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The Nuclear Nonproliferation Treaty and International Peace and Security

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President John F. Kennedy truly believed that there was a serious risk that nuclear weapons were destined to sweep all over the world. In March of 1963 in response to a reporter's question at a news conference, he said, "Personally, I am haunted by the feeling that by 1970 . . . there may be 10 nuclear powers instead of 4 and by 1975, 15 or 20. . . . I would regard that as the greatest possible danger and hazard." He spent much of his presidency pursuing the cause of nonproliferation.

Since the mid-twentieth century almost all American presidents have placed arms control and nonproliferation policy high on their agendas. President Eisenhower considered his failure to achieve a nuclear test ban his greatest disappointment. The Nuclear Nonproliferation Treaty, the NPT, was signed on President Johnson's watch. President Nixon oversaw the negotiation of the SALT I Agreements and the beginning of the SALT II Treaty process. The SALT II process was continued under President Ford and concluded under President Carter. President Carter also attempted to negotiate a comprehensive nuclear test ban which was finally concluded under President Clinton's leadership. President Reagan advocated the abolition of all nuclear weapons and completed the medium range nuclear missile treaty. The most successful arms control President was President George H.W. Bush. His Administration concluded four major arms control treaties during his four years as president: the START I Treaty, the START II Treaty,

the Conventional Armed Forces in Europe Treaty and the Chemical Weapons Convention. No other president has successfully completed more than one. Thus, nuclear arms control, nonproliferation, and disarmament negotiations have been at the center of U.S. foreign policy for much of the last 50 years.

But no president has spoken out more eloquently and in such a comprehensive way as did President Obama in Prague last April. He declared his strong support for a replacement START Treaty to be followed by deeper cuts in nuclear weapons leading to a multilateral nuclear weapon reduction negotiation involving all of the nuclear weapon states. He reiterated his support for U.S. ratification and entry into force of the Comprehensive Nuclear Test Ban Treaty (CTBT) and confirmed his support for a process leading to a nuclear weapon free world, as advocated by serious US statesmen such as former Secretary of State George Schultz and his three colleagues, former Secretary of Defense William Perry, former Secretary of State Henry Kissinger and former Senator Sam Nunn. He underscored his commitment to the strengthening of the NPT, along with measures to do more to safeguard fissile material around the world. And he urged the prompt negotiation of a fissile material cut-off treaty. The Prague speech unquestionably placed the current U.S. Administration generally and President Obama personally squarely behind an activist program in nuclear arms control and nonproliferation.

The replacement START Treaty, an important step forward, was recently completed. In addition, the long awaited Nuclear Posture Review was released last month. Among many other things it brings US national policy into line with U.S. 1995 NPT commitments, never to use nuclear weapons against non nuclear weapon NPT parties in good standing. It also reduces the role of nuclear weapons in U.S. security policy, another NPT commitment, made in 2000.

But of greatest importance is the CTBT. The NPT, the central international agreement underlying international peace and security in today's world, is a strategic bargain built on a fundamental arrangement, nuclear nonproliferation for most of the world, now more than 180 countries, in exchange for peaceful nuclear cooperation and nuclear weapon disarmament to be undertaken by the five NPT recognized nuclear weapon states, the United States, the United Kingdom, France, Russia, and China. The principal quid for the quo of most nations of the world to never acquire nuclear weapons is the test ban. It is the only arms control agreement explicitly mentioned in the NPT and it is the most significant commitment made by the nuclear weapon states to bring the necessary political balance to the NPT. The 1995 Statement of Principles, which was the political price for NPT indefinite extension, explicitly called for the negotiation of a CTBT in one year, that is, by the end of 1996.

This deadline was met and the CTBT was signed in September 1996 with the United States as the first signatory. The Treaty provides by its terms that it will enter into force upon ratification by the 44 states that had nuclear facilities on their territory and were members of the Conference on Disarmament in 1996. Thirty-six of those states have now ratified the CTBT and most of the rest are waiting upon ratification by the United States, China, Israel and Indonesia more or less explicitly. Indonesia nevertheless has announced that it would ratify soon. Egypt perhaps is waiting for Israeli ratification which will happen after US ratification. India promised ratification to the U.S. in 1998 but was let off the hook by the Senate's vote in 1999, perhaps India will return to this position and if so it is likely that Pakistan would follow suit. This would leave only North Korea.

