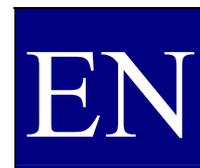




**COUNCIL OF
THE EUROPEAN UNION**



Dromoland Castle, 26 June 2004
10761/1/04 REV 1 (Presse 206)

**EU-US DECLARATION ON THE NON-PROLIFERATION
OF
WEAPONS OF MASS DESTRUCTION**

DROMOLAND CASTLE, 26 JUNE 2004

The European Union and the United States reiterate that the proliferation of weapons of mass destruction (WMD) and their delivery systems is a major threat to international peace and security. The risk that terrorists might acquire such weapons adds a new dimension to this threat. This global challenge requires a long-term strategy and a multifaceted solution. We need to tackle it individually and collectively, working together and with other partners, including through relevant international institutions, in particular those of the United Nations system. We are committed to strengthening the consensus among nations that proliferation is unacceptable. We call attention to our 2003 Joint Statement and our individual and collective joint efforts since then. We have identified the following joint actions to express our continuing determination to prevent, contain and reverse proliferation:

P R E S S

1. We applaud the adoption of United Nations Security Council Resolution 1540 and urge all States to implement all of its provisions in full. The Resolution states that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. Terrorism and illicit trafficking add new dimensions to this threat. The Resolution identifies additional steps that States should take to counter these threats. We will meet our obligations under this Resolution and are prepared to assist States in doing the same. We will adopt, where needed, and enforce effective laws to prohibit the manufacture, acquisition, possession, development, transport or transfer of weapons of mass destruction by non-state actors. We will adopt, where needed, and enforce domestic controls to prevent proliferation, including physical protection, border, export and transshipment controls.

2. We welcome the G8 Action Plan on Non-proliferation announced at Sea Island on 9 June 2004.
 - To allow the world to safely enjoy the benefits of peaceful nuclear energy without adding to the danger of weapons proliferation, we have agreed to work to establish new measures so that sensitive nuclear items with proliferation potential will not be exported to States that may seek to use them for weapons purposes or allow them to fall into terrorist hands. The export of such items should only occur pursuant to criteria consistent with global non-proliferation norms and to States rigorously committed to those norms. We shall work to amend appropriately the Nuclear Suppliers Group (NSG) guidelines and to gain the widest possible support for such measures in the future. In aid of this process, for the intervening year we agree that it would be prudent not to inaugurate new initiatives involving transfer of enrichment and reprocessing equipment and technologies to other States. We call on all States to adopt this strategy of prudence. We will also develop new measures to ensure reliable access to nuclear materials, equipment and technology, including nuclear fuel and related services, at market conditions, for all States, consistent with maintaining non-proliferation commitments and standards.

 - The International Atomic Energy Agency's (IAEA) Additional Protocol must become an essential new standard, alongside the IAEA's comprehensive safeguards agreements, in the field of nuclear supply arrangements. We will work to strengthen the NSG guidelines accordingly. We call on all States to implement these standards by the end of 2005.

- To enhance the IAEA's integrity and effectiveness and strengthen its ability to ensure that nations comply with their NPT obligations and safeguards agreements, we will work together to establish a new special committee of the IAEA Board of Governors. This committee would be responsible for preparing a comprehensive plan for strengthened safeguards and verification. We believe this committee should be made up of Member States in compliance with their NPT and IAEA commitments.
 - We support the suspension of nuclear fuel cycle cooperation with States that violate their nuclear non-proliferation and safeguards obligations.
 - It is our view that States under IAEA investigation for non-technical violations of their nuclear non-proliferation and safeguards obligations should not participate in decisions taken by the IAEA Board of Governors or the proposed special committee regarding their own case or other compliance cases reviewed by the Board.
 - We fully subscribe to the Proliferation Security Initiative Statement of Interdiction Principles and support efforts to interdict WMD shipments and enhance cooperation against proliferation networks, including in intelligence and law enforcement.
 - We will continue to support the important non-proliferation activities carried out under the Global Partnership Programme.
 - We will take concrete steps to expand and improve our capabilities to prevent and respond to bioterrorism.
3. Proliferation is a global threat which requires an effective global response. We reaffirm our willingness to work together to strengthen and universalise the disarmament and non-proliferation treaties and regimes that ban the proliferation of weapons of mass destruction and their delivery systems. In particular, we underline the importance of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Biological and Toxin Weapons Convention and the Chemical Weapons Convention.
- We call on States to fulfill their arms control, disarmament and non-proliferation commitments under the relevant multilateral treaty regimes. We support universal adherence to, and compliance with, these commitments.

