



## After the NPT Review Conference: Challenges and Opportunities

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Remarks to the NATO Senior Group on Proliferation WMD Seminar  
Sofia, Bulgaria  
June 30, 2005

The proliferation of weapons of mass destruction (WMD) represents one of the most serious threats to our collective security. The threat is not new, but it has grown and taken on new and more complex dimensions. NATO, the G-8, the European Union, the International Atomic Energy Agency, the United Nations, and other organizations and groups of nations, have identified nuclear proliferation as a serious danger and have pursued a number of initiatives to deal with various elements of the threat. In February 2004, President Bush proposed a seven-point action plan, some elements on which I will comment later. Given the widespread recognition of the threat of nuclear proliferation, it is important for us to take stock of the effectiveness of the nuclear nonproliferation regime and to identify ways to strengthen it.

The foundation of the nuclear nonproliferation regime is the Nuclear Non-Proliferation Treaty (NPT). It has near universal adherence. NPT parties are legally bound to fulfill specific obligations to prevent proliferation. The record over the thirty-five years that the Treaty has been in force demonstrates that the NPT has been an effective bulwark against large-scale proliferation. An indicator of its success is that we are not looking at twenty to thirty nuclear weapon states that some had predicted would exist by now. At the same time, we know the Treaty has not been universally successful in preventing nuclear proliferation and is facing critical challenges. Some say it is under severe stress. In recent years, NPT parties' such as North Korea and Iran have sought nuclear weapons in violation of their nonproliferation and safeguards obligations under the Treaty. They were aided by a clandestine nuclear trading network that spread sensitive technologies. Despite considerable international pressure, neither North Korea nor Iran has yet made the strategic decision to abandon its pursuit of nuclear weapons. All these developments substantially increase the danger that terrorists could acquire nuclear capabilities, a goal to which they aspire.

It was the hope of the United States that the Seventh NPT Review Conference, which concluded at the end of May, would address these growing threats and engage constructively in a month-long discussion of ways to strengthen implementation of the Treaty. Our starting point was President Bush's March 7 statement commemorating the NPT's 35th anniversary in which he called for strong action to confront noncompliance with the Treaty's nonproliferation undertakings.

On the opening day of the Conference, the Secretary General of the United Nations, the Director General of the IAEA and many others -- including members of NATO -- highlighted the difficult challenges to the NPT that the Conference needed to address. That these issues were raised and discussed by a large number of states during the Conference is a positive step. It is unfortunate that protracted procedural maneuvering led by Iran and Egypt greatly limited the time for substantive discussion and negotiation in the three Main Committees, and effectively prevented any serious effort to achieve a consensus document on the significant issues before the Conference. We need to consider what steps to take now or in the future to prevent a recurrence of such procedural disruptions. We believe that these procedural problems or the lack of a consensus final declaration do not signal anything negative about the health of the NPT. Three out of six previous Review Conferences were also unable to reach consensus on a substantive final declaration. Of more importance is the fact that within the time allotted for substantive discussion, and in informal exchanges, the focus of many delegations was on the challenges facing the NPT and how most effectively to address them.

We are encouraged that the national statements of many delegations included a strong reaffirmation of their governments' commitment to the NPT, a collective view that strongly validates the Treaty. We are encouraged by the submission of many thoughtful working papers with constructive proposals dealing with issues such as noncompliance, strengthening safeguards and export controls, and considering the consequences of withdrawal from the Treaty. The United States and many other delegations hoped these issues would be considered in a final declaration. Nonetheless, if one looks carefully at what was conveyed in statements and working papers, we can be assured that the Treaty retains a strong base of support and we have a good foundation for moving forward.

The question for today is: how can we build on that demonstrated base of support to mobilize collective efforts to improve implementation of the NPT?

