

TRANSCRIPT OF PROCEEDINGS

UNITED STATES SENATE

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COMMITTEE ON GOVERNMENTAL AFFAIRS

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NUCLEAR NON-PROLIFERATION

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1 TESTIMONY OF AMBASSADOR THOMAS GRAHAM, SPECIAL
2 REPRESENTATIVE OF THE PRESIDENT FOR ARMS CONTROL,
3 NON-PROLIFERATION, AND DISARMAMENT

4 Ambassador Graham. Thank you, Mr. Chairman, Senator
5 Glenn, and Senator McCain. I would like to submit my
6 statement for the record and make some less formal comments.

7 Chairman Roth. Your full statement will be included as
8 if read.

9 Ambassador Graham. Thank you, Mr. Chairman.

10 And we do appreciate the committee holding this
11 hearing. It is a very important decision that faces the
12 world community at the Review and Extension Conference to be
13 held in New York next April and May, and the decision that
14 is made on the NPT will be one that will undoubtedly affect
15 the security of the United States and the security of the
16 world community for many years to come.

17 The NPT is the most widely adhered to of all arms
18 control treaties. It currently has 173 parties. This
19 number is likely to rise to 175 very soon. We understand
20 that Palau, one of the Pacific Island States, and Chile are
21 likely to join very soon. They have both submitted the
22 request to join through their legislatures.

23 And there is very wide support around the world for the
24 NPT regime and for its continuance and for its strengthening
25 and, indeed in my judgment, for making this treaty, as it

1 should be, a permanent part of the international security
2 system.

3 Senator McCain, we agree completely on your comments on
4 enforcement and compliance. Undoubtedly this will be a
5 significant issue under discussion at the conference.
6 Efforts are underway now to strengthen the IAEA's ability to
7 detect violations and to better monitor the treaty. We have
8 the ongoing 93-plus-2 program, so-called because it began in
9 1993 and is to last for two years, and the first report on
10 that program will be made at the end of this month in
11 Vienna, and it will include new technologies such as
12 environmental sampling as a way of better monitoring the
13 treaty provisions.

14 And as I said, there is wide support for the treaty,
15 but there certainly--as Secretary Schlesinger has indicated,
16 there has certainly been some opposition, some debate within
17 the international community. We think the trend is in the
18 right direction, but certainly this is not going to be an
19 easy conference; in fact, it is going to be a very difficult
20 one. And we will achieve the desired result at the end, but
21 it is not going to come easy, and we very much appreciate
22 the support of the Senate and the Congress. It greatly
23 strengthens our position, and I really mean that.

24 As has been indicated, the NPT is indeed the
25 cornerstone of the non-proliferation--international non-

1 proliferation regime and of the various arms control regimes
2 that exist and, indeed, to a large degree of peace and
3 stability in the world.

4 Yet of all these regimes, of all these international
5 arrangements to control the proliferation of weapons of mass
6 destruction to limit arms and armaments, all of which are
7 based on the NPT, this what might be called the grandfather
8 agreement is the only one whose future is in doubt. It is
9 the only one with an uncertain future. All the others have
10 a permanent duration. The Latin American Nuclear Free Zone
11 Treaty, the Limited Test Ban Treaty, the emerging African
12 Nuclear Free Zone Treaty, START I, START II--all of these
13 are permanent agreements. Only the NPT has a cloud over its
14 future, and that cloud must be eliminated. This treaty must
15 be made a permanent part of the international security
16 system.

17 And we should also keep in mind in considering this
18 issue that the NPT Review and Extension Conference, which
19 starts next month, is perhaps our only opportunity that we
20 will ever have to make this treaty permanent.

21 According to the treaty, Article X.2, it is provided
22 that a majority of the parties will meet 25 years after
23 entry into force to decide whether the treaty shall continue
24 in force indefinitely or shall be extended for a fixed
25 period or periods. That decision is built into the treaty.

1 That decision can be made at the conference. It does not
2 have to be referred to national legislatures, of which there
3 are now 173 which would be involved.

4 When a country, when a State, joins the NPT, it buys
5 into this. It accepts this procedure whereby this decision,
6 this important security, legal decision can be made at the
7 conference, and it is immediately effective, immediately
8 legally binding on all States, no matter how they vote,
9 without reference to national legislatures, and that
10 decision can be made by majority vote, unlike the consensus
11 rule that is so often applicable in international
12 multilateral arms control negotiations.

13 And that provision is not there by accident. When the
14 treaty was being negotiated in the late 1960s, it was
15 negotiated under the consensus rule in Geneva by some 18
16 countries, members of the Conference on Disarmament. Most
17 countries in that negotiation wanted to make NPT permanent
18 like all the other arms control agreements, but a small
19 number of countries, two or three countries, were unwilling
20 to permanently give up the nuclear option, so consensus
21 could not be achieved.

22 This was the height of the Cold War; it was not clear
23 who was going to join the treaty and who was not, and also
24 it was uncertain what the commercial effects of the
25 safeguards system would be, so consensus could not be

1 reached.

2 So the compromise was: All right, 25 years, and then
3 the parties will decide not by consensus, but by majority
4 vote, whether or not then to make the treaty permanent.
5 That was what the negotiators did, and I think, we think,
6 that they should try to carry out their spirit and try to
7 get a majority vote for indefinite extension hopefully with
8 the largest majority that we can.

9 The President has made it very clear that the United
10 States strongly favors indefinite and unconditional
11 extension of the NPT, and he has stressed most recently in
12 his address to the Nixon Center on March 1st that indefinite
13 extension of the NPT is of the highest foreign policy
14 priority for the United States. And we favor indefinite
15 extension for three reasons.

