STATEMENT AT THE SECOND CLUSTER BY
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EU STATEMENT AT THE SECOND CLUSTER OF THE
2nd PREPARATORY COMMITTEE
OF THE NPT REVIEW CONFERENCE

(GENEVA, 28 APRIL - 9 MAY 2003)

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Mr Chairman,

I have the honour to take the floor on behalf of the European Union. The Acceding Countries, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia, the Associated Countries, Bulgaria, Romania and Turkey and the EFTA countries, Iceland, Liechtenstein and Norway, members of the European Economic Area align themselves with this statement.

1. With this statement the EU will address the issues of non-proliferation, safeguards, protection against nuclear terrorism and other related issues, such as export controls, illicit trafficking, physical protection, and nuclear weapon free zones. In particular, certain significant achievements and developments that have taken place since the last Preparatory Committee and Review Conference will be examined.

SAFEGUARDS

Mr Chairman,

2. The aim of international safeguards is to detect (and thereby deter) the diversion of nuclear material for use in nuclear weapons and, in particular with the measures of the Additional Protocol, provide increased confidence about the absence of undeclared nuclear activities. Therefore, safeguards serve as a technical tool in support of the political goal of sustaining an environment in which there can be peaceful use of nuclear energy without the threat of proliferation. The EU remains fully committed to all the relevant statements in the decision on principles and objectives of nuclear non-proliferation and disarmament adopted by the 1995 NPT review and extension conference and the 2000 Final Document.

STRENGTHENED SAFEGUARDS SYSTEM

3. The IAEA's international safeguards system, as modified through the years of its implementation, is an important part of the global nuclear non-proliferation regime. Its application helps to demonstrate that states are complying with all the provisions of Art. III of the Treaty.

4. The EU re-emphasises its strong support for the verification role of the IAEA. In this respect the EU recognises the need for a properly funded and cost-efficient safeguards system and is prepared to consider increasing the IAEA safeguards budget whenever such requirements can be demonstrated.

5. The adoption and implementation of comprehensive safeguards agreements, and additional protocols to them, is a pre-requisite to an effective and credible safeguards system. In particular, the measures contained in an additional protocol are crucial to strengthening the Agency’s ability to detect possible undeclared nuclear material and activities and provide assurance about the absence of such activities. We therefore note and agree with the comments by the Director-General of the IAEA on Monday 17 March 2003 that the number of Safeguards Agreements and Additional Protocols actually in force continues to be well below expectations. It is a source of regret that 47 states have yet to fulfil their obligations under the NPT to bring Safeguards Agreements
with the Agency into force, and that as of 9 April 2003 Additional Protocols had entered into force for only 32 states. All EU Member States have signed Additional Protocols and have either ratified them or are in the process of doing so - and we hope that the EU protocols will be in force by the end of the year. The EU urges all states that have not yet signed and ratified the additional protocol to do so without delay.

6. The EU strongly supports the necessity of strengthening the safeguards system of the IAEA. The EU would like to emphasise that the IAEA comprehensive safeguards system for non-nuclear weapon states now consists of the agreements under the model INFCIRC/153 and the strengthening measures contained in the Additional Protocol according to the model INFCIRC/540. Adherence to them should be considered an essential means of demonstrating fulfilment of States Parties obligations under Article III of the NPT. The EU considers that IAEA comprehensive safeguards, including the Additional Protocol, constitute the verification standards. As a consequence, the EU urges all States that have not yet signed and ratified the Additional Protocol to do so.

7. The European Union welcomes the fact that the IAEA has finalised the conceptual framework for integrated safeguards. The EU is aware that until integrated safeguards are applied on a large scale, there may be an increase in costs. Nevertheless, we continue to attach great importance to the initially agreed aim of "cost neutrality". In this respect, we consider that the effectiveness and the efficiency of the safeguards system are two inseparable concepts.

8. While nuclear material accountancy including containment and surveillance will continue to play a key role in providing credible assurance of the non-diversion of nuclear material from peaceful activities, the implementation of the Additional Protocol provides the full potential of detecting undeclared nuclear activities. This approach will require the evaluation of a vast range of more diverse information. In the implementation of the new measures, a mechanistic approach should be avoided and more attention should be paid to the qualitative aspects. The process of defining the optimum combination of these measures must be developed on a non-discriminatory basis for states that have comprehensive safeguards and an additional protocol in force.

