

# Nuclear Weapons and the NPT

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Opening Statement  
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I would like to begin today by congratulating Anton Khlopkov, the Director of the Center for Energy and Security Studies, for organizing this timely conference to coincide with the 40<sup>th</sup> anniversary of the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Just as the NPT review process looks both forward and backward on issues of treaty implementation, participants at this Conference will also reflect back on the historical evolution of the treaty, while considering future challenges and opportunities. There are some differences of course—at least here we will not have to struggle for a consensus on the agenda.

Needless to say, I also welcome this opportunity to visit Moscow, to meet several friends and colleagues, and to speak on a subject of such profound importance. As the UN's High Representative for Disarmament Affairs, I have had the honour of travelling to many countries to address issues relating to the NPT, and have been encouraged to see the level of support the Treaty continues to have around the world.

We are of course all familiar with the various claims of non-compliance that have appeared in recent years—non-compliance, I might add, with respect to each of the key obligations of the Treaty: non-proliferation and disarmament. The claims relating to nuclear weapon proliferation tend in particular to get extensively covered by the media—although many Parties to the Treaty believe more efforts should be undertaken in the field of concrete disarmament measures. There is also a perceived deficit in international cooperation on peaceful uses of nuclear energy.

Yet we seldom see headlines proclaiming the overwhelming degree that the States Parties are fully complying with their commitments under this Treaty. There is no cascade of States seeking to acquire nuclear weapons, and quite a lot of evidence worldwide indicating a general and growing abhorrence to nuclear weapons, coupled with a desire to eliminate them all.

I have been especially pleased to see such interest in the NPT among audiences in the Russian Federation and the United States, which, as everybody knows, possess the largest nuclear arsenals. The world is eagerly awaiting the conclusion of a new bilateral treaty lowering deployments of the strategic nuclear forces of both States and hopefully pointing to follow-up steps—which together would signal a shared commitment to implementing their duties under Article VI relating to disarmament.

Here is what former Secretary-General U Thant had to say on this issue on 5 March 1970, in welcoming the Treaty's entry into force—and I quote:

It should ... be stressed that the Treaty is not an end in itself but a step toward disarmament and that the treaty imposes on all parties a solemn obligation to pursue negotiations of effective measures relating to the cessation of the nuclear arms race, to nuclear disarmament, and to general and complete disarmament. This is a most pressing task for the future—and the parties to the Treaty, and especially the nuclear-weapon powers, have a great responsibility in fulfilling the obligation they have accepted under the terms of the Treaty.

In that statement, Secretary-General Thant also commended the Treaty's role in promoting (and safeguarding) peaceful uses of nuclear energy and in preventing the global spread of nuclear weapons. He concluded his message by stressing that the Treaty "should command universal support."

If all of these goals had been fully achieved, there would scarcely have been the need for us to be here today. But although compliance has been the norm, those goals have still not been fully and universally achieved, and great challenges lie ahead in fulfilling the treaty's "grand bargain"—as summarized in the interdependent and mutually reinforcing goals found in the subtitle of this Conference: "Nuclear Energy, Disarmament, and Nonproliferation."

Clearly, the great Temple of the NPT does not rest on the non-proliferation pillar alone. Nor is its architecture strengthened by the generation of long lists of preconditions that must first be satisfied before real progress on disarmament is possible—a familiar old tactic for postponing indefinitely the achievement of disarmament. Among these preconditions has been the insistence that the risks of nuclear proliferation and terrorism must first be reduced to zero—others include even broader demands for the prior achievement of world peace or an end to all armed conflicts.

Actually, three goals or pillars are enough for this Treaty—in achieving them, the Treaty would render its greatest possible service to humanity. So, while the treaty does not need new pillars, its existing ones do need some reinforcement—but this was widely recognized forty years ago.

My own history of dealing with NPT issues dates back to the days when I served as a junior member of the Brazilian delegation to the Eighteen-Nation Disarmament Committee (ENDC) in Geneva. Essentially, I was both a witness and—to some small extent—a participant in the multilateral process of deliberating this Treaty in the late 1960's.

