols to them, is a pre-requisite to an effective and credible safeguards system. The EU welcomes the entry into force since the last Preparatory Committee of several safeguards agreements and Additional Protocols to them but regrets that the number of such Agreements and Protocols actually in force continues to be well below expectations. All EU Member States have now completed their ratification and in accordance with our Weapons of Mass Destruction Strategy we will redouble our efforts to promote the conclusion of Additional Protocols by other States.

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 demonstrating 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, the 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. We call on all States that have not yet done so, to conclude and bring into force Additional Protocols with the IAEA. EU Member States are also working towards making the Additional Protocol a condition of supply for nuclear exports.

Mr. Chairman,

We underline the importance of international co-operation for the elimination of weapons of mass destruction. The EU and its Member States fully support and contribute significantly to the G8 Global Partnership, which contributes effectively to disarmament and non-proliferation of weapons of mass destruction and their means of delivery. The comprehensive set of non-proliferation principles set out at the G8 Kananaskis Summit in 2002 constitute the criteria to be adopted, pursued and implemented to allow effective international co-operation in the field of the elimination of weapons of mass destruction and their means of delivery. The European Union is committed to continuing its cooperation programmes for non-proliferation and

disarmament. We consider that cooperative threat reduction is an effective tool of nuclear disarmament and non-proliferation. We are currently actively considering expansion of the EU programmes in this area.

Mr. Chairman,

The EU continues to monitor the situation in South Asia. We call upon India and Pakistan to accede to the NPT, and to place all their nuclear facilities under the comprehensive safeguards of the IAEA. We note the declared moratoria by both countries on nuclear testing and their willingness to participate in the negotiation of a Treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices. We expect that they will take and apply all necessary measures towards fulfilling their aforementioned promises. We further note with appreciation the inclusion of nuclear confidence-building measures as part of the recently announced composite dialogue between India and Pakistan.

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. We call upon all States in the region that have not yet done so, to accede to the biological and chemical weapons conventions and to the NPT. 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 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. Israel's accession to the NPT, and the placement of all its nuclear facilities under the comprehensive safeguards of the IAEA is of great importance to the EU as it would contribute to the peace and stability of the region and the prospects of an overall settlement in the Middle East.

Mr Chairman,

We all know that there are three pillars to the NPT: non-proliferation, disarmament and peaceful uses. 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 and of the 1995 Decision and the 2000 Final Document. We call upon all State Parties to implement these and in this statement we will highlight a number of areas in this regard.

Some 171 States have now signed the Comprehensive Nuclear Test Ban Treaty, of which 112 have ratified the Treaty. The EU reiterates that it attaches the utmost importance to the entry into force of the CTBT at the earliest possible date. We call upon all States that have not yet signed and ratified the Treaty to do so without delay and without conditions. We urge in particular those States named in Annex 2 of the Treaty, whose ratification is required for entry into force to do so. In this context we welcome the recent ratification of Algeria to the CTBT which bring us closer to both universalisation and entry into force. Pending the entry into force of the CTBT, the EU urges all States to abide by a moratorium and to refrain from any actions, which are contrary to the obligations and provisions of the CTBT. The EU is actively involved in promoting universal adherence to CTBT and participated actively in the Conference on

Facilitating the Entry into Force of the CTBT held in Vienna last September. We take this opportunity to commend the work of the Provisional Technical Secretariat of the CTBTO.

The EU regrets the ongoing stalemate in the Conference on Disarmament in Geneva and is convinced that the new threats to peace and security require that this standstill be overcome as soon as possible. The EU is committed to reaching a consensus on a programme of work in the CD and welcomes the fact that new ideas have been put forward over the last year. We appreciate these efforts aimed at promoting consensus for a programme of work. In the context of the NPT, recommencement of substantive work within the CD is particularly significant in relation to the negotiations on a Fissile Material Cut-Off Treaty.

The EU policy is to pursue an international agreement on the prohibition of the production of nuclear materials for nuclear weapons or other nuclear explosive devices. The EU attaches special importance to the negotiation of a non-discriminatory and universal Treaty banning the production of such fissile material, which would strengthen both nuclear non-proliferation and disarmament and thus international security. The EU and its Member States have actively worked in the Conference on Disarmament in the search for a consensus to launch a negotiation on the basis of the report of the special co-ordinator and the mandate contained therein. Until a cut-off Treaty enters into force, all States are urged to declare a moratorium on the production of fissile material destined for nuclear weapons. The EU welcomes the actions of those of the five nuclear weapon States that have such a moratorium in place.

