

# The NPT regime and prospects for the Review Conference

By Ambassador Thomas Graham, Jr.

The most important threat to international security now and in the foreseeable future is the danger associated with the proliferation of nuclear weapons. This is not to suggest that proliferation is a new problem. Indeed, Manhattan Project scientists were concerned about the spread of nuclear weapons to other countries even before the United States attacked Hiroshima and Nagasaki with nuclear weapons in August 1945. Despite this initial concern, however, the Cold War focused attention on efforts to control the bilateral U.S.-Soviet nuclear arms race. With the demise of the superpower rivalry, arms control efforts have shifted back to the proliferation question.

The centerpiece of efforts to prevent the spread of nuclear weapons is the 1968 Nuclear Non-Proliferation Treaty (NPT), which now has 187 state parties. Under the NPT, 182 states have pledged never to develop or otherwise acquire nuclear weapons and to submit to international safeguards intended to verify compliance with this commitment. In exchange, these states were promised unfettered access to peaceful nuclear technologies. The five nuclear weapon states—the United States, Russia, the United Kingdom, France, and China—also pledged, in NPT Article VI, to engage in disarmament negotiations aimed at the ultimate elimination of their nuclear arsenals. This central bargain, non-proliferation in exchange for nuclear arms reductions and eventual nuclear disarmament, is the foundation upon which the NPT regime rests.

When the NPT was negotiated, nations such as Germany, Italy and Sweden were concerned that a permanent NPT would deny them the benefits of peaceful nuclear energy and lock them into a discriminatory regime. As a result of these concerns, its drafters gave the treaty only a 25-year life span, with the option thereafter of extending the treaty for a fixed period or periods, or indefinitely. The concerns of non-nuclear weapon states that an indefinite NPT would lock the nuclear status quo in place were very much on the minds of some of the NPT state parties at the Review and Extension conference convened to decide the future existence of the treaty in 1995. Several non-nuclear weapon states believed that the nuclear weapon states had shown insufficient progress in fulfilling their Article VI disarmament commitments and feared that a permanent NPT would leave the non-nuclear weapon states with no leverage with which to press the nuclear weapon states to improve their records.

To ameliorate these concerns, when the NPT state parties agreed at the 1995 Review and Extension conference to indefinitely extend the NPT, they also negotiated an associated Statement of Principles and Objectives for Nuclear Non-Proliferation and Disarmament. In addition to pledging the NPT state parties to work toward a variety of nuclear disarmament objectives, the Statement of Principles and Objectives reaffirmed the commitment of all state parties to Article VI disarmament commitments.

With the first Review Conference, since the treaty was indefinitely extended, set for April 2000, the non-proliferation regime is in serious jeopardy. The 1998 nuclear tests by India and Pakistan, a general lack of progress in further reductions in U.S. and Russian strategic nuclear arsenals, ongoing concern over nuclear and missile programs in Iran, Iraq and North Korea, movement toward a possible unilateral U.S. deployment of a national missile defense system, the U.S. Senate rejection of the Comprehensive Test Ban Treaty (CTBT) and other problems demonstrate the troubled condition of the regime. Unless sincere efforts are taken by the state parties, particularly the nuclear weapon states, to revitalize the NPT, the situation is likely to worsen.

Without positive action at the April Review Conference, the NPT regime may begin to unravel as some non-nuclear weapon states begin to reconsider their commitment to the regime. In one scenario, nations such as North Korea, Iran, Iraq or others eventually may test nuclear weapons, which could prompt other prominent states presently committed to non-proliferation to acquire indigenous nuclear deterrents. The NPT regime would be destroyed and, because of the delicate compromise it contains, could never be revived. Proliferation by as few as one or two key states could spark a chain reaction that would lead in the medium term to the

existence of a significant number of new states with nuclear weapons.

Alternatively, it is possible that some states that remain committed to nuclear non-proliferation and disarmament—some of the more than 110 nations party to Nuclear Weapon-Free Zone agreements for example—may determine that they no longer benefit from their membership of the NPT regime. These states, which are not proliferation risks but frustrated disarmers, may decide to withdraw from the NPT and instead pursue a non-discriminatory convention banning nuclear weapons. While the withdrawal of these states would not directly be proliferative, it would seriously, if not fatally, weaken the NPT regime and thus inhibit efforts to convince would-be proliferators that continued adherence to the non-proliferation norms established by the NPT regime is the appropriate path. The nuclear weapon states would, of course, not subscribe in the foreseeable future to a nuclear weapons convention.

To prevent either outcome, the NPT state parties could consider agreeing to an additional statement of principles and objectives at the 2000 NPT Review Conference as part of an agreement to diffuse widespread disaffection and criticism at the conference. In such an understanding, the non-nuclear weapon states would pledge to refrain from acting in a manner that would question the NPT regime at and after the 2000 Conference, and the nuclear weapon states would agree to pursue specific additional steps prior to the 2005 Review Conference. These could include good faith efforts to bring the CTBT into force, universalize no-first-use policies among the nuclear weapon states or establish legally binding negative security assurances for NPT non-nuclear weapon state parties, maintain the viability of the ABM Treaty, and pursue reductions in U.S. and Russian nuclear arsenals to a level well below proposed START III levels.

Under such an agreement, if sufficient progress, or at least a good faith effort, is perceived to have been made toward fulfilling these commitments, the 2005 Conference would reaffirm the fundamental international commitment to the NPT. Otherwise, support for the NPT regime might begin to erode after the 2005 Conference.

If the NPT regime is reaffirmed at the Review Conference of 2005, the nuclear disarmament process could continue. After 2005, the United States and Russia could agree to a comprehensive transparency regime, a limit of 500 nuclear tactical warheads each, and a subsequent limit of 1,000 total nuclear weapons each. This in turn could lead to the establishment of a five-power nuclear disarmament process with three main objectives:

- A reduction in U.S. and Russian nuclear arsenals to residual levels in the low hundreds.
- A reduction in Chinese, French and British nuclear arsenals to levels below 100.
- The elimination of Indian, Pakistani and Israeli nuclear arsenals, but with their fissile material retained on their territories under international safeguards as a hedge against a breakdown of the agreement. These three states would also agree to join the NPT as non-nuclear weapon states.

In addition, as an essential part of this process, all the non-nuclear weapon states would pledge again their non-nuclear status and all the NPT parties would commit themselves to joint action—including force if necessary—against any violator. These levels would be the end point until the world has changed sufficiently to permit contemplation of a prohibition on nuclear weapons.

If the nuclear non-proliferation regime is to be strengthened over the long term, sincere, concerted efforts will need to be undertaken by the international community. A course of action such as this may help to ensure that the horrors of Hiroshima and Nagasaki are never again visited upon the world.

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