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Nuclear Non-Proliferation Treaty's Most Serious Test**U.S. convinced North Korea aided Syria with clandestine nuclear activities**

(begin text)

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Cluster Two – Nonproliferation: Facing Up to the Most Fundamental Challenge to the NPT

Thank you, Mr. Chairman

This treaty regime faces today the most serious tests it has ever faced: the ongoing nuclear weapons proliferation challenges presented by Iran, by North Korea, and now by Syria. We are gathered here as part of the Review Cycle of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) – a treaty the central focus of which is self-evidently nonproliferation – and there is no escaping the fact that today's nuclear weapons proliferation challenges strike directly at the core of the regime as nothing else does.

The Centrality of Nonproliferation

As the Treaty's name reflects, nonproliferation is unquestionably the core interest served by the NPT – not merely one "pillar" among others, but in fact the Treaty's very foundation. The first sections of the Preamble, after all, emphasize that "the proliferation of nuclear weapons would seriously enhance the danger of nuclear war," and that such a conflict would visit "devastation ... upon all mankind." It also describes Parties as acting in conformity with U.N. General Assembly resolutions on "the prevention of wider dissemination of nuclear weapons." Of those resolutions, the most important – the so-called "Irish Resolution" of 1961 – emphasized that nuclear weapons proliferation would "intensify the arms race and ... increase the difficulties of avoiding war and of establishing international peace and security based on the rule of law." Accordingly, it called upon all states to conclude an agreement

"under which the nuclear States would undertake to refrain from relinquishing control of nuclear weapons and from transmitting the information necessary for their manufacture to States not possessing such weapons, and ... States not possessing nuclear weapons would undertake not to manufacture or otherwise acquire control of such weapons."

If that phrasing sounds familiar, Mr. Chairman, it should. That very wording subsequently formed the basis of Articles I and II of the final NPT text – the provisions that Canada's negotiator quite rightly called "the core of the Treaty."

In the course of the negotiations, this theme that the fundamental goal of preventing nuclear weapons proliferation was in the interest of all states was frequently repeated. Representatives from the West, the Arab world, the Soviet Bloc, and the Non-Aligned Movement all spoke out along those lines. It was the general view at the time, Mr. Chairman, that nonproliferation was a vital goal that served the interests of all states. As U.S. officials pointed out at the time, in fact, the Treaty provided more security benefit to non-nuclear-weapon states (NNWS) than to those possessing such weapons. After all, the nuclear weapons states (NWS) already possessed some means to deter aggression by any newly-nuclear armed states that might emerge. The non-nuclear weapons-state regional neighbors of such proliferator regimes, however, would have no such deterrent. The basic message of

the NPT thus could hardly have been clearer: further nuclear weapons proliferation is a threat to everyone, and must be prevented. We forget this imperative at our peril.

The Challenges of North Korea, Iran, and Syria

North Korea's nuclear weapons program, for instance, poses a threat to regional and global security, and an urgent challenge to the global nonproliferation regime. To be sure, there are rays of hope in connection with our diplomatic push to resolve the North Korean nuclear crisis, though obviously much remains to be done to achieve the verifiable abandonment of its nuclear weapons and existing nuclear programs. It is encouraging, for instance, that Yongbyon's three core facilities associated with North Korea's plutonium program are now being disabled. Nevertheless, North Korea has yet to provide a complete and correct declaration of all its nuclear programs, facilities, and materials including uranium enrichment, nuclear weapons and proliferation activities. And while the Six-Party Talks do not directly address North Korea's ballistic missile programs, these are also a source of great concern. Finally, all UN member states continue to be bound by United Nations Security Council Resolution 1718, a Chapter VII resolution unanimously adopted after the DPRK's nuclear test in October 2006, which imposes sanctions preventing certain types of trade with North Korea, including all transfers to and procurement from North Korea of specified nuclear- and ballistic missile-related items, materials, equipment, and technology.

