

International Seminar

**Nuclear Nonproliferation and Disarmament - The Future of the NPT**

Rio de Janeiro, October 29 and 30, 2009

**Full audio transcription \***

Quotes in Spanish, and Portuguese translated into English

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**Panel 5: The Future of the NPT – Should it be Enhanced, Changed, or Replaced?  
October 30, 2009**

Note: Due to technical problems during the session, the first 5 minutes of Chairman Gareth Evans when he introduces the topic and the members of the panel have not been recorded, and therefore transcription is not available. We apologize for it.

**Ramesh Thakur:** -I want to speak as a student of Politics. Because ultimately, these are political decisions, made by political actors, weighing the pros and cons, the political and economic costs of the various options, bearing in mind domestic politics and international politics. So, the seven numbers list.

First: the definition in the NPT of a nuclear weapon state is chronological, neither empirical nor operational. A state that conducted tests before January 1st, 1967. That is, to put it mildly, a somewhat bizarre definition.

Second: On that point, the consequence that follows from that is the Operative Paragraph 4 from Resolution 1887 that I read out yesterday, requiring Israel, India, and Pakistan, without naming them and perhaps North Korea, to sign the NPT as non nuclear weapon states. Now, related to this, a very revolutionary indeed, a subversive argument that is implicit in that article, in that Resolution, and that is that even in an issue of vital national security, states can be compelled and coerced to abide by the terms of an international agreement or treaty that they explicitly reject. Think of the implications of that, if that can be applied to vital national security, it can be applied across the board to every issue. Are you comfortable for your country with that position? It's a very revolutionary and subversive issue. Related to that, secondly, do we want the Security Council as presently composed and structured to have compliance enforcement authority in these matters? Does Brazil believe it is legitimate for the Security Council as it exists, to take that position? If not, I am prepared to begin to make the distinction between the legal authority in the Council and the legitimacy of these decisions. The distinction popularized by the Independent Commission on Kosovo. It's something that I think, certain countries like Brazil need to think about. Second anomaly, should we view these three countries, Israel, India and Pakistan, through the nonproliferation lens or through disarmament lens? On the nonproliferation side, is it realistic? Decades down the line in the case of Israel, eleven years down the line in the case of India and Pakistan with respect of testing, but we know that testing was merely making overt the nuclear weapons capability that already authority existed. If we view them through disarmament lens, why just that three and not the other five as well? The logic that leads us inexorably again to the Nuclear Weapons Convention.

Third: the point that a high level panel that Gareth Evans has made, the fact that the normative architecture applies to states, how do we bring non-state actors into that, and make them abide by the provisions of various things, including nonproliferation and disarmament laws?

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Fourth: the history of North Korea, and now even Iran, shows that spread over many years, countries can be openly defied with respect to the clandestine activities under NPT obligations. And within the NPT framework, we are really at a complete loss as to how to deal with that. We haven't succeeded in managing to control that thing.

Fifth: mission creep by conflating chemical, biological, and nuclear weapons into one WMD category. Mission creep in the sense that if nuclear weapons are accepted as having a legitimate role, encountering by chemical warfare, then, by what right is to be denied that possession to Iran, which exactly suffered chemical attacks?

Sixth: Not a single country, not one that had nuclear weapons when the NPT was signed in 1968 has given them up. This fuels the politics of grievance and resentment.

Seventh: The fundamental contradiction in the NPT. False for four decades, but now pressing upon us with increasing intensity. Is the problem nuclear weapons? Or is it who has them? Or is it the proliferation record of particular countries? Is that just a sop to say that the problem is nuclear weapons, which seems to be the textual analysis of the NPT? Or do we accept regime type? The logical policy implication is either: 1) to condemn nuclear weapons for everyone or 2) to distinguish between the security justifications of China, India, Iran, Israel, Pakistan, Russia, and the US on the one side, all of whom can have legitimate security, and the lack of security justifications for Britain, France, and North Korea, or 3) to differentiate bad and rogue for responsible behavior and opposed regimes, not weapons.

Now, as we know, remarkably those who worship the most devoutly at the altar of nuclear weapons issue the fears advert against others wishing to join them. Israel's bombs, India's, Pakistan's and North Korean tests and Iran's prevarications prove the folly of believing, in defiance of common sense, logic and history, that a self-selecting group of five powers could indefinitely retain the monopoly of the world's most destructive weaponry. The logics of nonproliferation and disarmament are inseparable.

The most powerful stimulus to nuclear proliferation by others, is the continuing possession of nuclear weapons by some. They threaten to use nuclear weapons, not just to deter the use by others but to prevent others from acquiring them in the first place, illegitimate its possession and use and non-legitimate weapon can be prevented from proliferating. It is not possible to convince others of the futility of nuclear weapons, by demonstrating the utility by keeping it yourself. Hence of course the action of nonproliferation, as long as one country has them, others, including terrorist groups, they'll try their best or their worst to get them. Nuclear weapons could not proliferate if they did not exist. Because they do, they will. The focus of nonproliferation, to the neglect of disarmament, ensures that we get neither.

So, if we want nonproliferation we must prepare for disarmament. Too many have paid lip service to this slogan of a nuclear free world, but not pursued a serious program of action to make it a reality. And here I disagree with some of the points that were made yesterday. When I look at the details of what David Miliband, Gordon Brown, and even what Barack Obama has said, there's still the old same old situation. We want you to give up now, we promise in good times some day eventually, perhaps, to begin negotiations in good faith. Look at the language of the 1887 [UNSCR Resolution]. It is repeating four decades later exactly the formula of the NPT in 1968. That, as Gareth said, is simply not sustainable on the politics of today's world. If we don't begin to see us move towards a Nuclear Weapons Convention now, the sense of urgency in the next 15 years, we should expect a much worse proliferation situation. And I think that will remain the case.

Interestingly, India, in response to 1887 made the point that the attacks the highest projects to nuclear disarmament, and reiterated its proposal for a universal and comprehensive Nuclear Weapons Convention. The largest English language circulation daily in India, The Times of India, with a 2,5 million

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circulation, in its editorial it described both the NPT and Resolution 1887 as self-defeating employs to lock the non-nuclear signatories into a false bargain whereby they would gamble away a strategic option for a promise that will never be honored. Now, Indian press can be fiercely critical of the government, so just because it is an Indian daily doesn't mean it has to support government policy.

