

*Statement by Mr. Martin Briens, Director, Nuclear Nonproliferation Department*

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### **International efforts to strengthen the nonproliferation regime**

Chairman Tierney, Ranking Member Shays, members of the subcommittee, thank you for giving me this opportunity to speak before you today. It is a great honour for me to be here.

The issue we are going to talk about this morning is one of the most important for our future : WMD proliferation. If there is one area in which multilateralism has to be effective, it is the fight against proliferation, given the potential consequences of a proliferated world. Balance of terror effectively prevented direct confrontation between the US and the USSR in a bipolar world, but would that really be the case in a world with many nuclear-armed countries possessing long-range missiles ? The threat of WMD terrorism, not so likely but with potentially devastating consequences, makes the case for a robust international effort to prevent and to stop WMD proliferation even stronger.

Let me start first by trying to assess the health status of the nonproliferation regime, before laying out some ways to strengthen it.

1) There are two ways to interpret the current state of the nonproliferation regime.

\* An optimistic one : the darkest predictions from the past have proven wrong.

- Nuclear proliferation has been mostly contained. We have only two hard-cases left, Iran and North Korea. During the Cold War, the US and the USSR weighed in to prevent their allies from acquiring nuclear weapons. After the fall of the Berlin Wall, several countries gave up their nuclear programs. The NPT was indefinitely extended in 1995 and only three countries are holding out of it.

- The first Gulf war in 1991 severely slowed down the Iraqi WMD programs and it turns out today that the pressure from the combination of inspections and sanctions in the next ten years prevented Iraq from seriously restarting its WMD efforts.

- Libya, caught red-handed in 2003, subsequently gave up its WMD programs. And the United Nations Security Council has played a much more active role in the last twelve months, passing two resolutions on North Korea and three on Iran, almost all of them unanimously.

\* Now let us turn to the pessimistic assesment : Cassandras are warning that the proliferators are winning and that the nonproliferation regime might be on the verge of collapse.

- Until now, the nonproliferation regime has not succeeded in reining in the North Korean and

the Iranian programs, neither did it prevent the Indian, Pakistani and North Korean tests, nor did it deter North Korea from announcing its withdrawal from the NPT.

- the discovery of the AQ Khan network, the Ikea of proliferation, has also cast a doubt on the ability of traditional multilateral institutions to respond to the challenge of transnational networks.

- very little progress has been made over the past 15 years in the chemical, biological and missile fields, with the exception of Libya.

- there is not much progress either on the multilateral front : no major multilateral nonproliferation or disarmament agreement has been adopted since 1996 and the conclusion of the CTBT.

\* Today, the nonproliferation regime is facing five challenges :

- the on-going North Korean and Iranian nuclear programs

- its own weaknesses : there is no multilateral norm governing missile proliferation, nor any standing verification mechanisms in the missile and biological areas.

- some legitimacy concerns, arising from perceptions of discrimination between haves and have-nots.

- the spread of science and technology in a globalized economy. I will mention for instance the likely development of nuclear power, as an answer to energy security and climate change concerns.

- a lack of effectiveness against new proliferation strategies : cooperation among proliferators, use of non-state networks, etc.

2. What can we do now to respond to these challenges and hence to prevent an erosion of the nuclear nonproliferation regime ?

\* The health of the nonproliferation regime will hinge upon the way we deal with the North-Korean and the Iranian challenges.

- The UNSC adopted resolution 1718 in the wake of the proclaimed North Korean nuclear test. It is important for the credibility of the Security Council and of the nonproliferation regime to make sure it is implemented. The goal of the six party-talks if they resume as we all hope should remain the complete, verifiable and irreversible of North Korea nuclear weapons programs.

- After Iran did not comply to the UNSC request to suspend its uranium enrichment activities,

the UNSC agreed twice in four months to take measures to encourage Iran to go back to the negotiating table. With Iran openly defying the UNSC demands by refusing to return to suspension, we have no choice left but to raise the pressure on the Iranian regime. At the same time the door to negotiations remains open, should Iran take the right decision and come back to the full suspension of its enrichment and reprocessing related activities, as required by the international community.

- What will be most needed will be, on the part of all nations, a collective will to address the nonproliferation challenge, and to find a way back to collective security. We must make full use of the possibilities provided to us by the UN Charter and the UNSC to ensure compliance with the nonproliferation regime and to strengthen it. It is extremely important from a political point of view : we must show that WMD proliferation is not a problem for a coalition of Western countries, but for the international community as a whole.

\* Beyond these two hard cases, a number of steps can be taken to improve the nonproliferation regime :

- increase the cost of non-compliance. France for instance has tabled a proposal to make withdrawal from the NPT more difficult. We should also strengthen verification mechanisms, by fully supporting the IAEA and the OPCW.

- adopting new norms such as a fissile material cut-off at the Conference on disarmament in Geneva. France, like the US, is in favor of opening the negotiation of such a Treaty as soon as possible.

- The G8 Global Partnership can certainly be streamlined and made more efficient.

- We must make sure that the development of nuclear energy in the world is not going to lead to more proliferation, which means limiting access to the most sensitive fuel cycle technologies.

Rather than forbidding forever technology transfers in these areas, which would only increase resentment against the nonproliferation regime and thus not work, we think it would be more effective to define strong criteria for restricting exports of enrichment and reprocessing technologies. It would achieve basically the same objective without creating new dividing lines within the international community.

We need also to reassure countries which choose not to acquire these technologies that they will have a reliable access to nuclear fuel services. Hence the proposal France and the United States, together with four other countries, made in June last year to provide credible guarantees of nuclear fuel supply. This proposal is precisely aimed at reconciling the development of the peaceful uses of nuclear power and our nonproliferation concern, hence implementing better both article II and IV of the NPT.

The same vision is at the core of Global Nuclear Energy Partnership, a vision supported by France.

- reinforcing operational cooperation in informal frameworks such as the nuclear suppliers group and the proliferation security initiative. We need to act against proliferation every day, by beefing up export controls, thwarting illicit procurement attempts, intercepting WMD-related shipments, disrupting the financing of WMD activities.

And we must not forget as well that everything the international community will do to solve conflicts and to reduce regional tensions will improve some nations sense of security and lessen their need for strategic hedging. This is of course especially true for the Middle East region.

I will just conclude by highlighting that France, as a P5 member, and the EU as a whole are fully committed to this international effort to prevent and counter proliferation. It is France, the UK and Germany which took the lead, in July 2003, to try to find a solution to the Iranian nuclear challenge, and we were very glad in June 2006 to see the US, Russia and China joining us in what is now called the "E3+3".

I will also remind you that in December 2003, the European Union adopted a strategy against WMD proliferation. One of the measures it has implemented since then has been the insertion of a nonproliferation provision in 86 of its trade and cooperation agreements. The EU has also launched a number of programs to train and assist foreign partners to improve the export controls, border controls, physical security of their sensitive installations, etc. And recently, it not only took steps to implement UNSCR 1747 on Iran, but also went much beyond what was required by the resolution. All this is little known. But what it demonstrates is that fighting proliferation is a matter of will and a collective effort, one that France and the United States have been working on extremely closely in recent years and that we intend to pursue and further deepen in the future.

Thank you Mr. Chairman.