

**Second Meeting of the Preparatory Committee
for the NPT Review Conference 2005**

Cluster II

Statement by

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(...)

(Export Controls)

Nuclear export controls have been a source of misperceptions over the decades since entry-into-force of the NPT in 1970. This atmosphere delayed agreement on the proper implementation of NPT export controls for many years. A decisive breakthrough was finally achieved in the Review and Extension Conference in 1995 when the NPT sovereign clarified in decision 2, paragraph 12, that the safeguards condition for supplies of sensitive nuclear items should be „full scope safeguards“. In 2000, the Austrian delegation noted with satisfaction that the Review Conference, by recalling "Principle 12", endorsed this view on this standard for NPT nuclear export controls.

There is no doubt that the obligations stemming from the export control provisions of Art. III.2 are the responsibility of each individual Party, regardless of whether it is involved in export decisions frequently or only at times. Therefore each State party must have an appropriate set of rules and regulations for national export controls in place in order to meet its responsibility. This was confirmed by the NPT Conference in 2000.

At the same time we should recognise that countries which are not regularly involved in nuclear transfers might not have the experience to promulgate on their own the required legislation. Major exporting countries are thus called upon to assist those States parties in their endeavour.

(Zangger Committee)

In this regard we note with appreciation the work of the Zangger Committee, well known as an informal, technical group of countries regularly involved in nuclear trade, which deals as a facilitator with the interpretation of the export control provisions of Art. III.2 of the NPT. This interpretation, as published in the IAEA series INFCIRC 209 and subsequently amended several times, has over the years gained wide acceptance. The work of the Zangger Committee was well recognised and welcomed in almost all NPT Review Conferences, and States parties were urged to base their export control policies on the Committee's interpretations of Art. III.2.

As NPT Conferences emphasized the importance for cooperation and assistance in setting up national rules and regulations, my delegation is pleased to note that the Zangger Committee has launched a programme for „outreach activities“ with interested countries, that in the past sometimes considered themselves in a pointed form as „victims“ of export controls. This outreach program is aimed at creating an on-going dialogue of equal partners based on the understanding of a common responsibility.

My delegation hopes that this important work of the Zangger Committee will again be recognized and confirmed by the Conference in 2005.

As previous Conferences have requested the Committee to review its interpretation from time to time in order to bring its Understandings in line with technological and other developments, Austria takes note of the respective work in the Committee. We hope that, as a result of this effort, an adapted set of the Understandings of the Zangger Committee will be presented in the report to the NPT Conference 2005.

There are, however, still a number of open questions where the Committee will have to seek guidance from the NPT Conference 2005. We shall address this issue in greater detail in tomorrow's special time of Cluster II related to safety and security issues.

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