Meanwhile, Iran continues to refuse to comply with its international nuclear obligations, including the requirement of the United Nations Security Council to suspend uranium enrichment and other proliferation-sensitive nuclear activities. Moreover, Iran has thus far failed to resolve the serious concerns of the International Atomic Energy Agency (IAEA) and the rest of the international community about nuclear weaponization work and other nuclear weapons-related activities revealed by internal Iranian documentation provided to the IAEA. We understand that the IAEA and Iran have agreed to discuss this very issue during the month of May, and we urge Iran to take this opportunity finally to make a full disclosure to the IAEA of its weapons-related activities and to facilitate IAEA verification that they have ceased. Iran has failed – indeed, refused – to restore international confidence in the exclusively peaceful nature of its nuclear program. It is hardly surprising, therefore, that the Security Council has recently imposed a third Chapter VII sanctions resolution on Iran for that country's continuing scorn for its international legal obligations.

Worryingly, Iran is not the only country in the Middle East to have built covert nuclear facilities not intended for peaceful purposes. It was recently revealed that Syria – an NPT State Party subject not only to the nonproliferation obligations of the Treaty but also to its IAEA safeguards agreement – until several months ago, was secretly constructing a nuclear reactor that we believe was indeed not intended for peaceful purposes. Moreover, we are convinced based on a variety of information that North Korea assisted Syria with its clandestine nuclear activities. By maintaining secrecy and not declaring the site and providing design information to the IAEA, Syria violated the very procedures designed to reassure the world of the peaceful intent of nuclear activities. It continues today to deny the true purpose of the site.

Syria, Mr. Chairman, remains in the familiar posture of denial – of seeing whether the international community, including the States Party here assembled pursuant to the NPT, will permit it to escape further accountability for its actions. The positions of North Korea and Iran, however, are more complicated. Both North Korea and Iran have before them options provided by the international community that would help lead to better futures for their peoples, reduce their international isolation, and do much to restore their standing in the international system as responsible members of the nonproliferation regime. Libya has already shown how an isolated regime can help restore its international standing and reap the economic and political benefits of a more normal relationship with the rest of the world by making the choice verifiably to eliminate its weapons of mass destruction (WMD) programs. Such routes are open to North Korea and Iran as well – if only their governments are willing to take them.

North Korea agreed to a solution, in the form of the 2005 Joint Statement. In that document, North Korea "committed to abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards." It also committed, in February 2007, to "shut down and seal for the purpose of eventual abandonment the Yongbyon nuclear facility, including the reprocessing facility[,] and invite back IAEA personnel to conduct all necessary monitoring and verifications." In October 2007, North Korea agreed to disable all existing nuclear facilities subject to abandonment

pursuant to the Joint Statement and the February 2007 agreement, beginning with disablement of the three core facilities at Yongbyon, which was to be completed by December 31, 2007. It also committed to provide a complete and correct declaration of all its nuclear programs by December 31, 2007. The DPRK, however, missed the deadline for the declaration and has not yet completed implementation with all agreed disablement tasks.

Addressing North Korea's proliferation activities is integral to achieving the verifiable denuclearization of the Korean Peninsula and ending the threat posed by a nuclear North Korea. As the Syria case illustrates, much more work remains to be done, and we need to redouble our efforts as well as our vigilance. We look forward to working closely with our Six-Party partners to ensure that the Six-Party process continues to prove an effective tool for addressing our proliferation concerns and ending the threat posed by North Korea's nuclear program.

The challenge now is to press the DPRK, including through continued close engagement to translate its solemn promises into facts on the ground. The United States continues to encourage North Korea to fulfill its commitments in the October 2007 Second-Phase Actions agreement, and to move forward to the next phase, in which the DPRK verifiably would abandon all nuclear weapons and existing nuclear programs, as it committed to do under the September 2005 Joint Statement. North Korea must understand that it can secure a better future for its people, assure its security, and end its international isolation only through the verifiable abandonment of its nuclear weapons and existing nuclear programs.

For its part, Iran has been offered a remarkably generous package of incentives that present the regime in Tehran with two choices. The "P-5 Plus One" Ministers met last Friday to work on refreshing that package. One route available to Iran is the path of defiance and noncompliance, including with its obligations under Chapter VII of the United Nations Charter and its IAEA safeguards agreement. As exemplified by the passage of the U.N. Security Council's recent Resolution 1803 – and by an international effort to impose financial and other sanctions on Iran in response to its provocative and destabilizing activities – the path of defiance is also the path of isolation, of continuing and additional sanctions, and of further stunted economic opportunities for a proud and sophisticated people already suffering from economic turmoil and mismanagement by its regime's leaders.

