

On the 40th Anniversary of the Entry into Force of the NPT

By

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I will begin my brief remarks by thanking Theresa Hitchens and her colleagues at the United Nations Institute for Disarmament Research for having organized this event to commemorate the 40th anniversary of the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons.

The NPT is often called the cornerstone of the international nuclear non-proliferation regime. Others have heralded its broader contributions in strengthening international peace and security. On 12 June 1968, following the General Assembly's endorsement of the Treaty, President Lyndon Johnson called the NPT "the most important international agreement in the field of disarmament since the nuclear age began."

That was a remarkable statement indeed, because it framed the historical importance of this treaty explicitly in the context of global nuclear disarmament.

It was of course regrettable that significant progress in disarmament over the years that followed would have to await the end of the Cold War. By 1986, the global stockpile of nuclear weapons, held overwhelmingly by two States Parties, the United States and the Soviet Union, reportedly expanded to a level of over 70,000, while the Treaty faced additional challenges, from both inside and outside its regime.

Moreover, since the Treaty's entry into force, India, Pakistan, and the Democratic People's Republic of Korea acquired such weapons, and experts and historians still dispute when Israel acquired its own nuclear-weapon capability. In addition, Iraq and Libya once had nuclear weapon programmes despite their status as non-nuclear-weapon States. Serious concerns have also been voiced about actions by other States Parties, whether regarding disarmament commitments or non-proliferation obligations, including those contained in Security Council resolutions. Several Parties have raised questions about additional limits on peaceful uses of nuclear energy.

Yet despite these difficulties, despite additional concerns over the wording of certain parts of the Treaty, despite its undeniable element of imbalance in the allocation of rights and responsibilities—despite all of these, the Treaty continues to enjoy overwhelming support in the world community. According to published estimates, the global nuclear stockpile has dropped significantly from its peak in 1986 to a level today that is about a third of that total. No less than 190 States have become Parties to the Treaty, which brings it almost as close to universal membership as the UN Charter itself. There is no evidence whatsoever of any cascade of States seeking to acquire nuclear weapons—in fact, we have been witnessing in recent years a political tsunami in favour of their abolition.

The continued existence of large numbers of nuclear weapons, as well as instances or allegations of non-compliance are of course matters of serious concern—yet they do not negate the merit of this treaty. It remains the only multilateral treaty obligating the nuclear-weapon States to pursue global nuclear disarmament. The fact that there have been cases of non-compliance does not weaken the legal effect of this treaty. In this respect, international law is not much different from domestic law—the mere fact of non-compliance with domestic laws against murder, for example, has not led to murder becoming a new norm.

The architects of the NPT were wise to recognize a need for a process to review its implementation, a recognition that led to a formal agreement at the 1995 NPT Review and Extension Conference to regular five-year review conferences, as registered in Decision One concerning “strengthening the review process for the treaty.” The review process was further strengthened at the 2000 Review Conference. Several ideas have been advanced and certainly efforts will continue to be underway to strengthen it further in the years ahead. Among other proposals, some Parties have highlighted the need for more detailed reporting on implementation of commitments on nuclear disarmament, while others want to explore the possibility to take a second look at the review process itself.

In my view, the Treaty’s review process is a kind of diagnostic tool for informing its States Parties about the general health of their Treaty. If there is discord and acrimony, we should not blame the proverbial messenger—in this case the process itself—but instead use these readings from our diagnostic tool as grounds for reflecting more deeply upon the differences in the policies and practices of the States Parties.

It seems sometimes that the zeal of individual States to promote their own particular interests has at times clouded their ability to comprehend how their actions are viewed by other States Parties. Each year, young students gather from around the world to participate in what are called “model United Nations” events, in which students have to play the role of diplomats from different countries, even perceived enemies of their home states.

In an ideal world, the States Parties of the NPT would recognize the benefit of such an exercise and convene their own model NPT Review Conference, with each Party having to understand and advance the interests of other States. I would hope that such an exercise would prove to be a useful learning experience, in fostering a deeper understanding of the common interests—often called “global public goods”—that are the subject matter of this Treaty.

Until such an ideal world arrives, however, we have little choice but to persist in our common efforts to achieve full implementation of the Treaty, and to improve the ability of the review process to assess the basic issues of compliance. By common efforts, I do not only mean by like-minded States Parties, but also by cooperation with actors in civil society who have long worked on behalf of the solemn goals of this Treaty.

With a combination of enlightened leadership from States with the largest nuclear arsenals, determined leadership by middle-power and other states around the world, encouragement from the rest of the diplomatic community, and strong support from civil society—with all of these, there is indeed hope for a bright future for this Treaty. Together, these form what might be called the four political pillars of this Treaty.

My message today is therefore, let us work together to make our next NPT commemorative event an occasion not just for reminiscing on past historic events, but for rededicating ourselves to the achievement of a world entirely free of nuclear weapons.