This throws out the question of whether there is not critical introspection and self-reflection required by like-minded governments, civil society actors, and arms controlling deals. Does the focus on the NPT played into the hands of the nonproliferation ayatollahs, diverting attention and effort from nuclear disarmament, and thereby effectively undermine the pursuit of nuclear abolition? Again Gareth said there is gathering sense around the world that nuclear threats have intensified and multiplied. There is a growing matching conviction that existing policies have failed to mute the threats. In the meantime, scientific and technological advancements have greatly expanded our technical toolkit from monitoring and verifying weapons reduction and elimination.

Therefore, it is time to supplement and then supplant the NPT with a multilaterally negotiated non-discriminatory and universal Nuclear Weapons Convention. I believe time is running out for the contradictions, hypocrisy, and accumulated anomalies of global nuclear apartheid.

Contrary to what president Obama said, in the proud speech that is described as "I have a dream speech", within a lifetime, let alone within multiple lifetimes as Hillary Clinton had said more recently, either develop nuclear abolition, or we will have to live with nuclear proliferation followed by the use of nuclear weapons.

If the non-proliferation end or the NPT bargain collapses, the regime becomes obsolete. If the disarmament goal of article 6 in the NPT is realized, the regime is completed but also becomes redundant. Either way, the NPT has passed its use by date. The denial of this fundamental reality is the real obstacle to nuclear disarmaments and nuclear non proliferation alike. Thank you very much.

**Gareth Evans:** -Thanks Ramesh. Time to supplement, then supplant in our lifetime. That's not especially revolutionary but it's a pretty good start down the list for debate, setting that side of the coin. Hand it to you Pierre.

**Pierre Goldschmidt:** -Thank you. Mr. Chairman. Ladies and gentlemen, it's an honor and a pleasure for me to have been invited to participate to this very important and timely conference on nuclear disarmament and nonproliferation. I will speak, of course only in my own capacity. Our panel today has been requested to answer the following questions: Should the Nuclear Non-Proliferation Treaty be enhanced, changed, or replaced? My short answer is that it should neither be changed nor replaced, but rather fully implemented and endorsed. The IAEA verification system will only be effective: if the IAEA Secretariat can promptly detect undeclared nuclear material and activities; if cases of non compliance with safeguards agreements are duly reported by the IAEA Secretariat to the Board of Governors and by the latter to the UN Security Council, if the UN Security Council acts effectively and without delay when a non-compliant state fails to fully and proactively cooperate with the IAEA and to take the corrective actions requested by the Board. We know from experience that measures must urgently be adopted to improve these three steps. This can be done to a large extent without modifying the NPT or existing safeguards agreements.

As we shall see, one main challenge is making the three steps as immune as possible from commercial and extraneous political considerations. Let's first consider how best to detect undeclared nuclear material and activities. In my written paper, which will be provided in the coming days to the organizers of this conference, the following points are discussed: the necessity for states to have an Additional Protocol in force and to provide early design information; the merits of special inspections when

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requests for voluntary access are denied, and the need for the IAEA member states to systematically provide relevant information to the Secretariat.

Because of the limited time available for my oral presentation today, I will limit my comments to the first point: The Additional Protocol. As has been made abundantly clear on many occasions by the IAEA Director General, ElBaradei, I quote: "Without the measures provided for in the Model Additional Protocol being implemented, the Agency is not able to provide credible assurance of the absence of undeclared nuclear material and activities for the State as a whole."

Over the last ten years, the IAEA General Conference has adopted resolutions requesting to all concerned States and all Parties to safeguards agreements, which have not yet done so, to sign the Additional Protocol promptly, and to bring them into force as soon as possible in conformity with their national legislation. As of August 2009, six non-nuclear-weapon states with significant nuclear activities have not yet signed the Additional Protocol. They are: Algeria, Argentina, Brazil, Egypt, Syria, and Venezuela. Of these states, only Brazil is operating sensitive centrifuge uranium enrichment plants.

It is generally understood that Argentina is ready to sign the Additional Protocol as soon as Brazil would accede to the Protocol, but for obvious reasons, including the difficulty it could pose to ABACC, Argentina does not wish to sign it alone. It seems therefore particularly relevant, in the framework of this conference here in Rio, to try to understand why Brazil has so far refused to sign and ratify the Additional Protocol, and to expose why this policy is weakening the global nonproliferation regime.

Although Brazil undertook nuclear weapons research in the 1980s, since the early 1990s, Brazil has unequivocally committed itself to the peaceful development of nuclear energy. It has signed the Quadripartite Agreement with Argentina, the IAEA, and ABACC in December 1991; brought into force the Treaty of Tlatelolco in 1993; joined the Nuclear Suppliers Group in 1996, and signed and ratified both the NPT, and the CTBT in 1998. Speaking of the NSG, it is remarkable that, of its 45 members, Brazil is reportedly the only state opposed to new export guidelines that require recipient states to ratify an Additional Protocol for the export of any sensitive nuclear equipment, technology and material.

Brazil's intransigent position on the Additional Protocol weakens the nonproliferation regime as a whole because the IAEA is not able, as I have just said, to provide credible assurance of the absence of undeclared nuclear material and activities in states without an Additional Protocol into force. So, is Brazil resisting the conclusion of an Additional Protocol for technical or political reasons, or both?

Let's turn first to the technical reasons. In April 2004, it was reported that Brazil refused to allow the IAEA inspectors full access to the newly developed Resende enrichment facility, citing the need to protect proprietary technical information. Although it appears that by the end of November 2004 Brasilia reached a compromise agreement with the IAEA, it is not clear whether this compromise is totally satisfying IAEA requirements, nor whether it is fully implemented. Could it be that Brazil refuses to ratify the Additional Protocol in order to protect commercial secrets as has often been claimed?

Normally, as you know, all the sensitive parts of a centrifuge are hidden inside its casing. It is difficult to understand what makes Brazil's centrifuge enrichment facilities so different from similar plants developed and operated in Japan, Germany and the Netherlands which all have ratified the Additional Protocol.

Could it be that Brazil refuses to ratify the Additional Protocol out of fear that the Agency might find and release confidential information related to possible nuclear weapons development undertaken before Brazil joined the NPT in 1998? One has to recall that this has not proven to be a problem in the case of

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South Africa, which manufactured nuclear weapons before joining the NPT in 1991. Nor has it been a problem in the case of Canada, which participated in the Manhattan Project during World War II.

The Agency is only interested in confirming that there are presently no undeclared nuclear material and activities in Brazil. Full transparency and proactive cooperation with the IAEA is what is required to quickly reach such a conclusion once the Additional Protocol is in force.

