Statement by

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Permanent Representative of Germany to the Conference on Disarmament

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Mr President,

First of all, I would like to align myself with the Statement by the EU and with the positions of the NPDI regarding the third pillar of the NPT.

All States Parties to the NPT have the inalienable right to use nuclear energy for peaceful purposes in conformity with their international obligations under Articles I, II and III of the NPT. Germany reiterates its willingness to cooperate with States that meet their nuclear non-proliferation obligations and wish to develop a peaceful civil nuclear programme with full transparency that meets the highest standards of safety, security, non-proliferation and respect for the environment.

We also affirm our support for the IAEA's Technical Cooperation Programme and Peaceful Uses Initiative as an effective means to promote the benefits of nuclear technology in areas such as human health, agriculture, water management and industrial applications, as well as energy to meet the development needs of IAEA Member States.
In line with Action 46 of the 2010 Action Plan, Germany also continues to support the IAEA's Technical Cooperation programme. Capacity-building activities focusing on the safe and effective use of peaceful applications of nuclear energy and nuclear technologies are essential tasks, particularly for countries planning to launch a nuclear power programme. Consequently, in 2014 Germany contributed 4.76 million euros to the Technical Cooperation Fund.

Furthermore, we believe that the IAEA's efforts to ensure the continued high-quality of the work of the nuclear applications laboratories in Vienna/Seibersdorf are of the utmost importance in overcoming current and future needs and challenges in such vital fields as food security and safety, climate change, cancer, environmental monitoring and emergency response. Tasks include research and development, training and the provision of analytical services. In 2014 Germany supported the modernisation of the Agency's Laboratories at Seibersdorf – the so-called ReNuAL project – with an extra budgetary contribution of ca. 1.6 million euros including one Junior Professional Officer. I am pleased to announce that the German Government is seriously considering a further voluntary contribution in 2015 to lend additional support to this project.
Ladies and gentlemen,

The tragic Fukushima accident served as a stern reminder of the risks associated with nuclear technology. This Conference should thus urge all States to support the implementation of the IAEA's Action Plan on Nuclear Safety. It should also welcome the progress made on promoting the implementation of the Convention on Nuclear Safety (CNS), including the February 2015 Vienna Declaration on Nuclear Safety by CNS Contracting Parties. It should emphasise the importance of establishing, implementing and continuously improving national emergency preparedness and response measures.

Nuclear energy programmes profit from multilateral approaches to the nuclear fuel cycle. Germany actively supports this concept, since it can benefit energy security and non-proliferation without distorting the existing well-functioning market. We support the IAEA's work to establish a bank of Low-Enriched Uranium (LEU) in Kazakhstan and urge the conclusion of a Host State Agreement at an early date.
Ladies and gentlemen,
Several delegations have mentioned the need for this Conference also to deal with the right of withdrawal under Article X of the NPT. Germany supports this view. Germany acknowledges the right of withdrawal enshrined in Article X of the NPT. This notwithstanding, the Review Conference should also clarify the importance of preventing the abuse of withdrawal. We welcome the constructive proposals that have been made in this regard.
Furthermore, let me underline our firm view that the right of withdrawal pursuant to Article X may be exercised only in the case of extraordinary events related to the subject matter of the NPT and that the withdrawing State party must give notice of such withdrawal to all other States parties to the treaty and to the Security Council three months in advance, stating the extraordinary events which the withdrawing State party regards as having jeopardised its supreme interests.
In any event, the right of withdrawal is governed by the provisions of the NPT and other relevant international legislation such as the Vienna Convention on the Law of Treaties. Under international law, a withdrawing State party is still liable for violations of the Treaty perpetrated prior to the notification of withdrawal.
To be quite clear: Withdrawal does not affect any right, obligation or legal situation between the withdrawing State party and each of the other States parties created by the implementation of the NPT prior to withdrawal, including those related to IAEA safeguards. Consequently, nuclear materials, equipment and technology acquired by a State party under Article IV prior to withdrawal must remain under IAEA safeguards or fall-back safeguards even after withdrawal. Germany encourages nuclear supplying States parties to exercise their sovereign right to incorporate dismantling or return clauses or fall-back safeguards in the event of withdrawal into contracts and any other arrangements concluded with other States parties.

Thank you!