

# The non-proliferation treaty: its establishment, issues

[Business](#), [Industries](#)



## The Non-Proliferation Treaty: Its establishment, Issues, and Current Status

On March 21, 1963, President John Kennedy warned in a press conference, “ I see the possibility in the 1970s of the president of the United States having to face a world in which 15 or 20 or 25 nations may have nuclear weapons. I regard that as the greatest possible danger and hazard. ” Kennedy made this statement a month after a secret Department of Defense memorandum assessed that eight countries: Canada, China, India, Israel, Italy, Japan, Sweden, and West Germany would likely have the ability to produce nuclear weapons within the next 10 years after 1963.

It was further assessed that beyond those 10 years, the future costs of nuclear weapons programs would decrease and provide way for several more states to pursue nuclear weapons, especially if unrestricted testing continued. Fear of the spread of nuclear weapons to vast nation states and superpowers including their military and ideological allies is what urged the creation of the Non-Proliferation Treaty (NPT). Signed on July 1, 1968 and actually implemented on March 5, 1970, the NPT is a result of a compilation of efforts at enforcing international non-proliferation.

With President Dwight D. Eisenhower calling for a new international agency to share nuclear materials and information for peaceful purposes with other countries in his “ Atoms for Peace” address to the UN General Assembly on December 1953, the way was made for the Non-Proliferation Treaty to come into existence when the UN established The International Atomic Energy Agency (IAEA) on July 29, 1957 as result of negotiations sparked from Eisenhower’s proposal.

President Dwight Eisenhower proposed to the UN General Assembly the negotiation of a treaty that would seek to control nuclear activities around the world and prevent, if possible, the spread of nuclear weapons to additional countries. However, President Eisenhower's speech to the UN General Assembly came after the failure of earlier U. S. nonproliferation efforts. When the United States stood as the only true nuclear power in the world at the end of World War II, President Harry Truman proposed to destroy the U. S. nuclear arsenal if other countries would agree not to acquire nuclear weapons and would permit inspections to verify that agreement. This proposal was presented as the Baruch Plan in 1946 and implied that the United States turn over control of all its enriched uranium, including that in any nuclear weapons it had, to a new UN body over which the United States and the other permanent members of the Security Council would have a veto. In addition to already seeking its own nuclear weapons, the Soviets rejected this plan on the grounds that the United Nations was dominated by the United States and its allies in Western Europe.

Therefore, the Soviets argued it could not be trusted to exercise authority over atomic weaponry in a fair manner. They proposed that America eliminate its nuclear weapons before considering proposals for a system of controls and inspections. On the other hand, the United States, would not surrender its weapons to the agency until inspectors were on duty in the Soviet Union and in other countries with nuclear potential (Bellany 1985). With the Baruch Plan not going as planned, the U. S.

Congress enacted the 1946 Atomic Energy Act which encompassed provisions designed to keep nuclear technology secret from other countries but then was amended to authorize nuclear assistance to others like the IAEA which was created to provide both assistance and inspectors for peaceful nuclear activities after Eisenhower proposed providing assistance to other countries in the peaceful uses of atomic energy. The United States, followed by the Soviet Union, France, and others began providing research reactors that used weapons-usable highly enriched uranium to non-nuclear-weapon states around the world.

These transfers and the training that accompanied the reactors helped scientists in many countries learn about nuclear fission and its potential uses other than in good measure. As these scientists became more versed in the uses of nuclear energy through the resources being provided to them, global support increased for controlling the spread of the new technology in order to prevent its use for weapons. This led to Ireland proposing the first resolution at the United Nations on October 17, 1958 to prohibit the further dissemination of nuclear weapons.

On March 21, 1963, the UN General Assembly unanimously approved Resolution 1665, based on the earlier Irish draft resolution, reads that countries already having nuclear weapons would undertake to refrain from relinquishing control of them to others and would refrain from transmitting information for their manufacture to states not possessing them. In addition, countries without nuclear weapons would agree not to receive or manufacture them. These ideas formed the basis of the NPT (Bunn 2008).

The United States then took another step toward non-proliferation and submitted a simple draft treaty of the NPT based on the resolution to the Soviet Union when a new eighteen nation Disarmament Conference opened in Geneva in 1962. Adversely, the Soviet response insisted that the treaty prohibit the arrangements between the United States and NATO allies such as West Germany for deployment in their countries of U. S. nuclear weapons under the control of U. S. soldiers.

The stated purposes of these weapons were to protect these countries if ever in the event of an attack on them by the Soviet Union and its allies. The U. S. also proposed for implementation of a multilateral force in which would be a fleet of submarines and warships each manned by international NATO crews and armed with multiple nuclear armed Polaris ballistic missiles. The proposal was inspired by the complaints of NATO countries which voiced that the nuclear defense of Europe was beholden to the Americans, who held the bulk of nuclear capability.

Instead of an array of different independent forces ultimately acting under their own domestic banners on the waters, the result would be a fleet of warships manned and operated by general NATO command in broader cooperative efforts but the Soviets opposed to this. Later, a compromise was reached where US eventually gave up on efforts toward the multilateral force and the Soviets gave up on a prohibition against U. S. deployment of nuclear weapons in West Germany and other allied countries under the condition the provided weapons remained under sole control of U.

