

# **The Tenth NPT Review Conference, 50 Years after the Treaty Entered into Force**

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**The Tenth Review Conference on the Nuclear Non-Proliferation Treaty, to be held on January 4-28, 2022, will mark 50 years since the Treaty entered into force and 25 years since its extension for an unlimited period. In spite of the Treaty's achievements, the challenges to the implementation of its main objectives and the effectiveness of the arms control regime and nonproliferation efforts following the appearance of new technologies that threaten strategic stability raise question marks regarding the ability of the parties to the Treaty to reach a consensus on key issues. The main bone of contention at the conference is Article VI of the NPT, which calls on nuclear states to work for the cessation of the nuclear arms race as soon as possible and strive for full disarmament. The issue of a nuclear weapons free zone in the Middle East, which prevented the previous conference (in 2015) from reaching a consensus, will be discussed against the background of the recent UN conference on this subject. Even if the forthcoming review conference draws up a final document, it is doubtful whether it will help to promote the Treaty's objectives.**

The tenth Review Conference (RevCon) on the Nuclear Non-Proliferation Treaty (NPT), which was supposed to take place in April-May 2021 and was postponed a number of times because of the pandemic, will be held on January 4-28, 2022. The upcoming RevCon will mark 50 years since the NPT entered into force as a central element of the arms control regime, and 25 years since its extension for an unlimited period. The review conferences, held every five years, draft an interim balance sheet of the achievements and outline future plans to promote objectives. Efforts surrounding the NPT have focused on the attempt to implement three of the Treaty's underlying foundations: global nuclear disarmament, nonproliferation of nuclear weapons, and promotion of nuclear energy for peaceful purposes. Estimates that many countries could develop nuclear capabilities were not realized, but in spite of the NPT's achievements, the road to advancement of the three objectives and the effectiveness of arms control measures have become more and more dubious over the

years. Another open question is the ability of the states that signed the NPT to achieve a consensus, which is a condition for any decision.

The nuclear nonproliferation regime, and the NPT, which is its centerpiece, is the product of the Cold War era, which was based on a bipolar system led by two nuclear powers – the United States and the Soviet Union. The end of the Cold War, and with it the end of the bipolar world order, was succeeded by a multipolar world, which undermines the world order in general, and the nuclear order in particular. Against this background, in recent years there have been calls from politicians and researchers to formulate a new nuclear order, taking account of the increased weight of countries such as China and India, and the appearance of new technologies – e.g., cyber, artificial intelligence – as well as conventional defense systems and offensive weapons that undermine stability. Another element that exacerbates strategic instability is the collapse of the architecture of the weapons inspection agreements signed by the United States and the Soviet Union/Russia, following the withdrawal of the United States from the Anti-Ballistic Missile (ABM) Treaty, the Intermediate-Range Nuclear Forces (INF) Treaty, and the Open Skies Treaty. These moves by the United States were guided by a sense that retaining agreements that were frequently breached by Russia did not serve American national interests. The mistrust of each other's intentions and the consequent efforts to amend what was perceived as strategic inferiority led the United States, Russia, and China to a race for both nuclear and conventional arms. The Iranian nuclear project, which Tehran stubbornly insists is for peaceful purposes only, contrary to a great deal of evidence, is another stumbling block on the way to a consensus at the RevCon, although even at previous conferences, this issue was largely ignored.

A number of items that are expected to be on the agenda of the forthcoming conference could make it difficult to reach any consensus:

*Consensus:* In view of the failure to reach a consensus at the 2015 RevCon, efforts will be made to formulate agreements based on the lowest

common denominator that all member states can accept. There is no doubt that repeated failures to achieve an agreed-upon final document damage the validity and credibility of the NPT.

*Action plan:* As part of the effort to implement Article VI, which calls on nuclear states to dismantle their nuclear weapons, previous RevCons have adopted action plans that include specific objectives. However, the focus of conflicts between nuclear states and non-nuclear states is the question of whether the steps agreed at previous RevCons are politically binding and do they remain valid over time. The United States and Russia claim that resolutions on this subject were good at their time but that changed circumstances have made them irrelevant. In the opinion of observers, the examination of past resolutions that are still relevant may be the way to overcome disagreements over an action plan to be approved at the end of the RevCon.

