

25/04/07

First Meeting of the Preparatory Committee for the 2010 NPT Review Conference (Vienna, 30 April - 11 May 2007)

Statement by the Head of the French delegation

General Debate

Mr. Chairman,

1. The French delegation associates itself fully with the statement made in the name of the European Union by the German presidency.
2. I should like at the outset to congratulate you upon your election to the Chair for this first session of the Preparatory Committee. Your appointment brings with it a major responsibility, that of launching a new review cycle for the Nuclear Non-Proliferation Treaty. I am sure that your experience and personal talents will enable you to conduct our proceedings effectively and I should like to assure you of the full cooperation and full support of my delegation in the performance of your duties.
3. The Nuclear Non-Proliferation Treaty, which was agreed forty years ago next year, is an invaluable instrument for collective security and it is our duty to preserve its integrity in the face of the challenges to which it is subject, notably since the previous review cycle. We must all be aware of the level of security it offers us by limiting the risk of the proliferation of nuclear weapons, by fostering nuclear disarmament within the

framework of general and complete disarmament and by providing for mechanisms intended to allow access to peaceful uses of nuclear energy while at the same time avoiding the use for non-peaceful ends of nuclear goods and technologies intended for civil purposes.

4. France reaffirms its attachment to the Treaty and its conviction that we must do everything possible to support this instrument and enable it to meet the challenges it now faces.
5. The attainment of that goal presupposes that all the States Party abide by their obligations and show good faith in implementing the provisions of the Treaty.
6. The 2002-2005 cycle was marked by the appearance of major challenges for the Treaty. Several serious proliferation crises and the discovery of a clandestine network for the supply of nuclear goods and technologies have radically changed the terms of international security. These events led to a firm reaction from the international community with the adoption of a number of resolutions by the Security Council and the IAEA Board of Governors. The Security Council acknowledged that the proliferation of weapons of mass destruction and their means of delivery was truly a threat to international peace and security.
7. The previous review cycle was obliged to adapt swiftly to a new context. While it permitted fundamental debate and the emergence of proposals to ensure that it was better able to cope with the new challenges – proposals that will provide input for our future discussions – the 2005 NPT Review Conference did not live up to all our expectations: due to the attitude of certain delegations, it was unable to conduct fruitfully the in-depth discussions that were necessary and to reach agreement on a common understanding of the different goals and issues. Given this, 2005 was in a sense an uncompleted exercise which we must now take forward.
8. As the current review cycle opens, what are the issues?

(Proliferation, non-compliance, withdrawal)

9. The first requirement is to confirm the relevance and credibility of the Treaty by providing a suitable response to serious violations of the Treaty by States that have circumvented the norm of non-proliferation it has put in place. It is not acceptable for a

small number of States, supported by clandestine networks, to breach their obligations while at the same time claiming the benefit of their rights, thus undermining the very foundations of the Treaty, of what is a security and technology-sharing architecture enjoying the support of the greatest number.

10. The international community has reacted firmly to the violations committed by Iran due to its grave, long-standing and repeated breaches of its safeguards agreement. We deplore the fact that this country is failing to comply with the demands formulated by the Security Council in its resolutions 1737 and 1747, resolutions adopted unanimously by its members, and which repeat and broaden those contained in resolution 1696, and moreover that it should have further reduced its cooperation with the IAEA. We expect Iran to comply with its international obligations and put in place the conditions for a resumption of the negotiations which we wish to be able to engage. For the very integrity of the NPT, it is essential that the review process that is now beginning should deal with and respond to the challenge raised by the continuation of the Iranian nuclear programme.
11. North Korea, after having announced its intention to withdraw from the NPT, has claimed entitlement to conduct a military programme and has announced that it conducted a nuclear explosion on 9 October last. This first example of a nuclear test claimed by a State Party to the Treaty since its entry into force attracted unanimous condemnation and appropriate responses from the international community. We wish to see a settlement of this crisis within a multilateral framework enabling the complete, verifiable and irreversible dismantling of North Korea's programmes, as provided by UNSC resolution 1718 among other instruments.
12. These two grave crises demonstrate that it is imperative to strengthen the nuclear non-proliferation regime through the universal application of the AIEA safeguard agreements, this being an obligation under Article III of the Treaty, as well as through the universalisation of the additional protocol, the combination of these two instruments constituting the current standard enabling the Agency to perform its mission. There are still too many States Party that have not even signed a general safeguards agreement with the IAEA. We must also promote strict export controls, especially within the Nuclear Suppliers Group (NSG).

