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Statement on behalf of the European Union

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Nuclear Weapons

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I am speaking on behalf of the European Union. The Acceding Countries Bulgaria and Romania, 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, Serbia, and the EFTA country Iceland, member of the European Economic Area, as well as Ukraine and the Republic of Moldova align themselves with this declaration.

1. Last year we expressed our considerable disappointment at the lack of non-proliferation and disarmament language in the World Summit outcome document. The EU also regrets that the last year's Review Conference of the NPT was unable to agree on a substantive final document to address the most pressing challenges to the Treaty. However we reiterated our support for a universal non-proliferation regime, supported by a strong system of international safeguards, and the Nuclear Non-Proliferation Treaty (NPT). The EU believes 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. The NPT is the cornerstone of this regime, based on three mutually reinforcing pillars: non-proliferation, disarmament and the peaceful use of nuclear energy. We believe it is as important today as it was when first agreed 35 years ago. The EU will continue to preserve the integrity of the NPT in promoting all the objectives laid down in the Treaty in a structured and balanced manner as identified and recorded in the EU Common Position that we adopted prior to the Review Conference on 25 April 2005.

2. 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. We note also that the final report, which includes the programme of work, adopted by consensus at the 2005 NPT Review Conference, constitutes a reference for the future review process in which the EU will engage. The EU stands by its Common Position, agreed on April 25, 2005, relating to the NPT Review Conference.

We also continue to work towards universal accession to the NPT and call on those states not yet party to the NPT to join the Treaty as Non Nuclear Weapon States.

The EU is looking forward to the first Preparatory Committee meeting of the next NPT Review Conference in 2007, which should take place in Vienna. We are committed to contributing actively to a successful outcome of that meeting. In our view, the next NPT review cycle will have to produce tangible results that build on all three pillars of the NPT in order to reinforce this regime.

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

3. The EU is guided by its commitment to uphold, implement and strengthen the multilateral disarmament and non-proliferation treaties and agreements. Meeting the challenge of proliferation risks constitutes a key element in the EU's external relations. The EU Strategy against Proliferation of WMD commits the EU to act with resolve, using all instruments and policies at its disposal, to prevent, deter, halt and, where possible, eliminate proliferation programmes of concern world-wide. We are also committed to implementing our Common Position of 17 November 2003 on the universalisation and reinforcement of multilateral agreements in the field of weapons of mass destruction and means of delivery.
4. On this year of the 50th anniversary of the IAEA Statute's approval, the EU reaffirms its full support for the work of this unique and indispensable organization pursuing the same objectives with us. The IAEA is the world's focal point for peaceful nuclear co-operation and nuclear safety and it has an indispensable, global role in preventing the spread of nuclear weapons and countering new threats of nuclear terrorism. The three pillars of the IAEA Statute - verification, safety and technology - have been strengthened where necessary and remain solid in the face of their respective challenges.
5. The EU considers the universal adoption and implementation of Comprehensive Safeguards Agreements, and Additional Protocols to them, a pre-requisite to an effective and credible safeguards system. Together, the IAEA Comprehensive Safeguards Agreements and the Additional Protocol constitute the current IAEA verification standard. We strongly support the strengthening of the IAEA's safeguards system. We consider adherence to them as an essential means of verifying fulfilment of states parties obligations under Article III of the NPT.
6. Additional Protocols are in force in all EU Member States since May 2004. We urge all States that have not yet done so, to sign an Additional Protocol without further delay. And we urge all States that have signed but not yet brought into force their respective Safeguards Agreements and Additional Protocols to do so without further delay. We believe that the universalisation of the Additional Protocols would strengthen the international non-proliferation regime and would contribute to the security of all states. In addition, it would greatly increase the confidence necessary for international cooperation in the exclusively peaceful uses of nuclear energy.
7. The EU support for the IAEA extends to very practical cooperation, giving immediate and practical implementation to some elements of the EU Strategy against the Proliferation of WMD. Through our Joint Action (under the EU's Common Foreign and Security Policy, CFSP) , we support IAEA activities in the areas of nuclear security and verification. IAEA projects supported by the EU aim at strengthening national legislative

and regulatory infrastructures for the implementation of international instruments in the areas of nuclear security and control of nuclear and other radio-active materials, and strengthening states' capabilities for detection of and response to illicit trafficking in nuclear and other radio-active materials.

8. The EU supports the suspension of nuclear co-operation with a state when the IAEA is unable to give sufficient assurances that this state's nuclear programme is intended exclusively for peaceful purposes in line with its international commitments. The suspension should continue until the agency is able to provide those assurances. We also call for a strengthening of the role of the UN Security Council, as the arbiter of international peace and security, in order that it can take appropriate action in the event of non-compliance with NPT obligations.

We recognise that serious nuclear proliferation events have occurred since the end of the 2000 Review Conference.