Let's turn to the political reasons. Brazil has expressed its frustration for what it perceives as an imbalanced implementation of the three pillars of the NPT, nuclear disarmament which we have heard about, nonproliferation, and the peaceful use of nuclear energy. Oops...Everything came at once. In his written remark addressed to the participants of the Carnegie International non-proliferation conference in April of this year, Foreign Minister Celso Amorim made clear Brazil's frustration that I quote: "Great emphasis was given to nonproliferation, but nuclear disarmament has received little attention." In all fairness, one has to recognize that this is no more the case today. However, I fully agree with Minister Amorim that it is urgent that the CTBT enters into force, but I doubt that Brazil's refusal to conclude the Additional Protocol is the best way to achieve the necessary progress in nuclear disarmament. On the contrary, I think that Brazil, as any other great power, should lead the world by example rather than by holding the nonproliferation regime hostage.

Brazil rightfully insists that nuclear disarmament is a priority and has been critical of the double standard between nuclear "haves" and "have-nots". It is, therefore, very unfortunate and, I believe, largely inconsistent with its stated priorities that Brazil voted for the NSG "Indian exception" which required the unanimity of NSG members. By curbing its rules for satisfying what the US has unilaterally defined as the "special case" of India, the NSG has granted India all the benefits and more that are specifically granted under article 4 of the NPT to non-nuclear-weapon states, which are parties to the Treaty, without requesting from India any commensurate counterbalancing disarmament commitment, such as ratifying the CTBT, not even those required from nuclear-weapons states under the NPT.

It is hard to believe that Brazil, as a most responsible state, could now possibly use the NSG "Indian exception" as an excuse for not concluding an Additional Protocol with the IAEA. This position would provide states such as Iran, found to be in violation of its safeguards agreement, and Syria, which severely impeded the Agency's verification activities, with the pretext of not implementing the Additional Protocol, thereby, further eroding the effectiveness of the non proliferation regime.

The above discussion shows how useful it would be for Brazil to clearly explain what benefits it gains from not concluding the Additional Protocol and from blocking the NSG from making the Additional Protocol an export condition for sensitive nuclear fuel cycle activities.

Let us now turn to another important topic: reporting non compliance. According to the IAEA Statute "the inspectors shall report any non compliance to the Director General, who shall thereupon transmit the report to the Board of Governors."

Contrary to the Board of Governors, the IAEA Secretariat is expected to act as a technical and totally apolitical body in order to maintain its reputation of objectivity and impartiality. The fact that there is no official definition of what constitutes "non compliance" should not be used as a pretext by the Secretariat for not reporting promptly, fully and factually any serious or deliberate failure or breach of safeguards undertakings, including those of agreed subsidiary arrangements. It will be one of the main tasks of the new Director General to restore member states' confidence that, in accordance with the statute, the IAEA Secretariat will report any finding of non-compliance without being influenced by political considerations.

The third major issue is how to respond to non compliance and NPT withdrawal. Let's start with non-compliance. One of the greatest difficulties in deterring states from violating their nonproliferation undertakings and [from] ignoring legally-binding UNSC Resolutions is their hope that, for geopolitical or economic reasons, at least one veto-wielding member of the Council will oppose the adoption of effective sanctions. If a non compliant state does not promptly, fully and proactively cooperate with the IAEA, the Agency will need, temporarily, additional verification rights. Only the UN Security Council by adopting a Chapter VII Resolution is in a position to provide those rights to the Agency. Therefore, to guarantee a prompt action, the UN Security Council should adopt a generic, which means a non state specific, resolution providing that upon request by the Agency, the Security Council would automatically adopt a specific Resolution under Chapter VII requiring the non compliant state to temporarily grant the Agency extended access rights. Under a multi-stage process, if the non-compliant state does not fully implement these extended verification rights, it would have to temporarily suspend all uranium enrichment-related and reprocessing activities. And if the non-compliant state persists in its refusal to comply with IAEA and UN Security Council Resolution and request, the Council would suspend all military cooperation which, I believe, would be a strong disincentive to defy the Security Council Resolution without impacting on the wellbeing of ordinary citizens.

Withdrawal: another particularly threatening case for international peace and security is the withdrawal from the NPT of a non nuclear-weapon state that has been found by the IAEA to be in non-compliance with its safeguards agreement. As has been stressed on many occasions, the great benefit that the NPT brings to the international community would be dangerously eroded if countries violating their safeguards agreements or the NPT felt free to withdraw from it, developing nuclear weapons and enjoy the fruits of their violations with impunity. To address this issue, the Security Council should adopt another Chapter VII generic Resolution stating that if a state withdraws from the NPT, which is an undisputable right under its Article 10.1, after being found by the IAEA to be in non-compliance with its safeguards undertakings, then such withdrawal constitutes a threat to international peace and security. This generic resolution should also provide that, under these circumstances, all nuclear materials and equipment made available to such a state would have to be forthwith frozen and removed from that state under IAEA supervision and remain under IAEA safeguards. If the withdrawing state does not comply then, all military cooperation with that state should be suspended.

Brazil is seeking a permanent seat on the UN Security Council and has received the support from Russia, France, the United Kingdom and most likely from the US, and many other states, such as Indonesia, South Africa and of course the other members of the Group of Four (Germany, India, and Japan). As stated in *The Economist* last August, before Rio de Janeiro was selected to host the 2016 Olympic Games, "Brazil is now on every list of the half dozen or so new places that matter in the 21st Century. It seems no international gathering, be it to discuss financial reform or climate change, is complete without Lula. Admirably for a would-be great power, Brazil has renounced nuclear weapons. Less admirably for a country that defends the Nuclear Non-proliferation Treaty, it has refused to sign an improved safeguards protocol, denying international inspectors full access to its civilian nuclear facilities."

Since then, a PhD thesis by Brazilian nuclear physicist Dalton Barroso on "Numerical simulation of thermonuclear detonations" undertaken under the aegis of the Military Engineering Institute of the Army, has attracted a lot of attention. It has been widely reported that the IAEA has expressed concern about the nature of that thesis and the proliferation risk associated with its publication.

What I also find worrisome are the statements made thereafter by high-ranking Brazilian officials, including members of Parliament. According to *Jornal do Brasil*, Eurico Figueiredo, coordinator of the Center for Strategic Studies, believes that Brazil "should begin to discuss whether or not to join the

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group of nations that have nuclear arsenals”, and “Representative Jair Bolsonaro thinks that Congress should give political support for the military to deploy military arsenals, as do countries like Pakistan.”

To claim that manufacturing nuclear weapons is prohibited in Brazil’s Constitution will not be sufficient to reassure the international community. As a great nation and a key member of the IAEA, Brazil should lead by example and comply with IAEA General Conference resolutions. Hopefully, Brazil will sign and ratify the Additional Protocol to its Safeguards Agreement before the opening of the 2010 NPT Review Conference. Thank you.

