

SHAPE-2010 Seoul, ROK, 11 March 2010

Plenary II: NPT Review Conference

Amb. Henrik Salander, Chairman Middle Powers Initiative

Dear hosts, dear participants, dear fellow panelists,

I am grateful to be here, in this extremely timely and substance-filled conference. I am going to make a few comments on the upcoming NPT Review Conference in May and its place in the fast development of nuclear weapons policy issues that we are witnessing at present; and I will suggest some measures that influential non-nuclear-weapon states, middle powers, could take.

NPT reviews are a kind of landmarks. They show routes and tell histories. The three latest, 1995, 2000 and 2005, generated lots of commotion in different ways – the dramatic indefinite extension of the Treaty, the unexpected 13 steps, and the non-agreement five years ago triggered by three main actors who, for very differing reasons, did not want a result which in their view was worse than no result – the United States, Iran and Egypt.

As NPT parties they were in their full right. In fact, it's quite surprising that the no-agreement outcome has not happened more often. In both 1995 and 2000, there were enormous differences between delegations. Those differences surfaced only later, instead of in the conferences, in that governments retreated from the agreements. Non-nuclear-weapon states are still waiting for fulfillment of the promises given in 1995, on the CTBT, FMCT and systematic disarmament efforts, not to mention the Middle East resolution; and after 2000, several of the 13 steps were reinterpreted or retreated from, most clearly by the US, but also by Russia, France and China.

So there is a history of disappointments. Also Review Conferences that were first regarded as successful have later created controversy. The result has been uncertainty as regards what NPT agreements are really worth – which in turn has resulted in uncertainty for governments what they are supposed to strive for in the conferences. Is a compromise agreement, not much liked by any delegation, better or worse than principled substantive positions and a failed conference? If delegations knew that compromises would be adhered to, they could make a judgement on this, but now they can't know for sure.

In the run-up to the conference, there is now a certain pessimism at hand. After President Obama's Prague speech, the nuclear-weapons states have not used the year gone by to send clear signals about a decreasing role for nuclear weapons. The cases of North Korea and Iran are creating nervousness. American leadership has been weakened by the slow processes on the CTBT and the post-START agreement. The impact of the postponed Nuclear Posture Review is unclear and remains to be seen.

Would a repeat failure, following on the one in 2000, be disastrous? My answer is: probably not in the short term, but perhaps in the longer. At the very least, an NPT review crash would make all multilateral approaches to the regime so much more difficult to manage – and not only disarmament, but also the most pressing non-proliferation problems, such as Iran and North Korea.

NPT parties need to create an outcome which is not promptly ignored or reinterpreted. For that, a change of direction is needed. Business as usual will not work.

Why, one might ask? Would not some further reductions of nuclear weapons be enough? Perhaps some efforts to get the CTBT and the FMCT into place?

No, this will not work in the longer run. Such efforts, important and necessary as they are, may buy some time, but in the longer run real steps towards prohibition of nuclear weapons are indispensable also to the security of nuclear-weapon states. Otherwise there will be several more nuclear-armed states in a few decades from now, and everybody's security will be diminished. It's inconceivable that non-nuclear-weapon states will let eight or nine states have a monopoly on ultra-violent weapons for a hundred years or more, denying all other states what they themselves regard as security-enhancing arsenals. It will not happen. That's why the only long-term and effective alternative to proliferation is elimination.

By change of direction I won't suggest that nothing else than a decision to start negotiations on a prohibition of nuclear weapons would be sufficient – desirable, of course, but not realistic already in May. I rather mean that states parties need to shape an outcome that is not promptly ignored or reinterpreted.

It may well be that the concept of a Nuclear Weapons Convention will have to be treated in the final document in order to create the level of ambition which is necessary for such a result

to materialize. The actual result is a long time away, but it is a logical step to start preparing for it already now. The Middle Powers Initiative recommends that non-nuclear-weapon states press for the Review Conference to adopt a commitment to start preparatory work on a convention or a framework of instruments for sustainable verifiable and enforceable global elimination of nuclear weapons.

This is what the UN Secretary-General, Ban Ki-moon, a countryman of whom our hosts can be proud, suggested one and a half year ago, when he presented his five-point action plan on nuclear disarmament and non-proliferation. And I can sense a growing interest among non-nuclear-weapon states for such work to start, even if it would have no immediate impact on the vitality and strength of the NPT.

One often hears that this kind of process is premature, but more seldom is explained what would make time ripe for such work. Personally I believe that preparation for convention negotiations can proceed in parallel with, and stimulate, work on the more un-dramatic measures that have eluded governments for decades, like the CTBT and the FMCT. The Kawaguchi-Evans commission puts it well when it says that it is not too early to start now on refining and developing the concepts in the model convention, making its provisions as workable and realistic as possible.

