

**COMMEMORATION OF THE 50TH ANNIVERSARY OF THE CONCLUSION OF THE
TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT)**

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Let me first of all thank the organizers and the Department of State for inviting me to this Conference commemorating the 50th anniversary of the signature of the Treaty on the Non-proliferation of Nuclear Weapons. I am particularly glad because if I had to write the Book of Genesis of the NPT I would probably begin by saying that I was present at creation. Indeed, between 1966 and 1968 I was privileged to participate from the very beginning in the discussions about the drafting of the Treaty at the Eighteen-Nation Disarmament Committee (ENDC) and in the work of 22nd Session of the General Assembly of the United Nations when the NPT was adopted. My recollections are still quite vivid today, fifty-two years after I first took up my post as a young advisor to the Brazilian delegation at the ENDC.

As it happened, during a large part of my career at the Brazilian Foreign Service and later as Undersecretary General at the United Nations I have been connected with the NPT in several different official capacities. In order to comment on the history of the Treaty within the time allotted to me I intend to recall some of the main episodes that led to its adoption by the General Assembly fifty years ago in June 1968. I shall also make a few considerations about the significance of the Treaty in the contemporary security environment.

Nuclear weapons started to proliferate with the first American experimental detonation at a New Mexico desert in 1945. By 1964 the UK, the USSR, France and China had followed suit. Obviously it was in the interest of these five States, as well as in that of the international community as a whole to prevent their further spread. Concern with proliferation had prompted candidate John Kennedy to declare, at a presidential debate on October 13 1960: "There are indications, because of new inventions, that 10, 15, or 20 nations will have a nuclear capacity by the end of the Presidential office in 1964." To a large extent thanks to the NPT, this prediction did not come true. In fact, it took twenty-odd years for only four other nations to join the nuclear weapon club, whether explicitly or not – Israel, India, Pakistan and the DPRK. There was also movement in the opposite direction: in 1991 the former Soviet republics Kazakhstan, Ukraine and Belarus voluntarily surrendered their nuclear weapons to Russia and in 1994 South Africa dismantled its own nuclear arsenal. These countries joined the NPT as non-nuclear weapon States. So, for the time being the total number of possessors of nuclear weapons remains at nine.

From 1959 on, a series of resolutions initiated at the United Nations by Ireland brought increased support for the negotiation of a treaty to curb the proliferation of nuclear weapons. Resolution 1380, adopted in that year at the 14th Session of the General Assembly, suggested to the Ten-Nation Disarmament Committee (TNDC) to consider "appropriate means" to avert the danger of an increase in the number of States possessing such weapons. The short-lived TNDC, composed of five NATO and five Warsaw Pact States was replaced by the Eighteen-Nation Disarmament Committee in 1961. The Cuban missile crisis in 1962 reinforced the concern of the community of nations with the risk of a nuclear war and highlighted the need to deal with the possibility of nuclear weapon proliferation.

In 1965 the General Assembly adopted by consensus Resolution 2028 (XX) calling upon the ENDC to "give urgent consideration" to the negotiation of an international treaty to prevent the proliferation of such weapons. That resolution enumerated five principles on which a future

treaty should be based. Among other requirements, the treaty should be void of loop-holes that would permit nuclear and non-nuclear powers to proliferate nuclear weapons, directly or indirectly; it should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers as well as constitute a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament. The resolution also recognized the right of States to conclude regional treaties on the absence of nuclear weapons in their territories. I am proud of the fact that my native region was the pioneer in banning nuclear weapons, through the Treaty of Tlatelolco, signed fifty-one years ago in February 1967.

Established in 1961, the ENDC was composed of five members of the Warsaw Pact (Bulgaria, Czechoslovakia, Poland, Romania and the Soviet Union), five members of NATO (Canada, France, United Kingdom, Italy and the United States) and eight nations that did not belong to either of the two military alliances (Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic). Those eight nations were improperly called “non-aligned”, since not all of them belonged to the movement formed in 1961 in Bandung. Among the five NATO countries, France chose not to occupy its seat at the Committee, although it kept unofficial consultations with other members. According to the agreement that made possible the setting up of the ENDC, its permanent co-Chairs were the representatives of the Soviet Union and the United States. Despite the rivalry, mistrust and animosity between them, the two superpowers of the time had been holding bilateral talks on a treaty on non-proliferation. Working in close cooperation, they introduced separate drafts at the Committee, which were discussed during most of 1966 and 1967. The logic of the Cold War to a large extent determined the positions adopted by the different members of the ENDC with regard to the Soviet and American drafts.

Differences of opinion in the ENDC and within the international community at large were quite deep. Members of the Warsaw Pact and NATO generally supported the drafts and

presented suggestions that contributed to a better understanding of the issues involved, particularly regarding verification of compliance and the thorny question of peaceful nuclear explosions. Countries from the Group of Eight proposed changes to bring the text under discussion more in line with the principles contained in resolution 2028. With different emphases, these countries argued for stronger obligations on nuclear disarmament and against what they felt were undue restrictions on certain aspects of nuclear technology. On January 18 1968 the two co-chairmen submitted separate but identical revised draft texts incorporating some of the views and proposals presented by several delegations among the members of the ENDC.

The debates failed to produce a consensus on a final draft text. On 14 March 1968 a document entitled “Report of the Eighteen-Nation Committee on Disarmament” (document A/7072) signed by the two co-Chairs was transmitted to the General Assembly “on behalf of the Committee”. This report states that the discussions and negotiations were conducted on the basis of the revised drafts submitted on January 18. It contained as an Annex a text that included changes to the revised drafts incorporated on 11 March by the co-Chairs. An addendum to thst Report (A/7072/Add.1) lists all proposals and amendments presented during the discussions.

