

**First Meeting of the Preparatory Committee for the 2010 NPT Review
Conference
(Vienna, 30 April - 11 May 2007)**

**Statement by the Head of the French delegation
Cluster 3**

Mr. Chairman,

1. The French delegation wishes to begin by associating itself with the statement made in the name of the European Union by the German presidency.

Mr. Chairman,

2. A major issue for the early 21st century is how to satisfy growing energy needs. Nuclear energy can enable us to cope with the demand while at the same time reducing the use of fossil fuels, reserves of which are now limited, providing a widely available form of energy that is economic and protective of the environment. Unlike fossil fuels, nuclear energy produces neither greenhouse gases nor atmospheric pollution. Nuclear technologies can provide major benefits for development in the fields of health, food and agriculture, access to water and energy, protection of the environment, in a context of sustainable development.
3. In the current energy context, there is an upsurge in vitality for nuclear energy. An increasing number of countries choose to use nuclear energy to assure the sustainable development of their economy, considering in particular its advantages in terms of security of energy supply, its contribution to the combat against climate change, in addition to competitiveness and price stability. This is especially true for developing countries.
4. In this respect, we welcome the fact that the most recent General Conference of the International Atomic Energy Agency adopted an innovative resolution reaffirming this role and defining new prospects for the future.
5. In this context, France, attaching considerable importance as it does to the development of nuclear civilian applications, takes very particular interest in the debate on the peaceful uses of nuclear power. It intends to endeavour to ensure that the provisions of Article IV of the Treaty are given full effect.
6. France considers that access to civilian nuclear technologies must benefit as many States as possible so long as they comply with the undertakings they have given on non-proliferation and the implementation of IAEA safeguards, conducting their activities in good faith for peaceful purposes.
7. France is particularly attentive to the needs expressed by developing countries. In this spirit, my country is cooperating with a growing number of countries and institutions, testifying in doing so to its commitment to promotion of peaceful uses of the atom and to implementation of Article IV of the Treaty. Our action can be

seen at the international and national levels as well as in initiatives undertaken within the framework of the European Union.

Mr. Chairman,

8. Article IV of the NPT recognises the right of the States Parties to benefit from the development of nuclear energy for peaceful purposes and from international cooperation in this domain, but it also makes clear that that right is not unconditional. This fundamental article of the Treaty emphasises that the right can be legitimately exercised only if three conditions are met:
 - The State Party must be pursuing “peaceful purposes” in good faith;
 - It must abide by Articles I and II of the Treaty;
 - It must also implement IAEA safeguards in accordance with Article III of the Treaty.
9. As this right currently stands, a Non-Nuclear Weapons State does not have to demonstrate that the activities conducted by it are in fact for “peaceful purposes” in order to benefit from its rights under Article IV of the NPT. It is the task of the IAEA as part of the implementation of its system of safeguards to provide assurances that the beneficiary State is not in breach of the obligation incumbent upon it to refrain from diverting nuclear materials for non peaceful purposes. In compliance with Article III of the Treaty, that State is under an obligation to enable the Agency to carry out its verification activities. The result of the provisions of the Treaty is that a NNWS can exercise its right to develop research, production and use of nuclear energy only if it meets all its commitments with regard to the Agency.
10. Indeed, under no circumstances must the right to peaceful use, to which France is particularly attached, serve as a cover for the diversion of nuclear technologies, equipment or materials, or for activities of clandestine character whose purposes run counter to the aims of the Treaty.

Mr. Chairman,

11. We can but observe that the recent crises relating to proliferation and failure to comply with undertakings could affect the climate of confidence essential to the full and entire implementation of the provisions contained in Article IV. It is necessary at this point to mention the issues raised by Iran and North Korea.
12. The Iranian nuclear programme does not meet the conditions laid down by Article IV for exercise of the right to nuclear energy:
 - The exclusively peaceful purpose of this programme cannot be established. It should also be observed that Iran, in order to develop sensitive technologies, has made use of a clandestine proliferation network based in a State not party to the NPT.
 - Alongside this, Iran has not complied with the undertakings it has given on non-proliferation under the terms of its Safeguards Agreement, as has been formally placed on record by the IAEA in the reports of its Director General since 2003 and in resolutions adopted by its Board of Governors. The resolution of the Board of Governors of 24 September 2005 stipulates that *“Iran’s many failures and breaches of its obligations to comply with its NPT Safeguards Agreement, as detailed in GOV/2003/75, constitute non compliance in the context of Article XII.C of the Agency’s Statute”*.

