



Translated from the French

## **Declaration by France on behalf of the European Union**

**Delivered by Mr Luc Chatel, Minister of State for Industry and Consumer Affairs, Government spokesperson**

### **52nd General Conference of the International Atomic Energy Agency**

Mr Chairman,

1. I have the honour of speaking on behalf of the European Union. The candidate countries Croatia, the former Yugoslavian Republic of Macedonia, and Turkey, the countries of the stabilisation and association process and potential candidates Albania, Bosnia-Herzegovina and Montenegro, as well as Iceland, member of the European Economic Area, and the Republic of Moldova, Georgia and Ukraine, associate themselves with this declaration.
2. I should like to congratulate you on your election to the Chairmanship of this 52<sup>nd</sup> General Conference of the IAEA. It goes without saying that you can count on the unfailing support of the European Union. I should also like to thank our hosts, Austria for their welcome, and the Director General and the Secretariat for their impartial and professional work.

#### **The European Union and the IAEA**

3. The IAEA is an absolutely crucial agency for the European Union. It is, therefore, not surprising that the EU and its member states constitute the **prime contributor**, not only to the regular budget of the agency, but also to its technical cooperation fund and to its nuclear security fund. The EU is also one of the two first contributors to the Agency's program for the fight against cancer.
4. This financial contribution illustrates the high priority, for the EU, **of the mandate of this Agency**: to increase the contribution of nuclear energy to peace, health and prosperity,

ensure that the nuclear activities are not diverted to military purposes; to spread throughout the world a safety culture and rigorous safety standards; to avert the risk of nuclear terrorism.

### **Regional crises and the non-proliferation regime**

Mr Chairman,

5. Since 2003, this Agency has been at the heart of efforts to resolve one of the main challenges to international security, I am speaking about the **Iranian nuclear programme**. Let us be clear: the international community cannot accept the prospect of Iran acquiring nuclear weapons. The IAEA has a mandate: to unceasingly pursue its enquiry into what is a 20 year history of concealment, to enlighten us as to the possible military dimensions of this programme and to determine its nature. The IAEA cannot resolve this crisis alone. It is incumbent upon Iran to shed light on its programme, to return to application of the additional protocol, to open the doors of its facilities, to give access to persons and to documents and to answer all the questions posed by the inspectors. Iran must implement the resolutions of the Board of Governors and of the Security Council of the United Nations. It must suspend its enrichment of uranium. Our task, as Member States, is to provide the solid support which this Agency needs, by ensuring that its irreplaceable instruments – safeguards, the additional protocol, the modified code 3.1, and transparency – are not dangerously eroded. The European Union wants this Agency to continue and intensify its action in Iran. We must combine all our efforts, in Vienna, New York and elsewhere. I welcome in this regard the adoption by the Security Council of the United Nations of its resolution 1835 the day before last.
6. There is another non-proliferation crisis, **in North Korea**. It hardly needs to be repeated, this country has also violated its safeguards agreements. Once its clandestine programme had been revealed, it also engaged in multilateral negotiations. At the same time, it continued work on a nuclear military programme in secret. It fuelled the international nuclear black market and pursued an active ballistic programme. It then declared that it was withdrawing from the NPT. The Six-Parties talks have enabled some progress to be made, which we support, in particular the Joint Declaration of 2005. And, nearly 2 years ago, in October 2006, the DPRK declared that it had carried out a nuclear test. Since then, the international community, and first and foremost the five countries which are in dialogue with North Korea, have been trying to avoid worst case scenarios. We call on North Korea to implement the decisions of the Security Council, to dismantle its nuclear facilities, in a verifiable and

irreversible way, and to abandon its military quality fissile material. We want the IAEA could be in a position to assume its full role in this process.

7. The European Union has noted the declarations made by the Director-General of the IAEA at the last two meetings of the Board of Governors concerning the fact-finding mission carried out in **Syria**. The Union is concerned by the fact that Syria did not answer all of the Agency's questions. It encourages Syria to grant any access requested and to answer any questions posed by the Agency. It asks the Secretariat to pursue its investigations until such time as it can send the Board of Governors a full report.
  
8. I wish now to speak about one of the positive developments in the field of non-proliferation: **Libya**. Its leaders have taken a courageous decision, that of abandoning their clandestine military nuclear programme and of cooperating with the IAEA. Libya is implementing an additional protocol and has accepted transparency to a degree which exceeds what is required by the additional protocol. The European Union welcomes the Libyan decision and congratulates Libya on the positive elements contained in the recent report by the Director-General. This report sheds light on another extremely worrying aspect of proliferation. The clandestine networks that supply nuclear items and technologies. The European Union reminds the conference that by virtue of resolution 1540 of the Security Council of the United Nations, it is the responsibility of each state to take the necessary measures in order to prevent and repress illegal nuclear transfers.

