



**2005 Review Conference  
of the States Parties to the  
Treaty on the Non-Proliferation of Nuclear  
Weapons**

**Main Committee II**

**Statement by H.E. Mr Patrick Villemur  
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to the Office of the United Nations and International Organizations  
in Vienna**

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**(Translated from French – Only the original French text may be considered official)**

Mr. Chairman,

Please allow me first of all to express to you my very sincere congratulations for your election to the chairmanship of this committee. My delegation wishes to assure you of its full support in carrying out your important functions. It will spare no effort to contribute, under your authority, to the success of the work of this committee.

The French delegation also wishes to associate itself to the declaration pronounced on behalf of the European Union by the Luxemburg Presidency.

Mr. Chairman,

This Review Conference is being held in a context characterized by the revelation, since the previous conference, of several crises, related to proliferation and to the non respect of commitments, which raise important questions that are as yet unanswered. This highlights the development of new threats that weigh on international peace and security. The revelation of past failures, some of which have fortunately been corrected by the States in cooperation with IAEA, the discovery of an international nuclear trafficking network, have created a climate that could durably affect the confidence we place in the non-proliferation regime.

This places us at the very heart of the challenges facing this Conference. The success of this gathering will be seen if all the States parties can together prove their capacity to adapt to these types of challenges to international security, while preserving the fundamental balances of the NPT.

This is all the more important because most studies show that the world's energy needs will experience strong growth in the coming years and that nuclear energy will provide an essential contribution to meeting those needs in the context of sustainable development

It is therefore important to prepare the ground so that international cooperation may experience the development called for in article IV of the treaty, to which France is especially attached. The right to this cooperation is [in fact] not an absolute right, because it supposes that beneficiary countries respect the obligations called for in the Treaty and that they indeed pursue in good faith peaceful purposes.

Mr. Chairman,

In this context, the Non Proliferation Treaty remains for us the cornerstone of the regime for fighting the proliferation of nuclear weapons while encouraging the development of peaceful uses of nuclear energy.

Almost all States are party to the NPT, a situation which makes it one of the major legal instruments recognized by the international community. The accession to the Treaty of new countries such as Cuba in 2002 and East Timor in 2003 are, from this point of view, most welcome and contribute to bringing us closer to the goal of universality.

Mr. Chairman,

The NPT is an instrument that is all the more essential in that it institutes a safeguards regime that must be materialized by comprehensive safeguards agreement according to article III.

We have noted that since the previous review conference in 2000, 13 new States (Albania, Burkina Faso, Cameroon, Cuba, Georgia, Kuwait, Kirghizstan, Laos, Mali, Seychelles, Tadjikistan, United Arab Emirates) have brought into force a comprehensive safeguards agreement.

There are nevertheless 49 States that have yet to bring into force such an agreement, even if some of them have already signed one.

France calls on all those States who have not yet done so to conclude, as soon as possible, a comprehensive safeguards agreement with the IAEA and to bring it to force.

The universality of the comprehensive safeguards systems must remain a priority so that the IAEA may discharge, in the best conditions, the tasks required, according to the NPT for the implementation of safeguards.

France supports the action of the IAEA and underlines the importance of the comprehensive safeguards system.

Mr. Chairman,

The implementation of a comprehensive safeguards agreement is an essential first step in the implementation of an effective safeguards systems.

The adoption by the Board of Governors, on May 15, 1997, of the Model Additional Protocol is an essential element in the strengthening process.

In compliance with the commitment it made during the review conference of 2000, France has implemented internal procedures that have led to the ratification of its additional protocol.

It came into force on April 30, 2004, at the same time as those concluded by all the Member States of the European Union and the European Atomic Energy Community.

The declarations required under this protocol have already been sent to the Agency, be it the initial declaration or the quarterly declarations.

In this way France intends to play a significant role in supporting the Agency in the strengthening of the safeguards system. France also wishes to recall that all its civilian installations are placed under the control of Euratom.

It has moreover contributed to the steps taken at an international level by the IAEA, the European Union and the G8 to ensure the promotion of comprehensive safeguard agreements and additional protocols. It has actively participated in this process through its diplomatic action and its participation in the seminars organized by the Agency, in particular for African and Indian Ocean countries.

To date, 65 States have an additional protocol in force and 25 others have signed such a protocol. This represents significant progress since the Review Conference of 2000.

