

**Monterey Institute Center for Nonproliferation Studies
Workshop on the Outcome and Implications of the 2002 NPT PrepCom
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Session IV: The NPT Review Process

- **What are its implications for the non-proliferation regime?**
- **Does it address today's proliferation and disarmament challenges?**
- **Where are improvements and changes needed?**

I. Introduction

At the outset, I would like to express my appreciation for being invited here today to present my view on the NPT Review Process under session IV. This Workshop, attended by diplomats directly involved in the NPT Review Process and knowledgeable experts on this matter, provides a valuable opportunity to analyse the outcomes and implications of the 2002 NPT PrepCom. Such an evaluation of the Review Process is extremely useful in working towards the improved functioning of the next PrepCom and, subsequently, a successful outcome for the 2005 Review Conference. I fully commend the Monterey Institute of International Studies in such an important initiative.

II. Did the first PrepCom meet our expectations regarding the strengthened review process?

The review process agreed upon at the 1995 RevCon entails a continuous assessment of the operation and implementation of the Treaty, using the Principles and Objectives as a yard stick. It also makes recommendations to the Review Conference. Furthermore, at the 2000 RevCon, it was made clear that the PrepCom, in its early stages, should focus more on the consideration of "specific matters of substance relating to the implementation of the Treaty and the Decisions 1 and 2, as well as the Resolution on the Middle East adopted in 1995, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty.", and the "drafting exercise" on recommendations was tasked to the third PrepCom. Thus, the first PrepCom was expected to deliberate on the substantive issues regarding the implementation of the Treaty and its universality.

Moreover, considering that the current changing and adverse environment of the multilateral disarmament forum is not favourable for accomplishing what was agreed on in the Final Document of the 2000 RevCon, which is a far reaching and extremely significant outcome in the history of the NPT, it was broad understanding among States Parties that an important objective of the first PrepCom to prevent backslide on previous progress, rather than to try to create new ideas.

Against this backdrop, let us consider achievements of the first PrepCom and its implications for the non-proliferation regime.

Substantive discussions

Firstly, in my view, the meeting gave us a good opportunity for substantive discussions on the most urgent issues on today's proliferation and disarmament agenda. The allocation of specific time was useful to focus on the most immediate concerns of the States Parties, namely, the implementation of article VI, regional issues, and safety and security of peaceful nuclear programmes. What is most important in the substantive discussions is, first and foremost, that the States Parties reaffirmed the overriding importance of the NPT as the cornerstone of the non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. They also stressed their commitment to the effective implementation of the objectives of the Treaty, the decisions and resolution of the 1995 Review and Extension Conference, which was based upon a core bargain between the nuclear weapon States and the non nuclear weapon States, and the Final Document of the 2000 Review Conference.

Having said this, we share the views of many States Parties that most of the statements made by the States Parties were one way exercises and there were very few interactions among States Parties. In particular, during the first week, States Parties were too much concerned about the procedural problems on the timetable, and the time available for substantive discussions was not fully used. I believe that there is ample room for improvement and, with a view to the next PrepCom, we must consider the best way to deepen substantive discussions.

Outcome of the PrepCom-Chairman's factual summary

Secondly, I would like to make reference to the Chairman's summary attached to the Report of the meeting. Despite differing views on whether it should be a consensus document or a document issued under his sole responsibility, Ambassador Salander, Chairman of the first PrepCom, succeeded in preparing his Chair's summary. This is a very important achievement as failure to attach a substantive document would have, I believe, elicited a negative response, with the NPT PrepCom being too easily labelled as another major failure in the multilateral disarmament and non proliferation forum.

The status of the paper is not an agreed document and some might think that the Chairman's paper was nothing more than a factual account of the views of the States Parties. At the same time, we have learned a lesson from the previous review process that, due to the lack of political will on the part of each State Party, negotiations on an agreed document would most likely be a futile exercise. Therefore, the Chairman's paper should be considered to be the product of the best efforts by the States Parties under the specific circumstances. I believe that its substantive content should be an invaluable reference for the next meeting, as well as intersessionally.

III. What are the most difficult obstacles to the NPT review process realising its potential?

After the 2000 Review Conference, due to the differing views of major powers on the global strategic stability, very little substantial progress was made in either bilateral or multilateral disarmament efforts until the recent Russia-US agreement in Moscow. Although, after September 11, the relations among major powers have been mended remarkably, it is still in the transition period. Further efforts to narrow differing views on new strategic framework or strategic stability should be made to improve conditions for progress on non-proliferation and disarmament.