*Article VI of the NPT:* The debate on this clause has been the main bone of contention at every RevCon to date. In the eyes of the non-nuclear states, the nuclear states are not doing enough to comply with the commitment they made to work toward an end of the nuclear arms race as quickly as possible and to dismantle their nuclear weapons. In 2022, the discussions are held against a background of weapons modernization, particularly in the United States, Russia, and China. China is working on expanding its nuclear arsenal, and the United States is also considering such action. In addition, neither the US nor China has yet ratified the Comprehensive Nuclear Test Ban Treaty (CTBT). The United States and Russia, in an attempt to deflect complaints about the lack of progress, may vote to extend the New Start Treaty on limiting strategic weapons, and ratify the 1985 Reagan-Gorbachev declaration that “a nuclear war cannot be won and must never be fought,” as Presidents Biden and Putin agreed in their conversation (President Trump refused to do so). The United States and Russia are also expected to announce renewal of the talks on strategic stability that were halted some time ago. In an effort to deflect the debate from the need for further cuts in the nuclear arsenal, the United States

will insist on the need to focus on steps/ means that help to reduce the risks of possible use of nuclear weapons.

*Treaty on the Prohibition of Nuclear Weapons (TPNW)*: Disappointment with the pace of implementing Clause 6 led many of the non-nuclear states to draw up a treaty banning nuclear weapons. The treaty, which was signed by 88 countries and entered into force on January 22, 2021, will hold its first conference in early 2022. The five nuclear states object to this treaty, arguing that it undermines the NPT and does not supplement it. The RevCon's final document will likely refer to this Treaty, although Russia, for example, contrary to the United States, is opposed to mentioning it.

*Nuclear disarmament of the Middle East*: The issue of a nuclear-free Middle East is a regular fixture on the RevCon agenda and a focus of disagreement between the Arab countries, led by Egypt, and the United States, and the reason why the 2015 Conference ended without a final document. Following the decision by the UN General Assembly in 2018 to establish a framework of annual conferences – held most recently in December 2021 – to draft a treaty on this matter, it is estimated that at this time the Arab countries will concentrate their efforts on formulating a relevant paragraph. Will Egypt be content with a factual reference only, or will it wish to go further?

*AUKUS (Australia, United Kingdom, United States)*: The defense agreement signed in September 2021 by the AUKUS states must be seen in the context of American preparations in the Indo-Pacific area to deal with the challenges posed by China. Criticisms of this move focused on the fact that it creates a precedent that will encourage other countries to enter the field of nuclear-fueled submarines (Iran has already announced its intention to do so). The US will probably be accused of double standards, since while it objects to nuclear proliferation, it supplies nuclear fuel and nuclear technology to its allies.

*Iran*: Unlike North Korea, which is not a member of the NPT and can therefore not break the consensus at the RevCon, Iran signed the NPT and

is therefore able to block a consensus over any matter that conflicts with its position. Observers estimate that even if there is criticism of Iran's conduct over the nuclear agreement talks underway in Vienna and its breaches of the nuclear treaty, a formula will be found that is acceptable to Tehran.

*Nuclear energy for peaceful purposes:* The climate crisis and the need to find an alternative to coal and oil have revived the idea of peaceful nuclear energy. The construction of nuclear power stations (not a simple goal, due to a whole range of financial, technological and security challenges) will focus on this issue. Inter alia, the discussions at the RevCon will reflect the divisions in the European Union between France, which supports nuclear energy, and Germany which is opposed to it, with efforts to find a concluding formula to satisfy both parties.

As in all previous RevCons, Israel will almost certainly be mentioned in the context of a nuclear-free Middle East. The participants are expected to call on Israel to join the NPT and place its nuclear facilities under the supervision of the International Atomic Energy Agency. In an attempt to deflect attention away from criticism of its own conduct, Iran is likely to point out the double standards of its treatment, compared to that of Israel.

In conclusion, goodwill and an effort to avoid a further failure will make it possible to end the upcoming RevCon with an agreed compromise. This still leaves open the question of whether this conference will help further the objectives of the NPT and promote the use of nuclear energy for peaceful purposes.

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