France will pursue its efforts in this regard and calls on all States that have yet to do so to sign and enforce an additional protocol at the earliest possible date. It is of the view that the standard of verification is now, for the States concerned, the implementation of a comprehensive safeguards agreement and of an additional protocol.

France also supports the work of the IAEA to establish a system of integrated safeguards that make it possible to better adapt the modalities of control to the reality of the situations encountered.

These steps, once finalized, will enable the Agency to improve the efficiency of the system and provide an optimum response to the expectations of the international community. France has for its part supported the Agency's regular budget increase during this phase of implementation of the integrated safeguards system that requires a large initial effort on the part of the Agency.

France also continues to be associated with actions that strengthen the Agency's safeguards through its support programme, and the provision of its expertise.

Mr. Chairman,

If some progress has been observed since the previous NPT review conference, this assessment has nevertheless regrettably been sullied by the actions of certain States, which have defied the international community.

Any breach to its obligations by a State shakes international confidence and harms the development of international cooperation, prejudicing the large majority of States who abide in good faith by their obligations.

Libya, for many years, failed to keep its obligations under the terms of the Treaty and of its safeguards agreement, and developed a clandestine nuclear weapons programme. The Libyan Authorities nevertheless decided to reveal this situation and put an end to it. They renounced any development of weapons of mass destruction and, in the nuclear field, decided to fully cooperate with the Agency on an objective of transparency. In March 2004 they also signed an additional protocol, accepting that its provisions be implemented pending modification. Such steps need to be warmly welcomed and encouraged. They open the way to the development of international cooperation with Tripoli.

Such situations are evidence once again of the importance of giving the IAEA more effective means for detecting clandestine nuclear activities, in particular through additional protocols.

Mr. Chairman,

We would have wished that this review of the failures and difficulties encountered in recent years were limited to the cases just mentioned. Regrettably, other situations continue to be a source of concern. Bearing in mind the risks they entail for international peace and security, it is essential that everything be done to deal with these issues.

Mr. Chairman,

The most worrisome case is that of North Korea.

North Korea has resumed its military and proliferating nuclear activities, refusing any international verifications. It is sending out a highly negative signal to the other States that are party to the NPT, which believe in the value of this instrument of collective security and abide with their non-proliferation commitments.

The North Korean programme, undertaken outside of this international framework, constitutes a threat to international peace and security, particularly for the region.

France continues to wish/call for a peaceful solution based on dialogue and strongly supports the resumption of the six-party talks at the earliest.

The solution to be found must be within a multilateral framework, for it is the whole of the international community that is concerned by this situation. It will require a full, irreversible and verifiable dismantling of the North Korean programme.

Mr. Chairman,

Another case worries us and that is the Islamic Republic of Iran.

We are also concerned about the Islamic republic of Iran.

Suspicious about the real finality of Iran's nuclear programme have been reinforced by successive public revelations about clandestine activities pursued continuously by Tehran over the last 20 years in violation of its international commitments and by using clandestine nuclear proliferation networks.

The IAEA is currently pursuing its verification activities of Iran's nuclear activities. Some issues related to these activities remain unsolved and the Agency has not concluded its work and still isn't in a position to assess that there are no undeclared nuclear activities in Iran.

Since August 2003, with our British and German partners, we have engaged a dialogue with Iran and an agreement has been formally concluded in Paris on November 15, 2004. Under this agreement, Iran has committed to suspend all activities related to uranium enrichment and reprocessing. This suspension must be complete, verified by the IAEA and sustained until the conclusion of a global agreement. It's a long-term confidence building measure.

The IAEA's Board of Governors resolution adopted by consensus on November 29, 2004 reflects the terms and the spirit of the Paris agreement. It takes note of the fact that the suspension shall be completed and verified by the Agency and underlines the vital importance of its respect by Iran. Sustaining a full suspension is essential to the pursuit of the process.

In the light of this, we are concerned by the statements made by a number of senior Iranian officials suggesting that some activities covered by the voluntary suspension might soon be re-started. Iran should be in no doubt that any such change to the suspension would be a clear breach of the Paris agreement and of the IAEA resolutions. It would bring the negotiating process to an end. The consequences beyond could only be negative for Iran.

