The Future of the Nuclear Nonproliferation Regime

Events

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As the old saying goes: “you don’t get something for nothing.” Thirty-five years ago, the nuclear Nonproliferation Treaty (NPT) set into place one of the most important international security bargains of all time: states without nuclear weapons pledged not to acquire them, while nuclear-armed states committed to eventually give them up. At the same time, the NPT allowed for the peaceful use of nuclear technology by non-nuclear-weapon states under strict and verifiable control.

The NPT is a good deal that must be honored and strengthened.

Since its inception, the NPT has helped to limit the number of nuclear weapon states to the five with nuclear weapons at the time of its entry into force (U.S., U.K., France, Russia and China) and the three other known nuclear weapon states (India, Israel, and Pakistan), which have refused to join the treaty. Dozens of other states might have the bomb today if not for the NPT and associated measures. Over the years, the NPT security framework led several states to abandon their nuclear weapons ambitions, including Argentina, Brazil, Sweden, South Africa, Ukraine, Belarus, and Kazakhstan.

The NPT also makes it far more difficult for other non-nuclear-weapon states to acquire the material and technology needed to build such weapons, and if they do, to do so without detection. Intrusive international inspections and safeguards against diversion of nuclear technology and material for weapons purposes is now standard practice.

The NPT process has also encouraged the United States and Russia to take action on several nuclear arms control and arms reduction initiatives, from strategic nuclear weapons reductions to a halt of nuclear weapons testing and the negotiation of the 1996 Comprehensive Test Ban Treaty. These arms control agreements have reduced U.S.-Russian nuclear arms competition and increased transparency, thereby establishing greater stability and predictability.

The NPT has also led the nuclear-weapon states to pledge not to use nuclear weapons against non-nuclear NPT members, thereby reducing incentives for others to seek nuclear arms for prestige or defense.

Several regional nuclear weapon free zones have been created which have reinforced the norm against nuclear weapons possession and use. These include: the Treaty of Tlateloco, which covers Latin America; the South Pacific Nuclear Weapons Free Zone Treaty; the Treaty of Pelindaba, which covers Africa; and the newly negotiated Central Asia nuclear weapon free zone treaty.

Today’s Proliferation Challenges

Despite these very significant accomplishments, the nuclear nonproliferation system, including the NPT, is under great stress. As the May 2005 NPT Review Conference nears, it is evident that global security and proliferation challenges are as politically and technically complex as they were in the 1960s when the NPT was conceived and created.
In the past few years, we have seen new and more deadly forms of terrorism, wars, nuclear black markets, and states cheating on and even announcing their withdrawal from the NPT.

There continues to be the danger that additional countries—such as North Korea and Iran—could acquire sufficient fissile materials to be able to manufacture nuclear weapons under the guise of “peaceful” nuclear endeavors. As the NPT has been interpreted, countries can acquire technologies that bring them to the very brink of nuclear weapon capability without explicitly violating the agreement, and can then leave the treaty without automatic penalties.

Having been allowed to break out of a verifiable plutonium production freeze that was established in 1994, North Korea may already have manufactured a small nuclear weapons arsenal since it expelled IAEA inspectors in early 2003. Iran may soon have the capacity to produce fissile material for weapons and may do so if current European diplomatic efforts falter.

Adding to the danger posed by the possession of nuclear weapons by regional rivals India and Pakistan, the existence of nuclear black market networks based out of Pakistan’s government-run weapons laboratories has aided the nuclear programs of Libya, Iran, North Korea, and perhaps others.

Perhaps today’s greatest threat stems from the existing global stockpiles of highly enriched uranium and plutonium, the fissile materials that are the fuel of nuclear bombs. Worldwide there are approximately 1855 metric tonnes of plutonium and 1900 metric tonnes of highly enriched uranium worldwide in civilian and military stockpiles. These materials have become more accessible to terrorists as a result of inadequate security and accounting at nuclear facilities throughout the former Soviet republics and in dozens of other countries. While U.S.-Russian nuclear threat reduction programs have been working to secure and lock-down these stockpiles, there is much more left to be done in the former Soviet Republics and elsewhere. Funding for these efforts, while significant, is not enough to accelerate the program as rapidly as the threat should dictate.