9. The EU strongly condemns the announcement of a test of a nuclear explosive device by the Democratic People's Republic of Korea (DPRK). It is unacceptable. The EU works in close cooperation with the international community for a decisive international response to this provocation.

Defying the Security Council statement of 6 October 2006, the concerns of its neighbours and the calls of the international community, this test profoundly jeopardizes peace and stability in the region and beyond and represents a clear threat to international peace and security. It is a flagrant breach of the December 1991 North-South Denuclearisation Declaration. Furthermore, it violates the UN Security Council resolution 1695 unanimously adopted after the launch by the DPRK of ballistic missiles, which underlined the need for the DPRK to show restraint and refrain from any action that might aggravate tension.

The EU strongly urges the DPRK to announce immediately that it will refrain from any further tests of a nuclear device, publicly renounce nuclear weapons and return immediately and without preconditions to the Six-Party Talks and work towards implementation of the Joint Statement of September 2005, and, in particular, to verifiably abandon all nuclear weapons and existing nuclear programmes. The EU urges the DPRK to return to compliance with the NPT and IAEA safeguards obligations. The EU further calls on the DPRK to sign and ratify the CTBT.

The EU condemns the provocative missile test-launches performed by the government of the DPRK in July 2006 and calls upon the DPRK to re-establish the moratorium on long-range missile testing.

10. The EU shares the concern over Iran's nuclear programme expressed by the IAEA Board of Governors and the UN Security Council. We welcome the adoption of the Security Council resolution 1696 and call

upon Iran to respond positively and swiftly to the demands of the international community in implementing this resolution, in particular by suspending all its enrichment-related and reprocessing activities including research and development, to be verified by the IAEA, and to take all the steps required by the IAEA, in accordance with that resolution.

The EU reiterates the statement made by UK Foreign Secretary Margaret Beckett on behalf of the Foreign Ministers of China, France, Germany, the Russian Federation, the United Kingdom, the United States of America and the High Representative of the EU in London on 6 October expressing deep disappointment that Iran is not prepared to suspend its enrichment-related and reprocessing activities, as required by the IAEA Board of Governors and made mandatory by the Security Council resolution 1696, and their decision to consult on measures under Article 41 of Chapter VII of the UN Charter, as envisaged in that resolution.

11. The EU continues to attribute great importance to the fight against terrorism keeping in mind the tragic events of recent years. The EU strongly supports all measures that are aimed at preventing terrorists from acquiring nuclear, biological or chemical weapons and related materials, radiological materials, and their means of delivery, such as the International Convention for the Suppression of Acts of Nuclear Terrorism adopted in 2005 and those agreed within the G8 Global Partnership, the Krakow Proliferation Security Initiative (PSI) and the Global Threat Reduction Initiative (GTRI).

International Convention for the Suppression of Acts of Nuclear Terrorism, IAEA Safeguards Agreements with Additional Protocol and a Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) could reduce the risk of nuclear terrorism by curbing the possibilities of an illegal diversion of fissile material.

12. The EU welcomes and appreciates the IAEA activities aimed at preventing and combating nuclear terrorism. The IAEA plays a vital role in this area, particularly through its Nuclear Security Fund (NSF), to which the EU is the largest donor this year.

13. Effective physical protection is of paramount importance for preventing illicit trafficking and ensuring protection against nuclear terrorism and other malicious acts. The EU welcomed the strengthening of the Convention on the Physical Protection of Nuclear Material (CPPNM) at the Diplomatic Conference in 2005, in Vienna. The EU calls on all States that have not yet done so to become parties to the CPPNM and its amendment as soon as possible. Likewise, the EU welcomed in 2005 the adoption of the Convention for the Suppression of Acts of Nuclear Terrorism and hopes that all States will sign, ratify and implement the Convention as soon as possible.

14. The EU stresses the importance of the safety and security of radioactive sources and the role of the Code of Conduct adopted by the IAEA General Conference in 2003. The EU Member States have informed the IAEA Director General in writing that they are committed to follow the Code in accordance with the European Directive on the control of highly radioactive sealed sources and orphan sources. The EU calls on all countries to declare their political commitment to the Code and to implement the Guidance on the Import and Export of Radioactive Sources.

15. The world must be united in a common endeavour to strengthen the non-proliferation regime by closing existing loopholes. The EU is committed to strong national and internationally co-ordinated export controls to complement our obligations under the NPT. The EU member states are working towards making the Additional Protocol a condition of supply for nuclear exports. The EU supports the strengthening of the Nuclear Supplier Group guidelines, and urges the NSG and Zangger Committee to share their experience on export controls to meet new non-proliferation challenges.

