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## **The State of the Non-Proliferation Treaty**

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Thank you, Arjun. Ladies and gentlemen, it's a great pleasure to be with you on this opening day of the sixth Review Conference of the NPT. In many ways, this is the first NGO event for the four weeks that we will be here together. Since some of you come from outside New York, may I strongly recommend that you see a play "Copenhagen" by Michael Frayn, it is a brilliant theatrical exploration of the motives of people who engage in nuclear physics leading to the manufacture of nuclear weapons. In this instance, it is Niels Bohr of Denmark and Heisenberg of Germany. Of course, there is an interplay of ideas and a reference to the quotation from Shakespeare's Hamlet about the darkness in all our souls. And I think it is a useful way to explore what drives people to manufacture new weapons, whether it is weapons of mass destruction or any other kind of weapons and also what our responsibility should be as citizens in responding to these new generations of weapons that are all the time being manufactured and being refined and developed. So I would strongly recommend that you see this play in order to redouble your efforts on behalf of nuclear disarmament and disarmament in general.

I'd like to also pay a tribute to the NGO community for the encouragement you give us in the United Nations Department for Disarmament Affairs in our tasks, for the creative energy that you bring to your work and for the enormous amount of published material that you have produced, not only with respect to the NPT but in respect to so many other disarmament issues, which I think has helped a number of delegations throughout the years, to inform them in their participation in the deliberation and negotiation of disarmament issues.

My task today is to talk to you about the state of the Nuclear Non-Proliferation Treaty. As many of you know, and as Arjun said in his introduction, I presided over the NPT Review and Extension Conference of 1995. I'm frequently asked whether, after the last five years, I would want to see things done differently in 1995. That is a difficult question to answer. I think in many ways we need to preserve the NPT as a norm and it was a norm that was established at a time when the danger of the horizontal spread of nuclear weapons was a very serious one. There was implicit in the 1968 signature of that treaty a serious trade-off between the legal renunciation of

the nuclear option by non-nuclear weapons states in return for guarantees that they would receive assistance in the peaceful uses of nuclear energy, as well as have meaningful efforts on the part of the nuclear weapons states to reduce and eventually eliminate nuclear weapons. But 30 years after the entry into force of that treaty, we can look back with some satisfaction that the number of nuclear weapons states has in fact not dramatically increased. It is true that, within the last two years, we have had two more countries crossing the nuclear threshold, but those countries were not in the NPT. It is also true that within the NPT we have had the IAEA repeat today, as they have done before, the fact that two countries are in a state of non-compliance with their obligations under the treaty. This record is still not an egregious one in comparison to what could have been if we did not have an NPT.

So the NPT today, with 187 countries subscribing to it, is the most widely-subscribed to disarmament treaty and it has established a norm against nuclear proliferation and against the continued ownership of nuclear weapons. It is also the only multilateral treaty in which the five nuclear weapons states are obligated to disarm and eventually to eliminate nuclear weapons. It is therefore vital that in the context of the NPT, particularly in the strengthened review process that we have had since 1995, that we continue to exert this pressure in order that the nuclear weapons states can be reminded of their responsibilities, which has been greatly enhanced by the Advisory Opinion of the ICJ that was quoted a little while ago. This treaty is the foundation of the nuclear non-proliferation regime.

It is also the first treaty to have had a review mechanism introduced. Today, we have Beijing plus five and Copenhagen plus five conferences held routinely, but it is useful to remind ourselves that the review mechanism five years after the treaty as originally entered into force in 1970 and every five years thereafter is something that was originated so that the treaty parties can assess and evaluate the functioning of the treaty. Since 1995, we have had enhanced accountability of the treaty parties and a series of benchmarks through the Principles and Objectives decision, which enable us to ensure that the review process is much more productive than it has been in the past.

