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**STATEMENT BY
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FOR THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

to the

**THIRD SESSION OF THE PREPARATORY COMMITTEE
FOR THE 2005 REVIEW CONFERENCE OF
THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

Article IV

New York
April 29, 2004

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Mr. Chairman,

The central bargain of the NPT is that if non-nuclear-weapon states renounce the pursuit of nuclear weapons, and comply fully with this commitment, they may gain assistance under Article IV of the Treaty to develop peaceful nuclear programs. The United States promotes such cooperation, and shares the view that the proper application of nuclear technology can improve the quality of life on an international scale. However, Parties cannot afford to ignore the fact that several countries have exploited Article IV to advance their illicit nuclear weapons programs and threaten international security. These countries have not lived up to their end of the bargain, and if we allow this abuse to continue, the net-value of peaceful nuclear cooperation will diminish, and the security benefits derived from the NPT will erode.

Paragraph 1 of Article IV makes clear that access to peaceful nuclear cooperation must be “in conformity with Articles I and II of this Treaty.” NPT Parties have noted this linkage at every review conference since the NPT entered into force. By extension, this linkage also includes Article III, since safeguards help ensure that the obligations of Articles I and II are being honored. Clearly, any right to receive benefits under Article IV is conditioned on the fulfillment of the Treaty’s nonproliferation obligations, but Article IV also places specific responsibilities upon suppliers.

Parties are not compelled by Article IV to engage in nuclear cooperation with a given state, and should withhold such cooperation if they believe that a state is pursuing a nuclear weapons program, is not in full compliance with its safeguards obligations, or is in violation of Articles I or II. Our delegation will address in greater detail the question of what constitutes noncompliance; in the end, however, we must look at the totality of the behavior of each individual recipient. States’ actions should generate confidence that they are in full compliance. In instances in which a state’s actions indicate the intent to pursue nuclear weapons, as in the case of Iran, the risks to global security are too high for individual supplier states to wait until consensus emerges on a formal finding of noncompliance. Rather, supplier states should halt all nuclear and nuclear-related cooperation until there are no further reasons to suspect violations of nonproliferation norms.

NPT parties also have the responsibility to improve the implementation of Article IV in such a way that both preserves NPT parties’ right to develop peaceful uses of nuclear energy, and ensures against abuse of this right by states pursuing

nuclear weapon capabilities. One way to prevent abuse of the NPT is through an effective export control regime. An exporting state must ensure that its nuclear exports will be subject to IAEA safeguards, including the Additional Protocol. An effective control regime must strongly encourage suppliers to exercise prudent restraint in nuclear exports. The Zangger Committee and the Nuclear Suppliers Group seek to ensure these objectives.

It also is essential that all states maintain and enforce adequate national controls over their nuclear material, equipment and expertise. President Bush proposed a new Security Council resolution last fall requiring all states to criminalize WMD proliferation, enact strict export controls, and secure sensitive materials within their borders. The U.S. is pleased that this historic resolution was adopted unanimously on April 28, and the U.S. stands ready to assist states in its implementation. The steps taken by states to implement this resolution will complement commitments made in connection with non-proliferation treaties, including the NPT.

During the past 15 years several NPT parties have sought to obtain new enrichment or reprocessing programs to support efforts to develop nuclear weapons, in violation of the NPT. This reality leads to the inevitable conclusion that the nonproliferation regime must be strengthened further by limiting enrichment and reprocessing capabilities only to NPT states that currently already possess full-scale, fully-functioning enrichment and reprocessing capabilities and are in full compliance with the Treaty. This proposal by President Bush would close the loophole in the Treaty that allows states such as Iran to use peaceful cover to pursue fissile material for nuclear weapons. States that are in compliance with their Article II and Article III obligations and forego enrichment and reprocessing plants would have reliable access at reasonable cost to fuel for their civilian nuclear reactors. By taking this approach, we would be putting into place a new standard that will help prevent the proliferation of nuclear weapons while ensuring that sufficient capacity is retained to provide fuel cycle services to all NPT parties.

