

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL COMMON POSITION
of 13 April 2000
relating to the 2000 Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons

(2000/297/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) The European Union attaches great importance to the Treaty on the Non-proliferation of Nuclear Weapons (NPT) as the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament.
- (2) The Council adopted on 25 July 1994 Decision 94/509/CFSP concerning the Joint Action regarding preparation for the 1995 Conference of the States Parties to the Treaty on the Non-proliferation of Nuclear Weapons ⁽¹⁾.
- (3) The Council on 23 April 1998 defined Common Position 98/289/CFSP relating to preparation for the second Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons ⁽²⁾.
- (4) The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons adopted decisions on the indefinite extension of the Treaty on the Non-proliferation of Nuclear Weapons, on principles and objectives for Nuclear Non-proliferation and Disarmament, on the strengthening of the review process for that Treaty, and on a resolution on the Middle East.
- (5) The Preparatory Committee for the 2000 NPT Review Conference held three sessions, on 7 to 18 April 1997 in New York, 27 April to 8 May 1998 in Geneva and 10 to 21 May 1999 in New York.
- (6) The Council on 29 April 1997 adopted Joint Action 97/288/CFSP on the European Union's contribution to the promotion of transparency in nuclear-related export controls ⁽³⁾.

- (7) On the basis of negotiating directives adopted by the Council on 1 December 1997, the Additional Protocol to the Verification Agreement between the Non-nuclear Weapon States of the European Atomic Energy Community (Euratom), Euratom and the International Atomic Energy Agency (IAEA), the Additional Protocol to the Safeguards Agreement between France, Euratom and the IAEA, and the Additional Protocol to the Safeguards Agreement between the United Kingdom, Euratom and the IAEA have been signed.
- (8) The European Union signatory parties to the abovementioned Additional Protocols have stated their aim that the process of ratification should be completed as soon as possible.
- (9) In the light of the outcome of the 1995 Review and Extension Conference and of the outcome and recommendations of the Preparatory Committee for the NPT 2000 Review Conference, it is appropriate to update and develop further the objectives set out in Common Position 98/289/CFSP, and the initiatives carried out under its terms.
- (10) Common Position 98/289/CFSP should therefore be repealed and replaced by this Common Position,

HAS ADOPTED THIS COMMON POSITION:

Article 1

The objective of the European Union shall be to strengthen the international nuclear non-proliferation regime by promoting the successful outcome of the 2000 Non-proliferation Treaty (NPT) Review Conference.

Article 2

1. For the purposes of the objective laid down in Article 1, the European Union shall:
 - (a) pursue efforts to convince States which are not yet parties to the NPT, in particular those States which operate unguarded facilities, to accede to it as soon as possible;

⁽¹⁾ OJ L 205, 8.8.1994, p. 1.

⁽²⁾ OJ L 129, 30.4.1998, p. 1.

⁽³⁾ OJ L 120, 12.5.1997, p. 1.