- And lastly, it could be considered that Iran is in breach of its obligations under Article II of the NPT given the existence, as has been formally noted in the reports of the IAEA, of undeniable evidence of links with a clandestine proliferation network in connection with items entering into the construction of a weapon, thus showing that Iran may or may not have sought, but in any event received assistance for the production of nuclear weapons.
13. In light of the above, it could be considered that Iran is currently no longer in a position to claim entitlement to the rights defined by Article IV of the NPT. After the IAEA placed formally on record that Iran was not in compliance with its Safeguards Agreement and that it was not possible to be confident of the purpose of the Iranian nuclear programme, the Security Council stipulated that Iran must take the steps required by the Board of Governors of the IAEA, suspend its activities connected with enrichment and reprocessing, including research and development, in addition to all work on heavy-water related projects, subject to IAEA verification, in order to re-establish confidence.
 14. As underlined in the proposal made by Mr Solana on behalf of six countries, the return to a normal situation will be possible if the IAEA confirms that all pending issues and concerns it reported, including activities with a potential military dimension, were solved and if it is confirmed that there is no undeclared activities or nuclear materials in Iran, and that international confidence has been recovered on the fact that the Iranian nuclear program is only for peaceful purposes.
 15. This reasoning is *a fortiori* equally applicable to North Korea. That country is in breach of its non-proliferation obligations and is not pursuing peaceful purposes, as it once again demonstrated on 9 October last by announcing that it had carried out a nuclear test. In its resolution 1718, adopted unanimously by its members, the Security Council therefore decided that North Korea must abandon all its existing nuclear programmes in a complete, irreversible and verifiable manner. We support the process of negotiation currently under way in order so that North Korea complies with its obligations under resolution 1718 and returns to the fold of the international community. We call upon it to comply with all its undertakings in connection with the Six-Party Talks, as contained in the declaration of 13 February.

Mr. Chairman,

16. For the vast majority of States Parties, and notably those in the developing world, the issue of non-compliance with the NPT, or the lack of peaceful purpose, does not arise. It is in their interest, in order to preserve their rights to the full, that we must show no weakness in dealing with those who fail to abide by the common rule.
17. Among the conditions to be met for the development of peaceful applications of nuclear energy, compliance with obligations regarding non-proliferation and security of nuclear materials is more than ever one of the major challenges to be addressed by the international community. In order to meet those challenges, a clear overview is necessary, taking into account not only the central nature of the NPT but also the responsibilities of the Security Council, the role of international conventions and the nuclear supplier groups, in addition to other initiatives directed at the same ends.

18. Effective, transparent and non-discriminatory export controls, an efficient safeguards system providing credible and reliable assurances, and flawless security all constitute the foundation of international action to prevent risks of proliferation, illicit trafficking in nuclear and radioactive materials, possible acts of nuclear terrorism and to combat non-State proliferation networks.
19. France welcomes the resumption of reflection on multilateral fuel cycle initiatives aimed at assisting the development nuclear electricity generation around the world under conditions capable of guaranteeing compliance with non-proliferation requirements. France, which contributed, along with five other nations supplying enrichment services, to the definition of a concept of multilateral assurances of access to nuclear fuel, also welcomes the fact that other proposals, most of them of complementary nature, have been put forward to the international community and are helping take forward reflection on the means for avoiding dissemination of the most sensitive nuclear technologies, against the backdrop of a revival of the nuclear sector. In pursuing its consideration of this subject, my country will endeavour to promote pragmatic solutions that reflect economic reality and conform to the most stringent safety requirements and responsible waste management, this being necessary for acceptance by public opinion, while at the same time keeping in mind that the particular risks associated with the dissemination of such technologies justify a specific approach.

