

Presentation by Hon Marian Hobbs

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Thank you for the opportunity to address you tonight, and thank you for inviting me to Atlanta. I have not been here since April/May 1970 – but I'm not surprised to find myself in hotel on Peachtree Street!

The programme for this conference seems to run the full gamut of issues surrounding the Nuclear Non-Proliferation Treaty and its framework. I am confident that our work here will provide a solid foundation to contribute to the work of the NPT Review Conference. I am grateful for the opportunity to address you at the start of these discussions, and I look forward to engaging with you all over the next two days. I am particularly appreciative of the paper and recommendations provided by the Middle Powers Initiative.

As New Zealand's Minister for Disarmament and Arms Control, I want to begin by telling you about my country and our history of activism on nuclear disarmament. About why, despite being a small country in an isolated location, New Zealand is determined to speak out against these abhorrent weapons, demanding an end to their development, testing and use under any circumstances. – And it isn't because we are more saintly than anyone else.

In conventional security terms, New Zealand is favoured by its geography, situated in the South Pacific, surrounded by a large ocean and friendly neighbours, and remote from the world's major conflicts.

But such is the immense destructive power of nuclear weapons, no location, however remote, would be insulated from the effects of nuclear war. Had nuclear

war ever broken out between the major powers, our way of life, even though so remote, would have been altered forever. That was a powerful motivation for our small country to add its voice to the call for the elimination of nuclear weapons. As well, the use of nuclear weapons and nuclear testing in our region gave us further cause to speak out.

New Zealand's advocacy for nuclear disarmament dates back many years. I'm unsure what prompted my parents' generation: a disproportionate number of World War Two deaths? – or a belief that small states must have a role to play in multilateral forums, such as the United Nations. Not saintly, but there are lessons to be learned about 'citizens' ownership.

Whatever the reasons, during the height of the Cold War, in 1958, Prime Minister, Rt Hon Walter Nash, in his statement to the United Nations in New York, called for the negotiation of a multilateral treaty to ban nuclear testing. In 1959, New Zealand stood apart from its ANZUS partners to support UN resolutions calling for a treaty banning nuclear tests. New Zealand was among the first signatories of the Partial Nuclear Test Ban Treaty concluded in 1963.

Our stance on nuclear disarmament became synonymous with New Zealand's forging of an independent foreign policy. A new direction developed, placing issues like disarmament, human rights, and engagement in peace-keeping at the forefront of foreign policy, rather than as an afterthought. New Zealanders overall have taken pride in seeing their country's foreign policy express their values and our country's pride in its independence of mind.

New Zealand is part of the Asia-Pacific; the region which has experienced the only use of nuclear weapons in war, 59 years ago in Hiroshima and Nagasaki.

Our region has also been a nuclear weapons test zone for major powers, causing widespread environmental damage to fragile coral atolls and innocent communities.

During the 1960s and 70s, New Zealand civil society's opposition to nuclear testing mobilised, prompting the Government to speak out formally against nuclear testing in the Pacific. A Royal New Zealand Navy vessel was sent to the vicinity of the test zone in French Polynesia in 1973, and again in 1995 when testing resumed after a lull of some years.

In 1973 New Zealand took a case to the International Court of Justice to seek an end to atmospheric nuclear testing, building international pressure against France's testing programmes in the Pacific. France stopped its atmospheric testing programme in 1974, and brought its underground test programme to an end in 1995.

In 1987 New Zealand passed legislation, drafted by our current Prime Minister Rt Hon Helen Clark, declaring the country to be nuclear free. We did so because of our belief that the possession or use of nuclear weapons was immoral, and because we know that nuclear war would be a catastrophe for our planet. New Zealand's Nuclear Free Zone, Disarmament, and Arms Control Act bans the entry of all nuclear weapons and nuclear powered vessels. It has enjoyed a consistently high level of public support since it was first introduced.

Our nuclear free legislation also implements the South Pacific Nuclear Free Zone Treaty in New Zealand. This prohibits the development, stationing, testing or use of nuclear weapons anywhere within the region.

As our actions demonstrate, the elimination of nuclear weapons has long been, and will continue to be, a prime focus of New Zealand's disarmament policy. It is a cause of constant concern that, more than a decade after the end of the Cold War, thousands of these weapons remain and constitute a clear risk to world security.

