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**Statement by
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on behalf of the European Union**

Nuclear Weapons

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(Check against delivery)





Cluster: Nuclear Weapons

I am speaking on behalf of the European Union and the Acceding Countries Bulgaria and Romania. The Candidate Countries Turkey and Croatia^{*)}, the Countries of the Stabilisation and Association Process and potential candidates, Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia and Montenegro, and the EFTA country Norway, member of the European Economic Area, as well as Ukraine and the Republic of Moldova align themselves with this declaration.

1. The absence of any reference to nuclear disarmament and non-proliferation in the Summit outcome document, the disappointing results of the NPT Review Conference, as well as the stalemate in the Conference of Disarmament reflect a regrettable lack of convergency in analysing the challenges we are facing and the way they can be solved.
2. In our General Statement we expressed our considerable disappointment at the lack of non-proliferation and disarmament language in the Summit outcome document. 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 this year.
3. We regret that this year's NPT Review Conference was unable to agree a substantive Final Document to address the most pressing challenges to the Treaty. We see this as a missed opportunity, but the Conference did provide an opportunity to discuss practical ways to prevent the proliferation of nuclear weapons and to promote the pursuit of nuclear disarmament and other matters that we wish to see taken forward. Our conviction, as expressed in the EU's Strategy Against the Proliferation of WMD, is that a multilateral approach to non-proliferation provides the best means of countering this threat to international security.

4. The EU continues to support the Decisions and the Resolution adopted at the 1995 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 on the basis of our Common Position.

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.

I would like also to take this opportunity to reaffirm comments made by the EU-Presidency in New York on 27 May that to contribute to a better operation of the NPT, we should consider holding the first Preparatory Committee meeting, in 2007, in Vienna.

5. The EU believes the international safeguards system of the IAEA is essential to the verification of the global nuclear non-proliferation regime and to the success of this multilateral system. The EU considers that Comprehensive Safeguards Agreements together with Additional Protocols constitute the current IAEA verification standard. We believe that these are the essential means for States Parties to demonstrate that they are fulfilling their obligations under Article III of the NPT. EU Member States are also working towards making the Additional Protocol a condition of supply for nuclear exports.

6. Nuclear enrichment and reprocessing technologies are once again the subject of particular attention from the international community because of their dual-use nature. The EU believes it is important to encourage access guarantees to nuclear-fuel-related services or to the fuel itself, under appropriate conditions. In this connection, the EU notes the report of the IAEA experts group on multilateral approaches to the nuclear fuel cycle, published by the Secretariat in February, and the need to start discussing it in the IAEA as soon as possible.

7. 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. 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 final arbiter of international peace and security, in order that it can take appropriate action in the event of non-compliance with NPT obligations.

8. As we outlined in our general statement, the Iranian nuclear programme continues to be a matter of grave concern for the EU. The EU strongly supports the efforts of France, Germany and the United Kingdom, in association with the European Union's High Representative for the Common Foreign and Security Policy, to find an acceptable agreement to rebuild international confidence in Iran's intentions. We recognise the inalienable right of NPT parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of the NPT. However, maintaining the balance between rights and obligations envisaged in the treaty is essential. We believe it is incumbent on a non-compliant state to

return to full compliance and to build the necessary confidence in the exclusively peaceful nature of its nuclear activities, in the specific case of Iran through the suspension of fissile material production and enrichment-related activities. The resolution passed by the IAEA Board of Governors on 24 September, finding Iran non compliant with its obligations under the Non Proliferation Treaty (NPT) but deferring the report to the Security Council, gives Iran an opportunity now to address the clear concerns of the international community. The European side, for its part, is prepared to resume negotiations within the framework agreed between the Europeans and Iran last November. It is only when Iran demonstrates beyond any doubt that it is not seeking a nuclear weapons capability that it will be able to develop a better relationship with Europe and the international community as a whole.

9. Again, as outlined in our general statement, the EU welcomes the joint statement by the participants in the Six Party Talks on 19 September and recognises the hard work, flexibility and co-operation shown by participants. We note in particular the renewal of the Democratic Peoples' Republic of Korea's (DPRK) commitment to abandon nuclear weapons and all existing nuclear programmes and its undertaking to return to the Nuclear Non-Proliferation Treaty. However, the EU considers the DPRK's nuclear weapons programmes to be a serious violation of its commitments under the Nuclear Non Proliferation Treaty, its International Atomic Energy Agency safeguards agreement, the US/DPRK Agreed Framework and the Joint North-South Declaration on the denuclearisation of the Korean peninsula. We continue to deplore the DPRK's stated intention to withdraw from the NPT and urge the adoption of measures to deal with withdrawal from the Treaty. We look forward to early implementation of those commitments and the establishment of effective verification arrangements. The EU has supported the Six Party Talks throughout and remains ready to assist in whatever way we can.

10. At the NPT Review Conference earlier this year we highlighted the possible implications of a withdrawal from the NPT for international peace and security. We believe that measures to discourage withdrawals from the Treaty are urgently needed and should be adopted in the NPT context.

