



**COUNCIL OF THE  
EUROPEAN UNION**

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**The future of the Nuclear Non-Proliferation Treaty**

**The approach of the EU to  
nuclear non-proliferation and disarmament**

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Paul Henri Spaak Building (PHS), Room 1A02

**Check against delivery.  
Seul le texte délivré fait foi.  
Es gilt das gesprochene Wort.**

- It will not surprise you if I start by recalling that in the EU we have the greatest variety of different views and interests among our Member States which can have an impact on the way they approach the NPT issues. What may not be sufficiently acknowledged today is that this apparent sign of weakness can in fact strengthen the EU's positions in the multilateral context.

Indeed, we have in the EU Nuclear Weapons States, Non Nuclear Weapons States, NATO Members as well as Non Members, two Members of the New Agenda Coalition, countries with a neutral foreign policy background, countries which develop nuclear energy programmes and those who chose not to promote such an energy source.

- This has always made it difficult for the EU to define its position with regard **especially to two of the three main pillars of the NPT:** nuclear disarmament and the development of the peaceful uses of nuclear energy - nuclear non-proliferation being the third pillar. This is why the EU, in the UN framework and in the NPT Review Process in particular, defends positions that are the result of sometimes long and difficult negotiations. Unfortunately, these were too often the result of a minima compromises and contained therefore only the least common denominator on some difficult issues.
- In 2003, despite these differences, and perhaps even with the help of this variety of thoughts amongst EU Members, the EU was able to create a new momentum and to define a common approach, based on the European Security Strategy and the EU

WMD Strategy. On the NPT issue, these texts were complemented by the **EU Common Position adopted in April 2005** to prepare for the last NPT Review Conference.

I. **This landmark achievement was possible because of several reasons:**

↪ **Iraq experience:** there was a sense of urgency to reflect more together in the EU on the threat of proliferation of WMD so as to avoid in the future another such a deep division within the EU.

↪ **Support for effective multilateralism:** there was a shared recognition of the most important common ground between all EU Member States: the EU's support for international treaties and organisations, and the imperative of prevention and cooperation in order to ensure effective compliance with the rules and commitments.

↪ **Coming closer in the threat perception and analysis:** over the years, despite the difference of status between EU Member States, it had appeared very clearly that EU Member States were coming together in their common perceptions of security threats in particular related to WMD. I can illustrate this with a few examples:

In the 90's, no one in the EU except France - and to a lesser degree the UK-, worried so much about the disclosure of a **covert nuclear programme in Algeria**, based on the supply by

China of a plutonium-producing research reactor in Ain Oussera. On the other side of Europe, the neighbours of the USSR / Russia were the most worried about the **continued stationing by Moscow of nuclear tactical warheads**, in particular in Kaliningrad. Today, this **geographical perceptions gap** begins to be removed, even if we certainly need to continue to make a collective effort to think globally and to develop a growing sense for the need to develop the role of the **EU as a global actor**. But a fact is that today all EU Member States are increasingly worried about the **nuclear and ballistic programmes of Iran**, which could target European territory. This factor, together also with the **common fear of a possible connection between international terrorism and WMD**, especially after 11 September 2001, Atosha and the London blasts, has brought all the EU Member States to focus more collectively their attention to non-proliferation of WMD.

**II. The main principles on which the European Security Strategy and the EU WMD Strategy are based, in relation to the NPT, are the following:**

- ↪ **"The NPT must be preserved in its integrity".** The EU supports therefore the equal importance of the **three pillars of the NPT (nuclear disarmament, non-proliferation and the development of the peaceful uses of nuclear energy)**, and in addition stresses the utmost importance of **compliance by**

States Parties with the NPT as well as their continued effort to achieve **universal adherence** to the Treaty.

↪ The EU "will put particular emphasis on a policy reinforcing **compliance with the multilateral treaty regime**" "The EU is ready to enhance its support to verification agencies" like the **IAEA** and "supports the establishment of additional international verification mechanism, as well as the use if necessary of non-routine inspections under international control" (e.g. special inspections by the IAEA).

↪ "The EU is committed to **strengthening export control policies and practices** within its borders and beyond, in coordination with partners". "It will **advocate adherence to effective export control criteria by countries outside the existing regimes and arrangements**". The EU is also mainstreaming this particular objective in its relations with third states, by negotiating **WMD-clauses in all cooperation and trade agreements**, with a view to establish a cooperative relationship in these areas.

↪ "The EU supports enhancing the **physical protection of nuclear materials and facilities**" and recognises that "Non-Proliferation, disarmament and arms control can make an essential contribution in the **global fight against terrorism** by reducing the risk of non state actors gaining access to WMD, radioactive materials and means of delivery". The EU takes this very seriously and has devoted up to now considerable effort to **support in particular IAEA technical assistance to**

third states in order to reinforce physical protection, measures to fight against illicit trafficking of nuclear and radiological materials and for the implementation of the IAEA additional protocol.