### **Safeguards and non-proliferation**

Mr Chairman,

9. The nuclear non-proliferation regime is based in the first instance on the Agency's **system of safeguards**. There must be guarantees that the nuclear activities declared by the States are not diverted to military ends. We know also that we must have assurances that States do not carry out undeclared activities, clandestine ones. This is why the European Union is once more calling for universalisation of comprehensive safeguards agreements and of the additional protocol, which together constitute, in our eyes, the verification standard. Let us recognize the fact that this Agency will not be able to completely fulfil its functions until all Member States have an additional protocol in force. This Agency must also have the human and technical resources necessary for the accomplishment of its verification work; I am thinking in particular of its laboratories at Seibersdorf. The European Union actively supports

the Agency's safeguards system by means of eight national programmes and one programme organised by the European commission.

10. Remember, this Agency must be able to act efficiently in order to accomplish the verification mission given to it by the **Treaty on the Non-Proliferation of Nuclear Weapons**. The NPT remains the cornerstone of the non-proliferation regime, the essential basis for the pursuit of nuclear disarmament and of the development of nuclear energy for peaceful uses. These three pillars – non-proliferation, nuclear disarmament, peaceful uses, - are mutually supportive. This is why the European Union is attached to the idea of progress in these fields. It wishes every success to the NPT 2010 review conference, in which it will participate actively. This success will need to build on the work of the first and second preparatory committees and on the input of the next preparatory committee, which will meet in New York in spring 2009.
11. And now allow me to say a few words about a key player in the field of non-proliferation, the **United Nations Security Council**. As guarantor of international peace and security, it is the role of the Security Council to take the necessary measures when a state violates its commitments under the NPT and its safeguards agreements. The Security Council is, *de facto* and in law, an indispensable partner of the IAEA.
12. Our responsibility is, however, to act upstream in order to prevent the risks of proliferation and of illegal transfers. At a time when the number of nuclear technology and dual-use exporting countries is increasing, States must strengthen their **export control** capabilities. In this respect, supplier groups play an important role in guaranteeing a common and transparent framework for export policies.

### **Nuclear energy**

Mr Chairman,

13. The present context of concerns linked to energy security of supply and climate change have led a number of countries to re-examine their energy policies. Also, while stressing that each country is free to do define its energy strategy, the European Council has adopted a "**global action plan on energy**" for 2007-2009 which refers to the contribution of nuclear energy in responding to these different challenges, including nuclear safety, nuclear security and radioactive waste management requirements.

14. In order to complete this plan, the European commission will produce a **Strategic report on energy** by November 2008. At the same time, it is working on a revision of the 2007 **Illustrative Nuclear Programme for the Community**, and which deals in particular with the responsible development of nuclear energy.
15. I would remind you that several important projects were launched in 2007 :
- The **High-level group on nuclear safety** and waste management, which adopted an ambitious work schedule, will submit its final report in 2009.
  - Two meetings of the **European Forum on nuclear energy** took place, in **November 2007 and May 2008** in Bratislava and Prague. Very well attended, they were the scene of open, high-level debates on nuclear energy.
  - The strategic research agenda known as the “**technological platform**” on nuclear energy and lean carbon technologies should be available by the end of the year.
16. The IAEA remains the body the best qualified to ensure the responsible use of the inalienable right of each country to the peaceful use of nuclear energy, a right which remains conditioned by the observance of non proliferation commitments and the *bona fide* pursuit of activities for peaceful purposes. In this context, the European Union congratulates the Agency for its assistance with the deployment of the nuclear **infrastructures** required for the safe and effective implementation of nuclear energy.
17. Finally, we congratulate the IAEA on its work on the INPRO project for the development of innovative systems for fuel cycles and reactors, which could lead to significant improvements in terms of non-proliferation, safety and reduction of radioactive waste volumes.

### Nuclear safety

Mr Chairman,

18. Nuclear safety is the subject of constant attention by the European Union. At the present time, the EU is examining new measures and its Member States continue to step up their efforts in this field. The EU congratulates the IAEA on its recent work, in particular by the **Commission on safety standards** which the European Union intends to take full account of. It encourages all States with nuclear facilities to call on the Agency’s expertise and to invite peer-review missions (OSART & IRRS).

