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Keynote Address

BASIC event: "Nuclear non-proliferation in the Gulf" at Georgetown University School of Foreign Service in Qatar

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It is a privilege to be invited to address this conference on nuclear non-proliferation at its opening in Doha. Nowhere in the world is the question of non-proliferation more burning than in this region and nowhere would the consequences of a failure to prevent proliferation be more seriously felt than in the Gulf region. In addition, the Gulf area is showing a strong interest and engagement in the new build of nuclear power plants to meet growing demands of electricity and desalinated water.

The Fukushima accident has rightly raised concern everywhere, but the dominant reaction in the Gulf has not been to question the entry into the era of nuclear power but rather to examine what measures should accompany the entry to avoid any serious accidents.

In the whole world the name of Qatar is associated with free discussion and this is what we expect from the many distinguished experts who will address the conference. Let me dip my fingers in some of the questions that will be treated.

Next week the second world summit on nuclear security will be held in Seoul. Some might feel that this subject is about vacuum cleaning the world to prevent grams or perhaps kilograms of enriched uranium or plutonium getting into terrorist or criminal hands, while at the same time big nuclear weapon states fail to eliminate tons of the same stuff sitting in redundant weapons.

However, the issue of nuclear security is broad and serious. The risk that terrorists could get hold of nuclear material and use it in 'dirty' bombs or crude explosive devices must not be ignored. Worldwide, we need systems of registration, of supervision and control of nuclear material. Several conventions and Security Council Resolution 1540 provide a legal infrastructure. It must be filled with contents and action that make it effective such as police and customs cooperation and port controls.

We rightly pay attention to the security of nuclear installations and transports against terrorist acts. These days regrettably we need also to consider the risks of armed attacks that may be launched by states against nuclear installations. I shall later discuss the question of legality of any armed action against Iran. The point I want to make in this context is that in the intense current debate about bombing targets in Iran no mention is made of the Additional Protocol to the 1949 Geneva Convention, and I know it well because I was a delegate to the conference. Article 56 of this agreement of 1977 prohibits attacks on nuclear electric generating stations, if such attacks risk releasing 'dangerous forces' that endanger large numbers of civilians.

While the Article is not broad enough to ban attacks, for instance on uranium enrichment plants, it would appear to protect the Iranian Bushehr nuclear power plant that is in operation and contains irradiated nuclear fuel that could be dispersed and cause danger to civilian populations. Governments need to be reminded that the bombing of this power plant would be a terrible precedent in the world.

Attention to nuclear security today must also comprise measures to prevent cyber attacks against nuclear equipment and systems. The computer virus Stuxnet woke us up to this new reality.

Let me now turn to the principal subject of our conference: non-proliferation in the Gulf. The nuclear new build in the Gulf area is part of a wider renaissance of nuclear power that has led some people to worry that any expanded use of civilian nuclear material could increase the risk of proliferation.

The worry, I think, is more impressive in logic than in practice. Major states have shown that they see the building of more light water reactors as an insignificant matter from the view point of proliferation. As a part of a larger deal, the US and other states were willing to help North Korea build two such reactors and in the talks with Iran, similarly, assistance to build light water reactors figure as part of a deal to end uranium enrichment.

It seems safe to say that it is the building and operation of installations that enrich uranium and produce plutonium that may increase risks of diversion and proliferation. What the world focuses on with such anxiety in North Korea and Iran is not light water reactors but enrichment and reprocessing plants.

From the viewpoint of the international community as a whole, it does seem to me to be desirable to avoid a spread of fuel cycle activities and the increased risks of diversion of fissile material that such construction might entail. This ambition is helped by the circumstance that in most cases the purchase of enriched uranium in the international markets is more economic than indigenous production.

That not every state using nuclear power has plants producing its own fuel might not appear more remarkable than the fact that not all states that use gasoline have oil refineries of their own. However, if an attempt were to be made to limit the right to build oil refineries or uranium enrichment plants the matter would look very different. The idea of a cartel of 'licensed' fuel cycle states – especially one that would coincide largely with the group of nuclear weapon states – would not find much support.

Many non-nuclear weapon states parties to the NPT have reacted against suggestions that restrictions could be read into or written into the freedom of parties to the NPT to embark upon fuel cycle activities. I understand them. It does not have to be stated explicitly that enrichment or reprocessing were activities permitted under the Treaty. What was not prohibited was permitted.

Under the Treaty, non nuclear weapon states have renounced the building or acquisition of nuclear weapons and to accept verification. No amendments introducing further restrictions on these states would stand much chance of succeeding – whether regarding enrichment or the right of withdrawal or anything else – until the nuclear weapon states parties have better fulfilled their part of the treaty bargain – to negotiate nuclear disarmament.

The conclusion of the START and the recognition by nuclear weapon states of their obligations under Article 6 of the NPT have helped to set the stage for progress, for instance a push for acceptance of the IAEA Additional Protocol. However, at present we seem rather to be in an intermission in the field of nuclear disarmament. Until positive action resumes between the nuclear weapon states, the main efforts will have to be directed to avoid erosion, notably in the cases of DPRK and Iran. And of course there will be efforts continuing on the elimination of NATO nuclear weapons in Europe, although these do not look hopeful at the moment.

If it can hardly be argued that enrichment should be incompatible with the NPT because not expressly spelled out as allowed, it is another matter to argue that building an enrichment capability to prepare for the actual making of a nuclear weapon would be a violation of the pledge given in the NPT. It would have to be shown, through statements made or otherwise, of course, that particular activities were, in fact, undertaken as such preparations – and not merely to create an option to build a weapon. If we regret the short step to a violation, and that's a risky one, let us remember that the step is also very short to a withdrawal.

