



FRANCE



2005 Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

General Debate

**Statement by H.E. Mr François Rivasseau
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to the Conference on Disarmament**

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(Translated from French – Only the original French text may be considered official)

Introduction

Mr. Chairman,

First of all, France fully concurs with the declaration by the European Union presented by the Luxembourg Presidency.

As a nuclear State, however, France would like to discuss certain aspects which it considers especially important.

You have taken on an important responsibility in agreeing to chair the 2005 NPT Review Conference. Your personal abilities and experience, and the help of your team, will enable you to conduct this forum's proceedings effectively. You may be certain that the French delegation will fully support you in working to ensure that the NPT emerges strengthened from this Conference.

Reaffirming France's commitment to the NPT

Mr. Chairman,

Since our last Review Conference, profound changes have taken place in the world. In 2000, we were drawing the final conclusions from the end of the Cold War. A decade of unprecedented advances in all disarmament-related fields was coming to a close. As to the NPT, it had progressed decisively in terms of universality and been extended indefinitely in 1995. While several regions in the world were still stricken by deadly conflicts, in Africa especially, peace had taken hold in Europe for good with the end of the wars in the former Yugoslavia.

Then came the 11th of September 2001, here, in New York. This event, a tragedy that affected the United States first and foremost, also helped reveal the emergence of new threats, including the risk of terrorists using nuclear, chemical, and biological weapons or radiological dispersion devices to reach their goals.

We have also seen, mainly since the summer of 2002, the proliferation of nuclear weapons - which had justified the introduction of the NPT from the outset - increase dramatically in scale. Nuclear weapons proliferation was a risk then. It became a reality.

In December 2003, these rapid developments led the European Union to identify five threats to be addressed as a matter of priority, namely: terrorism, weapons of mass destruction proliferation, regional conflicts, State failure, and

organized crime. In the face of these dangers our principal safeguard remains the recourse by the community of States to determined action and effective multilateralism while respecting the law.

Thus, as we start our debates, our primary objective for this Conference should be to solemnly reaffirm the NPT's unique, irreplaceable contribution to the preservation of international peace and security. As regards the fight against nuclear weapons proliferation, there is in fact no substitute for this Treaty. No other tool can provide the international community with such a degree of security.

NPT relevance

Mr. Chairman,

The NPT is still fully relevant in our troubled world that is seeking for more stability. Today as yesterday, it is a suitable and essential response to the danger of nuclear proliferation.

By acceding to the Treaty, we had adhered to its Preamble's fundamental tenet whereby "the proliferation of nuclear weapons would seriously enhance the danger of nuclear war". It is above all because we are concerned with preventing the danger of nuclear war that we are led to proclaim our commitment to the Treaty and to stress the necessity for its effective implementation. Aware of this concern, France complied with the NPT's provisions without being Party to the Treaty, from 1968 until its accession in 1992.

35 years after the NPT's entry into force, the violation of the obligations to ensure non-proliferation and implementation of IAEA safeguards by States that are nevertheless parties to the Treaty, and the unprecedented announcement by North Korea of its intention to withdraw from it, are contradicting the very foundation of the Treaty and undermining peoples and States' confidence in it. We must strive with determination and as a matter of priority to stop, here and now, in May 2005, this dangerous trend that is calling into question our joint work in the service of peace, and draw consequences from it for the future. We will be judged by History on our ability to respond effectively to these events.

During this Conference, we must also examine the issue of the NPT's universality and that of withdrawal, the means of developing the exercise of the right to nuclear power for peaceful purposes, and the implementation of commitments to nuclear disarmament and general and complete disarmament.

Strengthening the nuclear non-proliferation regime

Mr. Chairman,

The 2005 Review Conference will be characterized by the debate on the strengthening of the national and international anti-proliferation instruments following the recent nuclear proliferation crises.

It is indeed unacceptable, and particularly dangerous, for a small number of States Parties to breach their commitments with the support of illegal networks thereby undermining the very foundations of the architecture of collective security and technology exchanges supported by the vast majority of States.

In the face of such a situation, it is no longer a matter of individual States not contributing to proliferation. We must switch over to an active way of combating this development and preventing the terrorist risk. All those who share the same international security objectives must cooperate to counter proliferation efforts and help to make them fail.

In this spirit, the debate that has developed over the past two years has been fuelled by contributions from several States Parties, proposals from the IAEA Director General and the Expert Group on Multilateral Approaches to the Fuel Cycle which he appointed, and by the Secretary-General's report following the conclusions of the High-Level Panel on Threats, Challenges and Change.