19. The European Union is at present examining a communication paper from the European commission dated June this year and entitled: "Addressing the international challenge of nuclear safety and security". In this context and thanks to the **Instrument of cooperation on nuclear safety** (INSC) funded with 524 million euros, the Union proposes to make technical expertise available to countries with nuclear activities. This aim is part of the mandate of the Agency, and clearly we wish to avoid redundancies and work with the Agency, including the funding of any actions which it takes in this field.
20. The European Union encourages all countries which are envisaging the civil nuclear option for the first time to co-operate with the IAEA and to implement its recommendations. The European Union calls on all States which are envisaging the development of nuclear capabilities to **sign and ratify all international agreements and instruments in this field**, notably the Convention on Nuclear Safety, the Joint Convention [on the safety of spent fuel and radioactive waste management] and the Code of conduct on the safety and security of radioactive sources. The EU recalls that nuclear safety remains a responsibility of the States and that the responsible development of nuclear energy must take place within the framework of international law. The EU asks Iran, the only country to build a nuclear power station without being party to the Convention on Nuclear Safety, to sign up to it before start-up of the Bousher power plant.
21. Neither am I forgetting the importance of the **safety and security of transport** of radioactive materials, including transborder transport. The European Union appreciates the work of the IAEA in this field and recognizes the great utility of the evaluation missions known as "Transas". The EU mentions the recent creation of a European association of authorities competent in the field of radioactive materials transport.

### **Nuclear security**

Mr Chairman,

22. In the field of nuclear security also, we should be constantly vigilant. It is vital that all nuclear facilities and materials be secured in accordance with the **strictest criteria**. States must take all necessary measures to avoid nuclear and radioactive materials falling into the hands of traffickers or terrorists. In the legal field, this involves, amongst other things, the signature and ratification of the amendment to the Convention on the physical protection of nuclear materials and of the Convention on the suppression of acts of nuclear terrorism. The

European Union also welcomes the Global Initiative to Combat Nuclear Terrorism (GICNT), in which all its Member States participate.

23. Nuclear security also involves full co-operation with the IAEA. The European Union is convinced of this as the leading contributor to the Agency's **Nuclear Security Fund**, whose work it recognizes, and is launching its fourth joint action in support of the IAEA in this field. Enlargement to include inter alia South-East Asia will increase the number of States benefiting from European Union's support. The European Commission also intends to encourage a true nuclear safety and security culture by means of its Stability instrument for the period 2007-2013.
24. The European Union calls on all the member states of this Agency to participate in the **Illicit Trafficking Database** and to consider contribution to the Nuclear security fund. The European Union is expecting the Conference on nuclear security which will be held here next spring to enable the drafting of a list of priorities for future action by this Agency.

### International cooperation

Mr Chairman,

25. Today, as I speak, a special event is being organised on the creation of a **fuel bank**, under the auspices of the IAEA, which should to benefit its Member States and confirm the right to the peaceful use of nuclear energy. I have the pleasure of announcing to you that the European Union is attentively examining the possibility of making a financial contribution to this ambitious project initiated by the NGO Nuclear Threat Initiative (NTI). This project could constitute a first stage in the implementation of an idea which has been in preparation for a long time and which merits further development, notably by means of an indepth dialogue with the Member States. The European Union will wish to participate, through a detailed study, in the drafting of the precise parameters applicable to this Bank. Several member states of the Union have also proposed additional and complementary multilateral projects.
26. I would like to mention another ambitious project, that of research into nuclear fusion under the **ITER** framework. Launched under the auspices of the IAEA, the ITER project, in which the European Union actively participates and which is located in Europe, is well underway.

## Technical cooperation

Mr Chairman,

27. There is a subject on which we all agree, which is the importance of the **technical cooperation** which the member States of the IAEA enjoy. As I have said, the European Union is the leading donor both to the technical cooperation fund and in terms of voluntary contributions. This indicates the importance the EU attaches to it. Technical cooperation must have the necessary financial resources. It must also be constantly adjusted in order to respond to the requirements of the beneficiaries, as well as to those of nuclear safety, security and non-proliferation. This is why technical cooperation deserves a substantial debate, with a view to further increasing its efficiency and effectiveness. Technical cooperation deserves a true revival, on a partnership basis. We are pleased in this respect with the contacts which have been made between the Director-General of this Agency and the European Commissioner responsible for Development with a view to launching a cooperation programme.

28. The European Union considers that technical cooperation should benefit all, including **less advanced countries**, taking into account fair geographical distribution.

29. I am not forgetting the **nuclear applications** developed by this Agency and which contribute to health, agriculture and development. The EU welcomes the work of the IAEA in this field, whether it be, for instance, the programme on the fight against cancer, or the efforts to eradicate harmful insects.

Mr Chairman,

30. I would like to say a few words about **the future of this Agency**. At the initiative of its Director-general, a study was carried out. A Commission of eminent persons met and recommendations were made. The European Union recognizes the importance of prospective studies. It is ready to enter into a dialogue concerning ways of reinforcing the Agency from the point of view of its statutory mandate. It is, however, clear that any such prospective study cannot be a substitute for the work of the decision-making bodies of the Agency.

31. In conclusion, rest assured Mr Chairman, that you will find in the European Union a determined defender of the IAEA, which is so indispensable to the responsible development of nuclear energy and to international security. Be sure also that you will be able to count with the European Union on an open partner, convinced of the necessity of preserving what has come to be known as **"the Vienna spirit"**.

Thank you Mr Chairman,