The 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remains the cornerstone of the nuclear disarmament and non-proliferation regime. Whatever criticisms have been made of the Treaty, we need to remember that it represents

the best compromise that could be negotiated at that time, and its success at limiting the spread of nuclear weapons over the past 30 years is above dispute.

When the Treaty was negotiated in the 1960s, there were predictions that more than 20 countries would have nuclear weapons by the end of the century. That has not happened. Leaving aside the worrying case of the DPRK, only eight states – the original five plus India, Pakistan and Israel outside the NPT – are known to have nuclear weapons. Against this number, there are 188 nations party to the Treaty, who have renounced the nuclear weapons option. This is a considerable achievement.

The imperfections in the NPT have been much discussed in recent times. A timetable for nuclear disarmament was never stipulated and no verification provisions for disarmament were included. The Treaty is not universal: some states – most notably India, Pakistan, and Israel - did not sign on to the NPT. This meant that they were not constrained by its provisions when they subsequently developed their own nuclear weapons. And there is no agreed mechanism to sanction a nation that signs against nuclear weapons but does develop them, or a nation that develops new nuclear weapons.

The disarmament provisions of the NPT are clear, despite the lack of timetable. “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.” The intent, to which all countries agreed in 1970, is unambiguous, so why is progress towards this goal painfully slow?

The reality is that no state wants to give up its nuclear weapons. Despite all the risks, countries that possess nuclear weapons, most of which also have huge and sophisticated conventional arsenals, remain loathe to part with them. The changed security dynamic after September 11 2001 has resulted in an environment where countries do not want to be denied any potential security advantage.

Unfortunately, for some countries, this has been construed as justification for the continued retention, even embellishment, of their nuclear arsenals.

However, the inescapable logical consequence of states retaining their nuclear weapons for 'security' is that it serves as a constant impetus to other states to acquire nuclear weapons for these same perceived security benefits. It also means that the nuclear materials and technology required for weaponry remain in a constant state of renewal and refurbishment, perpetuating proliferation risks. It is, in short, ultimately self-defeating for all of us on this planet. It is the antithesis of security.

The only reasonable approach to this problem is that disarmament measures must take place within a series of transparent, verifiable, parallel steps. This process must occur in tandem with non-proliferation measures. Nuclear weapons serve no constructive purpose in our world: we must work together to eliminate them (and the potential for their creation) for the benefit of everyone.

There appears to be a growing divide in the international community between those countries (including the nuclear weapon states) prepared to take stronger action – unilaterally or through coalitions – against potential proliferators, and those countries calling instead on the Nuclear Weapon States to lead by example and take greater steps towards disarming their own nuclear weapons.

This split could be bridged, and progress made on both non-proliferation and disarmament fronts, by adopting an abolition framework, i.e. through advancing norms which further de-legitimise nuclear weapons regardless of who may possess or aspire to possess them, and further developing the mechanisms which prevent their acquisition and provide for their systematic and verified elimination.

Nuclear abolition comprises a wider system than the physical or technical process of dismantling and eliminating nuclear weapons. It describes a process of prohibiting

the development, acquisition, possession, transfer, use and threat of use of nuclear weapons, but which also includes the elimination of the weapons themselves.

At this point, it would be appropriate to refer to one of the New Agenda's key phrases: "nuclear non-proliferation and disarmament are two sides of the same coin, and both must be energetically pursued".

If disarmament and non-proliferation are seen as two separate processes, progress will be difficult. There will continue to be a competitive tug-of-war between the nuclear weapon states on the one hand calling for a focus on non-proliferation and the other groups directing greater attention towards disarmament. An abolition approach avoids competition by shaping actions in ways that contribute to the gradual prohibition of nuclear weapons themselves and to both non-proliferation and disarmament.

At the NPT Review Conference in May, we need to build on the 13 steps. We need to position the NPT into an abolition framework. At the moment we are in danger of wasting energy arguing which steps are more important and forgetting about the end goal that we agreed to – the end/abolition of nuclear weapons – in Article VI of the Treaty.

But to keep faith with that end goal we need to work hard at building mutual trust, by different actors taking steps appropriate to their circumstances, whether it be New Zealand strengthening its export procedures to prevent materials and technology being exported that could be used for WMD; or Russia working to protect and eliminate its old nuclear weapons stockpiles; or Israel signing the NPT; NATO states taking initiatives in their region; or the USA holding back from the refurbishment of its nuclear arsenals. Everyone can take steps forward to nuclear abolition, forward to world security.