**Gareth Evans:** -Well, that certainly stirred up things a bit. We look forward very much to the debate which will follow. I should say that the questions that are being asked of Brazil by Pierre Goldschmidt today are certainly questions that many, many people are asking of Brazil around the world. Not so much publicly, not so much directly. I told you this guy was very fierce in the way in which he expresses things. But the questions are certainly being asked. And frankly they have not been very well answered. As I told my friend Celso Amorim every time I see him, you are really going to have to do a little bit better than this explanation if you are going to persuade us about the Additional Protocol issue and the few of other issues that are being read. But anyway, that’s something that would be very good to debate when we get to that after this time, after we listen to Gustavo Ainchil. He’ll give us no doubt a very much gentler diplomat perspective on some of these issues. We’ll see.

**Gustavo Ainchil:** -Thank you very much Mr. Chairman. Just to place the issue of the future of the NPT within the overall context. We can say that the NPT is an important tool within the overall international regime of collective security. From that perspective, the NPT has been described as the cornerstone in the area of nuclear non proliferation and disarmament. For instance, the verification of those areas falls within the scope of the Atomic Agency, as well as the decision if cases of non compliance represent a threat to peace and security falling within the scope of responsibility of the Security Council.

When we try to see the scenario ahead of us, leading us to the next Review Conference we see that we have a very complex situation in terms of the actors and that we have to go maybe beyond the two categories, countries possessing nuclear weapons, countries not possessing nuclear weapons, to understand the dynamics of how it may work.

From that perspective, we can say that we have like five categories of countries. We have the five countries which have the technology and possess nuclear weapons, which are partners with the NPT. The strategic asymmetry of their possessions has been blessed by the NPT and is there for a while. You have within the countries not possessing nuclear weapons, like two categories: those possessing technology and those not possessing technology. This differentiation is very important because in one case the right they had before they sign the NPT was hypothetical to the developing the weapons. In the other case, there was a real possibility. And in the case of the second category of countries since they use nuclear energy for peaceful purposes they tend to see the matter of restrictions to article 4 in a different shape from the angle that the other countries are taking. We have a fourth unfortunate category, which is growing, countries violating the Treaty. These are members of the Treaty and have violated the obligations. According to the logic of the treaty their right to pursue peaceful uses is not granted because they have violated the Treaty. And we have a fifth category, which are those countries that are not partners with the NPT. In this case, the three of them possess nuclear weapons.

The five categories are important because the first three of them, countries within the NPT not violating the Treaty will have a strong word to say in how we shape the Review Conference. The fourth category is important because we have to deal with them twice: in the individual cases, independently of what the Security Council is doing, and as a new problem, we have to try to find rules for the future cases so as not to be taken by surprise. And the fifth group is also very important because we have had some

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developments. We have a very interesting development in the case of India and the umbrella of the NSG, signing agreements of cooperation with some NPT members, including my country, Argentina. And we have the permanent presence of Israel within the NPT by affecting the perceptual security of a number of Arab states and in a way providing a very peculiar scenario because one of the key features for the NPT was to provide security to the members of the NPT and in this particular case, for some of this particular countries, the NPT is not delivering to them.

With all this background, which is the balance we can make of how the NPT is working, I will not repeat all the comments that were made and we'll save some time. But the criticism is there. As Mr. Chairman said I'm diplomat, we prefer quiet deals than noisy disagreements and we prefer to balance the ambition of the goals with its possibility. And we prefer a reasonable deal, rather than wild unilateralism.

So if we compare advantages and disadvantages, pros and cons, successes and failures, and we place this comparison with the background of these dynamics, we can say that the only reasonable and feasible perspective ahead is to try to improve the regime, to strengthen the regime, to take the evolutionary approach, the incremental approach.

Any initiative to try to replace the Treaty or to radically change the Treaty in this context can lead us only to two options. If we succeed to agree with a text it will be a weaker text, something worse that we have. If we fail, we'll have no new treaty and a discredited treaty in our hands because normally in the process of reform the trend is to place criticism on the old treaty. So we'll have nothing in our hands if we go that way in the current context. Which is the level of ambition we should have? For that we have to recognize that the essence of the proliferation program is political. A treaty can provide tools, mechanisms but the essence is political. For instance, nuclear disarmament.

We have seen promising news in the context of the US and Russia negotiations for nuclear disarmament. It's only bilateral, but they possess between the two of them 95% of the arsenal so if they get somewhere it would be good for all of us. It would be very candid to say, or innocent to say that they are doing this because of NPT. They are not doing this because of NPT. In the assessment of their security perception, there was a change in leadership and they realized, "Okay, this will not serve our purpose of security," so they go for reducing the arsenals.

If you take the example of Latin America, I had the honor to be part of a very small group of Argentinean negotiators of the treaty leading to ABACC in 1991. It was in 91. Twenty years after the NPT was working and Tlatelolco was there. And the consideration of NPT and Tlatelolco was never in the negotiation. The point was the refreshing assessment that keeping the nuclear option open would take us nowhere. So it was a bottom-up approach. We started from our commission. That's why NPT and Tlatelolco were at the end of the road. For us the problem was solved in 91. For the international community maybe later, but we unlocked the problem in 91.

That's why maybe insisting and I don't want to interfere with your speech of the Additional Protocol, insisting on the top-down approach everywhere is not the way. It didn't work everywhere and in those cases where you saw success it was because the local component was addressed in a different way. In the case of the Additional Protocol the local component is quite nice, nobody cares in the region. So, why am I saying this? We cannot put the entire burden on the NPT. A treaty is a legal envelope for a political decision. So, if we cannot put all of our failures on the treaty, because there is a wide range of reasons why a treaty may or may not work. And if we assume that this a reality, that this is the problem then we can be more focused in the actual propose to go through the incremental approach. For instance, it's clear that the Review Conference should renew or refresh deeply the commitment of all the state parties with the three pillars, strengthening the authority and integrity of the Treaty. But in the deep commitment again with the three pillars, balance should be there.

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The issue of the Middle East is there and the fact that an important group of countries within the Treaty have trusted their security to the Treaty by renouncing their nuclear weapons and their security needs are not covered because of one key country is outside the Treaty is a political problem. I don't know if you can solve it within the Treaty, but we cannot just say to those countries, "you have to swallow the reality" because if we don't look at the problem we may have another kind of problem, maybe a proliferation later on the route. And they will have the right to do it because their duty is not to the international community; it's to their own people. So we have to avoid situations to go beyond control from the political point of view.