However, the U.S. Senate rejected the CTBT in 1999 and there has been no progress in the U.S. since. Yet this Treaty is essential to the long-term viability of the NPT, the existence of

which is the principal reason that President Kennedy's nightmare of nuclear weapon proliferation did not happen. The NPT may not be able to survive as a viable regime without CTBT entry into force in the reasonably near future. Several months ago Vice President Biden, in a speech at National Defense University, reiterated the importance of the CTBT and pledged again the Obama Administration's commitment to its approval by the Senate and subsequent ratification.

A further complication is the anticipated complexity of the process of achieving START Treaty ratification. The negotiations were completed in late March after a year of vigorous effort. A deployed total warhead level of 1,550 operational strategic warheads and a limit of 800 strategic nuclear weapon delivery vehicles have been agreed. These are highly significant reductions and important contributions. Their achievement will open the door to further, much steeper U.S.-Russian reductions in strategic nuclear weapons, perhaps to the level of 1,000 total nuclear weapons each. This level is regarded as a necessary step to permit consideration of multilateral nuclear weapon reduction negotiations involving all nuclear weapon states which, over a long period of time, if successful, would put the world community on the road toward the eventual elimination of nuclear weapons as called for by the NPT.

But, while this first START replacement Treaty almost certainly will pass the Senate, it will be, accompanied by a vigorous debate. Some Senators will want to try to attach conditions that will complicate CTBT ratification and/or make a second START replacement treaty much more difficult. Forty-one Senators have made it clear that their support will be contingent upon Administration commitment to nuclear weapon modernization.

So, at the end of the year, a replacement START Treaty may well be in force but possibly with substantial obstacles placed in the path toward a second phase START Treaty, which will be difficult enough in any case, as well as CTBT ratification. Thus a multilateral nuclear weapon

reduction negotiation involving the five NPT nuclear weapon states and in some way the three others, India, Pakistan and Israel, could be well off to the further future. And there could be diminished chances for CTBT ratification in the near future. This issue will require personal involvement by President Obama, perhaps directly negotiating with key Senators at the appropriate time. Hopefully, a positive outcome at the NPT Review Conference will mitigate any short-term damage to the NPT from CTBT entry into force not yet being achieved.

But there cannot be a positive outcome to the NPT Review Conference this spring unless the issue brought forward by Egypt of the need for progress toward a Middle East zone free of nuclear weapons and other weapons of mass destruction can be resolved. This is not a new issue, I dealt with it extensively in leading US government efforts directed toward achieving a permanent NPT in 1995. Many times I met with the then Egyptian Foreign Minister, his Excellency Amr Musa, and listened to his concerns about the Israeli nuclear program and his belief in the importance of a nuclear weapon free zone in the Middle East, even better a zone free of all weapons of mass destruction. This issue was resolved in 1995 by the inclusion in the Statement of Principles accompanying NPT indefinite extension a reference to the importance of achieving a nuclear weapon free zone in the Middle East as well as a separate Resolution of the Conference appealing to all States in the Middle East that were not yet NPT parties to join the Treaty and to work toward such a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

Now Egypt says this is not enough. Press reports indicate that Egypt has proposed a conference in 2011 for Middle Eastern states, which will include a negotiating mandate, to attempt to achieve a treaty establishing a zone in the Middle East free of nuclear weapons and other weapons of mass destruction. It appears from some reports that the United States has

offered in return to support such a conference, on the condition that it not include a negotiating mandate. Egypt has not accepted this US offer. Apparently the U.S. may have some reason to believe that Israel would attend a conference such as the United States has suggested but not one with a negotiating mandate. I respectfully urge that Egypt seriously consider the U.S. offer. A conference next year on the subject of a zone free of nuclear weapons and other weapons of mass destruction for the Middle East, even without a negotiating mandate, with both Egypt and Israel, among others, in attendance would be a huge step forward and a victory for Egyptian diplomacy. The U.S. has never offered to support such a conference in the past nor is it likely to do so again. And what would Egypt gain by blocking consensus at the Review Conference and thereby forgoing the opportunity to have such a conference. On the other hand if a conference such as the U.S. has proposed and on which consensus can be based actually happens who can say where it might lead?

This is a time of promise because of the commitment of President Obama and his Administration and the widespread support for progress in the international community. It is also a time of great difficulty because of the many overwhelmingly serious crises that were left at the end of 2008 and against which only limited progress has been made, such as the world economic downturn, climate change, North Korea, Afghanistan, Iran, Iraq and Palestine. The polarized political situation in the United States is an obstacle to progress and much time has passed. But while the hour is growing late, it is not too late. Success remains possible; all of us must stay committed to arms control and nonproliferation efforts, and we can still build that safer and more secure world that all of us want.