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**Remarks by Professor William C. Potter
to the Second International Conference of States Parties and Signatories of Treaties that
Establish Nuclear-Weapon-Free Zones and Mongolia
(United Nations, April 30, 2010)**

Introduction:

It is my honor and great pleasure to address this important international conference of States Parties and Signatories to NWFZ Treaties. Although I frequently have the opportunity to participate as a national delegate to various NPT-related conferences, I wish to emphasize that today I am speaking very much in my personal capacity as a professor and the director of a large research center in Monterey, California.

Observations:

In the short amount of time I have available, I would like to make several observations about existing zones, comment on the prospects for additional ones, and then conclude with several proposals for specific steps that should be taken as soon as possible.

In my view, NWFZs are among the few disarmament and nonproliferation approaches that have shown considerable success in recent years and also retain significant promise looking forward. They also are relevant to the issues of peaceful use of nuclear energy and preventing nuclear terrorism. As others have observed, much of the world today is covered by NWFZs, and with the entry into force last year of the Central Asian NWFZ Treaty and the African NWFZ Treaty, NWFZs are now in force in Latin America, the South Pacific, Southeast Asia, Central Asia, and Africa, as well as Mongolia. Indeed, well over 100 countries are now covered by NWFZs. The entry- into-force of the Central Asian NWFZ Treaty also signaled the first time a NWFZ extended into the Northern Hemisphere and included territory on which nuclear weapons were previously based.

One of the unusual aspects of NWFZs as a disarmament and nonproliferation approach is that the zones emanate from countries in the region (i.e., they reflect the interests of states in the region and are not imposed on them by other states.) This is an important feature that the nuclear weapons states (NWS) sometimes forget.

Although NWFZs share some basic characteristics (e.g., members agree not to manufacture, acquire, test, or possess nuclear weapons), each zone typically has a number of distinctive

features. The Central Asian NWFZ, for example, is distinctive in its emphasis on environmental problems caused by nuclear weapons production activities, as well as by its requirement for members to adhere to the IAEA Additional Protocol. Like the African NWFZ Treaty, it also specifies important physical protection requirements that are relevant to reducing the risks of both proliferation and nuclear terrorism.

Zones also are important in fostering cooperation and confidence-building among the member states in the region.

In addition, zones have the potential to facilitate collaborative, multinational approaches to peaceful nuclear use and environmental remediation.

Problems and Prospects:

Trade with non-NPT parties and those without FSS in place

Although one can point to significant progress in many respects in recent years involving NWFZs, one of the major setbacks involves the “collective amnesia” on the part of many states parties to NWFZ treaties regarding their commitments not to engage in nuclear trade with countries lacking Full Scope Safeguards. These provisions are explicit in the Treaties of Rarotonga and Pelindaba, and the Central Asian NWFZ Treaty is even more restrictive in its insistence that recipient countries have in place the Additional Protocol to the IAEA. Unfortunately, many countries chose to ignore these legally-binding NWFZ Treaty obligations, as well as related political obligations undertaken at the 1995 NPT Review and Extension Conference, when they chose to support an exemption for India at the 2008 meeting of the Nuclear Suppliers Group. Just as it is intolerable for NWS to selectively pick and choose those NPT obligations to which they subscribe, so it is impermissible for NNWS to ignore economically inconvenient legal and/or political commitments they have undertaken. To do so is to undermine their moral authority.

Protocols by NWS

A second problem pertains to the slow pace with which nuclear weapons states have concluded relevant protocols to NWFZ treaties. Indeed, it often appears as if NWS proclaim their support for the concept of NWFZs, but in practice have a hard time finding any zones they actually like. Thus, it took decades for France to ratify the protocols to the Tlatelolco Treaty, the United States has yet to ratify the Rarotonga Treaty, and none of the NWS has ratified the Bangkok Treaty. More generally, in order for the NWFZs to have the maximum positive impact, it is vital for NWS to conclude the relevant protocols to the zones and to refrain from issuing signing statements that attach conditions to their Negative Security Assurances.

NEXT STEPS:

What should the Rev Con do re NWFZs?

Next week at the 2010 NPT Review Conference we will have an unusual opportunity to focus international attention on the recent achievements of NWFZs, as well as the future potential they

hold in promoting disarmament, nonproliferation, peaceful use, and regional security. Indeed, it is fair to say that unless States Parties to the NPT come to grips with at least one potential NWFZ—that involving the Middle East—and make some progress in implementing the 1995 Resolution dealing with that region, it will prove next to impossible to forge any consensus Review Conference document. That being said, I am relatively optimistic that we can find a meaningful way forward on this issue during the Review Conference.

I have already mentioned the fact that it is not enough for states in a region to conclude NWFZ treaties. Nuclear weapon states also must move to put in place Negative Security Assurances to members of these treaties. I am the first to acknowledge that a number of these treaties are not perfect documents and, in retrospect, might have been improved in a variety of ways. That being said, the same is true of all negotiated treaties, including the NPT. Moreover, in some regions that noticeably lack a history of cooperation on issues of peace and security, NWFZs offer an important mechanism to enhance further regional cooperation in pursuit of common disarmament and nonproliferation objectives. We must seize upon the opportunities they present. It is my hope that this conference today will help us to identify the contributions already made by NWFZs as well as future steps that must be taken if the full potential of NSFZs is to be realized.