We have mentioned and we don't agree with the idea that the potential progress within the US and Russia should be considered not enough. We are optimistic that something good is going to come out from there. In previous conversations, many said that the Review Conference should send a message concerning CTBT and the Cut-off Treaty. I don't repeat that, we all know what we are talking about. But there are other options or actions that we can work on.

The idea of how to treat the withdrawal of the Treaty is a crucial point because it's affecting the good faith in the fulfillment of the Treaty. So this is one point that we should tackle. Maybe we should also work from here up to the Review Conference on the consequences of the non compliance from one state party, independently of what the Security Council is doing. We would talk about suspension of cooperation, suspension of transfer. We would try to push a bit the envelope, things that we are doing. We will try to bring to the discussion the importance of strengthening the export controls, to make sure that the things we export go where we are supposed to export them.

We take, for instance, some very basic ideas from the Zangger Committee or NSG. Another area where we can work on is international cooperation to spread safer technologies, proliferation resistant technologies, more friendly safeguard technologies. For all this, you need the engagement of the big guys, but it can be improved as well. Programs to deal with wasted fuel or nuclear waste, spent fuel or nuclear waste. Another area is, for instance, could we live with higher standards of transparency in providing information about our nuclear programs? Not only the information we provide to the Agency but to the public? All these measures and others, of course we are going to push for them, should be equal for all members. You cannot have categories of countries being requested to fulfill some of these issues and some others not.

And finally, we think the Conference could send an encouraging message to the Atomic Agency to continue to discuss some tools, for instance the multilateral approaches to the fuel cycle. If the solution there balances rights and obligations and the pillars it may contribute to that. We are not yet there. In any case, we believe it's not up to the NPT to interfere or distort the logic of the other organization, but a political message on this area could be good. Thank you.

**Gareth Evans:** -Excellent. Thank you, Gustavo. I do thank all three panelists for keeping their remarks so tight and well focus, which has given us lots of time, which is good for debate. We have three basic different approaches, I think, mapped out in front of us, you remember. One Ramesh Thakur saying, "by all means, do some supplementing, yes, but it's time now to start supplanting the NPT. To recognize is not good enough, we need something better. We should start now working on an all embracing Nuclear Weapons Convention." That's one approach. Then we have Gustavo Ainchil's approach, just articulated, then you heard, work on the incremental improvement of the NPT regime, especially on specific issues like withdrawal. And also remember that a bottom-up, a political approach has work so well in Latin America, can be at least as important in advancing these objectives as the top-down approach that we tend to focus on in the international forums. And then we have Pierre Goldschmidt saying, by all means do some incremental supplementation, especially through the generic UN Security Council Resolutions, of which he spoke. But of course, as you heard, his main emphasis was on just making the existing

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provisions work better, effective implementation of the instruments, the machinery, the institutional arrangements that are there and which are underutilized at the moment. And you hear, again, what he said about Brazil in that particular context. So, open to debate. Please tell us who you are and keep your contributions short, so we can have lots of them. Alfredo Labbé.

**Alfredo Labbé:** -Well, thank you so much for those wonderful presentations. Thank you very much to Ramesh because I believe your vision has a cathartic value for us, the diplomats, who must work with the world as it is. Yesterday, in my presentation I was referring to the Treaty as a social and political construct. When we talk about cornerstones, then we tend, naturally, to think about the Treaty like a monument and it is an instrument. It is worth to preserving insofar as it serves the purposes which presided over its negotiation and ratification. Now, I believe that the problem here is a political problem, again. The problem is the weapons themselves, not the possessors. There are no good possessors versus bad possessors, no good proliferators versus bad proliferators. The problem is the weapons themselves. Now, in going nuclear there is a kind of a Faustian temptation. You fall into the temptation and then you are trapped by this temptation. And the trap is nuclear deterrence. Nuclear deterrence is diabolical per se because it deprives you from the time, from the possibility of renouncing to this weapon which is of no military use at the same time. It's just for an extreme scenario where life on the planet would cease to exist. So my question and my reflection, in fact, is: how can we, while preserving the Treaty because the Treaty serves political needs, can start going for the real objective which is the suppression of nuclear weapons? That is in my opinion the main goal. But, as Gareth said, it is not something which we can postpone or we can present in such a way that will demand many lifetimes. How can we do that?

**Gareth Evans:** -Let me take two or three questions and comments and group them together. Over there. We'll ensure that everybody gets a good response.

**Member of the public:** -Good afternoon, Paulo França, journalist. Brazil was demanded here that it should sign the Additional Protocol, but countries that possess nuclear weapons do not trust each other enough to the point of starting to disarm themselves. Why do you want other countries, which are not armed, to strictly sign treaties regarding not arming themselves? What guarantees that unarmed countries can trust armed ones? [Follows an un audible comment and then, applause.]

**Gareth Evans:** -At the back, yes.

**Member of the public II:** -(...) Brazil's signature and other countries', complementary agreements as well as the withdrawal of some treaties. I agree with the comments done by the person who preceded me, and I would like to ask whether it would be an important gesture of the US. administration the suspension of the counterproliferation strategy, including removing the negative guaranties the NPT provides. It makes a country like Brazil or other countries of our region feel threatened. It works with the possibility of using nuclear weapons against any country, including countries which resigned the use of nuclear weapons.

Therefore, it would be an extremely interesting gesture that the Obama administration -and Ms. Susan could bring us the news- that the United States in the May Conference would resign counterproliferation, that the START negotiations between Russia and the United States would be the essence for disarmament. Not simply disarm nuclear warheads but to destroy them in order to avoid the possibility of their return. It would be an important gesture, and certainly that would give legitimacy to nonproliferation and disarmament. As long as major powers seek to maintain these weapons, a nonproliferation will be illegitimate and that will make that possessions will be kept. I don't see why the NPT could not be a bilateral treaty to build a path to a world free of nuclear weapons but gestures must be made by those

who possess nuclear weapons, and that gesture is important, and it would be excellent, that United States could bring that news in May. Thank you.

**Gareth Evans:** -Ok, I take one more. There is one more.

**Member of the public III:** -Carlos Alexandre. I would like to thank the speakers. I had a doubt because it was mentioned that the nonproliferation regime would be weakened by the refusal to sign the Additional Protocol and I thought of some events that in my opinion could demonstrate that it is not like that, that there may not be nonproliferation. For example, when states parties to the NPT invaded sovereign states adhered to the NPT, and the Agency, the Agency's Director expressed that there were no weapons of mass destruction in that country, and that was not taken into consideration, wouldn't that be showing that non nuclear states do not consider the Agency as an institution that controls the non-proliferation? The fact that the Agency does not inspect the five nuclear states illustrate that it has no control. They don't know where the production of fissile material (which can be used in nuclear weapons) goes. It can be handed in to check proliferation in response to the political interests of those five states. Finally, a state party to the NPT signed an agreement recognizing the nuclear level of the state that was not adhered to the NPT, thus disregarding the fact that it has not signed the nuclear non-proliferation Treaty. I wanted to know if those events wouldn't also be critical to strengthen nonproliferation. Thanks.

