Strengthening the non proliferation regime: French views

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Mr. Chairman,

Ladies and gentlemen,

Let me first thank the organizers of this seventh INMM ESARDA Workshop, and in particular the co-chairs Mr. Larrimore and Mr. Richard, to allow me to give this speech during this opening session.

To be perfectly transparent with you, the initial invitation was made to Mr. Mondoloni who is the head of the international affairs division of the Alternatives Energies and Atomic Energy Commission (CEA) and who is also the French Governor at the IAEA. Due to another important commitment in Japan, Mr. Mondoloni will unfortunately not be able to be with us today and, as his deputy in charge of non proliferation issues, he asked me to transmit to you his sincere regrets and to speak on his behalf.

My talk today will address first the implementation and management of international safeguards in France, then I will turn to the French policy in non-proliferation matters, with a special focus on the strengthening of the non-proliferation regime.

Allow me to start with a few words on the very specific role of CEA in the French system. In addition to its R&D missions in the fields of nuclear and renewable...
energies, CEA has had since its creation, a unique role of adviser of the French government in matters of foreign nuclear policy, representing France in international organizations in the nuclear sector (e.g. IAEA, CTBTO, OECD/Nuclear Energy Agency).

This covers all the instruments set up over the years to stem the proliferation of nuclear weapons: treaties, IAEA safeguards system, control systems for "sensitive exports". CEA takes part in preparing the review conferences of the Treaty for the Non Proliferation of Nuclear Weapons (NPT) and is responsible for the technical aspects of the Comprehensive Nuclear Test Ban Treaty (CTBT) application.

CEA is also directly involved in international negotiations relating to the control of sensitive exports and takes part in the activities of the Nuclear Exporters Committee (or "Zangger Committee") and of the Nuclear Suppliers Group.

Implementation and management of international safeguards in France

I would like to present to you briefly how international safeguards are dealt with in France.

Nuclear materials in France are submitted to a wide variety of controls exercised by the operators, the national authority (the High representative for defence in the Ministry of Industry), the European Commission and the International Atomic Energy Agency (IAEA).

These different controls do not have the same scope nor the same finality. Let's focus on the last two.

The “Euratom” control is exercised by the European Commission over all civil nuclear materials based on Euratom (1957) treaty whose section VII provides for the enforcement of controls on nuclear materials. The European Commission controls are exercised on the basis of a Commission regulation (No.302/05) in force since 2005.

Checks conducted by the European Commission in France are significant and will be detailed in a presentation later this week by Mrs. Julie Oddou (CTE). Let me just give you some figures to illustrate: in 2010, 356 inspections were conducted by the European Commission, representing 1389 person days of inspection, making France
the most heavily controlled country in the European Union along with the United Kingdom.

The scope of controls exercised by the IAEA in France is different from that of the European Commission. IAEA safeguards are applied to materials that have been subjected to safeguards via specific legal commitments (France/third-State agreements, Euratom/third-State agreements etc.).

The controls are carried out on the basis of legal instruments signed and ratified by France, such as the safeguards agreement established on a trilateral basis between France, Euratom, and the IAEA which entered into force in 1981. On 30th April, 2004 the additional protocol to France/Euratom/AIEA agreement entered into force at the same time as those of its European partners. Currently, the Agency is carrying out inspections in 3 facilities: La Hague, Melox and at the centrifuge enrichment plant Georges Besse II. In 2010, this represented 111 person days for 34 inspections.

The enforcement of international controls in France is the subject of a special monitoring justified by the large number of inspected facilities, the amount of nuclear materials under control, the existence of nuclear materials for (defence) national requirements, and the obligations undertaken by France.

The following diagram sums up the organisation for the enforcement of international controls in France.
I understand that this diagram could seem a little complex but our organisation is in fact perfectly integrated. The CTE, which formally belongs to the Prime Minister's services, and the Governor's services, are administered by CEA within its international affairs division. This organization allows for a global vision and coherent action under the auspices of the French governor at the IAEA, as far as international safeguards are concerned.

**IAEA**: International Atomic Energy Agency  
**SGAE**: Secretary General for European Affairs (Prime Minister’s services)  
**CTE**: Euratom Technical Committee (Prime minister's services) within CEA  
**Governor**: Governor for France at the IAEA within CEA  
**CEA**: French Alternative Energies and Atomic Energy Commission  
**IRSN**: Institute for Radioprotection and Nuclear Safety
French policy in non proliferation

Now, turning to the French policy in the field of non proliferation, 3 main issues can be identified:

- responding resolutely to proliferation crises
- reinforcing substantive efforts to prevent and impede proliferation
- strengthening the non-proliferation regime

Before developing the last issue which is the most relevant to this workshop, let me address briefly the first two.

First issue: proliferation crises undermine our collective security, of which the NPT is a cornerstone. They also undermine mutual trust and hinder the development of international cooperation in the peaceful uses of nuclear energy, to the detriment of the vast majority of States that are abiding by their obligations in good faith. I am thinking here of course of the long lasting and worsening crises in Iran and DPRK as well as the Syrian issue which was recently reported to the United Nations Security Council.

Combating proliferation is therefore vital to the security of all.

Second issue: reinforcing substantive efforts to prevent and impede proliferation. This has to be worked at every day. Stemming from its firm belief that international standards should be effectively implemented by all, France attaches particular importance to strengthening specific measures to prevent and check proliferation. Let me mention a few proposals that we put forward:

➢ Exports need to be controlled more effectively: the implementation of rigorous and universal control of exports of the most sensitive nuclear technologies, equipment and materials is a condition essential to the development of the nuclear trade.

