

Statement to the 49th IAEA General Conference
On behalf of the European Union
By the UK Governor to the IAEA, Mr Robert Wright

Vienna, 26 September 2005



**Statement by the United Kingdom
on behalf of the European Union to the IAEA
General Conference**

I have the honour to speak on behalf of the European Union. The Acceding Countries Bulgaria and Romania, the Candidate Countries Croatia¹ and Turkey, as well as the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, and Serbia and Montenegro and the Efta countries Iceland and Norway, members of the European Economic Area, as well as Moldova and Ukraine, associate themselves with the statement.

I would like to congratulate you on your election as President of this Forty Ninth General Conference of the IAEA and to assure you, the Members of the Bureau and the Secretariat, of the European Union's full support for your efforts to make this a successful conference.

¹ Croatia continues to be part of the Stabilisation and Association Pact



Conscious of the need for brevity, the EU will follow past practice and circulate a fuller, written version of my statement.

Mr President,

The EU believes that the most important challenge to non proliferation currently faced by the international community is non-compliance with the NPT and the safeguards obligations stemming from that Treaty. We hoped that the NPT Review Conference would send a clear message about these issues. We regret that despite the efforts of the Conference President, the European Union, and other States parties, the NPT Review Conference was unable to produce a consensus document on substantive points under discussion. The European Union contributed actively to the efforts, with a view to adoption of such a consensus text

The European Union is fully committed to the NPT and the three mutually reinforcing pillars on which it is based. In April this year, the European Union agreed a Common Position. Working on the basis of this Common Position, the EU not only made proposals for language in the three Main Committees, but also presented working papers on the question of Treaty withdrawal and the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction-Cooperative Threat reduction.



I would like also to take this opportunity to reaffirm comments made by the Presidency in New York on 27 May that to contribute to a better operation of the NPT, we should consider holding the first Preparatory Committee meeting, in 2007, in Vienna.

Mr President,

The EU hoped that the NPT Review Conference would send a clear message on a number of issues that relate to the work of the IAEA. One of these concerns IAEA safeguards.

The aim of international safeguards is to detect and therefore to deter the diversion of nuclear materials for use in nuclear weapons, and, particularly with the provisions of the Additional Protocol, to increase confidence in the absence of non-declared nuclear activities and materials. The safeguards obligations for non-nuclear weapon States enshrined in Article III of the NPT have the aim of providing the international community with an assurance that non-nuclear weapon States Parties are not manufacturing nuclear weapons or other nuclear explosive devices.

As a result, safeguards are a technical tool in support of the political goal of sustaining an environment in which nuclear energy may be used for peaceful purposes, complying with Articles I, II and III of the Treaty.

We therefore regret that 37 States Parties, which do not have Comprehensive Safeguards Agreements with the IAEA, still have to fulfil this basic obligation under the



NPT. The Agency is unable to give assurances for those States. We believe that every State should fulfil its obligations and contribute to the reinforcement of the international non-proliferation regime. We again urge those 37 States to conclude such agreements.

But we believe that States must do more and go beyond that basic step. We are all aware that some states with a CSA in force have still developed clandestine nuclear programmes. These experiences have shown the limitations inherent in the Comprehensive Safeguards Agreements; such agreements do not provide the IAEA with the necessary means to detect undeclared nuclear activities and related material. The IAEA can only give credible assurances of the absence of undeclared nuclear activities in a country if that country has an Additional Protocol in force.

Eight years after the adoption of the model Additional Protocol, despite the agreement reached at the 2000 NPT Review Conference and calls at IAEA General Conferences that Additional Protocols should be implemented by all States Parties to the NPT, an Additional Protocol has not been brought into force by 123 States. This constitutes an important non-proliferation deficit. The EU urges all states not yet having done so, to sign, ratify and implement an Additional Protocol without further delay.