Having said this, what is essentially important, now, is the *political will* of the States Parties to put into practice the agreements which have been reached at the previous Review Conferences. After all, is not the success of the review process measured by the progress in substantive steps which has been made. In this connection, let me highlight some concrete issues for States Parties to make concerted efforts towards achieving.

- An end to the stalemate in the CD

Among the thirteen steps, two are addressed directly to the Conference on Disarmament. These are, namely, the negotiations of the Fissile Material Cut-off Treaty and the establishment of an appropriate subsidiary body to deal with nuclear disarmament. With the constructive evolution at the second session in the CD, differences of view are now narrower. We must seize this opportunity to bring an end to the current stalemate, and begin substantive work.

- CTBT

Despite every effort being made to encourage the 13 remaining countries, whose ratification is a condition for the EIF to ratify the CTBT, the possibility of its entry into force remains slim. This does not imply, however, that efforts should be weakened. The importance of the moratoria on nuclear testing should be constantly reaffirmed at the highest possible political level. We must continue supporting the CTBTO PrepCom financially to establish the international monitoring system.

- Russia-US Treaty on Strategic Offensive Reductions

The recent signing of the Russia-US Treaty on Strategic Offensive Reductions is welcomed as an exceedingly significant bilateral achievement that I hope will usher in a new century of disarmament. We look forward to the early ratifications of this Treaty by the legislative body of the two States.

- Prevention of Nuclear Terrorism

The attacks of September 11 resulted in increased efforts being made to prevent terrorists, or those who harbour them, from acquiring or developing nuclear and other WMD and related materials. The States Parties of the NPT should continue taking concrete steps to this end, through the IAEA and other appropriate fora. The initiative of a new G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction launched at the recent G8 Kananaskis summit in Canada is an important step in this regard.

- Universality

Continued efforts are needed although complete universality may not be accomplished in the near future. The international community must seriously address regional conflicts in the Middle East and South Asia.

- Addressing Non-compliance

Unfortunately the NPT has no mechanism to authorise action against non-compliance. Therefore, it must be complemented by other means, hence the necessity for universalization of the IAEA Additional Protocol should be imminent issues. As a matter of course, we must continue urging Iraq to accept UNMOVIC and IAEA verification in accordance with the relevant UN Security Council resolutions. Compliance by the DPRK with the safeguard agreement should also be ensured as expeditiously as possible.

IV. Where are improvements and changes needed?

The three years preparatory work toward the 2005 Review Conference should be an evolutionary process. Based on what we have learned from this PrepCom, we have to improve the functioning of the Review Process. In this connection, I would like to make three concrete suggestions on how best to improve the functioning of the Review Process.

Reporting

Firstly, reporting on the implementation of article VI obligations plays an important role in enhancing accountability. These reporting requirements should be taken seriously. Japan and many other countries have submitted this regular report in the form of an official document, and some nuclear weapon states have provided information in the form of a statement or informative paper. All the States Parties are requested to provide the report next year.

The content level, however, varies depending upon the countries, and is sometimes inadequate. More transparency is still needed.

Unfortunately, we were unable to address the content of reports submitted by the States Parties during the initial PrepCom. We hope, however, to have substantive discussion concerning this point at the next PrepCom and also during the intersessional period where meetings such as this one are organised. In this vein, we welcome the Canadian initiative of reporting as a way to analyse these reports and thus further activate the review process of the Treaty. I believe that such discussion would be helpful to generate a substantive interaction, beyond the formal exchange of views, among the States Parties at the future PrepCom.

Inter-sessional activity

Secondly, I believe that informal activities such as this workshop are of great importance and help complement the review process. Japan would also like to consider ways to maintain the momentum generated by the first PrepCom.

Future ideas

Finally, although it has been repeatedly proposed so far, let me touch upon an idea of making the NPT PrepCom into a "Mini-Review Conference", or transforming it into an annual meeting of the States Parties, which may be worth considering on a long-term basis. With regard to the disarmament regime of other WMD, the CWC and CTBT has or will have, its own permanent organ to secure its implementation. Although the BWC has failed to create a similar organ, there is an emerging will to establish an annual meeting mechanism between Review Conferences. Considering that the implementation of the Treaty would be better reviewed on a continuing and permanent basis, more institutionalization of the review process such as a regular and annual meeting of the States Parties of the Treaty could be a possibility.