**Gareth Evans:** -Ok, I'm afraid the translation hasn't been coming through fantastically clearly but the substance of the last three questions seems to be: why put the heat on non weapon states like Brazil, because the real villains are the weapon states and maybe the IAEA, itself. So I'll get Pierre to respond to that but the first question was the more general one, about how we move forward on the disarmament inside of the house. Maybe I can ask Ramesh to begin by responding to the nuclear weapons question and Gustavo too, to either of them if he feels like cutting in. Ramesh.

**Ramesh Thakur:** -Thank you Ambassador. I think it's a good point that you make that it's a social angle under construct and a legal envelope within which this constructs are embedded. Similarly, of course, countries' identities and security policies which will form them are also social and political constructs. And by simply disregarding them or saying, on top-down, we will impose our values and identity, will not work because then it becomes a question of how long until they successfully break out as, opposed to willingly abiding by the terms because they believe their security to be better advanced through that. The distinction between "we want to keep our weapons for reason of our national security but we will force you to give it up for reasons of international security", that dichotomy will not work anymore either. What I was trying to do was to make the point that those of us, including myself, who have tried to pursue a program of nuclear disarmament from within the NPT, now need to acknowledge that the NPT has successfully, for four decades, been converted against its express provisions from a prohibition regime into solely a nonproliferation regime. That has brought many benefits, many values; therefore we don't want to throw it out. We want to protect it. But, once we recognize that is not the route to disarmament, and then if you believe that you do want disarmament, then we need to supplement it, reinforce it, but also supplant it. And we are beginning to work on that process now, recognizing this. There are other anomalies as well, like the distinction between state and non state rogues. We now have the letter from A.Q Khan, explicitly saying that the authorities, not just in Pakistan but also in China, were actively complicit in that underground nuclear bazaar. We don't want to mention that because it doesn't help in terms of thinking forward, looking forward. The distinction between regional and global security breaks down. You can't ask Pakistan to give up without taking into fact its legitimate security concerns regarding India. You can't expect India to give it up as long as China has them. You can't expect China to give it up while the United State has them. It's a seamless linkage and that's why I'd like to read Gareth's phrases and I really look forward to their Commission report. We can bring all that in; you can take care of the anomalies in terms of Thomas Kuhn, paradigm shift. The empirically observed

phenomena can no longer be accommodated within the dominant NPT paradigm. We need a revolutionary new paradigm. That paradigm for me is a Nuclear Weapons Convention.

**Gareth Evans:** -If I could just add to that translating structures of paradigm into specific diplomatic steps forward, one of the things we are recommending in our Commission report is that they go to next year NPT Review Conference, a revised 20 point draft new international consensus on action for disarmament, which would be repeating in very specific language commitments to a nuclear weapon free world. And also generating, hopefully, a specific commitment to getting to the half way or better of the half way of the minimization point, very small numbers, by a certain time and a lot of other stuff as well. The hope would be not to just get that endorsed by the NPT Review Conference but to seek the endorsement of the other three elephants: India, Pakistan and Israel as well and to generate a momentum towards this normative commitment right across the spectrum, not just within the NPT frame. That's the first thing. The second thing is, obviously if you are going to move towards disarmament you have to have serious leadership from Russia and the United States because they possess between them more than 95% of the world's present 23,000 nuclear warheads. And getting the other countries, the other six or seven if you include North Korea, to reduce their arsenals in an environment where nothing much is happening on the bilateral US-Russia front, is just impossible to contemplate. So it's fantastically important that that momentum be sustained as difficult as it will be because it is, very quickly now, going to get caught up with issues about ballistic missile defense and conventional arms and balances and God knows what. But that's tremendously important to get those rounds on the Board. It's also tremendously important, if not to start formal multi-lateral negotiations -that's years away, I think with all the blare sitting around the table and making diplomatic decisions about cutting, and percentages, and asymmetry and unbalance, and so on, we are a long way away-, but it's not too early to ask of all the nuclear armed states that they make a very clear declaratory commitment not to increase their arsenals from the level they are at the moment, and to begin the process of systematic strategic dialogue between them. Maybe, within the framework of the much lamented and criticized Conference on Disarmament in Geneva because there is a work program element there which would allow for such discussion. And all these countries are members of that particular forum. You know, these are specific operational steps forward, but we can't just content ourselves with rolling along the way we are at the moment, there has to be a fundamental change. And then whether you want to comment on that Gustavo before we get back to Pierre.

**Gustavo Ainchil:** -Thank you. I would like to make a comment, particularly on the scope of some of the questions and the presentations. The emphasis in tools, specific tools, may take us out of the right approach to see which is the size of the problem, because if the whole discussion depends on the Additional Protocol for instance, then we are mistakenly choosing a path. I mean, I'm not supposed to defend why at the region we feel comfortable with the way we are and we feel that ABACC provides us with a peace of mind in terms of how the region is developing. Because we are really fine with that and we feel in a way what the Brazilian friend said in terms of unfairness when the emphasis is put too much on Argentina and Brazil because we feel that the bar is not the same for all, particularly considering our record and the insistence on that approach. It may not take us where we want to go. Experience shows a different way. I mean, if some countries -because this is championed by some countries- want two members of the international community to surrender, this will not work like that. We have the experience and there is a cultural difference on how we see things. We had the experience a couple of weeks ago within the NSG to bring clarity to our position; we brought people from ABACC to explain to the Nuclear Suppliers Group how our system was working. And the conclusion taken by all is that trust is an essential component. Then the auditorium was split in two. A number of countries said, "Okay guys, if you have managed to build trust, you are on the safe side." And the others said, "Trust? Too much trust, too much confidence. You might even work together to have a bomb." Somebody said that, which is ridiculous because you don't produce a bomb for the sake of it, you do it if you have a security problem. And if you device a bomb with your former competitor then you are not acting reasonably. So there is a

lot of talk about this. I understand that the international community may have concerns to provide a broader sense of certainty, but some emphasis is not placed correctly, I think.

**Gareth Evans:** -I have to say I'm not entirely sure there's evidence the only reason countries acquire weapons is for security problem. I think status, prestige, or testosterone has something to do with that too as well and we can argue about that. Over to you, Pierre, to defend the true faith.