Let me make it clear. The European Union considers that Comprehensive Safeguards Agreements together with Additional Protocols constitute the current IAEA verification standard. We believe that the universalisation of the Additional Protocols would strengthen the international non-proliferation and disarmament regime and would contribute to the security of all States. In addition, it would greatly increase the



confidence necessary for enhanced international cooperation in the peaceful uses of nuclear energy.

We therefore support the recommendation in the report by the United Nations High-Level Panel on Threats, Challenges and Change, namely that the International Atomic Energy Agency (IAEA) Board of Governors should recognise IAEA Comprehensive Safeguards Agreements and their Additional Protocols as today's IAEA safeguards standard. A recommendation repeated in the UN Secretary General's report, "In Larger Freedom: Towards Security, Development and Human Rights for All". We have submitted a draft resolution to this Conference seeking to put this recommendation in to effect.

In this connection, the EU also shares the Director General's view that the Small Quantities Protocol as it stood represented a weakness in the Safeguards System. The EU therefore welcomes the steps taken at the recent meeting of the Board of Governors to address that weakness. We call on all States with SQPs to conclude an exchange of letters with the Director General to give effect to the standardised text and modified criteria.

Mr President,

In recent years, the IAEA has had to address a number of challenges to the Safeguards System. I would like to mention two in particular: the DPRK and Iran.



First, on the DPRK, the EU welcomes the joint statement, issued on 19 September by the participants in the Six Party Talks. We look forward to early implementation of the commitments made by the Parties at the talks and the establishment of effective verification arrangements. The EU has supported the Six Party Talks throughout and remains ready to assist in whatever way we can. The EU welcomes the co-operation and flexibility shown by the participants and in particular appreciates the efforts of the People's Republic of China in hosting the talks.

In contrast, the EU has set out its views on the Iranian nuclear programme on a number of occasions since the Director General brought the matter to the attention of the Board of Governors some two years ago.

We are all familiar with the history since the DG reported that Iran had concealed many aspects of its nuclear activities with resultant breaches of its obligation to comply with the provisions of its safeguards agreement.

It is clear that over the past two years, Iran has failed to honour its commitments – commitments which made it possible for the Board to hold back from reporting to the Security Council and others, in November 2003, the non-compliance reported to it by the Secretariat. Iran has not engaged in full cooperation with the IAEA to address and resolve through full transparency all requirements and outstanding issues of the Agency. Having taken over a year to get round to suspending all enrichment-related and reprocessing activities, Iran, in defiance of clear Board requests, abandoned that



suspension well before the resolution by the Agency of all the issues arising from its non-compliance.

We therefore welcome the adoption by the Board of the resolution on 24 September and urge Iran to implement the confidence building measures set out in that resolution to enable the resumption of negotiations in the context of the framework agreed between Europe and Iran last November.

Mr President,

In November last year, the Board of Governors was invited to take note of a report summarising the outcome of the review of the Safeguards programme conducted by a panel of independent external evaluators and a review of the Safeguards Criteria carried out by SAGSI. Both reviews recommended that the Secretariat continued to look to enhance its cooperation with State (or Regional) Systems of Accountancy and Control. The EU strongly supports such cooperation and looks forward to the European Commission and the IAEA Secretariat working closely together on changes to the existing safeguards' arrangements.

In the light of comments made by the Director General and recent experiences with undeclared activities, the EU supported the decision taken by the June Board to create a Committee on Safeguards and Verification with the main objective of recommending to the Board ways and means to strengthen the IAEA safeguards system. The EU



believes that a positive outcome to this process will further enhance the credibility and effectiveness of the Agency's safeguards and verification activities.

We note the conclusion of the Director General that the uranium enrichment programmes of Iran and Libya share common elements and that the basic technology is very similar and was largely obtained from the same foreign sources. This is a matter of serious concern. We therefore fully endorse his call for full cooperation from all States in identifying the supply routes and sources of the technology and related equipment and nuclear and non-nuclear materials.