11. The EU believes that we must do everything possible to prevent possible access by terrorists to nuclear weapons or materials that could be used in radiological devices. The illicit trade related to WMD, in particular in highly sensitive nuclear equipment and technology, is of serious concern.

12. We must be united in a common endeavour to strengthen the non-proliferation regime by closing existing loopholes. The European Union is committed to strong national and internationally co-ordinated export controls to complement our obligations under the NPT. 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.

13. UNSCR resolution 1540 plays a crucial role in developing an effective mechanism of prevention and counter proliferation of WMD, their means of production and delivery to or from states and non-state actors world-wide. The resolution calls, inter alia, upon all

states, in accordance with their national legal authorities and legislation and consistent with international law, to take co-operative action to prevent illicit trafficking in nuclear, chemical, or biological weapons, their means of delivery and related materials. We urge States to continue this vital work. The EU is willing to offer its assistance in implementing the provisions of the Resolution. We are ready to provide assistance in building legal and administrative infrastructure, sharing our experience of implementation and training respective national authorities.

14. The EU supports and encourages States to participate in the Proliferation Security Initiative (Krakow Initiative), the Convention on the Physical Protection of Nuclear Materials, and the Global Threat Reduction Initiative. We particularly encourage early ratification of the amendments to the CPPNM agreed at the diplomatic conference that took place in Vienna in July. We emphasise the importance of the security of nuclear materials and installations and call on all States to ensure that effective arrangements for protection are in place.

15. In our general statement we set out our continued support for the pursuit of nuclear disarmament and 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 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 of international peace, security and stability, taking these conditions into account. We are pursuing efforts to secure transparency as a voluntary confidence building measure.

16. The ongoing stalemate in the Conference on Disarmament (CD) is a matter of increasing concern. We are convinced that the new threats to peace and security require that this standstill be overcome. This is essential. The EU is strongly 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 few years. We appreciate these efforts aimed at promoting consensus for a programme of work. We support the efforts of the Presidency of the CD to that end.

17. The EU attaches special importance to the negotiation, in the CD, of a Treaty banning the production of fissile material for weapons purposes as a means to strengthen nuclear non-proliferation and disarmament. We call again for the immediate commencement and early conclusion of a non-discriminatory, universally applicable Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, without pre-conditions, and bearing in mind the special co-ordinator's report and the mandate contained therein. Pending entry into force of the said Treaty, 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. The EU welcomes the action of those of the five nuclear-weapon States which have decreed the relevant moratorium.

18. We recognise the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and the elimination of fissile material as defined under the G8 Global Partnership.

19. The EU believes that entry into force of the Comprehensive Test-Ban Treaty as soon as possible is a further essential part of the disarmament and non-proliferation regime. We call on all States, particularly those listed in Annex II of the Treaty, to sign and ratify this Treaty without delay and without preconditions. Pending its entry into force, we call on all States to abide by a moratorium and to refrain from any action contrary to the obligations and provisions of the CTBT. We highlight the importance of the work of the CTBT Organisation Preparatory Commission and we actively support the work of the Special Representative of the States which have ratified the Treaty in his work promoting universal accession.

20. The CTBT requires a fully functioning verification regime by entry into force, to provide assurance that all states are complying with their treaty obligations. The European Union is therefore particularly encouraged by the good progress made on establishing the International Monitoring System. The system is unprecedented in its technological scope and global coverage. Its detection capabilities already represent a significant deterrent to any would-be testers of nuclear weapons. Development of on-site inspections, which are an essential part of the verification regime, also continues to make progress.

21. Whilst we emphasise that the primary purpose of the verification system of the CTBT is to verify compliance with the Treaty, we also support the continuing development of civil and scientific benefits of the system. If data from the verification technologies can mitigate the humanitarian consequences of certain natural disasters and save lives, we have a moral responsibility to make them available to disaster warning organisations. Furthermore we believe that exploiting the important additional scientific knowledge offered by the verification system will encourage states to access these further benefits by signing and ratifying the Treaty.

22. We urge the international community to work for the resolution of regional instability and insecurity and of conflict situations that are often at the root of all armament programmes, including the development of nuclear weapons programmes. The EU continues to attach great importance to the development of internationally recognised Nuclear Weapons-Free Zones, based on arrangements freely arrived at between the States of the region concerned, to regional peace and security and to promote nuclear disarmament and non-proliferation, stability and confidence. We welcome ratification by the nuclear weapon States of relevant protocols following the necessary consultations. The EU recognises the ongoing value of the existing security guarantees that are legally binding and made in the context of these Protocols. We hope outstanding issues concerning Nuclear Weapons-Free Zones can be resolved, through full consultation in accordance with UN guidelines and with the agreement of all Parties involved.

23. The EU also underlines the importance of zones free of weapons of mass destruction, both nuclear and other, and their means of delivery, envisaged in UNSC Resolution 987. We call upon all States in the Middle East to establish an effectively verifiable zone free of nuclear weapons, as well as of other weapons of mass destruction and their means of delivery.

*ⁿ) Croatia continues to be part of the Stabilisation and Association Process.