13. The cases of North Korea and Iran also show that we must both pursue the current approach, founded on non-proliferation undertakings, the IAEA's system of safeguards and export controls, and promote a **collective** approach under which the international community cooperates to prevent proliferation transfers. Security Council resolution 1540 developed such an approach by providing both for a strengthening of the controls in all States along with cooperation directed at achieving this.
14. With this in mind, implementation is now beginning for a number of actions:
 - The first relates to the formulation of references common to the whole of the international community in order to define the precise nature of proliferation activities: the work done by the supplier groups, resolution 1540 and the resolutions adopted by the Security Council on proliferation will help us define this standard.
 - Instruments to combat proliferation have also been developed recently: for example, cooperation under the Proliferation Security Initiative (PSI) or current reflection and measures on combating the financing of proliferation.
15. In addition, we must also forestall the danger of terrorism associated with the availability and circulation of nuclear goods, especially via clandestine networks. My country is making an active contribution to the implementation of Security Council Resolution 1540, is supporting IAEA action on nuclear security and against illicit trafficking in radioactive nuclear material, and is pleased to note the adoption of the convention against nuclear terrorism and the revision of the Convention on physical protection of nuclear materials. To conclude, France is a participant in the Global Initiative to Combat Nuclear Terrorism which offers States adhering to it the possibility of taking part in operational cooperation at regional or global level with the aim of reinforcing national capacities for prevention of, and responding to the threat of nuclear terrorism. We must continue our efforts in this area.
16. It is also of fundamental importance that we should reflect upon the issue of withdrawal from the Treaty, as was already envisaged at the 2005 Conference. This is so because it would be unacceptable for any State, after having benefited from the provisions and cooperation defined in Article IV, in order to acquire nuclear materials, facilities and technology, only to withdraw subsequently from the Treaty and use them for military purposes.

17. I wish to highlight the production by the European Union of a contribution on this issue which follows on directly from that presented at the last Review Conference. This Committee has also received other contributions on this topic.
18. The right laid down in Article X is not in question. But this must not preclude consideration by us of the consequences of withdrawal and nor the restatement of certain principles whose purpose is to organise the response of the international community where such withdrawal is announced: the principle whereby the international responsibility of a State remains unimpaired for violations of NPT obligations committed prior to withdrawal; the request that all cases of withdrawal from the Treaty notified to it should be reviewed by the Security Council; the usefulness of including in intergovernmental agreements governing transfers of sensitive nuclear goods a clause prohibiting, in the event of withdrawal from NPT, the use of nuclear materials, facilities, equipment and technologies previously transferred. And lastly, it should be affirmed that any State withdrawing from the Treaty must freeze, under IAEA control, and then dismantle or return, all nuclear goods acquired for peaceful uses from third countries prior to withdrawal. It would also be necessary to enter into an agreement covering each facility – along the lines of INFIRC/66 – while awaiting such dismantling or return.
19. I shall return to all these questions during the debate on Chapter II.

(Energy)

20. The other major issue for the early 21st century is the need to meet the growing demand for energy. Nuclear energy can allow us to cope with that demand, reducing the use of fossil fuels of which we now have limited reserves, and providing a form of energy that is widely available, economic and protective of the environment. Unlike fossil fuels, nuclear energy produces neither greenhouse gases nor atmospheric pollution. For these reasons, nuclear energy has a key contribution to make to sustainable development.
21. France attaches great importance to the development of civilian applications of atomic energy within the framework defined by Article IV of the NPT. The strengthening of the non-proliferation regime does not call into question the right to make peaceful use of nuclear energy. My country will seek to ensure that the right to the development of nuclear energy for peaceful purposes acknowledged in Article IV is protected and fully adhered to for countries that comply unequivocally with their international obligations.

22. Article IV of the NPT is very clear on the conditions to be met for exercise of the right to nuclear energy as laid down in Article IV of the Treaty:

- Conformity with the non-proliferation obligations laid down in Articles I and II of the Treaty;
- Acceptance of the IAEA safeguards defined in Article III;
- The pursuit of "peaceful purposes" in good faith.

Under the terms of the Treaty, any State failing to meet its obligations with regard to non-proliferation and application of IAEA safeguards, where the nuclear activities of that State are not directed toward identifiable peaceful ends, cannot claim the benefit of the stipulations contained in Article IV.

23. That said, for the vast majority of States Party to the Treaty, and notably developing States, the issue of non-compliance with the NPT, or the lack of peaceful purposes, simply does not arise. It is in their interests, in order to protect their rights, for us to show no weakness in our attitude to those who break the common rule.

24. We must reflect together on the ways of dealing at one and the same time with the need to meet energy needs, the constraints arising from the environment and the necessity of combating proliferation. In our own view, the NPT provides a framework for discussions on the ways of meeting the challenges facing us in the area of access to nuclear energy, through closer cooperation. Because a responsible use of nuclear energy requires a long-term approach and capacities both in terms of technology and human resources.

