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**Statement to the Committee on Foreign Affairs of the U.S. House of
Representatives
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Thank you, Chairman Berman and members of the Committee, for giving me the opportunity to appear before the Committee today and to explain what the United States is doing to prepare for the Eighth Review Conference of the Nuclear Non-Proliferation Treaty (NPT), which will be held at the United Nations headquarters next month. I also want to describe what the United States hopes to accomplish at the Review Conference.

Importance of the NPT

Let me begin by highlighting the importance of the Treaty itself and the role it has played in supporting U.S. nonproliferation objectives for the past forty years. As the principal legal barrier to nuclear weapons proliferation, the NPT serves as the cornerstone of the global nuclear nonproliferation regime. It has established a strong standard of nonproliferation and a foundation upon which the international community has developed additional measures, such as strengthened export controls and strengthened safeguards, to reinforce the barriers to proliferation. In his speech last year in Prague, President Obama stressed the NPT's role in contributing to the conditions that make progress on nuclear disarmament possible. He called the basic bargain of the NPT "sound: Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy." This basic bargain reflects the three, mutually reinforcing pillars of the Treaty – nonproliferation, disarmament and peaceful uses of nuclear energy. Nearly 190 countries are Party to the Treaty, which puts a premium on cooperation as we work with others to achieve common goals.

Preparations for the Review Conference

Although I want to focus principally on our recent preparations for the Review Conference, I should acknowledge that our current preparations

benefit from the groundwork laid by United States during three Preparatory Committee meetings, in 2007, 2008, and 2009. The Third Preparatory Committee meeting, in May 2009, was able to reach agreement on an agenda for the Review Conference, an accomplishment that should facilitate the work of the Conference.

The NPT and the global nuclear nonproliferation regime have been under great stress in recent years as a result of, among other things, the growing availability of sensitive nuclear technology, as demonstrated by the activities of AQ Khan; North Korea's announcement of its intention to withdraw from the NPT while in noncompliance with its NPT safeguards obligations and the announced tests of nuclear explosive devices in subsequent years; the continued defiance by North Korea and Iran of efforts to bring them into compliance with their international nonproliferation obligations; and the limitations some states continue to impose on the verification role of International Atomic Energy Agency (IAEA) safeguards, including Syria's and Iran's concealment from the IAEA of their construction of a covert nuclear reactor and a covert enrichment facility, respectively.

As a result, the United States is not approaching the upcoming NPT Review Conference in any “business as usual” spirit. President Obama has put a strengthened NPT at the center of American nonproliferation diplomacy, and the United States is taking a series of steps to help achieve that goal. But I use the word “help” here very deliberately. The United States cannot realize the NPT vision on its own. It will take all Parties working together, setting aside stale debates and perspectives that have too often led to gridlock.

We have made clear that we are prepared to work with our NPT partners to conduct a balanced review that addresses the three pillars of the Treaty. To achieve that balance, we are prepared to have a full discussion of the progress that has been made to realize the disarmament provisions of the NPT. The Review Conference also must carry out a careful and thorough assessment of how well the nonproliferation and peaceful uses objectives of the Treaty have been fulfilled, and identify measures that the Parties can take in the future to improve implementation in each of the three pillars.

Toward this end, I have spent the last ten months engaging NPT parties from all regions – more than 70 countries at last count --to gauge

how best to do that. These consultations have revealed a broad range of views on the NPT and on the upcoming Review Conference. All of the meetings have been valuable in gauging the priorities and concerns of other Parties, and, of course, they have enabled us to share our Government's perspectives.

One common view expressed to us that transcends whatever differences may exist among Parties on individual issues is the firm conviction that the NPT is critical to the maintenance of regional and international peace and security, that it is, in fact, the cornerstone of the international nonproliferation regime. This, certainly, is a view that the United States strongly shares. We are encouraging other NPT Parties to approach the Review Conference as a real opportunity to focus on common goals and renew the collective commitment to the principles and basic bargain of the Treaty. A Review Conference that looks honestly at the issues and works constructively to strengthen the Treaty will require the cooperative participation of all Parties at the Review Conference, and for all Parties to recognize their shared responsibilities.

Goals for the Review Conference

So what are the issues which we want the Review Conference to address and the outcomes that we seek?

The NPT is, first and foremost, a Treaty aimed at preventing the further spread of nuclear weapons, while ensuring that the peaceful benefits of nuclear energy are made available to States fulfilling their nonproliferation commitments. But the Treaty's negotiators understood that non-nuclear-weapon states would be more likely to foreswear nuclear weapons permanently, if the five states that possessed them at that time pledged in good faith to seek to eliminate them. This understanding holds true today.

We are making clear that we take our obligations under the NPT seriously and are stepping up efforts to fulfill them. We have a particularly good story to tell in this regard. Recent actions, including the signing of the New START Treaty and the release of a Nuclear Posture Review reducing the levels and roles that our nuclear weapons will play in our national security, clearly demonstrate the U.S. commitment to fulfilling its disarmament responsibilities under Article VI of the NPT. As the President

pledged last year in Prague, we will seek the advice and consent of the U.S. Senate for ratification of the Comprehensive Nuclear Test-Ban Treaty (CTBT). The United States is committed to pursue negotiations immediately at the Conference on Disarmament on a verifiable treaty banning the production of fissile material for use in nuclear weapons (FMCT). We are extremely disappointed that the Conference on Disarmament has failed to launch such negotiations.

We also will continue to emphasize that a robust and reliable nonproliferation regime is a necessary condition for significant progress on disarmament, and we will work to leverage international support for our own efforts in this regard to gain broad support for our nonproliferation goals.