There are certainly numerous causes for concern as we look at the health of the treaty. Some of them have already been mentioned. Clearly, there has been a major downturn in the international political situation that we face. We see disunity amongst the permanent five members of the Security Council. We have had the disagreements over the bombing of Iraq and the bombing of Kosovo. We have seen a serious alienation of China and the Russian Federation, in particular over the Kosovo crisis. On the Middle East issue, we have had a see-saw situation with regard to exactly where the Middle East peace process is going. But there is also accompanying this an evidently declining faith in global norms and processes as far as international peace and security are concerned. This is very clearly evident in the way in which CTBT ratification was rejected by the US Senate and the accompanying cries by a number of right wing Republicans and others with regards to the death of arms control. The obituaries were already written with regard to multilateral treaties on disarmament and arms control and it appeared that the unilateralists were in full cry.

On the multilateral scene we also see a certain deadlock, a malaise that has seized the disarmament machinery that was born largely as a result of SSOD I [The First Special Session on

Disarmament] in 1978. The CD, which Rebecca [Johnson] studies very closely from her vantage point, has for the fourth year in succession not been able to adopt a program of work. The Secretary-General remarked this morning that it appears as if the machinery has begun to rust, not because of any intrinsically wrong parts with regard to the machinery itself, but because of a lack of political will to use the machinery. The Disarmament Commission, which is supposed to meet in two months, has still not decided on an agenda. The First Committee of the Assembly has a large number of resolutions that are voted upon as hardy perennials with very little of an outcome.

As far as nuclear weapons are concerned, we see in the recent past, despite the obvious lack of a political or military rationale for nuclear weapons which it might have had in the Cold War, and even that is arguable, an emphasis on the utility of nuclear weapons. This was evident in the Washington summit of NATO where the nuclear doctrine of NATO was reactivated. It is evident in the new Russian security doctrine where, because of a perceived inferiority in conventional arms, there is an increased reliance on nuclear weapons. And it is there in the draft nuclear doctrine of minimum deterrence of India. So rather than seeing a gradual exclusion of nuclear weapons from the arsenals of the world, we are seeing an emphasis on their importance. And of course the South Asian tests, which we all widely regard as being a major setback to nuclear non-proliferation and nuclear disarmament, has been a major challenge. This is widely acknowledged to be a blow to the NPT, particularly because of the possible reactions of some NPT states to the Indian and Pakistani nuclear tests, and the danger that the nuclear non-proliferation norm may not hold firmly in the new context in South Asia and that we might have an acquiescence in what some have called "managed proliferation.". This is a very serious threat to the regime that has to be faced.

We also clearly have compliance problems. I refer to the case of Iraq and the DPRK. The Director General of the IAEA stated very explicitly his concerns about those two countries. We know that the IAEA safeguards have been greatly strengthened as a result of the additional protocol, but we need to have greater confidence that non-nuclear weapon states themselves are fulfilling their obligations under the treaty, and that what happened in Iraq and DPRK will not happen elsewhere.

There is clearly a lack of progress on Article VI, disarmament issues, until of course the dramatic events of last week when the Russian Duma galvanised into action and ratified both the START II and the CTBT, putting the ball back, as Graham Allison and Sam Nunn said in their op-ed piece in the *New York Times* today, in the U.S. court. But we don't know whether the ball will be played back or whether it will be buried in the US Senate. The conditions that the Duma have placed on the ratification of START II and the problems with regard to the 1997 protocols may not make it easy for the START II to in fact enter into force.

There are also the nuclear weapon free zones, under Article VII of the treaty, where we have the Treaty of Pelindaba signed and the Treaty of Bangkok signed since 1995, but the Treaty of Pelindaba has not entered into force. We have not had the requisite number of ratifications; there is an appallingly slow pace of ratifications. And with regard to the Treaty of Bangkok, the protocols have not been signed by the nuclear weapons states. Although we were told there are negotiations going on, we still do not know what is happening. The central Asian nuclear free

weapon zone, which we thought was going to be achieved very quickly, is still struggling to be born.

And over all this looms the plan of the United States to have a National Missile Defence system, jeopardising the Anti-Ballistic Missile Treaty, which we know is widely-regarded as the cornerstone of strategic stability and is likely to unravel existing disarmament agreements and impede future disarmament agreements. The rationale for this is that there are new threats and new enemies. And the new bogey after the Cold War is "the rogue state." It is as if a new McCarthyism is afoot. And instead of looking for Reds under beds, we are looking for rogue states under beds to justify new weapons systems. This is a very dangerous era. An era when one has to ensure that good sense prevails and that pragmatic considerations prevail over the desires of the military industrial complex.

