



**Beyond the Usual Script—
New Solutions for the 2015 NPT Review Conference**

By

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I wish to thank Ambassador Abdrakhmanov and his staff for organizing these periodic Nuclear Discussion Forums and for inviting me to speak today about the 2015 NPT Review Conference.

Last May, the States parties to the Nuclear Non-Proliferation Treaty concluded the third and last session of the Preparatory Committee for the 2015 Review Conference. Despite the constructive and positive atmosphere of that session and the expeditious handling of procedural matters, many substantive challenges remain.

As preparations continue for next year's Review Conference, I think it is fair to say that there are many clouds on the horizon and some stormy weather may lie ahead. One source of concern arises from the lack of significant progress by the nuclear-weapon States in fulfilling their disarmament commitments—as expressed in the Action Plan adopted at the last Review Conference in 2010 and reaffirmed in various policy statements. There have been no signs of anything resembling a comprehensive “disarmament plan”—with timetables, interim goals, and domestic institutions dedicated to implement relevant activities. Yet there is abundant evidence that these States are continuing their well-funded, long-term plans to modernize their nuclear arsenals and related infrastructure.

One can therefore safely predict that discussions on the implementation of article VI—which contains the obligation to pursue good faith disarmament negotiations—will remain contentious. The slow pace of nuclear disarmament remains one of the biggest threats to the NPT regime. It is presenting a political barrier to future improvements in that regime. Many non-nuclear-weapon States—actually a majority of UN Member States—emphasize that disarmament commitments are legally-binding and should be time-bound.

There is a strong sense among these States of a growing imbalance in the obligations found in the NPT, as seen in increasing efforts to strengthen the non-proliferation part of the NPT bargain, without any corresponding actions to eliminate nuclear weapons in a manner that satisfies the multilateral norms of transparency, verification, irreversibility, universality, and bindingness in law.

At the very least, States parties can certainly be expected to continue to call for greater progress by the nuclear-weapon States, especially in achieving deeper reductions in all types of nuclear weapons, greater transparency, reductions in the operational status of nuclear weapons and in the role of nuclear weapons in security doctrines, and for the removal of weapons deployed on the territory of third-party countries.

The overriding argument for transparency derives from the need to demonstrate that the nuclear-weapon States are complying with their obligations and pledges to

reduce and eventually eliminate their nuclear forces. Scarcity of information about a country's nuclear programme and capabilities fosters perceptions about its unwillingness to engage in and advance disarmament. The case for transparency rests on its indispensable role in establishing some confidence that States are actually fulfilling their commitments. One of the main purposes of having something called a "review conference" is to look back at past commitments and consider how they have been implemented—and transparency is in this sense one of the most important norms in the disarmament process. It is what makes verification possible. It is what enables States and the public to conclude with confidence that disarmament is actually occurring.

I am dwelling here on transparency because I expect it will be a prominent theme at next year's Review Conference. Many do not believe that the nuclear-weapon States have provided sufficient information about their arsenals and disarmament activities. The reports they provided to this final session of the Preparatory Committee on their implementation of the disarmament actions of the 2010 Action Plan were of varying quality in terms of detail and will likely not suffice as a basis for undertaking a full review as required by the treaty. Despite adopting a standard reporting form, the reports seemed to do little to change the discourse around the slow pace of disarmament.

There will also likely be concerns raised about the various "preconditions"—including this vague notion of "strategic stability"—for a step-by-step approach to disarmament. Several of the nuclear-weapon States have in the past opposed omission of reference to the necessary "context" for disarmament in the substantive recommendations.

Yet we are noticing that the humanitarian approach continues to gain increased momentum, building on the first Conference on the Humanitarian Impact of Nuclear Weapons convened in Oslo in March 2013 and the second Conference hosted by Mexico in the spring of this year as well as on the efforts of civil society.

While traditional arms control focuses on weapons numbers and the interests of the nuclear-armed states, the Nayarit panels looked at nuclear challenges from the perspective and concerns of everyone's security. Discussions of the risks of single and multiple nuclear uses, accidents, miscalculation, human or cyber error or terrorist activity, and implications for "public health, humanitarian assistance, the economy, development and environmental issues, climate change, food security" make it clear that this is a concern for all States, not just those possessing nuclear weapons.

Further illustrating the importance of the issue, a third such Conference will be held later this year, hosted by Austria and I expect that its outcome will also be carried over into deliberations at the Review Conference.

For his part, the Secretary-General remains fully committed to convening the Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, which is of utmost importance for the integrity and future of the NPT. In our meeting today hosted by Kazakhstan, I hardly need to re-affirm that nuclear-weapon-free zones contribute greatly to strengthening the nuclear disarmament and non-proliferation regimes and to enhancing regional and international security.

With respect to security assurances—another theme often addressed at NPT review conferences—I am concerned that the events in Ukraine have cast considerable doubt on the meaning and relevance of security assurances provided to that country in the course of it becoming a non-nuclear-weapon State party to the NPT. Other concerns have been voiced over the reliability of security assurances extended by the permanent members of the Security Council in connection with the indefinite extension of the NPT as well as by the nuclear-weapon States pursuant to the nuclear-weapon-free zone treaties. In the 2000 and 2010 NPT Review Conferences, the States parties agreed that disarmament offered the only absolute guarantee against the use of nuclear weapons and I suspect that theme will reappear in 2015.

So I have just offered a brief tour of some of the various issues I believe will come up at the next NPT Review Conference. Many of these can be easily anticipated, but the development that will have the potential for changing the familiar old script of how these conferences have operated relates to the humanitarian approach to nuclear disarmament—namely, the proposition that nuclear disarmament is essential because of the widely held conviction that these weapons cannot be used without flagrantly violating international humanitarian and human rights laws, and customary international law.

If there are some potential “game changers” here, I would point to the new wind that this humanitarian approach has put into the sails of disarmament, and I continue to be impressed by the determination and persistence of non-governmental groups from civil society in seeking real progress in this field. In short, both the rule of law and democracy are coming to disarmament and these developments have the potential to have a profound impact on the NPT review process—potentially, to put it back on a disarmament track. This is admittedly my hope more than my expectation. Let us see what develops. But I would certainly look to these two areas in any search for “new solutions” to the longstanding problems facing the NPT regime. It is certainly time those problems got solved.