16 The NPT is the principal means of reinforcing the norm
17 of nuclear non-proliferation. The NPT is the principal
18 foundation for the regime for international cooperation and
19 peaceful uses of nuclear energy, and the NPT promotes
20 further advances in international arms control.

21 Ever since the NPT entered into force, the move to
22 become a nuclear weapons State has no longer been a
23 legitimate one. Going nuclear is not an accepted norm, and
24 we can thank the NPT for that.

25 Prior to 1970 when the NPT entered into force, the

1 acquisition of a nuclear arsenal was seen as something--as
2 an act of national pride. The NPT made it a violation of
3 international law.

4 Now with 173 parties, soon to be 175, this norm is
5 firmly established globally. The vitality of the norm of
6 non-proliferation has been instrumental in the way the
7 international community has responded to the challenges of
8 Iraq and North Korea, and it will be the basis of any future
9 challenges to the regime.

10 Anything less than indefinite extension would create
11 doubts about the resolve of the international community.
12 Anything less than indefinite extension could encourage the
13 proliferation of nuclear weapons.

14 Anything less than indefinite could significantly
15 reduce the prospects for further arms control progress.

16 Anything less than indefinite extension could seriously
17 weaken the international system of cooperation in the
18 peaceful uses of nuclear technology.

19 Anything less than indefinite extension would
20 discourage efforts to achieve universality of membership in
21 the NPT.

22 Anything less than indefinite extension will not do.

23 The vitality of the norm affects even those States such
24 as India, Pakistan, and Israel that have not yet joined the
25 treaty. The world judges them, to an extent, by the norm

1 established by the NPT, even though they may not be bound by
2 the specific provisions of the treaty.

3 Nuclear energy has the capacity to benefit humankind
4 from radiation treatments for cancer to improvement of the
5 quality and reliability of agricultural and manufactured
6 products. But the world must be assured that nuclear
7 material and technology will not be diverted to build
8 nuclear explosive devices.

9 This is where the NPT comes in. The NPT requires that
10 all non-nuclear weapons States conclude full-scope
11 safeguards agreements with the IAEA within 18 months of
12 becoming a party to the treaty. The duration of these IAEA
13 safeguards agreements is directly linked to that of the NPT.
14 Were the duration of the NPT to be in doubt, so would the
15 duration of the safeguards agreements. In that case, the
16 reliability of the regime for international cooperation
17 peaceful uses of nuclear energy would be shaken.

18 Just to give an example, it takes ten years to build a
19 power reactor, and it is operated for 30 years, and then the
20 spent fuel has to be safeguarded after that. If an
21 uncertain NPT regime exists and therefore an uncertain
22 safeguards regime which is required for that project, such
23 projects will be more difficult to commence.

24 Sometimes we hear arguments that the NPT should not be
25 extended indefinitely because this would put more pressure

1 on the nuclear weapons States to negotiate arms control
2 agreements.

3 The fact is, as I said, however, anything less than
4 indefinite extension would make arms control much more
5 difficult. We negotiate arms control agreements because it
6 is in our national security interest to do so, not because
7 we are being pressured by other States.

8 Under Article VI of the treaty, we are obligated to
9 undertake negotiations in good faith to end the arms race
10 and to achieve nuclear disarmament, and we are, therefore,
11 accountable to the other NPT parties for undertaking these
12 negotiations.

13 But the principal impact of the NPT is that it
14 institutionalizes the commitment of States not to acquire
15 nuclear weapons, so that States making a significant
16 commitment to reduce nuclear weapons are assured that they
17 are now doing so in an environment of non-proliferation.
18 Without this assurance, arms control would become very
19 difficult.

20 Moreover, we believe that we have a strong effort of
21 arms control accomplishments. The INF treaty of 1988
22 eliminated an entire category of nuclear delivery systems.
23 START entered into force last December. START I will reduce
24 nuclear weapons by that--strategic nuclear weapons by about
25 40 percent. START II, now before the Senate, will reduce

1 nuclear warheads even further, to no more than 3500 warheads
2 each for the United States and Russia.

3 Sixty percent of the nuclear stockpile that existed at
4 the peak of the Cold War has already been eliminated; 90
5 percent of the tactical nuclear weapons. By the time START
6 II is fully implemented, that figure will rise for the
7 overall stockpile to 80 percent.

8 Our job is not yet done. As you know, President
9 Clinton has emphasized the importance of achieving a
10 comprehensive test ban treaty at the earliest possible date.
11 We hope to press ahead soon on negotiations for a cutoff of
12 the future production of fissile material for weapons
13 purposes.

14 To maintain this momentum, it is crucial that the
15 durability of the NPT never be in question; in other words,
16 that it be extended indefinitely.

17 I am cautiously optimistic that we will achieve
18 indefinite extension of the NPT. Many States and
19 organizations of States--NATO, the European Union, OSCE, the
20 South Pacific Forum, the Central American States, and
21 others--have publicly declared their support for indefinite
22 extension.

23 Giving the NPT permanence will mark a beginning, not an
24 end, to our efforts. The way the world views nuclear
25 weapons for decades to come will largely be shaped by what

1 takes place in New York this spring. The Review and
2 Extension Conference is an historic opportunity for the
3 world to speak out and take action against the threat of
4 nuclear weapons.

5 We are happy to have the support of the Congress; we
6 need the support of the Congress in making the political and
7 legal barriers against nuclear non-proliferation as strong
8 as they can possibly be, beginning with the indefinite
9 extension of the NPT.

10 Thank you, Mr. Chairman.

11 [The prepared statement of Ambassador Graham follows:]