S. personnel (Bellany 1985). On June 12, 1968 The UN General Assembly adopted Resolution 2373 which endorsed the draft text of the nuclear Non Proliferation Treaty. The vote was 95 to 4 with 21 abstentions. The four no votes were Albania, Cuba, Tanzania, and Zambia. The treaty was signed by the Soviet Union, United Kingdom, and the United States. Article IX of the treaty established that entry into force would require the treaty's ratification by those three countries and 40 additional states.

It was by this time, five nations had developed a nuclear weapons capability: the United States, the Soviet Union, Britain, France, and China. On February 13, 1960, France conducted its first nuclear test explosion, establishing it as the the world's fourth nuclear armed state after the United States, the Soviet Union, and the United Kingdom. Then China conducted its first nuclear test explosion on October 16, 1964 placing it as the world's fifth nuclear armed state and leading to the acceleration of India's nuclear program ( Bunn 2008).

China and France were recognized as nuclear-weapon states under the treaty but did not sign it. China argued the treaty was discriminatory and simply refused to adhere to it. On the other hand, France implied that it would not sign the treaty but would behave in the future in this field exactly as the states adhering to the Treaty. The treaty distinguishes between obligations of two parties such as nuclear-weapon states who are defined as those states parties which exploded a nuclear device prior to January 1, 1967 and non-nuclear weapon states which are all other states.

The treaty called prohibition on non-nuclear-weapon states from having nuclear weapons and called for the IAEA to be permitted to carry out inspections to guarantee that their nuclear programs were limited to peaceful uses. In particular, the resolution asked the countries possessing nuclear weapons to refrain from relinquishing control of nuclear weapons and from transmitting information necessary for their manufacture to nations not possessing nuclear weapons.

Second, it recommended that states not possessing nuclear weapons, “ undertake not to manufacture or otherwise acquire control of such weapons. ” In addition, the United Kingdom, the Soviet Union, and the United States agreed to provide assistance to non-nuclear weapon NPT members in their pursuit of peaceful uses of nuclear energy and agreed to conduct future negotiations to halt the nuclear arms buildup and reduce their nuclear weapons with a goal of achieving nuclear disarmament.

Negotiations then raised aiming efforts towards gaining acceptance of these provisions by important non-nuclear weapon governments and their parliaments along for the allowance of the inspections that would be conducted by the IAEA in accordance to the NPT. India was one of these non-nuclear weapon governments of interest but despite much active participation in the NPT negotiation, it refused to join because it wanted to retain the option to produce its own nuclear weapon as its adversary then, China had. Also, Pakistan which was another adversary of India refused to join because India would not.

Israel, which the United States had tried to restrain from acquiring nuclear weapons in separate negotiations during the 1960s, also refused to join. China and France didn't participate much in the NPT negotiations but had acquired nuclear weapons before its negotiation was completed. The NPT draft permitted them to join the treaty with the same rights and duties as the other nuclear-weapon states when they eventually did accede to the treaty in 1992 (Bunn 2008). The practice of inspections for non-nuclear weapon parties weighed as a major concern in the negotiations at the IAEA for several years and many countries including West European allies of the United States did not ratify the treaty until these negotiations were completed to their satisfaction. Till this day, this concern is still a pressing matter at hand. In its establishment, Article X of the NPT called for a conference of its parties to be held 25 years after the treaty's entry into force in 1970 to determine whether the treaty would remain in force indefinitely or for other additional periods of time.

This conference was held on May 11, 1995 and began with much uncertainty regarding the nature of any extension. Leading up to this, parties of the treaty enacted review conferences every five years to revise the treaty according to the current state of nuclear arms at the time. During the 1995 review conference, non-nuclear weapon states expressed disappointment with the lack of progress toward nuclear disarmament and feared that extending the treaty indefinitely would enable the nuclear-armed states to hold on to their nuclear arsenals and disregard any accountability in eliminating them.



In a different light, Indonesia and South Africa proposed efforts to tying the treaty's indefinite extension to a decision to strengthen the treaty review process such as establishing of a set of principles and objectives on nuclear nonproliferation and disarmament to hold NPT states-parties, particularly the nuclear-weapon states, accountable to their commitments.

Indonesia and South Africa's proposal included completion of the Comprehensive Test Ban Treaty of 1996 which banned all nuclear explosions in all environments for military or civilian purposes along with negotiations on the cutoff of fissile material production for weapons purposes. The conference also adopted a resolution calling for establishment of a zone free of weapons of mass destruction in the Middle East with the goal to win support for the indefinite NPT extension from Arab states which objected to Israel's status outside the NPT and its assumed possession of nuclear weapons.