I saw how its original text was brought to the ENDC after having been negotiated bilaterally by the Soviet Union and the United States, and how various provisions were modified at the urging of non-nuclear-weapon States before the Treaty was opened for signature in 1968. I also saw the two chairmen of the Committee—from the US and USSR—decide on their own responsibility to send the treaty text to the General Assembly without the concurrence of the whole membership of that body.

I recall well the concerns that many of these non-nuclear-weapon States had—they felt that the Treaty was unbalanced in its rights and obligations. In particular, they felt that the draft treaty placed a heavy emphasis on non-proliferation, while not devoting enough attention to practical action for achieving disarmament and promoting the peaceful uses of nuclear energy.

Even in this new Century, I still see reflections of those original concerns in a sense of mistrust that occasionally flares up within the NPT review process—a mistrust that reached its darkest hour at the 2005 NPT Review Conference. These periods of heightened mistrust and

mutual suspicion tend to be at their worst when States Parties become convinced that the Treaty is not being implemented equitably. While the Treaty needs three pillars, it is also essential for these pillars to bear comparable loads.

In the eyes of many non-nuclear-weapon States Parties, the Treaty pillar bearing the heaviest “load” has remained in the field of nuclear non-proliferation, as is apparent in the highly intrusive system of international safeguards and transparency arrangements that these particular States Parties have to implement. In terms of concrete actions, lower priority has been given to promoting peaceful uses of nuclear energy, and even less to achieving actual nuclear disarmament, as is apparent in the over-20,000 nuclear weapons that reportedly remain four decades after the Treaty entered into force. So we have our three Treaty pillars, but they are of unequal length, have substantially different load-bearing qualities, and are undergoing highly differential rates of repair and reinforcement.

One promising way forward in stabilizing these loads would be to examine the domestic foundations of these three pillars among the States Parties, especially the nuclear-weapon States. The health of this Treaty is directly related to the extent that the domestic agencies, laws, and regulations of States are fully in alignment with formal commitments under the Treaty. Global norms are strongest when they have deep roots in the political and legal systems of States.

This is exactly the logic that inspired the Security Council to adopt Resolution 1540, which obliges all States to have domestic laws and institutions to prevent the proliferation of weapons of mass destruction or their acquisition by non-state Actors. I believe a similar logic applies, or should apply, to both disarmament and peaceful uses of nuclear energy. The creation of disarmament agencies and the enactment of legislative authorities to achieve disarmament goals would be steps in the right direction, along with additional efforts to assist non-nuclear-weapon States to develop their own infrastructures to advance the peaceful uses of nuclear energy.

Yet as important as they are, domestic agencies and laws are not alone sufficient to achieve all the goals of the NPT—there must be some institutional development on the global level as well. Many schemes have already been proposed—including by the Russian Federation, other States, and the International Atomic Energy Agency—to create multilateral centres for the reliable supply of a variety of nuclear fuel services. Other efforts are underway to improve nuclear safety and security, a theme that will feature prominently at the Nuclear Security Summit next month in Washington. The expanding global interest in nuclear energy technologies for peaceful uses also draws new attention to the importance of the technical assistance projects of the International Atomic Energy Agency.

In the field of disarmament, Secretary-General Ban Ki-moon has called upon the nuclear-weapon States to provide the United Nations Secretariat with information on the specific progress they have made—and intend to make—in implementing their relevant commitments under the Treaty. Under its Charter, one of the key purposes of the United Nations is “to be a centre for

harmonizing the actions of nations” in the attainment of their common ends, and a renewed commitment by all States to work cooperatively in the various institutions of the UN disarmament machinery—especially the Conference on Disarmament in Geneva—would undoubtedly help in implementing the Treaty’s disarmament goals.

So as we proceed over the months and years ahead, these are the areas to which I would look to see if real progress is being made in achieving the goals of the NPT. Have the Treaty’s goals been integrated into domestic laws and institutions? Has the transparency of existing nuclear arsenals—and plans to reduce them—been significantly improved? And is progress being made in institutionalizing disarmament at the global level, while also strengthening international norms and cooperation on nuclear non-proliferation and in promoting peaceful uses of nuclear energy?

These are the key questions I would like to pose for discussion at this Conference, for the answers will have a great bearing indeed upon the future of this Treaty, and the sustainability and stability of international peace and security for years to come.