Mr. Chairman,

It is in everyone's interest that the NPT be preserved as it is a balanced legal framework that allows the development of peaceful nuclear activities while respecting non-proliferation objectives.

This will require strengthening the system in such a way that dialogue is not excluded, yet without challenging the founding principles of the Treaty. I have already given our opinion on the strengthening of the safeguard system; I would like now to propose several complementary measures.

It is unacceptable that nuclear technologies, materials or equipment, acquired for peaceful purposes in this legal framework, should subsequently be used for military purposes, in the context of proliferating programmes, after a possible withdrawal from the Treaty.

It must be absolutely clear that commitments underwritten by States cannot be abolished by a simple withdrawal from the Treaty.

In these conditions, the technologies, materials or equipment transferred or acquired by a State under the NPT must keep the peaceful nature that initially motivated their supply or transfer.

Thus the party that would assume the responsibility of challenging the conditions of such a commitment should alone bear the consequences and return the equipment and technologies thus supplied, unless it once again accepts the control of the international community.

In addition, over and above these commitments, the withdrawal from the NPT could itself constitute a threat to international security and as such is the

competency of the United Nations Security Council, in view of its responsibility for maintaining international peace and security.

Mr. Chairman,

Strengthening the non-proliferation regime is a priority which must necessarily involve strengthening of international cooperation.

This increased cooperation will make it possible to identify and limit transfers of proliferating equipment or technologies. The IAEA, as already shown in the past, has an important role to play in this area.

Moreover, a rigorous control of exports is an essential condition for the development of nuclear trade. The emergence of industrial capacity in the nuclear sector among a growing number of States requires more than ever the adoption by the largest number of parties of a set of common shared exports guidelines. In this regard, the role played by the Zangger committee in the implementation of the provisions of article III-2, is to be welcomed. This Committee could in fact undertake some initiatives with a view to universalizing the general principles governing the exports control.

However, the rules for controlling exports must be adapted and strictly consistent with all the obligations imposed by the Treaty. It is this constant goal concern that guides France in the actions it undertakes among the Nuclear Suppliers Group that we understand as being an essential instrument for promoting a credible and balanced approach to export controls.

In order to strengthening and facilitating the implementation of article IV of the NPT, France considers that nuclear cooperation should be suspended when the IAEA is not in a position to provide sufficient assurances as to the exclusively peaceful nature of a State's nuclear programme. The Agency's Board of Governors could call on all the States to implement such a suspension, based on a report from the Director General. The suspension might, as the case may be, be made [rendered] universal and mandatory for all by the Security Council. It would not however be automatic in cases where the State in question accepts to undertake corrective measures with the support of the IAEA.

Concerning the most sensitive technologies, particularly those relative to enrichment, reprocessing, and heavy water production and production, their possible transfer should be evaluated based on a series of criteria in connection with the goals of the Treaty, so that it might benefit those countries that effectively need it, which are in a position to receive them and have demonstrated/confirmed their long-term commitment to non-proliferation.

At the same time, the States that are not developing a complete fuel cycle should receive guarantees of access to the enrichment and reprocessing markets. Finally, access to non sensitive technologies should be made more flexible and the corresponding rules should re-examined in this light, in particular for developing countries.

Mr. Chairman,

The most recent events are a cause of serious concern.

Yet I would like to close this speech on a note of optimism.

The NPT is a balanced tool that is beneficial to the international community, inasmuch as it establishes a non-proliferation framework the respect of which non-proliferation rules which enables the development of peaceful uses of nuclear energy to be developed.

This balance is however fragile and it is in everyone's interest to provide for its long-term preservation by accepting and respecting its principles.

The development of Agency's capacities for detecting clandestine nuclear activities, first and foremost the additional protocol, should allow to strengthen the effectiveness of safeguards in a changing environment. The Agency must also have the means that will allow it to react firmly and effectively to any possible failures.

In these conditions, the principle of universality is more than ever of primary importance and must be applied in the implementation of comprehensive safeguards agreement and additional protocols.

Good cooperation between States is equally essential for preserving this general balance.

Mr. Chairman,

France supports unreservedly all efforts undertaken to fight against the proliferation of nuclear weapons and first among these are the activities of the IAEA. It calls on all the States to work with determination in the same direction, for the security and benefit of all.

Mr. Chairman, thank you for your attention.