**III. The EU has on this basis agreed last year a most constructive and forward looking approach on the NPT: the 2005 EU Common Position on NPT**

Its main elements constitute a good basis also in the future work in the NPT PrepCom and Review Process, which can reconcile many constructive views among the UN membership (even many moderate NAM countries have supported this document):

- ↪ Support for implementation of both the 1995 Principles and Objectives and 2000 Final Documents;
- ↪ Recognition of the essential role of the NPT as a foundation for the pursuit of disarmament in accordance of article VI of the NPT;
- ↪ support for universal accession to the NPT;
- ↪ Absolute necessity of full compliance with all the provisions of the NPT;
- ↪ calling all States in the Middle-East to establish a WMD Free Zone;
- ↪ acknowledging the nuclear arms reductions which have taken place since the end of the cold war...

- ↪ ...but stressing also the need for an overall reduction in nuclear arsenals in the pursuit of a gradual, systematic nuclear disarmament under Article VI of the NPT;
- ↪ stressing in particular the need for more progress in reduction of arsenals from Russia and the US, in particular to implement the 1991 Bush/Gorbachev declarations on unilateral reductions in their stocks of tactical weapons;
- ↪ pursuing efforts to secure transparency, as a voluntary confidence-building measure to support further progress in disarmament;
- ↪ reaffirming the CTBT as an essential part of the nuclear disarmament and non-proliferation regime, calling therefore on all States which have not yet done so to sign and ratify it and, in the meantime, to adopt a moratorium on testing;
- ↪ calling for the negotiation of an FMCT without preconditions and bearing in mind the Shannon-report and the mandate included therein, and welcoming the moratoria established by those of the NWS who have done so (including FR and UK);
- ↪ pursuing consideration of the issue of security assurances to the non NWS of the NPT;
- ↪ recognising the right of States Parties to the NPT to nuclear energy for peaceful purposes, in accordance with article IV, with due regard for Articles I, II and III of the Treaty (compliance).

#### IV What should the EU do for the next PrepCom process?

- We should focus on the main shortcomings in the implementation of the 1995 and 2000 NPT Final Documents, which means essentially: **early entry into force of the CTBT, the commencement of negotiations of a FMCT, and meanwhile a moratorium by all Nuclear Weapons States**, which have not yet done so, and those States capable outside the Treaty, on **nuclear testing** and on the **production of fissile material for explosive purposes**. *We need to do our utmost effort to bring some results on CTBT and/or FMCT before the next NPT Review Conference.*
- The EU should also be able to talk to the US and Russia, and to continue to promote the implementation of past commitments on **tactical non strategic nuclear weapons**, as well as the **full implementation and verification of the Moscow Treaty for strategic weapons**.
- In order to get movement on the FMCT at the CD, we need to bridge the gap between CD members on this **difficult issue** of the **CD programme of work**. How can we find a formula that would fit all? Perhaps the EU could play collectively a role in trying to get flexibility on all sides in order to overcome the stalemate for almost 10 years which was created by linkages between different subjects (nuclear disarmament, prevention of arms race in outer space and fissile material cut off treaty).



- We should also, on the basis of the 2005 Common Position, try to **play a constructive role in the NPT Review process**, which will start next year at the first PrepCom in Vienna. We need to continue to consolidate the broadest support and therefore **continue to strengthen in the EU our own sense for common interests and priorities and elaborate a common strategy accordingly**.
  
- The **example of the US-India nuclear cooperation deal** shows how much a divided EU loses leverage to contribute effectively to the strategy of our major partners. We have not been consulted by the US. Within the EU, we are on our side still not able to reflect collectively on the best ways to recognise the growing energy needs of India, an important strategic partner, while ensuring the best situation with regard to the international non proliferation regime. We therefore still need on both sides of the EU spectrum of views the recognition of the importance to reflect all 25 together on these issues and to act as a global actor.

In conclusion, I think that with the EU WMD Strategy and the 2005 NPT Common Position, **we have the basis to further develop our common approach**, thus are able to avoid the deep divergences of views we experienced in the past, and not only on such difficult cases like Iraq. I think that the **negotiations on the Iranian nuclear issue give today a perfect example** of how we can correct this. **The fact that we have a variety of different status and views inside the EU on non proliferation and disarmament gives some strength to the EU positions**. They are the result of compromises which can reconcile views also in the rest of the UN membership. But there is a condition to that: these **positions**

**should genuinely upgrade common interest, should therefore be forward-looking and operational, just like the 2003 EU WMD Strategy.**

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