With regard to the most sensitive technologies, France is delighted that negotiations on the supervision of the transportation of equipment and technology linked to enrichment and re-processing have come to a
close. The measures adopted in July by the Nuclear Suppliers Group set out an adapted framework which will ensure the best conditions for the transfer of these sensitive technologies.

- Access to training in the most sensitive areas has to be controlled;
- Proliferation activities have to be criminalized and assistance to countries and to public and private actors should be developed, with a view to raising awareness of that issue;
- Resolute international and national efforts to combat proliferation financing have to be made;
- Measures should be taken to manage and monitor intangible transfers of knowledge and know-how, including mechanisms of cooperation in terms of consular vigilance;
- The development of proliferation-resistant technologies should be supported.

France is strengthening its efforts in all these areas, as is the EU, with its action programme adopted in 2008, the “New lines for action in combating proliferation”.

At the same time we must strive to better implement Resolution 1540, both to strengthen our national measures and to help those countries that need to do the same.

Third issue: To achieve the strengthening of the non-proliferation regime, we must, as a priority, support the efforts of the IAEA, which continues to play a key role in the international nuclear non-proliferation regime, to ensure that its safeguards system remains fully effective and credible.

To that end, the universal application and the strengthening of the IAEA’s safeguards system should be our objectives. I see several means:

- **Aiming at the universalization of the additional protocol**: without implementing it the IAEA cannot credibly fulfill its function because it is not in a position to give credible assurances of the absence of undeclared nuclear
That's why, in order to fulfill the goals of article III.1 of the NPT, France believes that the verification standard should see the implementation of a comprehensive safeguards agreement and an additional protocol. In coherence with this position, France, on behalf of the G8 group, undertook this year to conduct some demarches to promote the AP towards states that still have to sign or to ratify this instrument.

Ensuring that the Agency continues to have sufficient human, financial and technical resources to fulfill its verification mission effectively. In that regard, expertise, technical assistance and training provided to the Agency by member states support programmes are important contributions. 21 such programmes are currently bringing support.

The French support programme was initiated in 1982 and will then celebrate its 30th anniversary in 2012. The aim of this program is to demonstrate France’s political support to the IAEA’s verification activities through concrete action. It is coordinated by CEA and its total contribution is estimated to be worth around 1.5 million euros a year.

French know-how and expertise in the nuclear field, and especially its understanding and experience of the entire nuclear fuel cycle (including reprocessing and manufacturing of MOX fuel), is of particular interest to the IAEA.

Encouraging the IAEA to make full use of the authority available to it. This can be achieved through:

- pursuing the development of a State-level safeguards approach based on a comprehensive understanding of the activities and technologies implemented in States;

- pursuing the implementation of integrated safeguards (that is obviously closely linked to the promotion of the AP);

- supporting Agency’s efforts in the development of a safeguards system that is more information driven and objectives-based;
- relying more broadly on information from and cooperation with strong independent national or regional safeguards systems, such as the European Atomic Energy Community (EURATOM). In that regard, what is put in place between IAEA and Euratom inspectorates in the gas centrifuge enrichment plant of GB II in France is a good example of what such cooperations could and should be;

- effecting, whenever the Director General determines that circumstances call for it, a special inspection as provided for by paragraphs 73 (b) and 77 of the model comprehensive safeguards agreement (INFCIRC/153). The secretariat could be encouraged to put in place appropriate technical and logistical preparedness measures in order to facilitate their implementation;

- **Enhancing the use of information relevant to the delivery of the IAEA mandate**: while keeping in mind that IAEA is not and shall not become an export control regime, it could be helpful to define areas where information stemming from export control regimes or from bilateral nuclear cooperation agreements might be useful to the accomplishment of its mission. The rules under which such information could be made available to, and used by, the Agency should be carefully considered in order to protect the integrity of those regimes and confidentiality;

- **Circulating more accurate information, notably in the event of non-compliance with commitments or cooperation regarded as inadequate over the long term.** This could be achieved by broadening the information contained in its annual safeguards implementation report and, whenever the Director General determined that it would further the IAEA goals, by naming those States in regard to which difficulties remain, including in the section likely to be made public;

- Member states should also be encouraged to expand the range of actions IAEA might take beyond the current binary alternative of compliance/non-compliance. Those situations could range, for example, from outstanding issues to violations of specific commitments, such as notification of such cases to the Board of Governors, informing the Security Council, and agreeing with involved States on
action plans aimed at solving outstanding issues in a given time frame and providing them with the necessary guidance and assistance.

We firmly believe that strengthening IAEA safeguards will be to everyone’s benefit:

- The application of a credible and effective safeguards system makes it possible to view the expansion of nuclear energy in the world with confidence. It is of course not the only condition for such an expansion: following the Fukushima accident, I don't forget, and France is also very proactive in this field, that the strengthening of nuclear safety worldwide is also essential. But with a "safeguards perspective", confidence can only be built if the IAEA is in a position to offer credible assurances to countries, such as France, who wish to respond to requests for cooperation, that civil nuclear programmes being carried out by cooperating countries have exclusively peaceful purposes.

- In contrast, France suggests that all civil nuclear cooperation, including in particular the Agency’s technical cooperation and assistance programmes in appropriate areas, with countries who do not comply with their obligations should be suspended.

**Conclusion**

Here are the main messages and ideas I wanted to share with you.

Looking at the workshop programme, you will have the opportunity to discuss in more details how the non proliferation regime, and more specifically the implementation of safeguards, can be strengthened and I'm looking forward to the conclusions of you work.

I thank you for your attention and I wish you a very fruitful meeting here in this beautiful city of Aix-en –Provence.