

**20th United Nations Conference on Disarmament  
“Nuclear Disarmament, Non-proliferation, and  
Peaceful Uses of Nuclear Energy: Trends and Challenges”**

**Plenary 1  
“Challenges to the NPT Regime and Initiatives to Overcome Them  
2010 Nuclear Non-Proliferation Treaty Review Conference:  
Crafting a Consensus”  
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I would like to thank the UN Office of Disarmament Affairs for inviting the United States to send a representative to this important conference and to speak about the Nuclear Nonproliferation Treaty (NPT). The high priority the United States attaches to the Treaty is reflected in the statement issued by President Bush last month on the occasion of the 40<sup>th</sup> anniversary of the Treaty’s signing, in which he stated:

“The NPT represents a key legal barrier to nuclear weapons proliferation and makes a critical contribution to international security. I reaffirm the strong support of the United States for the Treaty and our commitment to work diligently to strengthen it further.”

Today I have been asked to address the matter of crafting consensus at the 2010 NPT Review Conference (RevCon). A wide variety of statements from both official and non-governmental sources have made it clear that hopes and expectations are high for progress in achieving Treaty objectives both before and during this major international conference, which takes place only every five years. Success at NPT RevCons is often premised on whether consensus is reached on a final document, decision, or resolution. Given the high stakes for the 2010 meeting, it is important to examine if that standard is the right one.

Article VIII, paragraph 3 of the Treaty states that Parties may convene review conferences every five years “to review the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized.” The terms of the NPT required a decision in 1995 on whether to extend the Treaty after its first 25 years. We believe international security was significantly strengthened when the decision was made to extend it indefinitely.

The 1995 Review and Extension Conference also agreed that Parties would continue to meet to review the NPT every five years.

However, Parties have adopted no specific standard for success at RevCons, only having agreed in 1995 1) on how the review conference would be structured and 2) on the intention to look at past Treaty implementation, to identify areas in which further progress would be sought, and to address strengthening implementation of the Treaty and achieving its universality.

So, while a consensus final document or resolution may be highly desirable, Parties have not agreed that such a consensus document is a prerequisite to success at review conferences. Indeed, it may be counterproductive to regard any conference that does not reach agreement on such a document as not having been successful, especially at a time when the Treaty is under great stress from noncompliance by states with its provisions and from other challenges.

Nevertheless, I can assure you that the United States believes that consensus at the 2010 RevCon would help strengthen the Treaty and is working hard to attain it. States must consider carefully the harm that might be done to the nonproliferation regime by a RevCon perceived to the outside world as a failure by any standard. It is very important that all Parties agree – whether in a consensus document or otherwise – that the NPT continues to be in their security interests and

that all should comply with its provisions and continue to work toward universal membership. As I will discuss further later, it might be worthwhile to consider as a success a final document that at a minimum registers where agreement is possible, hopefully including on these matters, and that identifies work towards those objectives over the next review period.

Beyond these fundamental principles, the United States will pursue a successful outcome on issues in all basic areas of the Treaty – nonproliferation, disarmament, and the peaceful uses of nuclear energy. While I will not address procedural matters in my prepared remarks, it is important to note that obstructions, such as those we saw over the agendas for the 2005 RevCon and the 2007 Preparatory Committee meeting, would significantly reduce the chance that Parties can reach consensus on substantive matters in 2010. For this reason, we would like to see outstanding procedural matters resolved in sufficient time to avoid losing additional valuable time needed to consider substance in the upcoming NPT meetings.

The terms, and in fact, title of the NPT make clear that preventing the proliferation of nuclear weapons is its fundamental purpose. Since the Treaty clearly continues to be in the security

interests of all its parties, we think that consensus on the value of maintaining and strengthening nonproliferation measures should be attainable. These include the entry into force and implementation by all Parties of applicable IAEA safeguards agreements and the Additional Protocol.

The objectives of the NPT are also supported by the application of nuclear safety and security measures that meet the highest international standards, which are especially important to minimize the risks of nuclear terrorism and trafficking. And, while it is important to avoid interfering with the legitimate peaceful use of nuclear energy, the Treaty does require that its Parties refrain from exporting nuclear material and equipment to non-nuclear weapon states unless subject to safeguards, which means that strong export controls are also necessary to ensure fulfillment of the Treaty's objectives.

The critical importance of compliance with the NPT's nonproliferation provisions has been underscored repeatedly by United Nations resolutions, documents produced by NPT meetings, and statements and papers by many of its Parties. Unfortunately,

some Parties have not complied with their NPT obligations, and these circumstances present one of the gravest challenges to the Treaty.