16. The EU supports the pursuit of nuclear disarmament in accordance with Article VI of the NPT and has welcomed the reduction of strategic and non-strategic nuclear weapons and their delivery systems since the end of the Cold War. We stress the need for an overall reduction of the global stockpile of nuclear weapons in accordance with Article VI of the NPT, in particular by those 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 enforcement of international peace, security and stability, taking these conditions into account. We are pursuing efforts to secure transparency as a voluntary confidence building measure. The EU also calls on all States concerned to take appropriate practical measures in order to reduce the risk of accidental nuclear war.

17. The EU highlights in this context: the importance of the declarations made by the Presidents of Russia and the United States of America in 1991 and 1992 on unilateral reductions in their stocks of non-strategic nuclear weapons and calls on all States with non-strategic nuclear weapons to include them in their general arms control and disarmament processes, with a view to their reduction and elimination. The EU recognises the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and elimination of nuclear weapons and the elimination of the fissile material as defined under the G8 Global Partnership.

18. The EU notes that the Strategic Arms Reduction Treaty (START), which reduced the US and Russia's strategic nuclear weapons arsenal to 6,000 accountable warheads, is due to expire in 2009. We also note that

the US-Russia Moscow Treaty on Strategic Offensive Reductions, which limits each side to no more than 1,700 - 2,200 deployed strategic nuclear warheads, will expire on 31 December 2012. The EU welcomes the reductions in deployed nuclear weapons which START and the Moscow Treaty have brought about, and stresses the need for more progress in structurally reducing these nuclear arsenals through appropriate follow-on processes.

19. The Comprehensive Nuclear Test-Ban Treaty (CTBT) is an essential part of the disarmament and non-proliferation regime, and the EU attaches the utmost importance to the entry into force of the CTBT at the earliest possible date. The EU welcomes the ratification of the CTBT by Vietnam, one of the countries listed in Annex 2, and continues to call on States, particularly Annex 2 States, to sign and ratify the Treaty without delay and without conditions. The 10th anniversary of the adoption of the CTBT by the UNGA this year reminds us all of the need to redouble our efforts to complete the outstanding ratifications that are required for the entry into force of the Treaty. The EU believes that a legally binding prohibition of nuclear weapon test explosions and all other nuclear explosions as well as a credible verification regime, are vital. Pending the entry into force of the Treaty, we urge all States to abide by a moratorium and to refrain from any actions which are contrary to the obligations and provisions of the Treaty.

20. The EU attaches high importance to the work of the CTBT Organisation (CTBTO) Preparatory Commission, and actively supports the work of the Special Representative of the States which have ratified the Treaty charged with promoting universal accession to the Treaty. With the launching this year of its Joint Action (under the EU's CFSP), the EU extends its support for the CTBTO to very practical cooperation, thus giving immediate and practical implementation to some elements of the EU Strategy against the Proliferation of WMD. The Joint Action is designed to support the CTBTO activities in training and capacity building for verification. The EU also welcomes the additional and complementary benefits that the CTBT's International Monitoring System brings in supporting the early detection of potentially tsunamigenic earthquakes.

21. The EU attaches a clear priority to the negotiations, at the Conference on Disarmament, of a Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT), as a means to strengthen disarmament and non-proliferation. This was made clear in the Common Position adopted by the EU relating to the NPT Review Conference on April 25, 2005, and by which the EU stands. We are ready to promote the FMCT and support the start of FMCT negotiations in spring 2007. We are encouraged by the new momentum on starting the FMCT negotiations and welcome the fact that the US has contributed to this momentum at the CD through the submission of a draft treaty and a draft mandate. We note that the FMCT negotiation mandate proposed by the US is broadly in line with our position on FMCT

and that nothing can be precluded from the FMCT negotiations. This opportunity should be seized and was upheld at the CD by the active participation of delegations during the FMCT focussed debate, the presence of experts, the presentation of papers and the participation of IAEA.

22. Pending the entry into force of an FMCT, the EU calls on all States to declare and uphold a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices. We welcome the action of those four States which have decreed such moratoria.

23. The EU is supportive of pursuing consideration of the issue of security assurances to the non-nuclear-weapon States Parties to the NPT and recalls in this context the relevant aspects of the Decision No. 2 adopted at the 1995 NPT Review and Extension Conference and of the Final Document of the 2000 NPT Review Conference, and bears in mind the current situation. Positive and negative security assurances can play an important role: they can serve both as an incentive to forego the acquisition of weapons of mass destruction and as a deterrent.

24. The EU calls on all States in the Middle East to make that region into an effectively verifiable zone free of nuclear weapons and other WMD and their delivery systems, in keeping with the Resolution on the Middle East adopted at the 1995 NPT Review and Extension Conference.

25. 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. 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.

26. We also call on nuclear-weapon States to reaffirm, in the appropriate fora, existing security assurances noted by the United Nations Security Council in Resolution 984(1995) and to sign and ratify the relevant protocols on Nuclear Weapon Free Zones, drawn up following the requisite consultations, recognizing that Treaty-based security assurances are available to such zones.