- (b) encourage participation in the NPT 2000 Review Conference;
- (c) contribute to a structured and balanced review of the operation of the NPT at the 2000 Review Conference, including the implementation of undertakings of the States Parties under the Treaty, as well as the identification of areas in which, and of means through which, further progress should be sought in future;
- (d) help build consensus on substantive issues in the 2000 NPT Review Conference and its three main committees, taking into account the substantive preparations in the three sessions of the Preparatory Committee and bearing in mind the fundamental importance of the decisions and resolution adopted by the 1995 Review and Extension Conference, namely on principles and objectives for nuclear non-proliferation and disarmament.
2. On the basis of the framework established by the Treaty and the Principles and Objectives laid down by the 1995 Review and Extension Conference, the European Union believes that further consideration of substantive issues may include, among others:
- (a) early entry into force of the Comprehensive Nuclear Test-ban Treaty through ratification without delay and without conditions, especially by those 44 States whose ratification is required for the Treaty to enter into force;
- (b) immediate commencement and early conclusion of negotiations in the Conference on Disarmament in Geneva on a non-discriminatory, multilateral, internationally and effectively verifiable Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Pending the conclusion of such a Treaty, the European Union calls on all States, which have not yet done so, to stop the production of fissile material for nuclear weapons or other nuclear explosive devices;
- (c) establishment of an ad hoc working group within the Conference on Disarmament under Agenda item 1 'cessation of nuclear arms race and nuclear disarmament' subject to a consensus agreement on a mandate for such a group;
- (d) development of nuclear weapons-free zones and establishment of zones free of weapons of mass destruction on the basis of arrangements freely arrived at between the States in the region concerned;
- (e) pursuit of the consideration of the issue of security assurances to the Non-nuclear Weapon States Parties to the NPT;
- (f) signature and ratification by the nuclear weapon States of the relevant protocols of nuclear weapon-free zones, recognising that Treaty-based security assurances are available to such zones;
- (g) underlining the importance of concerned States taking steps to bring into effect the assurances provided by such Treaties and their Protocols;
- (h) increased transparency as a voluntary confidence building measure to support further progress in disarmament;
- (i) calling on nuclear weapon States, as agreed at the Moscow G7/P8 Summit on Nuclear Safety on 19 and 20 April 1996 to place fissile material designated as no longer required for defence purposes under appropriate international safeguards and physical protection;
- (j) 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 reinforcement of international peace, security and stability, taking these conditions into account;
- (k) calling for the prompt entry into force and timely implementation of START II and its Protocol, and the early commencement of negotiations on START III with a view to further reductions in strategic nuclear weapons and the verified dismantlement of warheads destined for disarmament under that Treaty;
- (l) reaffirmation of the importance of the Anti-ballistic Missile Treaty as a cornerstone of strategic stability;
- (m) underlining the importance of non-strategic nuclear weapons in the framework of nuclear arms reduction efforts;
- (n) calling on all non-nuclear weapon States to conclude agreements with the IAEA as soon as possible to meet the requirements of Article III of the NPT;
- (o) reaffirming the provisions of the Principles and Objectives Decision of the Final Document (Part 1) of the 1995 Review and Extension Conference regarding safeguards;
- (p) further calling on all States with safeguards agreements already in place to conclude and bring into force the Additional Protocols with the IAEA as soon as possible with a view to the early implementation of a strengthened safeguards system and its subsequent integration with existing safeguards measures;
- (q) calling on nuclear suppliers to continue efforts of the Nuclear Suppliers Group and the Zangger Committee to enhance transparency and foster dialogue and cooperation among all interested parties;
- (r) calling on all States with nuclear materials on their territory to maintain and improve, as appropriate, their own arrangements for nuclear materials accountancy, safety and physical protection, applying the appropriate internationally agreed standards;
- (s) calling on all States to take measures to ensure that exports of sensitive materials, equipment and technologies are subject to an appropriate system of surveillance and control, facilitating cooperative technological development by providing confidence of suppliers that goods, technology and materials will only be used for peaceful purposes;

- (t) calling upon States, that have not yet done so, to accede to the Physical Protection Convention, adopt relevant physical protection and basic safety standards and introduce and enforce appropriate measures and legislation to combat illicit trafficking in nuclear and other radioactive material;
- (u) underlining the importance of continuing international cooperation in order to strengthen nuclear safety, safe waste management and radiological protection and calling upon States, that have not yet done so, to accede to all relevant conventions as soon as possible and to implement fully their ensuing commitments.

Article 3

Action taken by the European Union for the purposes of Article 2 shall comprise:

- (a) where appropriate, demarches by the Presidency, under the conditions laid down in Article 18 of the Treaty on European Union, with a view to promoting the universality of the NPT;
- (b) demarches by the Presidency, under the conditions laid down in Article 18 of the Treaty on European Union, with a view to encouraging participation in the NPT 2000 Review Conference;
- (c) demarches by the Presidency, under the conditions laid down in Article 18 of the Treaty on European Union, with regard to States Parties to the NPT, in order to urge their support for the objectives set out in Article 2;

- (d) the pursuit of agreement by Member States on draft proposals on substantive issues for submission on behalf of the European Union for consideration by States Parties to the NPT which may form the basis for decisions of the NPT 2000 Review Conference;
- (e) Statements by the European Union delivered by the Presidency in the General Debate and in the debates in the three Main Committees.

Article 4

Common Position 98/289/CFSP is hereby repealed.

Article 5

This Common Position shall take effect on the date of its adoption.

Article 6

This Common Position shall be published in the Official Journal.

Done at Luxembourg, 13 April 2000.

For the Council
The President
A. VARA