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Editor: **Mark A. Heller**

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THE 2005 NPT REVIEW CONFERENCE: END OF THE ROAD FOR TRADITIONAL NON-PROLIFERATION EFFORTS?

Emily B. Landau
Jaffee Center for Strategic Studies

Plagued throughout by political posturing and delaying tactics, the 2005 Nuclear Non-proliferation Treaty (NPT) Review Conference has now broken up without a final document on the challenges facing the non-proliferation regime. The failure of the conference leaves the future of this road to non-proliferation very much in doubt.

In the lead-up to the conference, International Atomic Energy Agency (IAEA) Director General Mohamed ElBaradei suggested several measures to strengthen the ability of the NPT to meet the challenges posed by the spread of nuclear technology, the prospect that terrorists might acquire nuclear weapons, and the advances that states have made in the development of fissile material. His hope was that the parties to the Treaty could agree to adopt these measures – which included a five-year global moratorium on new facilities for enriching uranium and reprocessing plutonium, establishment of the Additional Protocol as the norm for verification, a requirement that the UN Security Council act quickly and decisively in case of withdrawal from the NPT by a member-state, and acknowledgement of the tensions that give rise to proliferation in regions like the Middle East – and thus bolster the non-proliferation regime.

However, U.S. and Iranian objections blocked consideration of the specific idea of a moratorium. And it quickly became clear that a broader discussion of how to strengthen the non-proliferation goals of the treaty would also be impossible. Because of America's rejection of any reference to the 13 steps toward disarmament that were decided upon at the 2000 Review Conference, it took almost two weeks just to agree on an agenda. Moreover, the U.S. was unable to garner support for its wish to highlight nuclear activities in Iran and North Korea (which withdrew from the Treaty in 2003) as a serious challenge to the NPT, and it itself came under sharp criticism for undermining the non-proliferation regime by rejecting the Comprehensive Test Ban Treaty and planning the development of new nuclear weapons. Finally, Iran and Egypt contributed to the deadlock by leading a focused campaign to single out Israel's nuclear program for criticism.

Israel was targeted by Egypt (as it had been in previous conferences), but this time Egypt had an additional motive: to deflect attention from Iran. Thus, Egypt supported Iranian efforts to prevent any mention of Iran while demanding that Israel be cited as an obstacle to the advancement of ideas raised before, particularly the proposal for

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a Nuclear Weapons-Free Zone (NWFZ) in the Middle East.

But while this dynamic had a negative effect on the ability to move things forward in the conference, the real obstacle to constructive discussion of the challenge facing the NPT today is the division among states on the question of what that challenge is. The U.S. points to Iran and North Korea and the dangerous nuclear activities they have carried out under the cover of the NPT. Other states (as well as many U.S. arms control advocates) place the blame primarily on the U.S. itself for its unwillingness to endorse steps toward its own disarmament, as agreed in 1995 and 2000.

In essence, however, this is merely a more concrete, focused, and intense version of the two basic complaints that have been raised with regard to the NPT for quite some time: that nuclear weapons states (NWS) are not doing enough to uphold their disarmament commitments according to Article VI of the NPT, and that non-nuclear weapons states (NNWS) are liable to conduct work on a military nuclear program under the cover of civilian activity. What links the two complaints is that both reflect the simple fact that states are driven by security interests that are not addressed by the treaty. As one frustrated commentator noted, states put "narrow national interests above multilateral non-proliferation and the norms and rules on which our collective security rests." But this is actually the key to understanding the problem: recognizing that there are states that are probably not going to rely on the norms and rules of non-proliferation in order to maintain their security. Until this idea is truly internalized, dealing effectively with the dangers implied by nuclear proliferation will remain an elusive goal.

Some analysts are surprised by the fact that at the very moment when proliferation challenges are the most severe, a vital opportunity to confront them has been so easily lost. But that ignores the reality that the participants in the NPT Review Conference are the very same states that are being held responsible for the challenges. In other words, one could reasonably ask why these states would be able to achieve in the framework of a review conference agreement on issues that they are grappling with outside the conference. As the challenges to the NPT become more pronounced, it becomes increasingly clear that the fault lines in the Review Conference not only reflect but bring into sharper focus the dilemmas that produced them. Not surprisingly, the members of the regime are incapable of fixing that themselves.

What does all this mean? Thirty-five years after the NPT went into effect and ten years after its indefinite extension, the basic weakness inherent in the non-proliferation regime needs to be addressed. That weakness is the contradictory message, according to which while nuclear weapons are bad for international security, they can also help enhance state security. A recent reminder of the duality came from Pakistani President Pervez Musharraf. When asked about Iran's nuclear ambitions, he replied that he is against any other country developing nuclear devices. But when pressed to justify Pakistan's own nuclear weapons, he said that in Pakistan's case, there is a question of the border with India – nobody can accept a threat to his existence, which is why he is very proud of Pakistan's nuclear weapons.

Because it is increasingly clear that the global norms of the NPT cannot address the challenge to non-proliferation that is implicit in Musharraf's message, advocates of arms control will have to look for other ways to confront such real world dilemmas, most likely outside the confines of the NPT.

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