During the 1955 revision conference of the NPT, the decision was made to extend the NPT indefinitely and with its last revision conference held in 2010, is still on its mission to global non-proliferation (Gunter 2010). The NPT consists of a preamble and eleven articles and is interpreted as a three part pillar system as non-proliferation being the first, disarmament the second, and the right to peacefully use nuclear technology as the third. Currently there are 189 countries as state parties under revisions of the nuclear Nonproliferation Treaty. The major issues that the Treaty of Nuclear Non Proliferation is facing are loopholes in NPT withdrawal, non-compliance with state parties, particularly Iran, and in a safeguard system. Also, the future

utility of the treaty will be dominated by its ability to attract the major non-parties into membership. Another flaw in the Treaty is that if diversion of fissile material is discovered, then no mechanism for sanctions exists other than taking the issue to the UN Security Council.

The treaty is silent on how to deal with a situation where a non-nuclear weapon state acquires unsafeguarded weapon material for reasons not permitted under the Treaty (Kaplan 2005). Israel regarded NPT adherence and the IAEA safeguards system as an insufficient guarantee that Iraq would not use nuclear technology it was acquiring to make nuclear weapons and proceed to destroy that technology. This discouraged other Arab states from becoming NPT parties, as this appeared to offer no protection against unilateral Israeli action.

With the notion that one state such as Israel could claim the NPT technically meaningless and allowed to act on that belief without sanction, the credibility of the Treaty in the eyes of many non-nuclear weapon states became undermined and brought up for much speculation. The NPT itself is silent on how to assess compliance, how to resolve compliance disputes, and what procedures to follow in the event of non-compliance. Specifically, there is no verification of the obligations in Articles I and II not to transfer or receive nuclear weapons.

The treaty contains no language on verification other than to require states to accept nuclear safeguards in Article III. One precedent for handling non-compliance was in the case of North Korea. North Korea announced it would withdraw from the NPT on March 12, 1993 but suspended its withdrawal in

June. Ten years later on February 12, 2003, the Board of Governors declared North Korea in non-compliance with its nuclear safeguards obligations, and referred the matter to the Security Council. The Board called upon North Korea to acknowledge its non-compliance, and fully cooperate with the Agency.

North Korea stated it would withdraw from the NPT on January 11, 2003, and its official status is still uncertain. The legality of North Korea's withdrawal is debatable but as of 9 October 2006, North Korea clearly possesses the capability to make a nuclear explosive device. However, other states complain of U. S. noncompliance because the United States continues to conduct research and development new types of nuclear weapons and still has yet to accept much deeper reductions in its nuclear forces.

Several additional measures have been adopted to strengthen the NPT with attempts to broaden the nuclear nonproliferation regime and make it difficult for states to acquire the capability to produce nuclear weapons, including the export controls of the Nuclear Suppliers Group and the enhanced verification measures of the IAEA Additional Protocol. However, critics argue that the NPT cannot stop the proliferation of nuclear weapons or the motivation to acquire them.

They express disappointment with the limited progress on nuclear disarmament, where the five authorized nuclear weapons states still have 22, 000 warheads in their combined stockpile and have shown a reluctance to disarm further. Several high-ranking officials within the United Nations have said that they can do little to stop states using nuclear reactors to

produce nuclear weapons (Kaplan 2005). An issue that will require new and better strategic thinking is how best to proceed with efforts to make the Middle East a Weapons of Mass Destruction (WMD) - free zone.

This was a controversial issue on the table during the most recent 2010 NPT Review Conference. The final document produced from the conference addressing the matter calls on all states in the region to participate in a conference in 2012 based on the terms of the 1995 resolution. The United States announced after the conference that it, Russia, and the United Kingdom, along with the UN secretary-general, will co-sponsor the meeting, determine a country to host it, and identify a person to organize it.

The issue with this is that Egypt and other states may want to use a conference in part to criticize Israel's nuclear weapons program. Also, the language of the document calls on all states in the Middle East to participate which includes a number of states that do not recognize Israel and in the past have not been willing to sit with Israeli officials in formal settings. To name a few, Iran, Lebanon, Saudi Arabia, and Syria are some of these states. Therefore, such a conference would pose challenges to Israel. Iran and major Arab states would all have to reach the same satisfying terms and recognize Israeli de facto.

If the conference is viewed strategically and handled carefully, it could advance the cause of peace and security in the region. In summation, President Barack Obama in Prague called for the "peace and security of a world free of nuclear weapons" on April 2, 2009. A Year later on April 8, 2010, President Obama returned to Prague a year later with President Dmitri

Medvedev of Russia to sign a new Strategic Arms Reduction Treaty that committed both countries to reduce their deployed strategic nuclear warheads and delivery systems in accordance with agreed principles of verification.

President Obama also convened a special session of the UN Security Council on September 24, 2009, which adopted Resolution 1887, which focuses on nuclear security and nonproliferation and seeking ways to enhance its means. Though the NPT has its weaknesses, it still has managed to link many countries together and has dodged the predicted amount “ 15 or 20 or 25 nations may have nuclear weapons” that President Kennedy warned in his press conference in 1963.

Today, we have nine counting North Korea but not Iran outside of the treaty. As we progress down the road to expanding non-proliferation, it is important for policy makers to keep in mind that for most states the demand for nuclear weapons is likely to derive from security considerations, and security consideration under conditions of uncertainty, especially if the states have lacking faith in the Treaty’s ability to make effective use of the safeguard system as we approach the 2015 NPT Review Conference.