NPT states acting in full conformity with their obligations under Articles II and III would not be adversely affected in any way by these initiatives. There is no economic justification for the spread of enrichment and reprocessing to additional countries. More than 170 NPT parties have not sought enrichment or reprocessing for these very reasons. Parties would benefit from assured access to nuclear fuel at reasonable prices and, above all, from greater assurance that other states are not developing nuclear capabilities for weapons purposes.

Mr. Chairman, the United States will continue to provide peaceful cooperation to states. But all parties should refrain from cooperation with an NPT party that is in violation of its Article II obligations.

In the multilateral context, the United States is a strong supporter of the IAEA's Technical Cooperation (TC) Program. In 2003, we provided over 18 million dollars to the Technical Cooperation Fund. We encourage all IAEA Member States to pay their technical cooperation contributions in full to meet TC Fund targets. It is essential that the cooperation enjoyed under this program is devoted exclusively to peaceful purposes.

The U.S. spends over a million dollars annually on experts who support the work of the IAEA to improve the TC program. We also field scores of experts in multiple areas of nuclear applications to assist the IAEA in its scientific and technological goals. Last year we hosted five training courses at Argonne National Laboratory and provided 77 fellowships for scientists from all over the world to study in the United States. We also fund IAEA publications that explain the sustainable development goals and activities of the IAEA.

The United States Government is working with the United Nations Foundation to support IAEA tsetse fly eradication efforts using radiological means. We hope that this will serve as a model for additional sustainable development partnerships in the years to come. More recently, the United States has agreed to provide initial funding for the IAEA's new Plan of Action on Cancer Therapy. This action plan aims to address the need for increased radiotherapy centers in developing countries.

The United States also pursues bilateral cooperation in support of Article IV. We are helping to find better ways to harness the power of nuclear energy. Through cooperation with others on a project known as Generation Four, we are working to develop safer, more reliable, more efficient, and more proliferation-resistant reactors. The Generation Four International Forum, a group of ten nations plus the European Union, has developed a framework to plan and conduct international cooperative research on advanced nuclear energy systems.

The U.S. Department of Energy (DOE) maintains relationships between DOE laboratories and counterparts in developing countries, known as sister laboratories. Dating from the 1980s, these cooperative relationships establish a direct line of communication between U.S. nuclear specialists and the nuclear

communities in participating countries. Information exchange, training, and scientific visits benefit both the United States and developing countries' experts, and directly advance Article IV objectives. We have nine such sister-lab arrangements.

To make the transfer of nuclear commodities and technologies occur as smoothly as possible, under conditions consistent with the aims and purposes of the NPT, we maintain a large number of international agreements for peaceful nuclear cooperation with other nations and groups of nations. These agreements establish the necessary basis for the United States to provide significant nuclear exports to other states. Power reactors, research reactors, major reactor components, and fuel are all commonly exported under the terms of these agreements. The United States currently has in force twenty-six bilateral agreements of this type, as well as a number of others concluded trilaterally, with the cooperation of the IAEA. Last year, the U.S. Nuclear Regulatory Commission licensed U.S. companies to transfer significant nuclear commodities to 32 countries, all NPT parties in good standing. The U.S. Department of Commerce and the U.S. Department of Energy gave numerous additional approvals for transfers of nuclear components and nuclear technology, respectively.

The United States also provides technical support through Joint Standing Committees to coordinate with organizations in other countries in areas such as severe accident research, reactor licensing and regulation, reactor and fuel cycle development, spent fuel storage and disposal, nuclear waste management and IAEA safeguards. We have four such committees, and are pursuing a fifth.

In conclusion, Mr. Chairman, the peaceful application of nuclear energy can bestow enormous benefits on humankind. The United States will continue to contribute to the development of peaceful nuclear energy throughout the world. But we must all redouble our efforts to ensure that the line between the peaceful use of nuclear technology and its use for weapons purposes is sharply drawn and maintained. We must not let the actions of a few NPT parties bent on violating their nonproliferation obligations call into question the many benefits that responsible NPT parties derive from peaceful nuclear cooperation.

Thank you, Mr. Chairman.