We attach great importance to strong national and internationally coordinated export controls. The examples that I mentioned earlier have demonstrated the need for us to reinforce our efforts to tackle illicit trafficking and procurement networks and to address the issue of involvement of non-state actors in the proliferation of WMD manufacturing technology. In this context, we welcome the efforts made throughout the world to dismantle such networks; such efforts must continue.

The European Union therefore welcomed the adoption on 28 April 2004 of the first Security Council Resolution on the proliferation of weapons of mass destruction. Resolution 1540 stresses the international community's determination urgently to confront a real threat, namely the fact that such arms or materials could fall into the hands of terrorists or other non-state actors.



The EU continues to attribute great importance to the fight against terrorism, the continuing urgency and importance of which has been underlined by the tragic events of recent years. The EU strongly supports all measures that are aimed at preventing terrorists from acquiring nuclear, biological, chemical and radiological weapons and their means of delivery. We therefore supported and welcomed the inclusion of an anti-terrorist clause in each of the export control regimes. We also welcome efforts in other fora such as the G8 to prevent terrorists or those that harbour them from acquiring or developing weapons of mass destruction, missiles and related equipment and technology. We call upon all States to take effective measures to address the problem of diversion of and trafficking in WMD materials, and of the participation of non-state actors in proliferation of WMD.

The EU supports the Proliferation Security Initiative known as the Krakow Initiative which has established itself as an important instrument providing an effective contribution to the effort against proliferation.

The EU also welcomes the UN General Assembly's unanimous adoption of the Convention on the Suppression of Acts of Nuclear Terrorism. It hopes that all States will sign and ratify the convention as soon as possible.

While the primary responsibility for the necessary nuclear security rests with Member States, the Agency clearly has an essential role to play in preventing and combating nuclear terrorism. The EU welcomes and appreciates the activities of the IAEA in this area and through Council Joint Actions adopted in 2004 and 2005 is providing financial



support to the IAEA's activities. As an indication of the importance that we place on this issue, the EU will again co-sponsor a resolution on Nuclear Security at this General Conference.

The IAEA had, of course, begun work on this area before the events of 11 September 2001 and has continued with its good work. In this connection, the EU stresses the importance of the recent Conference organised by the IAEA in London in March 2005.

That conference noted that the CPPNM was one of the instruments that underpins the international nuclear security framework. The EU therefore warmly welcomes the successful outcome of the recent Conference to amend the CPPNM and urges all parties to ensure that the amendment to the Convention enters into force as soon as possible. In addition, we call upon all States that have not yet done so to adhere to the CPPNM, and its amendment and, until such time as the amendment has entered into force, for all states to act in accordance with the object and purpose of the amendment.

Mr President,

The EU attaches the utmost importance to a high level of nuclear safety worldwide. Although safety is a national responsibility, it has implications beyond national boundaries and international co-operation on this issue is indispensable. The Agency, through its statutory programme for establishing safety standards, has long been a recognised forum for such international co-operation. We welcome the adoption in March of the Safety Requirements on the Safety of Research Reactors.



Nuclear safety is a permanent concern of the international community and its continuous improvement should be the aim of all IAEA Member States. The Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management are recognised as incentive conventions involving review mechanisms that highlight the importance of continuous safety improvement and of fostering international co-operation regarding safety related matters. The EU, reflecting the spirit of the two Conventions, has undertaken action to establish and maintain a high level of nuclear safety in the Union, including where the decommissioning of nuclear and radiation installations and the management of radioactive waste is concerned.

In this connection, we welcome the successful outcome of the review meeting of the Convention on Nuclear Safety which took place in April this year and look forward to the Extraordinary meeting, in November, of Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. We will work at that meeting to enhance the operation of the Joint Convention.

The EU encourages all States, which have not yet become Contracting Parties to these Conventions, to do so as soon as possible.