The issue of non-strategic nuclear weapons was included in the Final Document of the 2000 Review Conference. Reductions in these weapons are an integral part of the nuclear arms control and disarmament process. We look forward to the fulfilment of the US and Russian 1991-1992 Presidential declarations on unilateral reductions of their holdings of the tactical nuclear weapons, as well as of the commitments made by relevant States at the 2000 Review Conference. We encourage all States concerned to start negotiations on an effectively verifiable agreement to best achieve the greatest reductions of these weapons.

The EU is convinced that the application of the principle of irreversibility to nuclear disarmament, nuclear and other related arms control and reduction measures contributes to the maintenance and reinforcement of international peace, security and stability. Transparency by all NPT Parties in fulfilling all their Treaty obligations and respective commitments in the NPT 2000 Final Document further contributes towards international stability and progress in disarmament.

Mr. Chairman,

As part of its Weapons of Mass Destruction Strategy the European Union will promote a stable international and regional environment. The EU will play its part in addressing the problems of regional instability and insecurity and the situations of conflict which lie behind many weapons programmes. We recognise that instability does not occur in a vacuum and we are committed to fostering regional security arrangement and regional disarmament and arms control processes.

The EU recognises the continuing value of the existing security assurances as provided through the protocols of the nuclear weapons free zones and unilateral declarations of nuclear weapons States, noted by UNSC Resolution 984/1995 and reaffirmed at the sixth NPT Review Conference to non-nuclear weapon state parties to the NPT on the use or threat of use of nuclear weapons. Positive and negative security assurances can play an important role in the

NPT regime. They can serve both as an incentive to forego the acquisition of WMD and as a deterrent. In our WMD Strategy we are committed to promoting further consideration of security assurances. The Preparatory Committee could envisage recommendations on this issue to the 2005 Review Conference.

The EU acknowledges the importance of nuclear-weapons-free zones, established on the basis of arrangements freely arrived at among the States of the region concerned. They enhance global and regional peace and security, urgently needed as the present political environment indicates. The EU also underlines the importance of the concept of zones free of weapons of mass destruction, both nuclear and other, and their means of delivery, envisaged in UNSC Resolution 987 on the Middle East. We therefore welcome and support the signature and ratification by the nuclear weapon States of the relevant protocols of nuclear-weapons-free zones following the completion of the necessary consultations.

In accordance with Article IV of the NPT and Article II of the IAEA's Statute, the EU reaffirms the inalienable right of all parties to the Treaty to develop the research, production and use of nuclear energy, for peaceful purposes, without discrimination in complete conformity with Articles I and II of the Treaty. In this context it must be made absolutely clear that a possible misuse of civilian nuclear programmes for military purposes has to be effectively excluded. As effective verification is a prerequisite for peaceful uses it is of utmost importance that all States Parties to the Treaty subscribe to full transparency and the full range of verification instruments as offered in particular by the IAEA. This includes early information on nuclear programmes by all States as foreseen by the IAEA Board of Governors decision of 1993 and the signing and bringing into force of Additional Protocols.

The EU notes with appreciation the adoption of the IAEA Code of Conduct on Radioactive Sources and the approval of the IAEA Code of Conduct on Research Reactors.

Mr. Chairman,

The European Union hopes that this Third Session of the Preparatory Committee will help to lay the foundations for a successful 2005 Review Conference. The EU notes that there are a number of procedural questions which we must address at this meeting and looks forward to reaching a consensus on these in the coming days. We must, however, ensure that we do not neglect issues of substance at this meeting. Our consideration of these must be a balanced exercise, aimed at preserving the integrity of the NPT. We must pay due consideration to all aspects of the implementation of the Treaty - disarmament, non-proliferation and peaceful use. Such consideration will allow us to emerge from this preparatory process and move forward in 2005 to effectively strengthen the Treaty on the Non-Proliferation of Nuclear Weapons in all its aspects.

Thank you, Mr Chairman