The initial outcomes of this debate were the adoption of the EU Strategy against the Proliferation of Weapons of Mass Destruction (WMD), of the Sea Island G-8 Action Plan on Nonproliferation, of United Nations Security Council Resolution 1540, of the International Convention for the Suppression of Acts of Nuclear Terrorism, and also the creation of the Proliferation Security Initiative (PSI). There are other ongoing processes such as the revision of the Convention on the Physical Protection of Nuclear Material. I take this opportunity to call on all State-Parties to participate in this Conference.

France, for its part, has put itself at the service of the international community to encourage improved compliance with nuclear non-proliferation obligations: together with Germany and the United Kingdom, and with the support of the General Secretariat of the Council of the European Union, France has embarked on the settlement of the proliferation crisis started by Iran's clandestine programme; it supports the diplomatic efforts conducted by other States in connection with the DPRK; France has put forward ideas and proposals at the United Nations and in the framework of the Treaty's review process, the European Union, the G8 and the IAEA, as well as of the Nuclear Suppliers Group.

Our debate has today reached maturity. We must now draw conclusions from it and unite to implement concrete measures in keeping with the challenges to be addressed.

Developing the peaceful uses of nuclear power

Mr. Chairman,

France is aware that many States Parties fear that the strengthening of the nuclear non-proliferation regime will call into question the right to peaceful uses of nuclear power.

Quite the reverse, it is the unrestricted development of proliferation by some States that poses such a risk.

My country will ensure that the right to "nuclear energy for peaceful purposes" recognized in Article IV of the NPT be preserved and fully exercised for countries that unambiguously comply with their international obligations. As emphasized in the Final Statement of the International Ministerial Conference on Nuclear Power for the 21st Century held in Paris in March 2005, "nuclear power can make a major contribution to meeting energy needs and sustaining the world's development in the 21st century, for a large number of both developed and developing countries".

I wish to recall in this respect the conditions required to have the right to nuclear power within the meaning of Article IV of the Treaty, namely: compliance with the obligations to ensure non-proliferation and implement IAEA safeguards on the one hand; and the pursuit of "peaceful purposes" on the other in accordance with the principle of good faith.

It is evident that a State failing to comply with its obligations to ensure non-proliferation and implement IAEA safeguards and the peaceful purposes of whose nuclear activities could not be recognized, would not be entitled to enjoy the stipulations of Article IV.

At the same time, the issue of non-compliance with the NPT or the absence of peaceful purposes does not arise for the vast majority of States Parties, in particular the developing States which are usually integrated into the international community. We must show no leniency towards those who break common rules, in the interest of those States and to preserve their rights.

Identifying fair and concrete measures

Mr. Chairman,

The measures supported by France to strengthen the nuclear non-proliferation regime while encouraging the development of civilian nuclear power with a view to sustainable development can be grouped into several major categories.

– Firstly, an effective verification system.

IAEA comprehensive safeguards agreements and additional protocols must be universalized. This Conference should note that standard verification consists in implementing a comprehensive safeguards agreement and an additional protocol in non-nuclear-weapon States. France's Additional Protocol entered into force on 30 April 2004 together with those of the other European Union Member States.

– Secondly, strengthening the multilateral system to address cases of non-proliferation.

The Security Council has a central role in addressing cases of proliferation in the last resort and to give an opinion on their implications for the maintenance of international peace and security. It would also be useful for the Conference to call for the strengthening of ties between the Council and the IAEA. As suggested by the High-Level Panel and the United Nations Secretary-General, this could take the form of the submission of regular reports by the IAEA Director General to the Security Council.

– Thirdly, greater State accountability for transfers of nuclear items.

Failure to fulfil non-proliferation obligations will inevitably have repercussions on the conduct of nuclear cooperation. France recommends that from now on such cooperation be suspended until suitable corrective measures are implemented by the State concerned under the IAEA's control. In the same spirit, proliferation crises have highlighted the specific aspects and dangerousness of enrichment, reprocessing and heavy water technologies. France considers that States have greater accountability when controlling exports of such sensitive technologies. On the other hand, it is not in favour of prohibiting all exports of fuel cycle technologies and suggests adopting common control criteria. The Conference should also recognize the useful role played by suppliers groups in terms of non-proliferation. France, which has supported the enlargement of these groups, considers they should share their experience in

export controls with those States that do not belong to them and with the Security Council's 1540 Committee.

– Fourthly, facilitate access to non-sensitive nuclear items for States that respect their commitments.