25. One way forward is to develop cooperation on civilian nuclear power, offering those States who wish it assurances on continued supply of nuclear fuel for their power reactors. In June 2006, France, acting jointly with five other countries, put forward a proposal for fuel supply assurance mechanisms. We therefore await with interest the working document on this question to be presented by the Director General of the IAEA to the meeting of the Board of Governors in June and we wish to contribute actively to the work on this topic, endeavouring to remove any misunderstanding to which it may give rise.

26. We consider that 50 years after the launch of President Eisenhower's "Atoms for Peace" initiative, the NPT must show that it is capable of guaranteeing the benefits of nuclear energy for States complying with their obligations. My delegation feels that the review

cycle that is beginning today in Vienna, the seat of the IAEA, offers us an opportunity to address the subject of the progress to be made on implementation of Article IV and to define common goals for the responsible development of nuclear energy.

27. I shall return to all these questions during the debate on Chapter III.

(Disarmament)

28. The priority to be attached to dealing with proliferation, which endangers international peace and security, must not lead us to forget our shared commitments on nuclear disarmament and general and complete disarmament. But we can of course progress along the road to disarmament only if the conditions for our global security are maintained and if the will to make headway is shared unanimously.

29. France emphasises its attachment to the programme of action adopted in 1995 with a view to defining the preferred action in the context of implementation of Article VI. This programme, included in Decision 2 of 1995, has continued to be a basic reference for France. I wish nevertheless to recall that while the Nuclear Weapon States were giving these strong undertakings, several States Party to the Treaty were speeding up the development of clandestine nuclear programmes.

30. France is working to implement the 1995 programme. In 1996 it signed, and ratified in 1998, the Comprehensive Nuclear Test Ban Treaty; France was, along with the United Kingdom, the first Nuclear Weapons State to ratify the CTBT. France dismantled its nuclear test facility in the Pacific. It announced, as long ago as 1996, a definitive halt to the production of fissile weapons material and closed down the relevant facilities for the production of fissile materials in Pierrelatte and Marcoule. France commenced the dismantling of those facilities, a process still continuing at the present time. It is an important effort that will take time and that France intends to carry out with resolve. France has also made drastic cuts in its arsenal of nuclear weapons, eliminating all ground-to-ground weapons, reducing the number of nuclear submarines carrying ballistic missiles, and cutting by more than half the total number of delivery vehicles over the period from 1985.

31. At the present time we are continuing to implement the decisions taken in 1995. We call for the universalisation and entry into force of the CTBT; we are ready to initiate, without preconditions, negotiations on a treaty banning the production of fissile material for use

in nuclear weapons at the Disarmament Conference. France reaffirms for the future its determination to contribute to nuclear disarmament and general and complete disarmament. I shall return to this question during the debate on Chapter I.

(Universality)

32. Parallel to renewed effort in the area of non-proliferation, I wish to recall the importance of the issue of NPT universality. This is a clear goal for the European Union, as it has recalled on numerous occasions.
33. It is desirable that we should now encourage India, Israel and Pakistan, through dialogue, to adhere to the international standards on non-proliferation and export controls.
34. Progress has been made in this direction and we should be pleased that this is the case, but much more remains to be done.

(Procedure)

Mr. Chairman,

35. To conclude, I should like to express the very great importance my Government attaches to discussion of points 7 and 9 of our agenda, which relate respectively to the organisation of the work to be done in the various sessions of the Preparatory Committee and the organisation of the 2010 Review Conference.
36. We are all aware of the extent to which the 2005 Review Conference suffered from the fact that no agreement could be reached on the agenda and on the programme of work prior to the opening of the Conference and how much it was to be regretted that it should have been obliged to devote its time principally to the resolution of procedural issues.
37. We must spare no effort to avoid such a situation arising once again by endeavouring as of now to settle the organisational issues relating to the preparatory committee meetings of 2008 and 2009 and the Conference. We must allow the delegations to express their views on how our discussions should be conducted during this review cycle. Given the importance of the issues at stake and the expectations of the international community,

we would wish to see all concerned act responsibly in this regard, undertaking to participate in the discussions constructively and in good faith.

38. It is in this spirit that my delegation proposes to the Preparatory Committee, along with other delegations, that we reflect upon what our "rules of procedure" might be for the discussions in the 2007-2010 cycle. It is our wish that this proposal should be agreed upon in order to facilitate progress on the real issues for this cycle.

39. In conclusion, Mr Chairman, we would wish that this first meeting of the Preparatory Committee should open the way in a calm and collected fashion to a review cycle that lives up to the expectations of the international community, enabling the non-proliferation regime to emerge strengthened. We hope that we can work together towards a shared understanding that confirms the continuing relevance of the Treaty. My delegation will spare no effort in assisting the Chair to progress on questions both of substance and procedure for this review cycle.

40. Mr. Chairman, I thank you.