But while I stray to sounding Pollyanna-like, I am well aware that some of the nuclear weapon states do not see the NPT and all its clauses in the same light as I

do. There is an apparent dichotomy between nuclear disarmament and non-proliferation. Concerns about proliferation are both profound and virtually universal. Why then are we seeing selective use by the nuclear weapons states of the tools at their disposal to address this concern? Why aren't they themselves supplementing their strenuous efforts on many fronts by doing more, for instance, to improve the negotiating climate in which proliferation must be addressed if we are collectively to stop it? Why are some of them discounting the Thirteen Steps of the 2000 Review Conference? Why are they frustrating the efforts of the parties to settle the very agenda for this year's Conference? And why aren't they themselves doing more to acknowledge the reality that the many thousands of nuclear weapons still in their collective arsenals are totally disproportionate to any threat they face or are likely to face on this globe, however troubled it is right now? The next Review Conference offers them an opportunity to demonstrate that concerted efforts to fulfil their NPT obligations and the unequivocal undertaking on nuclear disarmament are as much part of their determination to deal with non-proliferation as other recent constructive initiatives and activities aimed at preventing the spread of WMD.

How do we persuade the nuclear weapon states that nuclear security is achieved by nuclear abolition? How do we demonstrate that there are ways to secure peace of mind – through measures such as non-discriminatory verification?

As I leave that vital question hanging, let me focus on the work of the New Agenda. As you know, the New Agenda is a group of seven states – Brazil, Egypt, Ireland, New Zealand, Mexico, South Africa, Sweden – formed in 1998 to pursue vigorously nuclear disarmament and work towards a nuclear weapons free world. The group calls for renewed international effort towards nuclear disarmament and outlines a programme to achieve this. The New Agenda countries played a key role in forging a successful outcome to the 2000 NPT Review Conference, as did this Atlanta meeting, where the 13 practical steps to nuclear disarmament, including the “unequivocal undertaking”, were agreed.

In the years since 2000, the New Agenda has participated actively in Preparatory Committees, presenting working papers on issues such as non-strategic nuclear weapons and negative security assurances. We have also kept nuclear disarmament on the radar of the UN General Assembly through the annual presentation of omnibus resolutions. These resolutions have always passed with a large majority, but most NATO members (except Canada) have abstained.

In 2004, the New Agenda decided to go back to basics. We concentrated on the essential elements that the New Agenda would take forward to the NPT Review Conference. We considered it critical to uphold and safeguard the NPT as a whole, and to push for implementation of undertakings already given - including the 13 steps.

Acknowledging that progress on longer-term objectives would be difficult to pursue, the group concentrated on those elements of the 13 steps that could be achieved within a shorter timeframe.

We highlighted the need for urgent progress on such measures as the Comprehensive Test Ban Treaty, a Fissile Material Cut-off Treaty, international verification for all fissile material, the establishment of a subsidiary body on nuclear disarmament in the Conference on Disarmament, the reduction of non-strategic nuclear arsenals, and the imperative for nuclear weapon states not to develop new types of nuclear weapons.

Along with these specific calls, the resolution emphasised the principles of irreversibility, transparency and developing further verification capabilities. We see these confidence building measures as crucial to all non-proliferation and disarmament measures. Every country must be judged equally under effective verification provisions. Just as non-nuclear weapon states must demonstrate that they are not seeking to acquire nuclear weapons, nuclear weapon states must demonstrate that they are undertaking genuine effective measures to destroy their



arsenals. For example; it is not enough to assert down-blending of uranium without internationally verified proof.

The New Agenda was very encouraged when this focused approach resulted in a significant increase in support for the 2004 General Assembly text. The resolution was supported by key NATO states such as Canada, Germany, Belgium, Norway, and Turkey, as well as by Japan, Korea, and Switzerland. Support from the Non-Aligned Movement remained solid. We must hope that this expanded support base will translate into increased pressure on the nuclear weapon states to phase out their nuclear arsenals.

In this context, I was most appreciative of the support given to the New Agenda by Senator Doug Roche and the Middle Powers Initiative. I know that there was active networking that took place at the First Committee in October, including at the Inter-Parliamentary Union conference. I am also grateful to the Parliamentary Network for Nuclear Disarmament, which established a chain of momentum within key domestic parliaments. Lobbying through such channels continues to make a real difference in increasing support for the nuclear disarmament message.

