Since the first nuclear Nonproliferation Treaty (NPT) review conference, in 1975, four of these gatherings ended without agreement. Five ended with an agreed text and therefore were considered to have strengthened the NPT regime.[1] A particular feature of NPT history has been that successes and failures followed each other, an unhelpful process for the treaty.

The failure at this year’s review conference is frustrating because the participants were close to an agreed document on all three of the so-called pillars of the NPT—disarmament, nonproliferation, and peaceful uses of nuclear energy. The dramatic final act of the conference was the product of negotiations among a very few delegations. The final stages of the process were not transparent.

Despite the frustration of many delegations with the outcome and the endgame, failure was not unexpected. Disarmament and progress on NPT implementation are dependent on the international climate. That climate has worsened since the Ukraine crisis, which is relevant to the NPT because it involves a conflict between a nuclear-weapon state and a non-nuclear-weapon state.

The immediate cause of the failure of the 2015 review conference was disagreement between Egypt and Israel over arrangements for the planned conference on ridding the Middle East of weapons of mass destruction (WMD). The origins may lie somewhat deeper and are related to progress on disarmament and the inclusion of references in the proposed final document to the so-called
humanitarian initiative, which emphasizes the impact of the detonation of a nuclear weapon on populations and the environment.

The agreed documents on disarmament, nonproliferation, and peaceful use were far from ideal, and delegations were unsatisfied with the progress compared to 2010. Nevertheless, the documents could have been the basis for further work. Also, it would have been a good sign if the perpetual cycle of success-failure-success would have been broken.

**Misjudgments, Misconceptions**

A problem of the review conference negotiations was misconceptions by several delegations with regard to what was possible to achieve at the review conference. This led to a widened gap between the different groups of states-parties.

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The nuclear-weapon states, particularly Russia and the United States, the two countries with the biggest arsenals, have a special responsibility for disarmament. The perception by many other states that the nuclear-weapon states are the main beneficiaries of the NPT because it justifies their nuclear arsenals does not help the discussion. Commitment and engagement by the nuclear-weapon states are essential for the NPT and its value for the future. If there is no new and further commitment by the nuclear-weapon states on nuclear disarmament, the question about the value and future of the treaty’s “grand bargain,” whereby the nuclear-weapon states will take effective measures for further nuclear disarmament and non-nuclear-weapon states will not try to obtain nuclear weapons, becomes more pressing.

Cooperation among the nuclear-weapon states has worked to a certain extent, but there is always the risk that it becomes the justification for a lowest-common-denominator approach. On the positive side, the reports on disarmament of the nuclear-weapon states to the third Preparatory Committee meeting and to the review conference were a step forward. The presentation of the long-awaited glossary on nuclear disarmament by China was a positive sign, but in view of the limited number of items in this glossary, further follow-up is needed.

In view of the circumstances, the agreement at the review conference on draft documents for all three pillars, but in particular on disarmament, is remarkable. It showed limited progress, and some delegations had strong doubts as to whether they should go along, but there was agreement. This was destroyed by the disagreement on the Middle East. It was a dramatic moment when the chair called delegations to the United Nations at 10 p.m. on May 21, but the draft final document was not ready because of the difficult negotiations on the Middle East. When the document emerged at 5 a.m. on May 22, the text immediately was disputed by the small group that had negociated on the Middle East. From then on, the conference went downhill and slipped toward failure.

**From Frustrated to Motivated?**
The NPT remains the most fundamental treaty for further disarmament, nonproliferation, and peaceful use of nuclear energy. The treaty remains indispensable for collective security and as an instrument for further nuclear disarmament and greater access to peaceful nuclear energy. It is a legal document that is the basis for a political process for further implementation of the goals of the NPT—disarmament, cooperation on nonproliferation, and further promotion of peaceful uses of nuclear energy. That implies commitment and engagement by all parties to work together on the treaty. There is no free ride.

Because the 2015 review conference did not endorse the draft documents, they do not compel the states-parties to take further implementation steps. The action plan of 2010 and the 13 “practical steps” of 2000 remain valid and are a basis for further work, with a number of issues that still need further implementation.

Although there was no consensus on the draft documents, they may have some value. In a statement to the Conference on Disarmament, Pedro Motta Pinto Coelho, the Brazilian ambassador to that body, said the final draft should be considered important as a sort of “reference document.”[2] That is a useful way to think about the document, implying that it can be the basis for action.

