

KEYNOTE ADDRESS

**The Nuclear Non-Proliferation and Disarmament Regime:
Facing Old Hurdles, New Challenges**

By

Sergio Duarte

High Representative for Disarmament Affairs
United Nations



**PARLIAMENTARY MEETING ON THE OCCASION OF THE 2010
REVIEW CONFERENCE OF THE STATES PARTIES TO THE TREATY
ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT)**

United Nations, New York
5 May 2010

It is customary to begin one's remarks at a conference like this by extending one's thanks for having been invited to participate, and I am indeed grateful to Ambassador Anda Filip for having extended me an invitation to speak with you today.

Yet please do not be deceived—my thanks are not limited to the receipt of an invitation. I am enormously grateful to the Inter-Parliamentary Union for all it has been doing in recent years to advance global nuclear disarmament and non-proliferation. While I intend this note of appreciation to extend more broadly to the work of the IPU in these areas, I was especially impressed with the Resolution adopted at your 120th Assembly on 10 April last year in Addis Ababa, to advance nuclear non-proliferation, disarmament, and the role of parliaments. I welcome in particular your endorsement of the Secretary-General's five-point nuclear disarmament proposal of 24 October 2008.

Needless to say, relations between the IPU and the UN are quite solid, probably because together we appreciate the importance of addressing problems facing whole communities, even problems crossing national borders—what Kofi Annan used to call “problems without passports.” In November 2008, the General Assembly adopted Resolution 63/24, which dealt with cooperation between the United Nations and the IPU—one of its provisions welcomed the practice of including legislators as member of national delegations to major UN meetings and events. I am gratified indeed to see that many legislators have indeed been included as members of national delegations participating in the 2010 NPT Review Conference.

Parliamentarians have many highly under-rated roles to play in advancing these great goals. I say under-rated only because most commentators tend to focus primarily upon the role of the Executives in preparing and implementing public policies in these fields. The legislatures never get the attention they deserve for their own important contributions—as seen, for example, in the areas of treaty ratification, adopting implementing legislation, authorizing budgets, conducting oversight, representing the views and interests of constituents, and serving as a central forum for debates and deliberations.

I also believe Parliaments can help in ensuring that the domestic laws, policies, budgets, and institutions are fully consistent with the international commitments of States. Since the NPT did not establish any implementing agency, the treaty is sometimes criticized for what is commonly called its “institutional deficit.” Yet a case could be made that States themselves have their own institutional deficits, as perhaps best seen in the scarcity of government agencies devoted explicitly to disarmament issues, especially in States that possess nuclear weapons. Parliaments have a significant contribution to make in this area as well, by working to establish progress in disarmament and non-proliferation as important national priorities.

But aside from congratulating you all for the terrific work you are doing and for your sincere interest in continuing this work, I would also like to address some of the particular challenges that we are all facing as we begin the first week of the 2010 NPT Review Conference.

As many of you know, I was President of the 2005 Review Conference, which adjourned without reaching a consensus on substantive issues. This was a great disappointment to me and virtually all States Parties. Yet I believe critics have gone too far in suggesting that the lack of a consensus in 2005 signified that the Treaty was on the verge of collapse, as the rhetoric of nuclear “tipping points” and “cascades” in recent years would suggest. No doubt, 2005 was a bad year for disarmament and non-proliferation—the World Summit that year was also unable to reach a consensus on these issues.

Yet there have been no signs whatsoever of any groundswell of international interest in acquiring nuclear weapons. There has been quite the opposite: a new wave of enthusiastic support for new nuclear disarmament initiatives. Evidence for this is found in editorials from over a dozen countries by former senior statespersons, in the work of highly respected international commissions (Blix and Evans/Kawaguchi), and in an outpouring of thoughtful new initiatives proposed by civil society, including impressive international campaigns such as Global Zero, Mayors for Peace, and the International Campaign to Abolish Nuclear Weapons, among many others.

It is also seen in pro-disarmament statements by leaders of states with nuclear weapons especially Presidents Obama and Medvedev, and the world has also just welcomed a new bilateral strategic arms limitation agreement between the United States and Russian Federation.

In short, we have seen far more hard evidence of an impending cascade or tipping point for disarmament, rather than any global rush to acquire nuclear weapons. Perhaps the news media is partially responsible for exploiting every possible opportunity to report on actual or potential nuclear weapons threats, rather than to cover actual progress being made, and the fact that an overwhelming majority of States abhor nuclear weapons and view them as a threat to their security. While much has been printed about NPT compliance issues, the fact remains that day-to-day compliance with this treaty is quite strong—compliance is of course the norm, and non-compliance the very rare exception.

Now, I am not offering these observations as grounds for complacency. It is possible the global nuclear non-proliferation regime, in the years ahead, could well come under new stresses, including some that may challenge its very existence. The origin of these stresses relates back to the treaty’s three pillars.

One set of dangers will arise if we see no significant progress in nuclear disarmament—and by significant I mean arrangements involving the actual destruction of warheads, bombs, and their delivery vehicles under conditions of transparency, verification, and irreversibility. Another set of strains will develop if there are persisting concerns of non-compliance with non-proliferation commitments—including, but not limited to, concerns over nuclear activities in Iran, and the fate of efforts to encourage the DPRK to abandon its nuclear weapon programme. The third great challenge would involve new efforts to erode, question, or infringe the inalienable right to peaceful

uses of nuclear energy. In terms of the future of the treaty, the worst possible outcome would be a confluence of all three of these dangers at once.

There are of course several other difficult challenges ahead for the treaty, including many that will be deliberated at this current Review Conference. These issues are quite numerous, but a short list would have to include such subjects as—achieving universal membership; moving forward with a Middle East Nuclear-Weapon-Free Zone; reaching some kind of new international consensus on the nuclear fuel cycle; strengthening safeguards; and developing some agreed standards for handling treaty withdrawals and weighing their consequences. Additional efforts will be underway to strengthen the treaty's review process, especially by enhancing transparency and accountability.

There are also several developments outside the Treaty that bear watching very closely because of their relevance to many NPT goals. These include the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the negotiation of a treaty banning the production of fissile materials for use in weapons, and more generally, the revitalization of the Conference on Disarmament in Geneva as the world's single multilateral disarmament negotiating forum. There is a great need for the further development of the international rule of law in several fields, including missile control, missile defense, space weapons, and essentially the entire field of conventional weapons.

I mention conventional weapons here because it is part of the mandate of “general and complete disarmament,” which is a goal of the NPT and a dozen other multilateral treaties, in addition to being the “ultimate goal” of the United Nations. Essentially, this term encompasses the goals of eliminating all weapons of mass destruction, and limiting or regulating conventional arms—a fusion of disarmament and arms control. This is an important distinction, as the UN is not seeking merely to “regulate” weapons of mass destruction, but to eliminate them.

On 26 February this year, Secretary-General Ban Ki-moon sent a letter to the Parliaments of the world encouraging them to join in efforts to achieve a nuclear-weapon-free world. He recognized the work of the IPU in this area, as well as the activities of a non-governmental organization called Parliamentarians for Nuclear Non-Proliferation and Disarmament. We have received many encouraging responses from this letter. I can say all who work at the UN in disarmament appreciate highly the contributions that parliaments around that world have made in achieving progress in this field. Your resolutions and debates contribute to setting the public agenda and setting national priorities—and your interest in disarmament is welcome indeed.

Thank you once again for inviting me to speak, and thank you for your interest in this vital issue of disarmament and the role of the United Nations and parliaments in promoting it.