Another problem is that the majority of countries also feel that the five original nuclear-weapon states do not intend to fulfill their NPT pledge to eliminate nuclear weapons and the five recognized nuclear-weapon-states still possess massive numbers of nuclear weapons. The continuing possession of nuclear weapons by these states—reinforced by lackluster progress on disarmament in the last five years—erodes the willingness among certain states in the non-nuclear-weapon majority to fulfill their treaty obligations, much less to agree to strengthen the regime.

The Bush administration opposes the Comprehensive Test Ban Treaty and negotiations on an effectively verifiable fissile material cutoff treaty, which were both specifically tied to the indefinite extension of the NPT in 1995. The United States and Russia have also failed to capitalize on key opportunities to substantially and verifiably dismantle significant portions of their still massive Cold War-era stockpiles of strategic and tactical weapons.

For all these reasons and more, there are rising doubts about the sustainability of the nonproliferation regime. Nations with ample technological ability to develop nuclear weapons may be reconsidering their political decisions not to do so. As the UN's recent High-Level Panel report A More Secure World concludes: “We are approaching a point at which the erosion of the nonproliferation regime could become irreversible and result in a cascade of proliferation.”

What Can Be Done to Strengthen the Cornerstone of Nonproliferation: the NPT?

Although there is near universal international consensus on the need to strengthen and preserve the NPT, there must also be agreement on how to do so. In the coming months and years, the United States must pursue a more balanced, comprehensive, and credible approach that addresses the fundamental obligations of all states. This requires that the United States and other nations work together to achieve universal compliance with strengthened rules against nuclear weapons possession, trade, development, and use.

Success also requires that nuclear-weapon states reduce the salience of nuclear weapons by fulfilling
their solemn disarmament obligations and give credible assurances to non-nuclear-weapon states that they will not be subjected to nuclear attack.

Finally, it also requires something that the NPT cannot by itself deliver: the reduction of the underlying tensions and conflicts that motivate states from acquiring nuclear weapons or nuclear weapons capabilities.

The May 2005 Review Conference is a crucial forum for parties to measure progress – or lack of progress – in implementing their mutual NPT obligations and commitments. It is also an essential opportunity for the parties to demonstrate their political will to make further tangible progress to meet all of the treaty’s objectives. The success of the Conference should be judged by the ability of the parties to agree on specific, additional steps that will strengthen the treaty regime.

Ideally, the states parties should agree to achieve progress in the following ways:

1. **Forge agreement to establish more effective controls on technologies that can be used to produce materials for nuclear weapons.** One promising proposal would be to suspend the construction of new uranium enrichment or plutonium production facilities and, in exchange, guarantee nonnuclear states access to nuclear fuel supplies for civilian purposes under an international mechanism.

2. **Expand the ability of the International Atomic Energy Agency to inspect and monitor compliance with nonproliferation rules and standards through existing authority and through the Additional Protocol, to which all states should adhere.** Today, only 62 states are states parties to the Additional Protocol, while another 28 have signed it.

3. **Accelerate implementation of the nuclear-weapon states’ solemn disarmament obligations,** including further reducing the alert status and size of their strategic and tactical nuclear stockpiles, permanently barring nuclear test explosions by ratifying the CTBT; barring the production of fissile materials for weapons by negotiating a Fissile Material Cutoff Treaty, refraining from development of new nuclear weapons, and issuing further, credible assurances to non-nuclear-weapon states that they will not be subjected to nuclear attack. These steps would reduce the risk of nuclear war and the allure of nuclear weapons.

4. **Secure all weapons-usable fissile material to the highest standards to prevent access by terrorists or other states** by halting use of highly-enriched uranium in civilian reactors and expanding programs and funding for programs to secure and eliminate these materials. There are several proposals in the U.S. Congress that would begin to address these needs. What’s more, **the United States and others can help the nonproliferation cause by strengthening national and international export controls and material security measures as required by UN Resolution 1540,** which prohibits individuals from participating in the manufacture or trafficking of illegal WMD goods.