Whether or not the convention concept enters the final document in May, some minimum results will clearly be required to get a consensus agreement from the Conference. Just to mention some of them:

First, the nuclear five must make efforts to clarify what kind, or kinds, of multilateral negotiating processes they are willing to undertake. Second, some movement and/or clarification on the CTBT and the FMCT is needed. Third, some clear expression is necessary from the nuclear-weapon states of what their ambitions are when it comes to downgrading their reliance on nuclear weapons; the so-called “diminishing role” from the 13 steps in 2000. Good faith implementation of this commitment requires, at the very least, rejection of reliance on first use of nuclear weapons in the name of extended deterrence or counterforce doctrines.

Other steps among the 13 need to be updated and more clearly formulated, such as transparency, irreversibility, tactical weapons and others. But more importantly, definitely within the minimum requirements is an honest treatment of the Middle East issue remaining from the 1995 Review Conference. There are ideas that might fly, like a special coordinator or a special conference; whether these are sufficient, I don't know. But it is clear that there will

be no successful outcome without specific language on the Middle East – and at the same time, it's equally clear that NPT conferences will not be the place where solutions to the Middle East problems will be found.

Then there are additional areas where some states parties will try hard to shape agreement but which will probably not decide the overall result: for example the interpretation and application of Article X on withdrawal from the treaty, and improved institutional memory and governance of the Treaty itself.

There are a large number of other measures that have been discussed for years or even decades and which the Middle Power Initiative recommend that non-nuclear-weapon states continue to press for. Examples are an NPT commitment to make the Additional Protocol a standard for compliance with non-proliferation agreements; the support of work towards the global multinationalization of the nuclear fuel cycle; and a commitment to establish a comprehensive accounting system covering arsenal sizes, delivery systems, fissile material stockpiles and spending on nuclear forces. The Middle Powers Initiative also recommends non-nuclear-weapon states to call for all states with nuclear weapons to declare the size of their stockpiles and to commit not to increase them; and to seek reaffirmation of the NPT commitment to lower the operational status of nuclear forces.

The central contention of the Middle Powers Initiative is that implementation of the steps on the agenda at present, and of other measures that have been discussed, must visibly and substantively demonstrate the intent to achieve the elimination of nuclear weapons. A similar thought was well expressed by the four US statesmen: without the steps, the vision will not be seen as possible, and without the vision, all those necessary steps and short-term actions will not be seen as fair or urgent.

The NPT is 40 years old now. It has been more effective than could have been anticipated, and it has endured severe blows. One of the worst was the exemption for India decided by the Nuclear Suppliers Group, following the US-India agreement presented in 2005. The India-specific exemption amounts to abandoning 40-year-old principles on non-proliferation, and creating damaging double standards. To dress this up as a net gain for non-proliferation, as has been done not only by the United States but also by the UK, France and Russia, is intellectually and politically dishonest.

I can understand, and support, my fellow Pakistani panelist taking strong exception from this. However, from this unfortunate development it doesn't follow that Pakistan is taking a

constructive route by blocking an agreement in the Conference on Disarmament in Geneva on the start of negotiations on a fissile material treaty. The Middle Powers Initiative recognizes every state's right to use the consensus rule of the CD to serve its perceived security interests. But every state is guarded by the consensus requirement in the negotiations to come, and the Middle Powers Initiative therefore urges all CD member governments to let sound multilateral principles be put to work, and to later analyse the result according to its own interests. If the process doesn't start this year, the time has arrived for another process to be started outside of the CD, letting unwilling governments come in later when it suits their judgement of the situation.

A lot of important processes are in limbo, threatened or stalled: not only the FMCT, but the CTBT, bilateral agreements between the US and Russia, and most of the multilateral steps discussed but not negotiated in the CD. In May, NPT parties must be prepared to address the fact that the Treaty is threatened from two angles. Schematically speaking, one is symbolized by Iran's unwillingness to clarify its intentions in a fully transparent way. The other is marked by the nuclear five's apparent view that their retaining and modernizing their arsenals is compatible with the NPT. Both are dangerous threats to the norms. The first may seem more immediate, while the world has lived with the second for a longer period. Both must be solved.

This coming May will be the first Review Conference after dramatic new components entered the equation, like the Wall Street Journal articles by the four statesmen, the UNSG's five-point plan, the Prague speech, the Commissions like the Kawaguchi-Evans and Blix commissions, and the Security Council Summit on nuclear weapons last September. Continued inertia will no longer be good enough for the international community. Plodding sideways and backwards for fifteen more years will slowly kill the NPT.

All this said, the Middle Powers Initiative wants to place achievement of a nuclear-weapons-free world within a much broader agenda of peace and security. The abolition of nuclear weapons is necessary not only because they pose unacceptable risks, but also because the current regime, with nuclear haves and have-nots, does not give rise to an effective global order. Elimination of this system, and the weapons themselves, is needed in order to tackle the other serious problems facing our interdependent world, like environmental threats, wars and terrorism, financial instability, poverty and disease.

Thank you.

