

Luncheon Address

**The 2010 NPT Review Conference:  
Forecasting the Outcome**

By

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I wish to begin today by thanking President Carter and his colleagues at the Carter Center for hosting these Atlanta Consultations on the NPT. I also wish to thank Henrik Salander and the Middle Powers Initiative, a program of the Global Security Institute, for their many contributions in organizing this very constructive series.

Their collective efforts illustrate well the fine contributions that civil society can make in advancing nuclear disarmament and non-proliferation goals. Together, they have done much to promote both public understanding and diplomatic support for this vital treaty.

We know, however, that forecasting political outcomes has repeatedly proven to be an inexact science. There is little doubt, however, that the future of this Treaty will depend upon determined leadership from key nuclear-weapon States, extensive cooperation among States parties, and a strong foundation of supporting civil society.

There are some encouraging signs. Presidents Obama and Medvedev have openly and repeatedly underscored their commitment to pursue a world without nuclear weapons, as have the leaders of other states that possess them. At the Review Conference next May, nuclear-weapon States are expected to expand on the steps they have undertaken so far to fulfil their disarmament commitments under Article VI and those made at previous Review Conferences, especially in 1995 and 2000. The Review Conference can provide a useful platform for a better understanding of what has already been accomplished and to explore future possibilities.

Support for the treaty remains overwhelmingly strong among the States parties. There seems to be general agreement that a positive outcome should be based on a balanced approach to the three pillars of the NPT: disarmament, non-proliferation, and peaceful uses of nuclear energy, backed by a common desire to avoid the negative result of 2005.

There is certainly no lack of proposals to improve the efficient implementation of the Treaty, and these are being discussed in several meetings by government officials, former statesmen, scholars and representatives of the most reputable institutions of civil society. And we are all aware of the cascade of initiatives that have appeared in recent years, especially with respect to nuclear disarmament. The President of the United States will convene a multilateral conference on nuclear security later this year. Last September, he presided over a historic meeting of the Security Council on discuss disarmament and non-proliferation—an event that has provided a powerful impetus to the treatment of these issues under the aegis of the United Nations. There are sound reasons to expect that a follow-up arrangement to the START Treaty can be finalized before the Review Conference. Russia and the United States have also indicated their intention to pursue further reductions once those arrangements are ratified.

However, there are also some disquieting indications. At last year's third session of the Preparatory Committee for this Review Conference, States parties were able to agree on the most important procedural issues, but they were not able to reach a consensus on substantive

recommendations. Of concern here is not just the depth of disagreements on substantive issues, but the breadth of them, covering several areas that lie at the very heart of the treaty.

In addition, the split voting on many nuclear weapon-related resolutions in the last session of the General Assembly continues a trend measured not in years, but in decades. At the 64<sup>th</sup> session, for example, only three of the 16 nuclear weapon-related resolutions were adopted without a vote. And with respect to six of the remaining resolutions, 50 or more states voted either against or abstained—typically including nuclear-weapon States and states that are covered by what has come to be known as the “nuclear umbrella.”

The highly uneven evolution of the rule of law in disarmament and non-proliferation is also cause for concern. Key treaties—like the Comprehensive Nuclear-Test-Ban Treaty—have not entered into force. Negotiation of a fissile material treaty may not begin by the time the Review Conference convenes, despite the successful effort to break the procedural deadlock last year at the Conference on Disarmament in Geneva. Protocols to treaties creating four regional nuclear-weapon-free zones remain un-ratified. Several States parties have not yet concluded their NPT safeguards agreements with the International Atomic Energy Agency, and there is still no global consensus on the Additional Protocol as the agreed international safeguards standard.

Meanwhile, claims of non-compliance with non-proliferation commitments continue to be made. The DPRK is still pursuing its nuclear weapon programme. Resolutions adopted by the Security Council have been disregarded. There has been no progress, and in fact no serious efforts made, concerning the implementation of the 1995 Resolution on the Middle East. There is no agreement on proposals to establish multinational nuclear fuel cycle facilities. There is no consensus on rules governing nuclear cooperation with non-NPT States or even on its consistency with fundamental aims of the treaty. And though nuclear-weapon delivery systems are mentioned in the NPT Preamble, this issue has never received much attention in the NPT Review Conferences, while new delivery systems are being developed and produced. In the bilateral field, even if Russia and the United States agree on a follow-up arrangement for the START Treaty, ratification in both countries may not be completed in time for the NPT Review Conference.

There is without question in the world today a widespread expectation that the time has clearly come to de-value, de-legitimize, and reduce the role of nuclear weapons in defence policies. States parties are therefore concerned about the many activities that are underway in the nuclear-weapon States that have been called “modernization”, whether this term is taken to mean technical improvement of the arsenals or simply a “refurbishing” to ensure their reliability over a longer period of time. What is most in need of modernization and refurbishing right now is disarmament itself—especially in the field of transparency, including verification and credible efforts to achieve irreversible reductions. Recent and repeated efforts by the Governments of the United Kingdom and Norway to promote technical cooperation in such fields are together a step in the right direction toward fulfilling that objective. Indeed, I think most NPT States parties would agree that the time has come to replace weapon-stewardship with disarmament-stewardship.