Between now and the first Preparatory Committee meeting in 2017, the first task is to close the gaps that exist among different groups, among delegations, and among delegations in the same groups. That does not mean that states-parties have to give up ambitions and plans, but it implies above all that delegations have to accept realities and involve themselves on the basis of those realities. All states-parties will have to look for common ground beyond the positions taken so far. Consensus is the only way forward, although working that way implies that the consensus rule is often holding progress hostage because a single country can block progress.

The main lesson from the review conference is that different groups need each other. The nuclear-weapon states, particularly Russia and the United States, are needed for further progress on nuclear disarmament. All five of these countries need to understand that they have to do more in order to keep the system in shape. The refusal by some nuclear-weapon states to recognize the humanitarian initiative as part of the disarmament discussion is not helpful and is damaging for relations and international cooperation. The nuclear-weapon states do not have to agree on the political aims and purposes of the humanitarian initiative, but they cannot deny the mere existence of the process and declarations.

The Way Forward

Different states-parties could take a number of concrete actions as the parties prepare for the 2017 Preparatory Committee meeting.

**Practical steps by nuclear-weapon states.** The draft text from the NPT review conference “underlines the importance of practical steps for the systematic and progressive efforts for the full realization and effective implementation of disarmament,” citing Article VI of the treaty. Such steps could include providing greater transparency, reducing the operational status of nuclear weapons, discussing possibilities for the reduction of tactical weapons, limiting the role of nuclear weapons, and extending the possibilities for verification, including partnerships for verification.

**Enhanced reporting by nuclear-weapon states.** Since 2010 the Non-Proliferation and Disarmament Initiative (NPDI)—a group consisting of Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Nigeria, the Philippines, Poland, Turkey, and the United Arab Emirates—has consistently raised the issue of further reporting on the progress of disarmament. Reporting makes progress visible, enhances transparency, and is an expression of commitment to the treaty. The draft text has a number of references to increasing the frequency and quality of the reporting. On the basis of the draft document, the nuclear-weapon states could commit themselves to further reporting for the 2017 Preparatory Committee meeting.

**Negotiation of a fissile material cutoff treaty (FMCT).** This is not new, but follows from the 2010
action plan. Since then, a group of governmental experts has presented its report on the issue. This report gives a substantial overview of the issues for an FMCT and can therefore serve as a basis for negotiations.

*Further ratifications of the Comprehensive Test Ban Treaty.* This is also an item from the 2010 action plan. Eight key states remain holdouts, including China and the United States, two nuclear-weapon states.

*Further negotiations on arms reductions.* Further and faster reductions are needed in the framework of New START. The aim of these Russian-U.S. negotiations could be cuts below New START levels, or they could aim to reach the New START levels more quickly.

*Negative security assurances and nuclear-weapon-free zones.* Delegations could launch an initiative for a legally binding international instrument on negative security assurances, which are commitments by the nuclear-weapon states to refrain from using or threatening to use nuclear weapons against states that have formally renounced these weapons. In the meantime, all states should further promote the creation and strengthening of nuclear-weapon-free zones.

*Recognition and acceptance of the issue of the humanitarian impact of nuclear weapons use.* The humanitarian initiative can help to underpin efforts to reduce and eliminate nuclear weapons.

*Exploration of ways to strengthen the intersessional process of the NPT.* The NPT framework, with three Preparatory Committee meetings that are more or less linked to the review conference, suffers partly from its structure. Because nothing is agreed before the review conference begins, everything has to be negotiated and agreed during the four weeks of the meeting. The NPT could benefit from a process under which the work of the Preparatory Committee is more closely linked to the review conference and under which the review conference declaration is the sum of the work done over four years in the three Preparatory Committee meetings and the review conference. State-parties have the opportunity to start such a process. Discussions on strengthening the preparatory process should be undertaken before the first Preparatory Committee meeting.

As is clear from the points above, the nuclear-weapon states continue to have a special responsibility. Even in times of strained international relations, it is in the common interest of the NPT that the nuclear-weapon states take their responsibilities seriously and show leadership to move forward. That implies actions in the different disarmament forums.

All disarmament forums are significant; work should continue where possible. Actions in forums other than the NPT are important and strengthen the process, but they can never replace the fundamental value of the NPT and the need to strengthen that treaty further.

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ENDNOTES

1. By this standard, the successful conferences were the ones in 1975, 1985, 1995, 2000, and 2010.


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