First, working together, we should continue our dialog on important NPT issues with all parties to the Treaty. In doing so, we must acknowledge that on some issues related to the Treaty there will be differing perceptions and positions, and we can expect a healthy exchange of views on these issues. However, our diplomacy must maintain a strong emphasis on the central purpose of the NPT, which is to prevent the spread of nuclear weapons to additional countries. The name of the Treaty and the first three preambular paragraphs clearly reveal that the primary concern behind the drafting of the NPT was that the further dissemination of nuclear weapons would increase the risk of nuclear war. During the Cold War, many NPT parties naturally became concerned with the increase in nuclear arsenals, or so-called vertical proliferation. Even as nuclear arsenals are being reduced, this remains a primary concern of many today. However, some of these states have allowed their long-standing preoccupation with Cold War nuclear dangers to obscure their understanding of and appreciation for the dangers of horizontal proliferation that we confront today.

A continuous reaffirmation of the primacy of the NPT's nonproliferation objectives will bolster complementary efforts to strengthen other elements of the nuclear nonproliferation regime. These complementary initiatives, such as the Proliferation Security Initiative (PSI) and implementation of UN Security Council Resolution 1540, may be pursued outside the formal framework of the Treaty, but they are grounded on the general nonproliferation objectives enshrined in the NPT.

Second, we must continue to address specific proposals for strengthening the regime in other fora. In that regard, the proposals of President Bush and other world leaders were discussed at the Review Conference, with many receiving substantial support. For example, we can strengthen the NPT by recognizing that comprehensive safeguards and the Additional Protocol represent the new standard for NPT safeguards and by promoting universal acceptance of these agreements. We are pleased that the IAEA Board of Governors approved six more Additional Protocols earlier this month. Moreover, we must use the recently established Special Committee on Safeguards and Verification of the IAEA Board of Governors to recommend ways and means to strengthen safeguards. The overwhelming support and consensus decision of the IAEA Board of Governors two weeks ago to create this Committee reaffirmed the international community's desire to stay the course in the struggle against nuclear proliferation.

We should also continue discussions in appropriate fora on ways to ensure that a peaceful nuclear program is fully compatible with the NPT's nonproliferation undertakings and not used as a cover for nuclear weapons capabilities. The nuclear fuel cycle drew much attention at the RevCon. We

should pay more attention to indicators of a possible Article II violation. We need to consider effective ways to limit the spread of sensitive technologies such as enrichment and reprocessing to new states. The experts committee on nuclear fuel cycle management, appointed by the IAEA Director General, examined several approaches but did not recommend any particular one. President Bush's proposal that exports of enrichment and reprocessing technologies be limited to only those states with fully functioning enrichment or reprocessing facilities remains the U.S. position, but we are working with others in an effort to develop a common approach. The Nuclear Suppliers Group remains seized with this issue. Whatever the course of these ongoing deliberations, we must recognize the dangerous potential of these technologies and find responsible ways to limit their spread while continuing to facilitate cooperation in the peaceful uses of nuclear energy as called for in Article IV of the NPT and in conformity with Articles I, II and III of the Treaty. We should reassure NPT parties in compliance with their nonproliferation obligations that more restrictive measures on these technologies are fully compatible with the peaceful use benefits called for under the Treaty.

Over 60 states have now indicated their support for the Proliferation Security Initiative (PSI), which President Bush proposed in Krakow, Poland in 2003. They are cooperating in innovative and effective ways to deter or impede proliferators by interdicting suspect WMD-related shipments en route. Support for this effort continues to grow because it is based on an international consensus that WMD proliferation is a threat to global peace and security. The United States is fully committed to broadening and deepening international cooperation on PSI.

UN Security Council Resolution (UNSCR) 1540 requires all states to enact and enforce legal and regulatory measures against WMD proliferation by state and non-state actors. This resolution recognizes the importance of cooperation among states to prevent illicit WMD trafficking and is a key nonproliferation tool. Resolution 1540 reflects the steady progress of national and international efforts to address the challenges of WMD terrorism and to keep the world's most dangerous weapons and weapons materials out of the hands of the world's most dangerous actors. We must encourage all states to comply with that resolution and provide assistance needed, where requested and where appropriate.

PSI and Resolution 1540 reinforce certain nonproliferation objectives of the NPT, and key NPT obligations. These complementary efforts must be buttressed with effective cooperation among intelligence, military, and law enforcement agencies to take additional steps to shut down proliferation networks, including an ability to impede the flow of financing that supports the proliferation of WMD. Indeed, just yesterday, President Bush issued an Executive Order laying out U.S. efforts to dry up WMD financing, and we hope other countries will pursue similar efforts.