Other questions have arisen concerning the gap between solemn commitments to the goal of nuclear disarmament, and the lack of domestic infrastructures to achieve it. I am referring here to the absence of disarmament agencies, legislative disarmament mandates, and line-item disarmament budgets. Meanwhile, the persisting lack of a reliable basis for gauging the number of nuclear weapons in the world, along with their fissile materials, testifies to the progress that is needed in the field of transparency.

In addition, the doctrine of deterrence remains in place as the lodestar of all states that possess nuclear weapons. This is a doctrine that underscores the necessity of possession to serve vital national security interests—yet the states making this claim argue that it applies only to them. It is precisely because deterrence obviously can provide a convenient justification for proliferation that Secretary-General Ban Ki-moon has referred to it as being “contagious”—as the weapons have spread, so too has their associated doctrine.

Also worrisome is an ever-expanding list of “conditions” that have been put forward by various officials and scholars from nuclear-weapon States—conditions that have to be in place before nuclear disarmament can be seriously considered. Some have even gone so far as to say that unless there are ironclad assurances or “guarantees” against further proliferation, the nuclear-weapon States may not take meaningful steps toward disarmament.

We all understand that disarmament must meet certain standards, including the agreed criteria of transparency, irreversibility, verification, and binding commitments. Yet this outpouring of new preconditions for disarmament is posing a major challenge to the prevailing understanding that non-proliferation and disarmament should proceed in parallel and in a mutually reinforcing way. Up to now, ironically, the accepted view has been that—pending nuclear disarmament—the non-nuclear-weapon States are entitled to adequate, credible guarantees against being attacked with nuclear weapons. Negative assurances, as they have come to be called, certainly constitute a strong vaccine against the contagion of nuclear deterrence.

All of these considerations make forecasting the outcome of the 2010 NPT Review Conference an extraordinarily difficult undertaking. One very primitive indicator of a successful outcome would of course be a consensus Final Declaration that would go beyond mere reiteration of commitments, and instead contain at least some kind of action plan to foster the implementation of all provisions of the treaty, thus enhancing its significance and credibility. I noticed that the last Atlanta Consultation in January 2005 called for a “balanced approach” to the issues of nuclear disarmament and non-proliferation. Yet its sound recommendations were not heeded and the Review Conference concluded with what was almost universally viewed as a disappointing outcome.

The outcome of the next Review Conference will be determined largely by the extent that the States parties as a whole perceive that the rights and obligations prescribed in the treaty are being faithfully and responsibly exercised and observed by all Parties. This requires that all Parties have the

opportunity to participate in the review process and that the review leads to the fulfilment of the treaty's objectives to the satisfaction of all.

The theme of balance is also inherent in the recent proposals made by the Secretary-General—specifically, his five-point proposal of 24 October 2008, which he elaborated on 8 December 2009 in his Action Plan for Nuclear Disarmament and Nuclear Non-Proliferation. He stated that this was “founded on a fundamental principle: nuclear disarmament and nuclear non-proliferation are mutually reinforcing and inseparable” and “should be pursued in tandem.”

Note that he did not say that one should precede the other. The world simply cannot hold progress on nuclear disarmament hostage to the prior elimination of all risks of nuclear proliferation or nuclear terrorism, nor to the achievement of world peace, the end of aggression, and guarantees of the peaceful settlement of all disputes. The Secretary General's views instead echoed a theme found in the speech by President Obama in Prague on 5 April 2009—especially the reference to America's “commitment to seek the peace and security of a world without nuclear weapons.” In other words, peace and security are not preconditions for establishing such a world—they are instead benefits of such a world.

A significant number of Member States of the United Nations and of the NPT have expressed support for the Secretary-General's five-point proposal and Action Plan. In time, I believe more and more States will come to support it. The Plan affirms the merit of pursuing a nuclear weapons convention or a framework of separate, mutually reinforcing legal instruments. It recognizes the need for unambiguous security assurances and the need for an active role of the Security Council in advancing disarmament. It identifies several ways to strengthen the rule of law in disarmament, emphasizing both the importance of treaty compliance and the need to bring some new treaties into force, and to negotiate others. It emphasizes the need for improvements in both transparency and accountability. And it recognizes the need for complementary measures, such as controls over missiles and space weapons.

I doubt that even the most positive outcome at the Review Conference would—in itself—be sufficient to address all of the many complex issues associated with the actual achievement of a world without nuclear weapons. Yet such an outcome, nevertheless, would be vitally important for the world community precisely because of the improved political climate it will set for future progress on the long and ambitious road ahead to zero.

So while I am unable to predict the outcome of the Review Conference with any confidence, there are undoubtedly many positive trends that are likely to continue, and several worrisome signs to monitor closely over the months ahead. We may yet witness a positive result that will send us on our way, toward that great destination the world has so long been seeking—a world without nuclear weapons—and away from the perilous shores that threaten us all today.