- We will seek to ensure strict implementation and compliance with these instruments and will support the multilateral institutions charged with verification and upholding compliance with these treaties and agreements.
 - We are committed to overcome the stalemate in the Conference on Disarmament.
 - We will seek universal adherence to the Hague Code of Conduct against the proliferation of ballistic missiles.
4. We recognise the NPT as the cornerstone of the global non-proliferation regime. We emphasise our commitment to preserve the integrity of the Treaty in all its aspects. We pledge to work together to achieve a successful outcome at the 2005 Review Conference of the Treaty and have agreed to the following steps to strengthen the NPT:
- We will stress the importance of strict compliance with the NPT and continue to promote its universalisation. We recall our decision last year to make the International Atomic Energy Agency's safeguards agreements and Additional Protocols a standard for nuclear cooperation and non-proliferation. We seek universal adherence to comprehensive IAEA safeguards agreements and the Additional Protocol.
 - We will provide the IAEA with the necessary political and financial support, in particular for the rigorous implementation of safeguards and will insist on full transparency by all States, including by States that are subject to safeguards investigations considered by the IAEA Board of Governors.
5. We remain concerned by the risks posed by the potential use of radioactive sources for terrorist purposes. We have resolved to enhance coordination of our efforts to promote radioactive source security and prevent the misuse of sources.
- In this context, we will encourage every country to work towards following the guidance contained in the IAEA Code of Conduct on the Safety and Security of Radioactive Sources as revised last year, in order to strengthen the protection and improve the management of radioactive sources.

- We have agreed to import and export control guidance for radioactive sources and will work towards putting adequate export controls in place by the end of 2005 and apply them in a harmonised and consistent manner. We share the view that high-risk radioactive sources should only be supplied to authorised end-users in States that can control them and that States should take measures to prevent sources from being diverted for illicit use.
 - We are of the same view on the importance of legal and regulatory controls on radioactive sources and will support IAEA efforts to assist countries that need such assistance to establish effective and sustainable controls.
 - We support the IAEA Model Project to Upgrade National Radiation Protection Infrastructures and the recent IAEA draft Action Plan to expand and accelerate Model Project efforts, which will help the ability of participating countries to follow the guidance in the revised Code.
 - We will coordinate our assistance efforts in these areas.
6. We support amending the Convention on the Physical Protection of Nuclear Materials to cover domestic storage, transport and use of nuclear material for peaceful purposes. We will examine ways to strengthen existing controls and guidelines on weapons useable nuclear materials and nuclear facilities used for peaceful purposes.
7. Since last year, we have made significant progress in the area of export control cooperation.
- We will continue to promote, with others, the importance of effective export controls, backed up by criminal sanctions for illicit export and trafficking of sensitive materials for WMD programmes and work for a more efficient sharing of relevant information, in order to prevent illicit transfers. We will undertake additional efforts to identify, control and interdict illegal shipments of WMD and missile-related materials. We will also explore ways to implement appropriate measures in the area of export controls and law enforcement that would contribute to the prevention of the illicit transfer of sensitive equipment and technology. We will work together to further strengthen the export control regimes.

- Underlining the importance of effective export control systems and in the context of UNSCR 1540, we will work to widen international use of the control lists of the existing international control regimes.
 - We welcome recent developments which have seen all remaining EU Member States gain full membership of the Nuclear Suppliers Group and the Australia Group. We are working together to ensure that application for membership by the new EU Member States to the Wassenaar Arrangement and the Missile Technology Control Regime are actively considered in accordance with the respective procedures of those two Groups.
8. We remain committed to cooperating on specific proliferation challenges.
- The DPRK's announced withdrawal from the NPT is unprecedented and of serious concern to us all. The DPRK's pursuit of nuclear weapons, in violation of its international obligations, represents a threat to peace and security, as does the danger that the DPRK might export fissile material or nuclear weapons to dangerous States and terrorist groups. We support the Six-Party Process and call upon the DPRK to return to full compliance with the NPT and completely, verifiably and irreversibly dismantle its nuclear programme, including uranium enrichment and plutonium production.
 - We remain united in our determination to see the proliferation implications of Iran's advanced nuclear program resolved. We are disturbed by Iran's recent announcement of its intention to resume manufacturing and assembly of centrifuges and urge Iran to rethink its decision. We reiterate that Iran must be in full compliance with its NPT obligations and its safeguards agreements. To this end, we reaffirm the IAEA Board of Governors' Iran resolutions, which deplore Iran's insufficient cooperation and call on Iran, inter alia, to cooperate, fully and in a timely and proactive manner, with IAEA investigation of its nuclear programme and suspend all enrichment-related and reprocessing activities.
 - We welcome Libya's decision to abandon, under international verification, its WMD and longer-range missile programs. We note Libya's cooperation with the IAEA, the Organisation for the Prohibition of Chemical Weapons and others, its signature of the Additional Protocol, and accession to the Chemical Weapons Convention and Comprehensive Test Ban Treaty. We will work with Libya to implement these and other non-proliferation commitments.
9. We resolve to continue our work to prevent proliferation activity by both State and non-State actors and to address existing areas of proliferation concern.