The EU notes progress in the implementation of the Action Plan for the Safety of Transport of Radioactive Material, approved by the Board of Governors last year, and



welcomes the recent publication of the 2005 Edition of the Agency's Transport Regulations (TS R 1), as well as the revised policy for future publications or updates of these regulations, as approved by the June meeting of the Board. The EU emphasises the usefulness of the TranSAS service as a means of promoting the strict application of the Transport Regulations, and welcomes the intention to carry out a mission to Japan later this year. The EU notes with appreciation the ongoing work of the INLEX group, to which EU Member States are actively contributing.

The EU stresses the importance of the conference on the safety and security of radioactive sources which took place in Bordeaux from 27 June to 1 July. This conference discussed, amongst other issues, the need for periodic exchange of information on the implementation of the Code of Conduct on the Safety and Security of Radioactive Sources that IAEA Member States adopted in 2003. All EU Member States are working towards following the guidance contained in the Code in the framework of the binding European legislation. The EU urges all countries to inform the IAEA Director General of their political commitments to support the Code. The EU supports also international guidance for the import and export of radioactive sources in accordance with the Code of Conduct.

Mr President,

My previous comments highlighted the need to have the highest possible levels of safety, safeguards, and security in all aspects of nuclear applications. Some may complain that they are an impediment to the inalienable right of all parties to the NPT



to the peaceful use of nuclear energy. This is not the case since the right to peaceful use can only be exercised in conformity with NPT obligations. If certain conditions are not met, States will show reluctance to engage in increased peaceful nuclear cooperation for the benefit of economic and social development.

These factors are also relevant in the light of the current attention being devoted to nuclear enrichment and reprocessing technologies by the international community; attention in part due to the dual-use nature (civilian and military) of these technologies. The EU believes it is important to encourage access guarantees to nuclear-fuel-related services or to the fuel itself, under appropriate conditions. We note the report by the Director General's Expert Group on multilateral approaches to the nuclear fuel cycle and encourage the Secretariat to initiate discussions on taking forward the recommendations of the Expert Group, in particular to investigate the prospects for furthering work on fuel assurances.

Mr President,

The EU has spoken on a number of occasions about the need to ensure that the IAEA has the financial and human resources necessary in order to meet effectively its responsibilities in the areas of technical cooperation. The 25 Member States of the EU provide a significant proportion of the voluntary contributions to its Technical Cooperation Fund. We note the comments made by the Deputy Director General for Technical Cooperation in her statement to the June Board about the level of TC funding, particularly the growth in extra-budgetary resources and National Participation



Costs. We again encourage the Secretariat to ensure that TC funds are spent first and foremost in developing countries that have actually contributed to the TCF and that show no arrears in their APC's or NPC's. We similarly stress the importance of the swift harmonisation of the programme cycles of the Regular Budget and the TC Budget.

Conscious of the obligations under Article VI, the EU is engaged in many technical cooperation programmes which contribute to the peaceful uses of nuclear energy by all States party to the NPT and in particular to the requirements of developing countries. The EU works closely with the IAEA Secretariat and the other States Parties in implementing a programme on established and emerging nuclear techniques, such as the "sterile insect technique" in Africa, Latin America and the Mediterranean region, and landmine detection techniques, which we hope will contribute to play a part in our efforts to eradicate this evil in mine-affected post-conflict areas. We also support the research being done into the possibility of using the sterile-insect technique to eradicate paludism and malaria, as well as research into the use of nuclear techniques against infectious diseases, such as tuberculosis and HIV/AIDS, with the aim of improving health, food security and economic development in many regions of the world.

We also appreciate the Secretariat's efforts to address the growing problem of cancer, particularly regarding radiotherapy and radio-diagnosis, as well as in developing countries through the PACT programme.



The EU again encourages the IAEA to continue its efforts by applying the methodology described below to resolve the problems that exist in the various priority areas of cooperation:

(a) model projects based on demand and needs;

(b) national programming frameworks for the process of selecting projects, including a financial contribution in accordance with IAEA rules;

(c) thematic planning to ensure a decisive impact on human health, agricultural development, industrial applications, radiological protection, self-sufficiency and sustainability;

(d) the adoption of projects that meet the central criterion of the IAEA Strategy.

