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TESTIMONY OF AMBASSADOR THOMAS GRAHAM, SPECIAL

REPRESENTATIVE OF THE PRESIDENT FOR ARMS CONTROL,

NON-PROLIFERATION, AND DISARMAMENT

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

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

Ambassador Graham. Thank you, Mr. Chairman.

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

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

And there is very wide support around the world for the
NPT regime and for its continuance and for its strengthening
and, indeed in my judgment, for making this treaty, as it
should be, a permanent part of the international security system.

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

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

As has been indicated, the NPT is indeed the cornerstone of the non-proliferation--international non-
proliferation regime and of the various arms control regimes
that exist and, indeed, to a large degree of peace and
stability in the world.

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

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

According to the treaty, Article X.2, it is provided
that a majority of the parties will meet 25 years after
entry into force to decide whether the treaty shall continue
in force indefinitely or shall be extended for a fixed
period or periods. That decision is built into the treaty.
That decision can be made at the conference. It does not have to be referred to national legislatures, of which there are now 173 which would be involved.

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

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

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

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

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

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

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

Prior to 1970 when the NPT entered into force, the
acquisition of a nuclear arsenal was seen as something—as an act of national pride. The NPT made it a violation of international law.

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

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

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

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

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

Anything less than indefinite extension will not do.

The vitality of the norm affects even those States such as India, Pakistan, and Israel that have not yet joined the treaty. The world judges them, to an extent, by the norm
established by the NPT, even though they may not be bound by
the specific provisions of the treaty.

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

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

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

Sometimes we hear arguments that the NPT should not be
extended indefinitely because this would put more pressure
on the nuclear weapons States to negotiate arms control
agreements.

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

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

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

Moreover, we believe that we have a strong effort of
arms control accomplishments. The INF treaty of 1988
eliminated an entire category of nuclear delivery systems.
START entered into force last December. START I will reduce
nuclear weapons by that--strategic nuclear weapons by about
40 percent. START II, now before the Senate, will reduce
nuclear warheads even further, to no more than 3500 warheads each for the United States and Russia.

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

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

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

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

Giving the NPT permanence will mark a beginning, not an end, to our efforts. The way the world views nuclear weapons for decades to come will largely be shaped by what
takes place in New York this spring. The Review and Extension Conference is an historic opportunity for the world to speak out and take action against the threat of nuclear weapons.

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

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Graham follows:]