DPRK

9. As we have already mentioned, the member states of the EU deplore the announcement on 10 January of the DPRK of its intention to withdraw from the NPT. We call upon the DPRK to dismantle its nuclear weapons programme in a verifiable and irreversible manner and meet the requirements of the Non-Proliferation Treaty. Only strict observance of the NPT, including full implementation of comprehensive IAEA safeguards can provide the necessary assurances about the nature of the DPRK's nuclear programmes and demonstrate the DPRK's desire for positive international relations. We note that the IAEA Board of Governors has reported further non-compliance by the DPRK with its safeguards agreements to the UN Security Council. Diplomatic efforts are underway in the region to address the problem, and in that context, we welcome the dialogue which has been initiated in Beijing.

MIDDLE EAST

10. The EU continues to call on Israel to accede to the NPT as a non-nuclear weapons state. We also call on Israel to place its nuclear facilities under IAEA safeguards, and all states in the region to bring into force additional protocols to their safeguards agreements. We also call on Saudi Arabia and the UAE to conclude a comprehensive safeguards
agreement with the IAEA. We call upon all states in the region that have not yet done so to accede to the biological and chemical weapons conventions. In this respect, the EU calls upon states of the region to establish an effectively verifiable zone free of weapons of mass destruction and their delivery.

IRAN

11. The EU reaffirms the inalienable right of all parties to the Treaty to develop the research, production and use of nuclear energy, for peaceful purposes, without discrimination in compliance with the Treaty. However, it must be made absolutely clear that any misuse of civilian nuclear programmes for nuclear weapon purposes is excluded and would constitute violation of the obligations under the Treaty. During the general debate concerns were raised about the nature and advanced state of the nuclear programme in Iran. We note Iran's statement of 29 April 2003 solemnly declaring that it does not seek to acquire nuclear weapons and that it will address in a detailed and substantiated manner the questions, which have been raised on its nuclear programme. We expect and call upon Iran to do so and to co-operate fully with the IAEA; we encourage the DG of the IAEA to rapidly resolve outstanding issues with Iran.

We call upon Iran to conclude, bring into force and implement an Additional Protocol without delay; this would help dissipate concerns, which States Parties have about the Iranian nuclear programme, and would consequently be an important step to restore international confidence.

SOUTH ASIA

12. The EU remains deeply concerned with the situation in South Asia. We, once more, call on India and Pakistan to accede to the NPT as non-nuclear weapons states and to place all their facilities under IAEA safeguards.

INITIATIVES ON EXCESS WEAPONS MATERIAL

13. The European Union reaffirms the importance it attaches to the safe and effective management of fissile material designated as no longer required for defence purposes. We particularly refer to programmes for the disposition of weapons origin material in the US and Russia and arrangements for IAEA verification of that disposition. We recognise the work done by the IAEA, Russia and the US and the Trilateral Initiative and hope that it is finalised as soon as possible.

14. Furthermore, the EU contributes to and welcomes others' involvement in co-operative programmes aimed at providing assistance for safe and secure management and disposition of fissile materials and related facilities.

PLUTONIUM GUIDELINES

15. With the view to promote transparency, the European Union reaffirms the importance of the agreement reached in 1997 among a group of nine countries, including four member states of the European Union, on a set of guidelines for the management of plutonium in all peaceful nuclear activities. Since the conclusion of that agreement, the respective national holdings of civil plutonium are now published annually with the assistance of the IAEA. The EU notes that two of the EU Member States have also published, on a voluntary basis, statements of their civil holdings of high-enriched plutonium.
EXPORT CONTROLS

16. Export controls are a national responsibility, both a right and an obligation of each NPT state party, deriving from Art. III of the Treaty. The EU calls on all states to take collective measures to ensure that exports of sensitive materials, equipment and technologies are subject to an appropriate system of surveillance and control, facilitating nuclear trade and co-operative technological development by providing confidence to suppliers that goods, technology and materials will only be used for peaceful purposes.

17. Coordination of national export control policies contributes significantly to the non-proliferation objectives of the NPT. In this regard, the work of the Zangger Committee was highlighted and welcomed by previous Review Conferences. At last year's Preparatory Committee, states parties to the NPT were urged to base their export control policies on the Committee's technical interpretations of the obligations under Article III.2 as published in IAEA document INFCIRC/209 as amended.

18. The Member States of the EU also play an active role in the Nuclear Suppliers Group. We consider that the work of this group makes an important contribution to the non-proliferation of nuclear weapons. The EU abides by the NSG's requirement that transfers of trigger list items only be made to States which have in place a comprehensive safeguards agreement with the IAEA and welcomes the recent decisions reflecting the role the group can play in preventing nuclear terrorism. We believe it would be most appropriate for the Review Conference in 2005 to welcome and recognise the work of this group in pursuance of the NPT's non-proliferation goals.