Finally, we must deal effectively with NPT parties that violate their nonproliferation obligations under the Treaty. Other NPT parties must hold them accountable for their violations. A suspension of nuclear cooperation with such states would be the obvious and critically important first step, along with a demand for full disclosure and remedy of the violations. Any state that announces its intention to withdraw from the Treaty, such as North Korea, must be held accountable for violations of the Treaty that took place before its withdrawal was announced. Participants at the NPT Review Conference initiated a discussion of the consequences of withdrawal and how to manage those consequences. This was a constructive exercise and we should find ways to continue it.

With regard to the nuclear weapon programs of North Korea and Iran, the United States supports ongoing efforts to resolve these matters peacefully through diplomacy. We and our partners in the Six-Party Talks hope that North Korea will rejoin the talks and commit to the complete, verifiable, and irreversible dismantlement of all of its nuclear programs. These talks offer the best opportunity to resolve this issue. Regarding Iran, the United States supports the efforts of Britain, France, and Germany, supported by the EU High Commissioner, seeking a negotiated long-term resolution of Iran's nuclear program. Given its history of clandestine nuclear activities, safeguards violations, and documented efforts to deceive the international community, Iran must now demonstrate that it no longer seeks to acquire a nuclear weapons capability. Only the full cessation and dismantling of Iran's fissile material production efforts can begin to give us any confidence that Iran is no longer pursuing a nuclear weapons capability.

Libya, on the other hand, pursued clandestine efforts to acquire nuclear capabilities with the help of A.Q. Khan's network but made the strategic decision to abandon its WMD programs and to cooperate with the international community. We welcome Libya's wise decision and hope Tehran and Pyongyang follow their example.

It is important to stress that the central emphasis on nonproliferation has not should not, and will not diminish the importance of the disarmament and peaceful uses provisions of the Treaty. Some NNWS have responded to the greater importance placed on nonproliferation by claiming that the other goals of the Treaty have been downplayed or ignored in recent years. Nothing could be further from the truth. There is absolutely nothing in the recently concluded NPT review process to justify such a charge.

For its part, the United States went to great lengths during the recent NPT review process to affirm its commitment to Articles IV and VI and to set out our record. We know that some question the pace and means by which the United States has reduced its reliance on nuclear weapons, but we believe the facts speak for themselves and we remain prepared to consult, discuss and explain in order to advance mutual understanding. At the same time, it would have been irresponsible to ignore the reality that the NPT's nonproliferation objectives were under threat from a few NNWS that sought nuclear weapons in violation of the Treaty. It was also clear that some NPT parties do not place enough emphasis on dealing with Articles I, II and III relative to their continued strong focus on Article VI.

Let me conclude by reemphasizing the importance of our joint efforts to confront the challenge of noncompliance with the nonproliferation objectives of the NPT. The historic success of the NPT should not induce complacency; the Treaty enjoys a strong record, but it is not a perfect record of accomplishment. Each NPT party should recognize that complying with the NPT's nonproliferation provisions, adopting measures to strengthen these undertakings, and holding accountable those who would violate these provisions, are vital to achieving all of the Treaty's objectives.

To be successful at this, we must be able to adapt to changing proliferation circumstances and utilize a full range of tools. We must have a global nonproliferation regime or comprehensive architecture in place and in practice that ranges from limiting access to dangerous materials and technology by securing them at their source, to enacting export and border controls, to impeding WMD-related shipments during transport, and to enforcing domestic regulatory and administrative practices to guard against illegal proliferation activity. The NPT is at the core of this architecture. Without a global consensus as embodied in the NPT, we could not marshal enough support to tackle these complex problems.

An effective nuclear nonproliferation regime, therefore, requires both concrete complementary actions, such as those that I have just outlined, and a vibrant NPT. We must spare no effort to confirm our support for the Treaty and continue our collective efforts to ensure its lasting efficacy and credibility. We all have a role in that process and each has a vital stake in the outcome.

Thank you very much.

Released on July 7, 2005

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