Even with respect to Iran's nuclear program, and the peaceful civil nuclear power industry Tehran claims to desire, this path of isolation offers Iran no benefit. It offers only increased risks, growing costs, economic strains, and technical uncertainties – and a future as, at best, only a marginal player in the world of nuclear power technology. Indeed, even if one believed Iran's fantastical claims of exclusively peaceful intentions, that country's dogged pursuit of fissile material production capabilities is still based upon an illusion, for it cannot offer even the "energy independence" that its supporters pretend. Even if Iran could enrich its own reactor fuel, it does not have enough uranium reserves to support a nuclear power industry. (Iran only has domestic uranium reserves sufficient reserves to support one type of truly "independent" nuclear endeavor: building a handful of nuclear weapons.) One way or the other, in other words, any significant Iranian power reactor program will remain dependent upon outside suppliers.

The other path available to Iran, however, is the path of international reconciliation, of the eventual restoration of international trust in its peaceful intentions, and of acceptance of the generous package of incentives offered it by the "P5+1" countries and endorsed by the U.N. Security Council. Such acceptance is not only the best way for Iran to reverse its increasing isolation and sanctions pressures, but it is also the best way – and perhaps the only way – for Iran to enjoy the full benefits of the peaceful uses of nuclear energy. Nor, moreover, are the inducements being offered to Iran limited to help in nuclear power generation: it would also come in many other fields, including civil aviation, medicine, and agriculture.

If Iran's intentions were really peaceful, this choice between paths should be obvious and easy. Iran has the chance to comply with its legal obligations, to embark upon a path that offers its long-suffering people their best chance for future prosperity and security, and to abandon a costly, risky, and uncertain program in favor of one facilitated by international cooperation. This is the path that the rest of the world has a right to expect from Iran. It is tragic that its government has remained so set upon a contrary course of deceit, lawbreaking, and confrontation unbecoming to the inheritors of such a proud and ancient culture.

If the North Korean and Iranian nuclear crises are not resolved – and both nations

returned to the status of law-abiding, NNWS members of the NPT regime – the Treaty's future is quite uncertain. Their noncompliance has undermined the fundamental security framework the NPT offers all States Party. Consequently, Mr. Chairman, it is of the utmost importance that all our governments work together more effectively to ensure strict compliance with the NPT.

NPT Universality

The United States welcomes and encourages all non-parties to accede to the NPT as non-nuclear-weapon states as soon as possible. To accomplish this, we seek to establish an environment of mutual respect and trust, by encouraging the three parties that have not joined the NPT to exercise nuclear restraint, and by insisting that all NPT Parties comply with their obligations. A rigorous approach to compliance will help strengthen the regime and promote NPT universality by demonstrating that the Treaty provides meaningful and enduring security benefits to adhering states.

In that regard, Mr. Chairman, let me reiterate that achieving a comprehensive, just, and lasting peace in the Middle East remains a key U.S. foreign policy goal. We remain committed to a negotiated settlement to the Israeli-Palestinian dispute, and continue efforts to realize President Bush's vision of two states – Israel and Palestine – living side by side in peace and security. Within the context of a stable, comprehensive regional peace, the United States supports the objective of a Middle East verifiably free of WMD and delivery systems – a goal which, not coincidentally, is explicitly set forth in the Resolution on the Middle East adopted by the 1995 NPT Review Conference. As is also explicitly recognized in that Resolution, progress toward the goal of a WMD-free Middle East requires movement toward a political and security environment in the region that is conducive to achieving this goal. This is yet another reason why Iran's nuclear posture and the recent evidence of a clandestine Syrian nuclear program are so alarming: they have become terrible obstacles to achieving objectives of the 1995 Resolution.

It is necessary to emphasize, Mr. Chairman, there is little hope of reaching an agreement to create a Middle East free of WMD unless the nations of that region implement and uphold all existing agreements to which they are parties. We cannot hope to attract new parties to the NPT if the nonproliferation assurances offered by the Treaty are not seen to be credible. For this reason, no one who desires NPT universality and a WMD-free Middle East can fail to regard Iran's and Syria's nuclear provocations with anything but alarm.