But there are, as I said, a different set of causes for hope in the midst of this rather gloomy picture. This was indicated to us with the action of the Russian Duma skilfully manoeuvred by the newly elected president of the Russian Federation, who has himself placed on the table an offer of 1 500 nuclear warheads for the next negotiation process. Although that may not be acceptable to the US government, it is very likely that the START III in the region of about 2000 to 2500 warheads may be achievable. I think we need to press towards that.

There is also clear technical unfeasibility of the national missile defence system. In the same way as the Strategic Defence Initiative finally collapsed under the weight of good scientific argumentation, my hope is that the NGO community will be able to harness good scientific arguments to indicate why the NMD is in fact technically unfeasible, because that is one of the criteria that will lead to the decision with regard to deployment. It is also likely that with the postponement of the test that was scheduled by the Pentagon that there will be a postponement of the deployment decision. This will, I believe, give a window of opportunity for those influential voices both on the Democratic side, as well as on the Republican side, who are arguing for greater caution and greater consideration of the implications of an NMD deployment decision. This gives an opportunity for the diplomats internationally to work on this issue. I think that time is so vital; we must not have a decision of such enormous magnitude taken so hurriedly.

Another sign of hope is the Cooperative Threat Reduction program born after the Nunn-Lugar legislation and the way in which nuclear weapon states, former rivals in the Cold War, can work together in order to reduce and eliminate nuclear dangers. This is a practical and a sensible program, together with the tri-lateral initiative, including the US, the Russian Federation and the IAEA, to safeguard nuclear material that comes out of destroyed nuclear weaponry. On Iraq, we have the establishment of UNMOVIC under the very able and experienced leadership of Dr. Hans Blix, whose organisation plan has already been approved by the Security Council, with a very practical objective and a clear-sighted vision of how to implement the resolutions of the Security Council with regard to weapons of mass destruction capability of Iraq. On the DPRK, we have had also the very creative diplomacy of the former U.S. Defence Secretary William Perry. Under the agreed framework, we may see not only a freeze of the nuclear plans of the DPRK but a rollback, and hopefully, a re-establishment of IAEA surveillance of the DPRK's programs. There have also been unilateral disarmament movements by France and by the UK, which must be applauded and which we hope other countries will also adopt. There is the

additional protocol of the IAEA, which we need to have more countries sign and implement. We need to have greater transparency about plutonium stocks and their transport.

And so I believe that this Review Conference does have some ingredients for success. The developments today, with the establishment of subsidiary bodies in Main Committees I and II, is a happy augury for a focused discussion on nuclear disarmament and on the implementation of the resolution of the Middle East. I believe that the excellent conference management that we have not only with President Baali as the overall president of the conference, but with the chairmen of the Main Committees as well as the subsidiary bodies, we can look forward to a productive outcome.

Let me conclude by referring you to the proposal in the Secretary-General's Millennium Report for an international conference for the reduction and elimination of nuclear dangers. This is a conference whose time has come. We know, as I remarked earlier, that the existing CD machinery has been unable to function efficiently because of a lack of political will. We also know that the "special session" of the General Assembly devoted to disarmament, which has been called for in non-aligned conferences and in General Assembly resolutions for several years, is not likely to materialise in the near future. The conference that the Secretary-General has proposed has a broader scope than focusing on nuclear disarmament.

We know that the final and most unequivocal elimination of nuclear dangers is through the elimination of nuclear weapons. But there are other steps that have to be taken, steps such as de-alerting, the cut-off of the production of fissile material, and the safeguarding and eventual elimination of existing stocks of fissile material. There is the entry into force of the CTBT and a number of other issues, both in the non-proliferation area and the nuclear disarmament area that can be tackled in a universal forum, in which India, Pakistan, Israel and Cuba could also join the 187 members of the NPT in a crucially important conference to ensure that we hasten to put the nuclear genie back into the bottle. I wish the NGO community would study this proposal and see the potential that it has to restart the engines as far as nuclear disarmament is concerned and to make sure that we make progress on this vital issue on the agenda of international peace and security.

I thank you.