The EU welcomes the increasing importance that the IAEA programmes attach to assisting beneficiary countries to improve the safety of their nuclear facilities, including during the decommissioning phase, as well the safety and security of their nuclear materials and radioactive waste.

The EU welcomes the launch by the IAEA of education and training programmes that will contribute to the updating of nuclear knowledge so as to meet the needs of both developing and developed countries. We also appreciate the IAEA's role as a



Founding Supporter of the World Nuclear University.

In addition to comments made earlier about our contribution to technical cooperation, the EU is also engaged in many assistance programmes, which contribute to the peaceful uses of nuclear energy by all States Parties to the NPT. By way of example, the following activities deserve mention:

- a Joint Action with the Russian Federation for the conversion of surplus nuclear weapons material into nuclear fuel for civilian use;
- a Joint Action for the support of the physical protection of a nuclear site in the Russian Federation;
- assistance to countries to enhance their export controls;
- nuclear safety and security assistance for States of the former Soviet Union on the basis of the TACIS programme, and for EU Candidate States on the basis of the PHARE programme.

Moreover, in accordance with the European Union's Strategy against the Proliferation of Weapons of Mass Destruction, adopted by our Heads of State and Government in December 2003, the European Union has taken a series of cooperation measures, notably Joint Actions in support of IAEA activities in the field of nuclear safety and verification, including assistance to third countries for the enhancement of the security



and safety of their nuclear facilities and the protection of highly radioactive sources and in combating illicit trafficking in nuclear and radioactive materials.

Mr President,

The Agency has put in place a programme to try to alleviate the problems of an organisation under stress that were identified in 2003. We continue to support the Director General's efforts to improve the efficiency and effectiveness of the Agency and to encourage the Secretariat to develop a strong management and a clear definition of cross cutting activities. The Secretariat is helped in this process by the recommendations of the External Auditor. We encourage him to continue his constructive relationship with the Agency.

The Agency needs the political support of its Member States. But it cannot continue to function without their financial contributions. EU Member States contribute a substantial share of the regular budget and provide significant voluntary contributions. We again call on all states to contribute in full, and on time, to the regular budget and likewise to contribute to voluntary funds.

The EU is closely following the development of innovative projects in the field of nuclear reactors and fuel cycles, which may lead to new approaches to the fundamental issues, namely safety, non-proliferation and the minimisation of radioactive waste. The Union approves of the IAEA's role in helping Member States, at their request, to draw up projects, whether in the field of using nuclear energy to



produce electricity or in the application of nuclear energy in the fields of health, industry, agriculture and research. We encourage the Agency to work closely with other international initiatives in this area

INPRO is an example of one way in which the Agency is looking to the future. There are other examples. In March this year, the IAEA organised an International Ministerial Conference on “Nuclear Power for the 21st Century” which took place in Paris. In his Final Statement, the President of the Conference concluded that a wide range of different views were expressed and that a vast majority of participants affirmed that nuclear power can make a major contribution to meeting energy needs and sustaining the world’s development in the 21st century, for a large number of both developed and developing countries that wish to exercise that option. However, the conference also recognised that certain conditions have to be met including non-proliferation, safety and security issues.

Mr President,

Over the eight years of Dr ElBaradei’s tenure, the IAEA has had to deal with a number of challenging and difficult situations. On each occasion, the Director General has striven to uphold the best traditions of the Agency, and of international civil service, and to respond in a balanced and measured way to the demands placed upon him. The media may focus on the Agency’s role as “the UN’s nuclear watchdog” but to call it such is to do a disservice to the multi-faceted role that the Agency plays in promoting the three pillars of the Statute. The EU welcomes this conference’s approval, by



consensus, of the Board's recommendation to appoint Dr ElBaradei as Director General for a further four years. The EU is confident that the Agency, under his skilled and proven leadership will continue to meet the high standards that he has set and that all countries will receive the watchful support of an efficient, effective and dynamic IAEA.

Thank you, Mr President.