This creates difficulty in reaching consensus at NPT meetings, since any one Party can block consensus, and those who fail to comply are rarely willing to permit agreed documents to reflect that noncompliance. It is unfortunate when a large number of Parties are prevented by those very states that have or are violating the Treaty – or even by those in full compliance – from recognizing how serious the failure to comply with NPT obligations is. In looking ahead to the 2010 RevCon, our best hope for finding consensus language on Iran, and possibly on other Parties that have violated the NPT, may depend on the resolution by that time of their noncompliance cases at the UN Security Council and/or within the IAEA.

A closely related matter is the prospect of withdrawal from the NPT by a Party that has violated it. The right to withdraw is explicit in Article X, but if Parties exploit their membership to obtain nuclear wherewithal from others who are acting on the expectation of compliance, and then withdraw from the Treaty, the very foundation of the NPT's system of ensuring the peaceful use of nuclear energy is undermined. Withdrawal by violators could also weaken the Treaty in other ways and the nuclear nonproliferation regime in general.

The United States believes that a good chance exists that Parties can reach a consensus that recognizes the right to withdraw according to the Treaty's terms, but also expresses serious concern about the possibility that violators will withdraw from it and utilize nuclear capabilities obtained while a Party to pursue nuclear weapons. With this chance in mind, the United States, along with the Republic of Korea, cosponsored a paper on this topic at the NPT PrepCom held earlier this year. We hope that the text of this paper, and of papers submitted by a variety of other Parties, can be drawn on to achieve consensus on this matter in 2010.

The Middle East region continues to represent another critical nonproliferation issue and NPT consensus challenge. The United States supports the objectives of the Resolution on the Middle East adopted at the 1995 RevCon and will work with states within and outside the region to implement it. We will seek consensus at the 2010 RevCon on the issues addressed in the 1995 Resolution, which include the recognition that the Middle East peace process can contribute to the achievement of a region free of weapons of mass destruction. Among other aspects, support for a WMD-free Middle

East should entail supporting and contributing to regional peace efforts and refraining from actions that inflame regional tensions.

Disarmament is a highly contentious dimension of the NPT. The United States remains firmly committed to the goal of nuclear disarmament spelled out in Article VI and the Preamble. We are pleased that many Parties recognize the tremendous progress the United States has made in reducing its nuclear weapons stockpile and in dismantling nuclear weapons. Unfortunately, we note that some Parties are not willing to acknowledge this progress, and/or overlook it in their rush to point out what has not been done. Thus, the United States will continue to be vigorous in showcasing its significant accomplishments in meeting Article VI objectives. An agreed statement that reiterates the NPT's disarmament objectives and fairly reflects how much has been done to achieve the objectives of Article VI should be attainable. Yet we realize that it will be difficult to do so.

A final major Treaty area – perhaps where consensus is most likely – is peaceful uses of nuclear energy. As reflected in the dialogue on the nuclear energy “renaissance,” many Parties – both supplier and recipient states – wish to strengthen international

cooperation on their peaceful uses. Some recipient states continue to express concern about existing or proposed impediments to this cooperation created by proliferation concerns, even though the NPT requires that nuclear cooperation be consistent with its nonproliferation obligations.

However, it is important to keep in mind that the nonproliferation and peaceful use objectives of the Treaty are – and their implementation must be – consistent with each other. If one reviews the numerous constructive proposals that have been made by a range of NPT Parties to ensure that recipient states have reliable access to nuclear fuel in a fashion that strengthens nonproliferation, there is reason to be encouraged. Our optimism about both peaceful nuclear cooperation and prospects for consensus on the subject among NPT Parties led us to cosponsor – along with France, Thailand, and the United Kingdom – a second paper at the 2008 PrepCom, this one on furthering peaceful nuclear energy development. We look forward to using this paper, and ideas from other Parties, to work toward consensus language on peaceful uses at the 2010 RevCon.

I would like to make one more point about seeking consensus at the RevCon, perhaps the most important one for purposes of this

discussion. While we do not think that a final document should necessarily be the standard for a successful conference, the United States has been urging that language on which agreement can be reached should not be held hostage to topics on which it cannot. At the 2005 RevCon, consensus was reached on many important topics, but unfortunately some Parties were not willing to allow that language to be adopted in the absence of consensus on other matters.

We believe that the NPT is too important to allow inevitable differences on specific issues of vital importance to the security of Parties to prevent them from formally adopting language on which they do agree. As I have indicated, we are particularly hopeful about the prospects for consensus on the issues of peaceful uses and Treaty withdrawal. Especially given today's stresses on the Treaty and the nonproliferation regime in general, Parties should not allow the unique opportunity offered by the prospect of a consensus final document at the 2010 RevCon to be missed.

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