
New perspectives of the non-proliferation regime on the eve of the NPT review conference

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The non-proliferation regime and the future of the Non-Proliferation Treaty (NPT)
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The NPT in 2009

- n **States Parties:** 189
 - n Republic of China (Taiwan) abides by NPT, but is not recognised as a state by the United Nations
- n **Signatory States:** -
- n **Non-States Parties:**
 - n India, Israel, Pakistan
 - n DPRK (withdrew, effective 10 April 2003)
 - n (Kosovo)

- n **Nuclear Weapon States:** PRC, France, Russia, UK, USA
- n **Nuclear Armed States:** DPRK, India, Pakistan
- n **States of weapon proliferation concern:** Iran, Israel, Syria

Major challenges to the non-proliferation regime

- n Renaissance of nuclear energy
 - n Global warming and reduction of greenhouse gases/reliance on fossil fuels as motivator
 - n Commercial pressures for transferring nuclear technology to third parties
 - n Development of material base
 - n Possible covert statement of deterrence in unstable regions
 - n Possible foundation for future weapon programmes
 - n Increase of illicit technology transshipments
 - § Concern in US-UAE agreement on nuclear cooperation
 - n Does the IAEA have the resources to adequately verify those developments?

- n Nuclear cooperation with NPT Non-States Parties
 - n US-India civilian nuclear agreement
 - n *de facto* recognition of India as a nuclear armed state
 - n Special India-IAEA safeguards agreement for **civilian** nuclear installations
 - n Modification of Nuclear Suppliers Group regulations
 - n France and Pakistan exploring possibility of cooperation in area of nuclear security (May 2009; current status of discussions unclear)

- n Political instability in all three nuclear-armed states

Are we moving in a post-non-proliferation phase?

- n With respect to biological and chemical weapon-relevant technology, this stage has already arrived
 - n Technology (products, processes and knowledge) have become ubiquitous => there is nothing to spread anymore
 - n Alternative sources of supply exist, which reduce impact of technology transfer arrangements
 - n Scientific and technology developments challenge currently existing verification and monitoring tools

- n Nuclear technology may be entering this phase
 - n Renaissance of nuclear energy
 - n Current mechanisms to enforce NPT are reaching limits of utility
 - n Sanctions increase domestic legitimacy of nuclear programmes
 - § Confirms argument of external threat;
 - § May lead to consensus among government and opposition parties
 - § Pressed to far, they may lead to NPT withdrawal
 - n IAEA verification requires cooperation from challenged state
 - § Enforcement of compliance is highly politicised (IAEA Board => UNSC)
 - n Globalisation: new technology suppliers may have different political, economic and security imperatives for promoting technology transfers

Future perspectives for the NPT

- n Can the NPT survive in an environment in which nuclear weapons still have legitimacy in international security?
 - n Some states possess nuclear weapons
 - n Some states are allowed the benefit of nuclear cooperation, while being outside the treaty and possessing nuclear weapons
 - n The International Court of Justice left the door ajar for NW legitimacy (1996)

- n Article VI of the NPT (disarmament) will acquire fast growing significance over the next few years
 - n May already hold the key to a successful outcome of the 2010 Review Conference
 - n The nuclear weapon control regime remains fragmented, and will remain so for the foreseeable future
 - n Different treaties in force, waiting to enter into force, or about to become the subject of negotiation do not cover the full scope of the nuclear armament dynamic or apply only to a specific geographical area
 - n Achieving a formal ban on the **use** of nuclear weapons is a critical first step towards delegitimising the weapon and pushing it to outer areas of military doctrine
 - n 1925 Geneva Protocol banning the use of CBW was precursor to the BTWC & CWC

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