The New Agenda's success gives us a solid platform on which to move forward for the Review Conference. Those same key elements identified in the resolution will form the basis of our effort in negotiations:

- Progress must be made towards the entry into force of the Comprehensive Test Ban Treaty. 33 of the required 44 countries with advanced nuclear technology have now ratified the Treaty. We need to look at new ways to engage with those who are yet to ratify.
- Nuclear weapon states must take further steps to reduce their non-strategic nuclear arsenals. These reductions must be subject to international verification.

- Nuclear weapon states must not develop new types of nuclear weapons. Such activity, even in the guise of maintenance for pre-existing arsenals, runs counter to the non-proliferation obligations of the NPT.
- Negotiations must commence, in the Conference on Disarmament, on a verifiable Fissile Material Cut-off Treaty. The international community is aware of the United States' reservations concerning verification provisions for fissile material. However, this difference of view should not prevent the negotiation from getting underway. There is no sense in letting a negative prejudgment of outcome hinder the progression of negotiations which have such potential to contribute to both disarmament and non-proliferation objectives
- Existing fissile material should be placed under international verification, as agreed by the nuclear weapon states in 2000. The IAEA stands ready to facilitate this, but so far there has been little progress by the nuclear weapon states.
- Priority must be given to establishing a subsidiary body on nuclear disarmament within the Conference on Disarmament. The Conference on Disarmament is the only multilateral negotiating body on disarmament and as such is the appropriate body to be addressing nuclear disarmament.
- Verification mechanisms must be strengthened and applied equally to all member states. Only strong verification can reassure nations that their neighbours are not arming (or eliminating arms), and give them confidence to disarm themselves.

The objectives that we are setting ourselves for the Review Conference are ambitious, but we are determined to make progress. However constrained the prospects for progress may seem in the current environment, we have a duty to approach these negotiations with optimism and energy. We must not forget that we are negotiating to secure a nuclear free future for all of humankind.

On the theme of gathering energy, I am greatly encouraged by the diverse backgrounds of presenters included in our programme for the next two days. As I have said before, negotiations of steps within a nuclear abolition framework are not a game for diplomats to play out in an isolated room. This is a discussion where it is vital to include the thoughts and energies of people from the global community: NGOs, academics, students, and other civil society groups.

The balance we need to achieve is the inclusion of our communities in the decision-making processes. How many citizens know that there is an NPT Review Conference in 2005? How many citizens realise the opportunities such a conference can offer to the process of gaining a world without nuclear weapons? On these issues, concerning the future of humankind, should not civil society be one of the most important voices? As a former teacher, I am also mindful of the importance of including the next generation in our decision-making processes. We need to make progress in our use of new communication technologies in the world to maximise the potential to include as many people as possible in the discussion. My dream would be a monthly report that showed which states had met their respective goals: that listed how many weapons had been destroyed. Then we would be engaging our citizens.

Some have taken up this challenge of citizen engagement. I would like to pay tribute to the *Mayors for Peace*, which was established in 1982, on the initiative of the then Mayor of Hiroshima Takeshi Araki. It offered cities a way to transcend national borders and work together to press for nuclear abolition. 13 years after its inception, Mayors for Peace includes the mayors of some 652 cities in 109 countries around the world, including from New Zealand. They have all expressed their support for a programme to promote the solidarity of cities towards the total abolition of nuclear weapons. Such organisations demonstrate the strength of determination from the general population to eliminate nuclear weapons from our world.

Two women I hold high, my Prime Minister Helen Clark, and Sweden's former Foreign Minister Anna Lindh, have both stated in their words that only by acting together will we safeguard the security of all. We need each and every citizen to be involved in saying no to nuclear weapons, in saying yes to their abolition, and in monitoring the known steps taken to that goal.

I know that the NPT Review Conference will not be an easy negotiation, but I am determined to approach it with hope. Hope, that we can work together to make real progress on disarmament and non-proliferation objectives, and hope that our overarching goal of a world free from nuclear weapons will be an enduring legacy for our children.

I look forward to the next two days as we add clear messages and language to my ideals so that Ambassador Duarte has something to work with, and we plan for all possibilities and contingencies.