A review of the rules governing transfers of less sensitive equipment and facilities, in particular to the developing countries that have big energy needs, is necessary. Uselessly restrictive rules should not jeopardize economic growth in terms of sustainable and environmentally compatible development. Furthermore, it is necessary to enhance the debate on assurances of access to services relating to the fuel cycle or to the fuel itself, at market prices and over the long term.

– And Fifthly, holding a debate on the issue of withdrawal from the NPT.

The right conferred by Article X is not being questioned here. But this should not be a reason for us not to study the consequences of a withdrawal for the State concerned and for the rest of the international community. This Conference must recall the principle whereby a State remains internationally liable for violations of the NPT committed before a possible withdrawal. It should encourage the Security Council to consider all cases notified to it of withdrawal from the Treaty. It would also be useful for intergovernmental agreements providing a framework for major transfers of nuclear items to contain a clause prohibiting the use of previously transferred nuclear materials, facilities, equipment and technologies in the event of withdrawal from the NPT. Finally, the Conference should affirm that a State withdrawing from the Treaty must freeze – under IAEA control – and then dismantle and return the nuclear items purchased from a third country for peaceful uses and prior to withdrawal.

Universality

Mr. Chairman,

In parallel with renewed efforts in the field of non-proliferation, do I need to remind you of the importance of the issue of the NPT's universality? This is a clear objective for the European Union, as recalled in the Common Position of 11 November 2003 and in the Common Strategy of 12 December 2003.

It is desirable that we should, as of now and through dialogue, bring India, Israel and Pakistan to come as close as possible to international standards for non-proliferation and export controls. We should welcome the progress made in this direction, but many more efforts are still needed.

Reaffirming commitments to disarmament

Mr. Chairman,

Marked to a great extent by the Cold War, it was understandable that the proceedings of the 1995 Review and Extension Conference and of the 2000 Review Conference should have been largely devoted to the implementation of Article VI of the Treaty.

The priority in 2005 is to meet the serious challenges constituted by the proliferation crises that are a threat to international peace and security. But this should not lead us to forget about our common obligations relating to nuclear disarmament and general and complete disarmament.

Since it acceded to the NPT, France has taken, in the field of nuclear disarmament and general and complete disarmament, decisions whose scope all States Parties are aware of. On the occasion of this Review Conference, my country is intent on reaffirming its commitments under Article VI of the Treaty.

France emphasizes in particular its commitment to the programme adopted in 1995 with a view to specifying what actions should be conducted as a matter of priority within the framework of the implementation of Article VI. This "action programme" included in Decision 2 of 1995 has since been a fundamental benchmark for France. I would nevertheless remind you that right at the time when nuclear-weapon States were making strong commitments, several States Parties were accelerating the development of their illegal nuclear programmes.

France has made every effort to implement the 1995 programme. It signed the Comprehensive Nuclear-Test-Ban Treaty in 1996 and ratified it in 1998; it has dismantled its nuclear testing centre in the Pacific. As early as 1996 it announced the cessation of all production of fissile materials for nuclear weapons, shut down the corresponding fissile materials production plants at Pierrelatte and Marcoule and began to dismantle them. Their dismantling continues to this day. France has also drastically cut its nuclear arsenal, eliminating all its surface-to-surface nuclear weapons, reducing the number of its ballistic missile nuclear submarines and cutting by two-thirds its total number of delivery vehicles since 1985.

France is today pursuing the implementation of these decisions. It calls for the universalization and the entry into force of the CTBT and encourages the launch of negotiations on a Fissile Material Cutoff Treaty (FMCT). It reaffirms for the future its determination to contribute to nuclear disarmament and general and complete disarmament.

Mr. Chairman,

This policy has been possible because France has always defined the format of its nuclear arsenal at a level of strict sufficiency. It has been possible thanks to the post-Cold War political and strategic climate, and to our confidence in the equilibria of the NPT.

I have moreover only discussed the essential points in this speech. For those wishing to gain a deeper insight into French policy, a detailed brochure is available for delegates that was published specially on the occasion of the Review Conference.

It is up to us from now on to ensure that proliferation does not disrupt the progress achieved in all areas during those decades when we have built the system for collective security and nuclear cooperation. As was underlined by the Secretary general of the United Nations at the opening of this Conference, *« International regimes do not fail because of one breach (...). They fail when many breaches pile one on top of the other, to the point where the gap between promise and performance becomes unbridgeable. »*

Thank you, Mr. Chairman.