19. The EU proposes that all states parties to the NPT follow the understandings of Zangger Committee and the guidelines of the NSG when considering exports of sensitive nuclear materials, equipment and technologies. The EU supports every effort for the achievement of maximum transparency in all nuclear related exports.

PROTECTION AGAINST NUCLEAR TERRORISM

The EU continues to attribute great importance to the fight against terrorism and strongly supports all measures that are aimed at preventing terrorists from acquiring nuclear, biological and chemical weapons. We therefore support the inclusion of an anti-terrorist clause in each of the export control regimes. The EU also supports the principles adopted by the G8 at the Kananaskis Summit in 2002 to prevent terrorists or those that harbour them from acquiring or developing nuclear, chemical, radiological and biological weapons; missiles; and related materials, equipment and technology.

SECURITY OF NUCLEAR MATERIALS, NUCLEAR INSTALLATIONS AND OF OTHER RADIOACTIVE MATERIALS

20. Effective physical protection of nuclear material, civil and military, is of paramount importance. In the civil area, we welcome the fact that the number of state parties to the Convention on the Physical Protection of Nuclear Material stands at 85. We call upon states that have not yet done so to accede to the Convention. The EU welcomes the successfully completed work of the open-ended group of legal and technical experts convened by the IAEA in Vienna to draft a well-defined amendment of the Convention on the Physical Protection of Nuclear Material. An amendment of this Convention, based on the draft achieved by the Legal and Technical Drafting Group, would strengthen the physical protection of nuclear material and nuclear facilities world-wide,
in particular against acts of sabotage, would facilitate international co-operation in this area, and would contribute to non-proliferation of nuclear material.

21. The EU welcomes and appreciates the activities of the IAEA aimed at preventing nuclear terrorism. The IAEA had begun work on this area before the events of 11 September 2001 and has continued with its good work. We note in this regard the March 2003 conference on Security of Radioactive Sources held in Vienna by the IAEA, the United States and Russia. We welcome and support the recommendations made at that conference including:

a) an international initiative aimed at facilitating the location, recovering and securing of "orphan" radioactive sources throughout the world, under the IAEA’s aegis.

b) a concerted effort to follow the principles contained in the Code of Conduct on the Safety and Security of Radioactive Sources.

c) an international initiative under the IAEA’s aegis, to encourage and assist governments in their efforts to establish effective national infrastructures.

d) further national and international actions to identify, search for, recover and secure high-risk sources, strengthen long term control, interdict illicit trafficking, plan the response to radiological emergencies, conduct proactive public outreach and awareness programmes.

22. The EU welcomes the IAEA work in support of states' efforts to combat illicit trafficking in nuclear and other radioactive material and calls upon states to introduce and enforce appropriate measures to that effect.

NUCLEAR WEAPONS FREE ZONES

Mr Chairman,

23. The principles and objectives agreed at the 1995 NPT Review and Extension Conference set a target that additional NWFZ should be created by the year 2000. This target has, to a degree, been met and the international community should continue to promote the establishment of new nuclear weapon free zones. The South East Asian, and the Central Asian NWFZs have made progress and we look forward to the satisfactory completion of consultations with the Nuclear Weapon States. Furthermore, the extension of the Tlatelolco Treaty to the entire Latin American and Caribbean region through the accession of Cuba to the Treaty is a welcome and positive step. However, the African NWFZ is not yet at the stage where it is able to enter into force. We encourage the remaining states to ratify the Treaty, and welcome the ratification of the Protocols of the Treaty of Pelindaba by some of the nuclear weapon states.

24. The EU acknowledges the importance of nuclear-weapon-free zones, established on the basis of arrangements freely achieved among the states of the regions concerned. They enhance global and regional peace and security. We welcome and support both signature and ratification by the nuclear weapon states of the relevant protocols of nuclear weapons free zones.
25. The EU recognises the continuing value of the existing security assurances as provided through the protocols of the nuclear weapons free zones and the unilateral declarations of the nuclear weapon states, noted by UNSC Resolution 984/1995 and reaffirmed at the VI Review Conference, for the Non-Proliferation regime, as confidence building measures towards non-nuclear weapon states parties to the NPT on the use or threat of use of nuclear weapons.

CONCLUSION

26. The EU and its Member States will co-operate in a constructive way in this 2nd Preparatory Committee meeting with the aim of furthering the objectives of nuclear non-proliferation on the basis of the NPT and the decisions of the 1995 and 2000 Conferences as well as last year's Preparatory Committee.

27. Recent years have seen little progress in the field of non-proliferation, but substantive progress in safeguards. The European Union continues to remain unequivocally committed to playing a substantive role towards non-proliferation and disarmament. We hope and expect to be able to report further positive developments in the process leading to the next Review Conference.

Thank you Mr Chairman