In this regard, all parties, nuclear weapon states and non-nuclear weapon states alike, have a responsibility to support the Treaty's nonproliferation goals, including by strengthening the IAEA and its safeguards system, which under Article III of the NPT verifies non-nuclear-weapon state Parties' compliance with their NPT nonproliferation commitments, and by dealing honestly and seriously with cases of noncompliance. Although not required to do so under the NPT, the nuclear-weapon-state NPT Parties also have entered into safeguards agreements with the IAEA.

The United States believes that one of the best ways to ensure full compliance with the NPT's nonproliferation goals is by ensuring that the IAEA has the tools and authority to carry out this mission effectively. The Review Conference is an opportunity to reaffirm the IAEA's central role in NPT verification and compliance and the goal of universal adherence to the Additional Protocol, which together with comprehensive safeguards agreements are essential for verification of the NPT.

It is not enough to detect violations, however. Noncompliance with nonproliferation obligations erodes confidence in the Treaty and in the global nuclear nonproliferation regime and must be met with real consequences, including, as necessary, actions by the UN Security Council. The UN Security Council last September emphasized in Resolution 1887 its role in determining whether a situation of non-compliance with nonproliferation obligations constitutes a threat to international peace and security, and its primary responsibility in addressing such threats.

The United States, together with a number of other countries, has been considering how the Treaty Parties might address the issue of abuse of the NPT's withdrawal provision -- specifically, how to dissuade and respond to the possibility of an NPT Party withdrawing from the Treaty while in violation of its NPT obligations. We have been discussing this concern with Treaty partners many of whom appreciate the stake they have in discouraging countries from using the withdrawal provision as a way to evade penalties for Treaty violations. Real progress toward this end was made last year with the passage of UN Security Council Resolution 1887, which affirms that States will be held responsible for any NPT violations committed prior to their withdrawal. We will work to ensure that this issue is addressed fully at the Review Conference.

Finally, we are looking forward to contributing to a constructive discussion about international cooperation in the peaceful uses of nuclear energy consistent with the NPT's fundamental nonproliferation undertakings, and with international standards of safety and security. Here, too, a strong and reliable nonproliferation regime is essential for the fullest possible access to nuclear energy for peaceful purposes.

For many years, nations have harnessed the atom for peaceful applications in agricultural, medicine, mining, manufacturing and industry. Such non-power applications are vitally important to the social and economic development of many countries in all regions of the world. The United States is the largest contributor to the IAEA's Technical Cooperation Fund, which administers the bulk of the IAEA's assistance in those areas. Over the years, the United States has supported such cooperation with nearly 100 countries. We will document this record in May. There is, of course, a safeguards component to such assistance, as the IAEA Statute authorizes the Agency, "To establish and administer safeguards designed to ensure that special fissionable and other materials, services, equipment, facilities, and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose." As demand for nuclear energy for peaceful purposes grows, so, too, does the burden of the IAEA in carrying out the application of safeguards in order to assure the international community that fissile material in peaceful nuclear programs is not being diverted to military uses. This is why it is so important that the IAEA is given the resources and authorities that it needs to fulfill its safeguarding mission.

Taking steps to strengthen the peaceful uses pillar is especially important today in view of the renewed interest in civil nuclear power that has risen worldwide in response to concerns about climate change and energy security. More than 60 countries have informed the IAEA of their interest in launching new nuclear power programs. As a result, international cooperation aimed at civil nuclear infrastructure development is flourishing, both bilaterally and through the IAEA. We will continue to highlight U.S. efforts in this field to emphasize the great importance we place on facilitating access to peaceful uses.

To address the increased risk of proliferation that could accompany an expansion of nuclear fuel-cycle capabilities, the IAEA Member States have been discussing measures to help these newcomers manage their nuclear programs responsibly and without increasing the risk of proliferation. This includes proposals for multilateral fuel assurances, including nuclear fuel banks that could be established to provide a backup source of nuclear fuel and obviate any need to develop indigenous nuclear fuel cycle capabilities. The United States has strongly supported these mechanisms, and will continue to do so at the Review Conference. The Review Conference is not expected to reach any conclusions on these issues, but it can encourage the IAEA to continue its deliberations with a view to addressing constructively the many questions that have been raised.

Looking broadly at our goals for the Eighth NPT Review Conference, we will strive for a recommitment by the Parties to the three pillars of the treaty and to the Treaty itself. We also will seek an outcome to the conference that helps set a new course in the direction of the greater fulfillment of the vital objectives of the NPT — stemming proliferation, working toward the peace and security of a world free of nuclear weapons, and sharing the benefits of nuclear energy for sustainable development. The United States will work hard with our Treaty partners to seize this opportunity we have to revalidate the Treaty's indispensable contribution to the maintenance of international peace and security.

We are keenly aware of the challenges of reaching agreement on a final report or other document when so many countries are involved, the agenda is so broad, and consensus is the order of the day. We expect that the vast majority of nations will participate in good faith and share our interest in revalidating the Treaty's indispensable contribution to global security. We know, of course, that not all nations necessarily share that

perspective. As a result, the United States is not approaching the NPT Review Conference as an end in itself, but as a critical milestone in the broader international effort to strengthen the international nonproliferation regime. It will not solve all the problems or answer all the tough questions. The hard work of maintaining and reinforcing the international nonproliferation regime will continue for years to come. But the discussions that take place in New York in May, and the ideas that are put forward there can contribute valuable momentum to our collective efforts at the IAEA, the Conference on Disarmament, and the UN. That will remain a key U.S. objective for the Review Conference.

Thank you, Chairman Berman and members of the Committee, for this opportunity to appear before you today.