**Pierre Goldschmidt:** -Well, Mister Chairman, I didn't expect to get a question!!! [with a tone of humor]. Let me say one thing so that there is no misunderstanding. When I was a kid my mother told me one thing I never forgot, she said, "Pierre, only your best friends will tell you things that you don't want to hear." So, please keep this in mind. So, I think the concern about Brazil not signing or ratifying the Additional Protocol is not only a concern or possible concern of nuclear-weapon-states, it's a concern of the other non nuclear weapon states. I come from Belgium, from a non-nuclear-weapon state and my country is sharing that concern. And it shares that concern not out of distrust of Brazil but, as I explained, because the fact that Brazil does not adhere to the Additional Protocol, --which, by the way has been repeatedly recommended by the IAEA General Conference of which Brazil is a member and is voting for those resolutions-- it is really not helping for other states, which are states of concern and which are not adhering to the Additional Protocol.

ABACC is fine, ABACC is a great organization. It reassures certainly Brazil and Argentina, although I'm not sure that Argentina with ABACC can verify that there are no undeclared nuclear activities in Brazil. I still would need to be convinced of that. So I've tried to find out all the possible reasons in my paper for Brazil not to sign the Additional Protocol, in order for Brazil to explicitly dispute my findings. To help Brazil say "no, these are not the reasons", or "of course we agree with you," or dispute anything I said.

But there are other reasons. The NSG is a club, there is no transparency there; we don't know what is taking place in the NSG. So I think transparency is to say things as you perceive them. That's important, that's communication. We have to talk to each other. I share...we all share the frustration about double standards, and I mentioned that shortly in my presentation and more in my full paper. But, however, let's not be hypocritical. When Brazil joined the NPT in 1997, Brazil knew that this was an unbalanced Treaty. So you cannot say now "we dislike it", because you knew exactly what it was. You were probably the last major country to join the NPT so you knew perfectly well what you were doing and you did it because you thought it was in your interest. So to say now that it's not a legitimate treaty, that it's imbalanced, etc, I don't think that's quite fair. And I will stop there.

**Gareth Evans:** -Ok, next round, High Representative Duarte.

**Sérgio Duarte:** -Does this work?

**Gareth Evans:** -Yes, but you need just to stand up.

**Sérgio Duarte:** -Okay. Thank you. My name is Sérgio Duarte; I'm the High Representative of the United Nations for Disarmament. But I was before a Brazilian diplomat and I'm still a Brazilian. And when I hear someone like Pierre Goldschmidt, who I have known for a long time, I know he has a one track mind. He only thinks about the Additional Protocol. I would perhaps like that with the same passion and strength that he defends the Additional Protocol he would also defend the need for nuclear disarmament. And not to say as he said that it is unfair to say that there has been little disarmament. But anyway this is something I wanted you to listen because as you said, friends are good to say things that you don't like to listen. Now, what I really think I should respond to is your attempt at belittling the Brazilian Constitution and giving credits to individual opinions given by people who, in this country, are free to say

what they want to say. The Brazilian constitution forbids Brazil to acquire nuclear weapons as does the NPT, which Brazil signed knowing very well, Mr. Gareth Evans, what it was signing. Brazil signed the NPT because it thought that it could work for nuclear disarmament from within the Treaty rather than being criticizing it from the outside. So I think that these things should be heard and should be listened to. One thing is to say that you don't want to enter an agreement which is not compulsory. The Additional Protocol is a system to which countries may or may not adhere to. It's entirely up to each country to decide whether they want to listen to it. And also to give the impression that the Additional Protocol is something that someone is obliged to enter into I think it's to stretch, to stretch the truth. Thank you.

**Gareth Evans:** -Thank you. We got yet another heavy Brazilian gunman ready to fire, Marcos Azambuja.

**Marcos de Azambuja:** -Thank you. Will you excuse me if I speak in Portuguese?

**Gareth Evans:** -I will forgive you but...

**Marcos de Azambuja:** -I understand and I accept the questioning of Brazilian votes. I don't care about that concern. Brazil signed the NPT fully aware of the specifications, of its imbalances. But the main thing is...for our understanding, it is a Treaty, a process of optimization. That is why we have a Review Conference every five years. Brazil gives wide and multiple guarantees: the Constitution, a bilateral agreement with Argentina, the Quadripartite Treaty with the International Agency, the Treaty of Tlatelolco, and the lack of motivation for Brazil to feel threatened or to threaten. Therefore, I would like to give a statement of great tranquility.

In the first place, the risk of proliferation will not come from South America; it will not come from Brazil. Secondly, I think it is important to register that I am in favor of Brazil eventually signing the Additional Protocol. We do not have to hide, but when we have something to win showing our transparency. My doubt is related to having to do it now, as a free additional action, when Brazil hopes to use this gesture as a way to distract those who are armed, those who did not comply with article 6 of the Treaty, those who threaten with additional concessions. Should Brazil do more, and the others the minimum?

Therefore, my belief is that Brazil does not own in this case any clarification or satisfaction to the international community. We are a country entirely obedient to the precepts of the Treaty, complying with the rules and living at a subcontinent where we are an element of peace, stability and security. Thank you very much.

**Gareth Evans:** -Just to add some clarification Marcos: has Brazil actually spelled out precisely the conditions that would it satisfy sufficiently to sign the Additional Protocol or we are waiting for a rollback of nuclear weapons before we do that?

**Marcos de Azambuja:** -No, there are no specific conditions. So I believe there is no schedule for Brazil to sign, or condition more that to comply with the laws. In the Brazilian side, there is a belief that Brazil did all it had to. It did everything it was supposed to do. It did more than what perhaps was expected of it. Now, the ball is on the other side of the field.

Now we expect an initiative from their side that allows us to say to our public opinion, to our press, and for our lives, that now they are fulfilling their side. Therefore, in this game I always saw the NPT as a game of balance between obligations and responsibilities. It is not an act of unilateral capitulation. Brazil did not give in. Brazil entered a process in which it now expects the balancing entry of the necessary acts of the others.

There is no strict conditionality, but essentially, Brazil –it is my interpretation as now I am not a member of the Brazilian government- hopes to raise that situation where our position is an additional lever to drive the armed states towards disarmament.

**Pierre Goldschmidt:** -I am afraid you misunderstood what I was trying to say. I would ask you the following question: do you agree or not that by not signing the Additional Protocol you are weakening the non proliferation regime because you are giving an easy justification for other states to follow your example.

**Marcos de Azambuja:** -First, I object the tone of your question. It is as if the question was formulated in quasi-judicial conditions, as in court. I am not here to answer these intimations. I am not even going to give you an answer in those terms. I give you back the floor. Rephrase your question in diplomatic terms, of negotiation and, not as is if we were in court.