5. **Clarify that no state may withdraw from the treaty and escape responsibility for prior violations of the treaty or retain access to controlled materials and equipment acquired for “peaceful” purposes;** and finally,

6. **Conduct vigorous diplomacy to halt dual-use nuclear activities in Iran and dismantle North Korea’s nuclear weapons capacity,** as well as diplomacy designed to address the underlying regional security problems in Northeast Asia, South Asia, and the Middle East, which would facilitate nonproliferation and disarmament efforts in those regions.

**A More Balanced and Credible U.S. Nonproliferation Policy is Needed**

Unfortunately, the current U.S. approach to the NPT will not likely help build agreement on such a program of action. At the last three Preparatory Committee meetings for the 2005 NPT Review Conference, U.S. officials pushed for greater limitations on other states while arguing the United
States needs to do little or nothing more on disarmament.

As a result, states-parties are more divided than ever. Divisions at the 2004 NPT Preparatory Committee Meeting prevented agreement on a basic agenda for the 2005 Review Conference.

Rather than propose a plan to strengthen all aspects of the NPT bargain, Bush administration officials have used the NPT meetings to level a blunt critique of illicit Iranian and North Korean nuclear activities. With Iran in mind, U.S. officials called on others to support proposals to limit the sale of nuclear technologies that can be used to make bomb material.

This initiative, or variations on it, could produce useful but hard-to-win additional limitations on non-nuclear-weapon states’ access to some forms of “peaceful” nuclear technology.

But achieving these outcomes involves heavy diplomatic lifting. Nonnegotiable U.S. ultimatums, however justifiable, will not do the trick. Nor will they make it any easier for an ongoing British-French-German initiative to convince leaders in Tehran that full compliance with the NPT is in their best interest.

U.S. delegates to the NPT meeting also did their best to block discussion of further disarmament measures, including the possibility of multilateral talks on weapons of mass destruction issues in the Middle East.

U.S. officials, such as Undersecretary of State for Arms Control and International Security John Bolton have argued that “[W]e cannot divert attention from the violations [of the NPT] we face by focusing on [disarmament] issues that do not exist.”

It is important to recall that, in 1995, the United States and the other nuclear-weapon states pledged to a set of principles and objectives on nonproliferation and disarmament. They did so in order to win an indefinite extension of the treaty. These goals were reaffirmed and refined at the 2000 NPT conference in what is referred to as the “13 Steps on Disarmament.” Though these commitments are political commitments, it is clear that the extension of the NPT did not imply the indefinite possession of nuclear weapons.

Surely, the United States and Russia have made steady progress in dismantling and securing large portions of their Cold War nuclear stockpiles declared excess under treaties signed more than a decade ago. With the 2002 Strategic Offensive Reductions Treaty, the two states have pledged to reduce deployed strategic nuclear forces to fewer than 2,200 warheads by 2012. Nevertheless, these actions are based on decisions taken years ago and are woefully behind pace. The U.S. and Russia now deploy over 5,000 strategic nuclear warheads each, nearly 2,000 of which on each side are maintained on hair-trigger alert status. The U.S. and Russia maintain additional strategic warheads in reserve stockpiles, and the two nations combined possess thousands of so-called tactical nuclear weapons.

The situation is even worse in other areas. In addition to stiff-arming the CTBT and negotiations on a verifiable fissile material cutoff treaty, talks with Russia on verification measures and tactical nuclear weapons remain on the backburner, and the administration has initiated research on new types of more “usable” nuclear weapons. President George W. Bush has also approved nuclear-use policies that undercut previous commitments to nonuse of nuclear weapons against non-nuclear-weapon states in the context of the NPT.

If the Bush administration tries to erase its earlier commitments to these and other disarmament goals, leading non-nuclear-weapon states, including several U.S. allies, will surely cry foul at the NPT Review Conference. If Arab states continue to be frustrated by the failure to pursue a nuclear weapons free Middle East, they will likely continue to do little to admonish Iran about its IAEA safeguards transgressions.

Conclusion

Earlier I said that it is clear that there is a global consensus on the need to strengthen and preserve
the NPT and the nonproliferation system. At the same time, it is also apparent that there is not yet agreement among the major governments and groups of states on how to do so.

Such consensus cannot be forged if the world’s leading nation, the United States, is does not support a more balanced, effective, and comprehensive nuclear disarmament and nonproliferation strategy. Thank you for your time and attention, I would be happy to take your questions.

- Nuclear Nonproliferation
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