Mr. Chairman,

20. The security and safety of peaceful uses of nuclear energy constitute the second imperative precondition for the development of cooperation. These concerns are at the heart of public perception of the many contributions that peaceful applications of atomic energy can make to humanity's development.
21. The risk of the use of nuclear or radioactive materials for the purposes of terrorism is another concern that recent events have done nothing to alleviate. The international community must continue to mobilise to improve the situation wherever necessary, starting out from the high level already applicable to nuclear activities especially through the Global Initiative to Combat Nuclear Terrorism launched in Rabat in October 2006 in which the number of participating States is constantly increasing.
22. Safety and physical protection issues at the core of the European Union statement with which France fully associates itself. I will here concentrate on the safety of transport of radioactive material and recall that the International Conference on Safety of Transport of Radioactive Material, which was organised by the IAEA in Vienna in July 2003, underlined the spotless historical outcome of such transports and emphasized the quality of existing safety standards for this transports. The transports that have taken place since then continued to take place in excellent conditions.
23. Nevertheless we continue to conduct dialogue and consultations with our partners and coastal States concerned with the aim of improving confidence and mutual understanding.

Mr. Chairman,

24. The final imperative is transparency. Development of the nuclear sector is inconceivable in the absence of political will and support from the general public. Where France is concerned, my country is determined to pursue the efforts already begun to ensure transparency, especially in the area of safety. With regard to nuclear materials, France is a member of the group of countries that are signatories of the guidelines adopted on civilian plutonium management and as such publishes annual reports on the status of its civilian stockpiles. My country is also convinced that the management of civilian stockpiles of highly enriched uranium would benefit from the adoption of similar guidelines. Therefore, it also sends each year already to the IAEA on a voluntary basis and without adopted guidelines its statistics on civilian HEU that it possesses. France invites all States possessing such materials to follow this approach based on transparency and responsibility.

Mr. Chairman,

25. Now that this framework is in place, we must work together for the development of the peaceful uses of nuclear energy that will enable the community of nations to find solutions to the formidable economic, human and environmental challenges to come.

26. For its part, France has been pursuing for over 30 years now a responsible energy policy within a system of diversified supply based to a large extent on the production of nuclear energy. The 58 power reactors in operation have assured over 78% of our electricity production. The French authorities have reaffirmed that the nuclear sector will continue to enjoy an acknowledged place in the future energy landscape of France, while at the same time expanding the role allotted to renewable energy sources.

27. The French legislative framework relating to nuclear energy also underwent major changes in 2006. This new framework aims to respond to the people's concerns on safety, transparency and settle the necessary tools to allow an adequate management of nuclear material and waste compulsory for a long-term use of this energy. It is within this strengthened legislative framework that France is pursuing an ambitious and responsible energy strategy focused on the future.

28. In the same way, international cooperation is essential for the design of a new generation of reactors that are more competitive, safer, productive of less long-lived radioactive waste and more resistant to proliferation. In this context, France, which is currently chairing the Generation IV International Forum, will be pursuing its efforts with its partners to encourage and to organise on a fair basis operational international cooperation to produce the "technological bricks" for the nuclear sector of the future.

29. France has always attached the greatest importance to activities to promote the IAEA and provides vigorous support for the technical cooperation programme. This commitment can be seen in terms of expertise in hosting interns and providing professional training, especially in the area of radioprotection.

30. France also finances major projects directly and French specialists are contributors to expert missions in very many areas. Our commitment is also demonstrated by the

complete and regular payment of our contribution to the technical cooperation fund. We invite all States to do likewise.

31. Along with other States possessing nuclear technology and expertise, France has notably contributed to the funding of a technical meeting/workshop held by the IAEA last December on the question of what infrastructures are required to underpin the introduction of safe and efficient nuclear energy for countries envisaging the start-up of a civilian nuclear programme. This meeting highlighted the long-term structural importance of commitments to launching nuclear programmes, which bring with them responsibilities on the part of the State, notably in the areas of safety and security, which cannot be delegated to others.

Mr. Chairman,

32. In conclusion, I must again affirm the importance my country attaches to nuclear energy used in the service of progress and within the framework of sustainable development that is protective of human beings and the planet. The implementation of dynamic international cooperation will enable a growing number of countries to benefit from peaceful applications of the atom.
33. The development of the peaceful uses of nuclear energy is an essential issue for the 21st century. If the international community is to come together around this generous concept and if it is to make real the vision of "Atoms for Peace", a climate of confidence will be required. To create that climate, assurances are necessary that nuclear programmes are being conducted in good faith for peaceful purposes, and on compliance with undertakings given on non-proliferation and enhanced safety and transparency.

I thank you, Mr. Chairman.