Mr. Chairman, with regard to the situation in South Asia, let me reiterate that the United States continues to believe that all countries that are not NPT States Party should adhere to the NPT as non-nuclear-weapon states. We recognize, however, that India and Pakistan are unlikely to join the Treaty in the foreseeable future. Until universal adherence is attained, we wish to ensure that non-parties use nuclear technology responsibly – and we have been willing to engage with them to help bring this about.

Safeguards, Security, Export Controls

Finally, I would like to address three vital elements of the nuclear nonproliferation regime – safeguards, nuclear security, and export controls. All of these elements have a basis in the NPT and are part of the core of the regime. Early in the nuclear era, political and technological barriers to the acquisition of nuclear weapons by those not already possessing them were quite high. In more recent years, however, those barriers have significantly eroded, making the role of the safeguards system increasingly critical. It is not difficult to predict that in the coming decades this erosion will continue. Moreover, the emerging "nuclear renaissance" will likely bring nuclear materials and aspects of nuclear technology to a wider range of states. If today's safeguards environment is challenging to the IAEA's capabilities, in other words, tomorrow's environment will be doubly so.

The United States has strongly supported IAEA safeguards funding for many years, and indeed has provided the largest single portion of the IAEA's budget for such activities – including voluntarily donating about three-quarters of the IAEA's "extrabudgetary" funds. But this is not a burden the United States should have to shoulder alone on behalf of the nonproliferation regime. All States Party must ensure that the Agency has the resources and capabilities necessary both to provide warning of the diversion of nuclear material or technology in time to permit effective responses by the international community, and to perform the essential function of detecting undeclared nuclear activity. The United States encourages other NPT Parties to help provide the support necessary to ensure that the safeguards system

is effective, including through the development of the next generation of safeguards technology and staff.

In addition to such support, the IAEA needs a strong and uniform legal foundation for the application of safeguards. U.S. support for safeguards has included promoting at every opportunity increased adherence to comprehensive safeguards agreements and the Additional Protocol (AP), as well as financial and technical support for the safeguards system. Too many countries have still to conclude an agreement with the IAEA as required by Article III. And too many have not yet accepted the Additional Protocol, which provides essential new tools to detect undeclared nuclear activities. The Protocol bolsters confidence in the NPT and the nonproliferation regime, and Parties must now recognize it, in combination with the comprehensive safeguards agreement, as the new minimum standard for effective safeguards.

With regard to nuclear security, of course, the potential for nuclear terrorism is a global concern. It is in every state's interest to minimize the potential for such acts. For this reason, we strongly support the relevant international legal instruments and initiatives like the Global Initiative to Combat Nuclear Terrorism and call on all states to join them. Nor should I fail to mention export controls, for although technology-sharing is an important part of the NPT framework, nuclear exports must not contribute to nuclear weapons proliferation. The United States wishes to see greater and faster implementation of U.N. Security Council Resolution 1540. Supplier states should also exercise special restraint in transfers of enrichment and reprocessing technologies, because these entail an inherent capability to produce fissile material usable in nuclear weapons. Indeed, Mr. Chairman, the Treaty requires discretion on the part of supplier states with regard to nuclear transfers and cooperation, to ensure that such activity is consistent with their nonproliferation obligations and does not assist another state in violating its own. Strict nonproliferation compliance is essential to preserving and expanding international nuclear cooperation.

Conclusion.

Let me conclude, Mr. Chairman, by making clear that unless States Party take concerted steps to address the ongoing crisis of nonproliferation noncompliance, we risk undermining the credibility of the NPT and the global nonproliferation regime as a whole. Ensuring strict compliance with nonproliferation obligations is a prerequisite for creating conditions that reinforce and advance regional stability and security, and in turn for improving conditions for genuine NPT universality. More generally, lack of serious and sustained attention to shoring up nonproliferation will gravely weaken the Treaty regime, undermining precisely the provisions that constitute its backbone and provide the fundamental mutual security that has made it so important to international peace and security during the last four decades.

Thank you, Mr. Chairman.

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