During the consideration of the report by the First Committee of the General Assembly a number of delegations sponsored a draft resolution endorsing the text annexed to the report. Three revised versions of it were subsequently submitted and on May 3rd the two co-Chairs of the ENDC agreed to certain revisions to the text of the draft treaty itself, which were accepted by the co-sponsors of the draft resolution. By 90 votes in favor, five against and 24 abstentions the First Committee adopted this new draft resolution recommending the endorsement of the draft non-proliferation treaty as revised. It is interesting to note that among Western European States France, Spain and Portugal abstained in the vote at the First Committee. On 12 June 1968, the General Assembly adopted resolution 2373 (XXII), by 95 votes in favor, four against and 21

abstentions. This time France, Spain and Portugal voted in favor. Burma, Brazil and India were among those abstaining. Voting against were Albania, Cuba, Tanzania and Zambia. The resolution commended the Treaty on the Non-Proliferation of Nuclear Weapons and requested that it be opened for signature and ratification at the earliest possible date. Again as a junior advisor to the Brazilian delegation I was fortunate to follow the discussions on the NPT at that twenty-second Session of the General Assembly.

Many of the differences of view that emerged during the discussions at the ENDC and at the General Assembly were reflected in the debates of the successive Review Conferences held at five-year intervals. I had the opportunity to attend two such Review Conferences as an observer for my country, which was not a Party to the NPT at the time. Due to those differences, five out of the nine Review Conferences held so far ended without consensus on a substantive Final Document. In some instances, disagreement was so intense and divisive that no meaningful substantive debate became possible. This was the case, for instance, of the 2005 Review Conference which I had the honor to preside. Even so, the indefinite extension that had been obtained in 1995 underscores the importance and wide acceptance of the NPT. However, some of the political commitments that permitted the extension are yet unrealized. By the same token, specific measures agreed by consensus at the 2000 and 2010 Review Conferences still await implementation.

Today, looking in hindsight from my recollections and my personal perspective, I can conclude that the main reason for the general support enjoyed by the NPT is that the wide majority of the international community feels that the prevention of the spread of nuclear weapons is in the interest of each and all.

Compliance by all Parties with their obligations under the Treaty is of the utmost importance to strengthen confidence in the non-proliferation regime. Since the NPT lacks a specific

mechanism to deal with violations, episodes of alleged non-compliance have been dealt with through Security Council resolutions or by a combination of diplomatic efforts and political or military pressure.

Although not organically related to the NPT, two recent events must be highlighted here. The acceleration of the nuclear program of the DPRK – a state not party to the NPT – gave rise to deep concern in the Northeast Asian region and worldwide. The direct bilateral meeting between the leader of that country and the president of the United States brought hope that negotiations will be held soon and that progress toward nuclear disarmament may follow.

On another positive note, the Secretary-general of the United Nations recently congratulated the United States and Russia on successfully reducing their strategic nuclear forces to the level required by the 2010 bilateral New START agreement and called on both sides to engage in the necessary dialogue that will lead to further arsenal reductions.

Turning back to the NPT, there are several reasons to celebrate its successful conclusion fifty years ago. The international community should feel proud of having achieved over the past five decades a corpus of legally binding norms and politically significant principles that strengthen peace and security and promote nuclear non-proliferation and disarmament. The NPT is the only agreement that contains an obligation to pursue nuclear disarmament. It must be credited for its major role in preventing further proliferation: in fact, so far none of its non-nuclear Parties acquired nuclear weapons. Since entry into force in 1970, its membership grew to 191, encompassing all member States of the United Nations minus five and making it the most successful instrument in the field of arms control. Unfortunately, in the current international panorama the universality of the NPT seems unlikely, if not unreachably, without a major overhaul of the multilateral disarmament architecture.

As we celebrate the achievements in preventing proliferation it must be recognized that the Treaty did not fulfill the expectations of many of its Parties in some important aspects, particularly those related to nuclear disarmament. Much remains to be done in this regard. Several States continue to rely on nuclear weapons as one of the main tenets of their security. The majority of the members of the NPT, for their part, decided not to entrust their own security to such a precarious and risky basis, all the more inadequate in view of current multifaceted and evolving threats. It is fitting to recall here a reminder by the former Prime Minister of South Africa, F. W de Klerk. In deciding to abandon nuclear weapon ambitions, he said, “inner conviction weighs heavier on the scale than international pressure.”

As the armaments race continues, total global expenditure in instruments of war stands at higher levels than in the implementation of the Sustainable Development Goals adopted by the United Nations. New and more powerful nuclear weapons systems and advanced warfare technologies are being developed. The risk of a nuclear conflagration remains and its effects will not be confined to the belligerents.

In his recently unveiled agenda for disarmament, entitled “Securing our Common Future”, the Secretary General of the United Nations warned that “the existential threat that nuclear weapons pose to humanity must motivate us to accomplish new and decisive action leading to their complete elimination”. All States should heed his call for action. We have the necessary tools, including the Charter of the United Nations, the NPT itself, the CTBT, five nuclear weapon free zones and other important instruments such as the Treaty on the Prohibition of Nuclear Weapons (TPNW). Respect for the norms and principles of international law and for the accepted standards of behavior among nations is the essential foundation for maintaining peace and security and avert conflict.

May I conclude by saying that the successful conclusion of the NPT that we celebrate today would not have been possible without the combined efforts of the two States that possessed the largest arsenals. The international community counts upon their continued leadership in the unfinished common effort to finally rid the world of all nuclear weapons.