**Gareth Evans:** -Marcos, come on! You are at the court of public opinion, Marcos. And this is a serious debate and a serious and a fair question. And I as Chairman think it is a reasonable question which the rest of the world would love to get an answer from. You and I are old friends, we've debated these things. We are both on absolutely the same way in what we want. We need to be a little bit closer on the same way.

**Marcos de Azambuja:** - Seeing the transformation of a tactical Brazilian attitude of taking a pause in the face of the Additional Protocol as being an indication of bad faith, that we are "undermining", somehow diminishing, eroding. No, the Treaty is suffering erosion because others do not fulfill their part. Brazil is in full compliance with the IAEA, and I believe that Brazil will eventually sign the Additional Protocol, but it will not do it in the face of intimidation and accusations that it does not accept as legitimate.

**Gareth Evans:** -I hope that we can all recognize that decency when we see it, that will encourage you to respond in that way. Maybe the new NPR, you know Nuclear Posture Review that the US is presently conducting, could be one such demonstration of the good faith we are encouraging. Let's keep our fingers crossed that something anyway will move this forward on the disarmament side. Okay, two more questions and then we'll wrap up. This gentleman here, in the middle, I'm afraid you're going to have to be it. Yes. No no no. not you Alfredo, you've had your moment. Gentleman there.

**Camilo Reyes:** -Sorry, I understand there is a consensus from the table that the regime at the NPT is a very valuable Treaty and that we all wanted to survive, to be strengthened and to be able of providing humanity with a future without nuclear weapons. At the same time, it was mentioned here that we are thinking of the possibility of a Nuclear Weapons Convention. My question is this one: Is the ideal scenario that with the successful NPT coming year Review Conference we would have an strengthen regime with a good result at the at the Review Conference that would include commitments regarding article 6 of the Treaty? Is that what we all want? And would that imply recommendations that would show the way to start negotiations on a Nuclear Disarmament Convention? Is that what we want? Because that wouldn't then take us to the idea that we are making a proposal to a new convention to replace the NPT, which I personally think it would be fundamental. Thank you.

**Gareth Evans:** -Okay, the question is clear. The gentleman in the middle, last question.

**Member of the public:** -I'm Marcos. I'm a student from the University of Lisbon and from Sciences Po. I'm interested in that throughout the debates in these days there's been a consensus that the unbalance between disarmament and nonproliferation is unsustainable. I chose brief questions, the first one is: Is

this also consensual among the main players of this issue, Moscow, Washington, etc., .that this situation is unsustainable? And the other question is: Is there any idea on how to effectively (...) designed for this?

**Gareth Evans:** -Okay. We'll listen to Ramesh first and then the others, if they would like to.

**Ramesh Thakur:** -Thank you. I think we have to recognize two things. One the 1995 extension of the NPT indefinitely provided permanence without accountability. That's the point that was mentioned yesterday. Second, having said that, as was mentioned yesterday, as Gareth Evans emphasized today, we are at a distinctive moment in history when opportunities exist, thanks principally to the leadership provided precisely by the United States and Russia. And we need to seize that opportunity. But even if we do, some anomalies just simply cannot be accommodated within the NPT, no matter how you do it. Unless you really believe that you can get Israel, and Pakistan, and India, to sign on as non nuclear weapon states. That elephant in no way can be counted. I definitely Gareth, I actually share the conclusion that was mentioned yesterday that on balance, the India-US nuclear deal is a good one. But it is incompatible with the NPT. It cannot be reconciled with the NPT. That problem remains. So we seize the moment and get a successful Review next year, let us use that as a platform to begin the process of reconciling the contradictions, the tensions, the incompleteness, etc. etc. etc. and complete it with a comprehensive Nuclear Weapons Convention that brings all these things in. And the point was made yesterday. We have a very good example in the Chemical Weapons Convention. With an implementing agency, with involving industry in the negotiation space, this is the best practice example that things can be done. Nuclear weapons is the only without a convention at the moment. So that is why I'd like to see them as related and building with each other. I don't want to lose the NPT with the tremendous benefits it has provided. But it is a Treaty that served its purpose, out of tune with contemporary realities, in significant ways that, to my mind, the best intentions simply cannot be addressed from within the NPT regime.

**Gareth Evans:** -Gustavo, would you like to...Ok, I'll make a comment from the UPN. Well just a quick word on the questions specifically asked. From my Commission's point of view what we are certainly arguing for some very clear commitments on specific further steps made within the context of the NPT Review Conference by the nuclear weapon states and also made more broadly those commitments by all the nuclear arms states; commitments towards reaching sooner rather than later a minimization point in terms of number, in terms of doctrine, in terms of deployed forces and then try to satisfy the conditions thereafter. We think that should be shaped and sharpened up and real pressure put on all the nuclear arms states and inside and outside the NPT to make those commitments. In terms of the Nuclear Weapons Convention, we think it's very important to have that on the table and a lot of work being done on defining, shaping, thinking through on what it would look like. We do have a model convention that's already been in circulation. But that repeats a number of the problems in the existing environment, in particular by having a completely two dimensional distinction between the existing weapon states, who've been given a very long time to disarm, and the others outside the NPT system, India and Pakistan, that were given five years to disarm. That kind of model is not the real world, as we can see it. So a lot of thinking needs to be done. It's very important that that thinking starts now and not be postponed 5, 10, 15 years out. Because the mere thinking about what that Convention would look like is an important part of shaping the discipline and the mind set change that we need. And so we are arguing towards strategic dialogues, national studies, and try to find some slightly more formal mechanism to get a more formal consideration of that, short of an actual negotiation. I think that's probably the answer to the other question as well. There are these steps that one can envisage. What we can't do, any of us, is pretend that the status quo is sustainable as it now is. And all the passion that's in this room about the default of the nuclear arms states, nuclear weapon states, and the way in which they sort to shift the whole focus onto nonproliferation obligations, security obligations and pretend that the disarmament obligations are not real. And we saw that again in the language of the Security Council resolution. Frankly, the disarmament provisions were trivial; the nonproliferation and

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**Panel 5 – The Future of the NPT – Should it be Enhanced, Changed, or Replaced?, October 30, 2009**

Full audio transcription \*

Quotes in Spanish, and Portuguese translated into English

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security ones were very substantial. We can't have a continuation of that. That's not the way the world on the 21st Century works. And I think that that's basic message that will come out of this conference and that will come out of many other conferences around the world. That's a very good message indeed. I ask you to join with me in thanking our three panelists for an excellent debate.

Applause

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