Another matter is also that states of their own volition and interest can renounce fuel cycle activities for shorter or longer periods of time. There is, after all, no international duty to use the freedom to enrich or reprocess. North and South Korea agreed in their Denuclearization Declaration of 1991 to forego both enrichment and reprocessing, because they found this to be in their interest.

Similarly, seeing no advantages in any future enrichment activities the UAE concluded an agreement with the US with a commitment not to enrich.

Several states may also agree to build and jointly operate, say, enrichment plants – for instance in the framework of a zonal agreement. They may thereby create mutual transparency and confidence. URENCO plants with a multinational ownership are expressions of same idea. The fuel bank of the IAEA has a somewhat different aim, namely, to assure states that have stayed away from nuclear fuel production of their own that they will not be unfairly denied the opportunity to purchase nuclear fuel.

At this moment two states insisting on maintaining fuel cycle plants of their own – North Korea and Iran – raise problems that cry for solutions. In the Middle East an overwhelming concern is now the Israeli threat to bomb installations in Iran and what may follow the second day after such action. The world was told a few days ago that it was not a question of days or weeks, but also not a question of years.

It does not offer us much relief to learn that to the US the red line for action is drawn at Iran actually building a nuclear weapon rather than at the capability to build one – which has seemed to be the Israeli line. Nor does the apparent reluctance of the leadership in the US Obama administration to go to a third armed conflict in the Middle East exclude that US and others could be drawn into such a conflict by Israeli action.

A heavy burden is now placed on the talks that are expected soon between Iran and the P5+1. The main players look uncomfortably like three cars rushing to a crash that could send sparks igniting the neighborhood.

In the heated atmosphere that now prevails and where key participants have little room for maneuver due to domestic policy constraints it might be unwise to expect major improvements. During the Cold War and the nuclear stalemate a Danish poet wrote some lines that have stuck in my memory:

'The noble art of losing face

May

One day

Save the human race.'

Perhaps this is true, but, as we learnt, diplomatic efforts are more likely to succeed and have results if they avoid anybody losing face. In the forthcoming talks with Iran, the EU could not be expected to back away from its very public display of threats of sanctions and isolation. However, perhaps the EU and the US could confirm that the significant offers remain that have been made in the past in return for an Iranian suspension of enrichment. This would not entail any retreat but signal that what they want is a negotiation – not simply a capitulation.

One might similarly hope that Iran could confirm that it intends to remain a party to the NPT and to its IAEA safeguards agreement and that it will continue to comply with the treaty and invite inspectors to verify the enrichment and other activities that it considers is its right to pursue.

Covering more than such minimalist ground would evidently be desirable.

Perhaps by now Iran has produced the quantity of 20% enriched research reactor fuel that it feels it needs and could report that it is now enriching uranium only for use in power reactors. If faced with such a report the EU could perhaps declare that the information would be a significant element in its review of the planned sanctions. Evidently we do hope that at the next P5 + 1 negotiations, at the very minimum, there would be an understanding that there would be further meetings.

Before leaving the Iran issue let me mention two further points: First, in the run up to the Iraq war, as we remember, there was much preoccupation at least in the UK government that there should be a UN authorization of any armed action. After the occupation, the war was very commonly branded as a violation of the UN Charter. In the case of Iran a UN Charter justification for armed action could be sought in article 51, if the action was carried out in self defense against an armed attack or if it was authorized by the Security Council.

It would seem inconceivable that even a majority could be mustered in the Security Council for such an authorization. Were the matter taken to the General Assembly I'm sure that a green light for armed action would be defeated by a crushing majority. It is hard also to see how it could be claimed that Iran had carried out an armed attack on Israel or anybody else. The aggressive statements that have been made by Iranian leaders against Israel cannot be said to amount to 'armed attacks' – or even to warnings of the kind that the recent Israeli statements constitute.

My second point relates to the grave danger that the current Iranian enrichment program may lead other states in the region to follow the same course. More fingers on or near the nuclear trigger spells greater danger. The point I want to make is that a development leading to fewer fingers on or near nuclear triggers should also be considered.

An Israeli opinion poll some time ago showed a majority of Israeli Jews preferring that there should be no nuclear weapon state in the Middle East to there being two nuclear weapon states in the Middle East. The concept of a zone free from nuclear weapons was once developed with an eye primarily on the proliferation problem posed by Israel. Today, Iran's enrichment capability and other sensitive nuclear installations are obviously just as much in focus. To respond to today's problems the zone concept should, in my view, be expanded to have regard to not only weapons, but also—at least for some period of time—to other sensitive nuclear activities, notably fuel cycle activities.

Iran has invested much money and prestige in its enrichment program and while other countries in the world have closed valuable nuclear installations, Iran has seemed totally opposed to abandoning enrichment and other sensitive activities. Yet, would Iran not be tempted to accept a closure or suspension of enrichment – for say 25 years – if it were assured supply of uranium fuel for power reactors and could achieve that Israel eliminated its nuclear weapons and stocks and abandoned its sensitive nuclear activities for the same period? And, if other Middle East countries gave a similar commitment to stay away from such activities.

It is similarly clear that Israel has regarded its nuclear weapons as a kind of life insurance. However, they are not Israel's only insurance. Would the country not be tempted to do away with it, if it could thereby achieve a termination of Iran's enrichment and other sensitive nuclear activities for an agreed lengthy period of time and a commitment by all other states in the Middle East not to embark on such activities for the agreed period? Would such a zone not benefit all?

These thoughts are clearly outside the box but let me humbly submit to you that before the conference scheduled for Helsinki we had better all do some thinking outside the box.

Hans Blix
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