



The Nuclear Nonproliferation Treaty At 50: A Mid-life Crisis?

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The “Cornerstone” of International Security

- ▶ The Nuclear Non-proliferation Treaty (NPT) is often referred to as the “cornerstone” of the international security order.
- ▶ Negotiated in 1968 and entered into force in 1970.
- ▶ 190 states parties make it the most widely supported international security treaty.
- ▶ Embodies a tripartite “grand bargain”: the nuclear weapon states (NWS) commit to nuclear disarmament, the non-nuclear weapon states (NNWS) commit to never producing or acquiring nuclear weapons, and all pledge to support peaceful uses of nuclear energy.

The 1995 Review and Extension Conference

- ▶ The original NPT had an expiration date of 25 years, so the 1995 conference had a special responsibility to decide on the treaty's future.
- ▶ In the event, a decision to indefinitely extend the treaty was agreed, but linked to a package of decisions on: Principles and Objectives for Non-proliferation and Disarmament, a strengthened review process and a resolution on achieving a Middle East WMD-free zone.
- ▶ Some NNWS are now suffering “buyer's remorse” for relinquishing the leverage that a fixed term renewal of the treaty would have provided.

The Review Conferences - A Mixed Bag of Outcomes

- ▶ Every five years the NPT gathers at a Review Conference to review past action and plan future.
- ▶ Outcomes are agreed by consensus- this was achieved in 2000 and 2010, but not in 2005 and 2015.
- ▶ The 2000 outcome included 13 “steps” for nuclear disarmament.
- ▶ The 2010 outcome produced 64 “action items”, 22 of which concerned nuclear disarmament.

“Your are not fulfilling your side of the bargain”

- ▶ Fundamental dissatisfaction with the lack of progress by the NWS on fulfilling their disarmament obligations as set out in Art VI of the treaty.
- ▶ The five NWS (US,UK,FR,RU,PRC) are engaged in modernizing their nuclear arsenals rather than eliminating them.
- ▶ The two largest nuclear weapon states (US and Russia - with over 93% of the world's nuclear weapons) are backing away from the existing nuclear arms control agreements and reviving a nuclear arms race.
- ▶ The position of the US under the Trump Administration is of particular concern with its withdrawal from the INF accord, the Iran nuclear deal and the refusal to date to extend the New START accord.

The origin of the Treaty on the Prohibition of Nuclear Weapons (TPNW)

- ▶ At the 2010 Review Conference a new concern on the “catastrophic humanitarian consequences” of any nuclear weapon detonation was included in the outcome.
- ▶ This led in 2013-14 to the hosting of three international conferences on the “humanitarian impact of nuclear weapons” that brought together concerned states and NGOs.
- ▶ Austria, host for the last of these conferences in December 2014, called for the negotiation of a prohibition treaty that would “fill the legal gap” in the existing nuclear governance framework.
- ▶ This “humanitarian initiative” gained momentum leading to a 2016 UN General Assembly mandate to negotiate a prohibition treaty.
- ▶ In 2017 a negotiating process, boycotted by the NWS and their allies (with the exception of the Netherlands), produced the TPNW, which was adopted on July 7 with a vote of 122-1-1.

The TPNW and the NPT: Complementary or Conflictual?

- ▶ The TPNW requires 50 ratifications to enter into force. It reached that threshold on October 24 and will formally enter into force as a treaty on January 22, 2021.
- ▶ The TPNW is presented as compatible with the NPT and representing one way to fulfill its Art VI.
- ▶ The NWS (and their allies) reject the TPNW and argue that it undermines the NPT.
- ▶ The TPNW is in conflict with policies of nuclear deterrence as it prohibits the use or the threat of use of nuclear weapons.
- ▶ The US has launched an initiative “Creating the Environment for Nuclear Disarmament” (CEND) that argues that the international security environment must first be changed in order for disarmament to progress.
- ▶ The contending outlooks of the TPNW and the CEND will complicate the NPT RevCon.

The NPT Review Conference: A Make or Break Meeting?

- ▶ The 10th NPT Review Conference (RevCon) was supposed to have been held this spring.
- ▶ The COVID pandemic has led to a postponement of the RevCon until August, 2021.
- ▶ The fissures amongst NPT parties make prospects for agreeing a consensus outcome slim.
- ▶ The stakes are high - as one veteran observer has expressed his concerns: “For a treaty that is dependent on basic unity among its parties to address current and future challenges and react to serious deviations of compliance, this divisiveness of member state policies is destructive and could result in the complete devastation of this important treaty” *Harald Muller*
- ▶ Will the NPT’s 50th anniversary prove an occasion for celebration or lamentation?