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Background Memo

The NPT's Midlife Crisis

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In March 2020, the Nuclear Nonproliferation Treaty (NPT) turned fifty. The tenth Review Conference (RevCon), originally scheduled for April and May, was postponed to January 2021 and is now tentatively planned for August 2021 amid continued monitoring of the COVID-19 pandemic.

The NPT is often described as the cornerstone of the global nuclear order. It is among the most widely adhered to global treaties. All countries except four (India, Israel, and Pakistan never joined, and North Korea withdrew in 2003) are parties to the NPT. Despite its enviable record, a sense of disquiet and uncertainty surround the RevCon and its future.

Shaping of a Global Order

Any global order needs two enabling conditions: a convergence of interests among the present major powers to define a shared objective and an ability to package and present it to the world as a global public good. The conditions for nuclear order and the NPT were no exception.

In 1963, only four countries (the United States, France, the Soviet Union, and the United Kingdom) had tested a nuclear device when U.S. President John F. Kennedy sounded the alarm that by 1975 there could be as many as twenty countries with nuclear weapons. The Soviet Union shared similar concerns. This convergence of interests between the two Cold War adversaries enabled the NPT negotiations.

To make nuclear order attractive as a global public good, it was packaged as a three-legged stool: nonproliferation, obliging those without nuclear weapons to never acquire them and accept full-scope safeguards; disarmament, requiring the five countries with nuclear weapons (the United States, China, France, the Soviet Union, and the United Kingdom) to negotiate the reduction and eventual elimination of their nuclear weapons; and peaceful use of nuclear energy, guaranteeing non–nuclear weapons states full access to peaceful applications of nuclear science and technology.

Evaluating the NPT

Since the NPT was concluded, only the four countries outside the NPT have acquired nuclear weapons, bringing the total number of nuclear weapons states to nine, far fewer than Kennedy feared in 1963. By this measure, the NPT has been enormously successful, even though it has no means of dealing with these four states.

Among the oft-cited successes of the NPT is the dramatic reduction in the number of nuclear weapons from a peak of over 70,000 warheads in early 1980s to around 14,000 at present, with the United States and Russia accounting for over 12,500 of them. However, these reductions were a result of bilateral negotiations between the United States and Russia, reflecting the state of their relations. No negotiations have ever been held within the NPT framework. In fact, during the first fifteen years of the NPT, the U.S. and Soviet arsenals increased from below 40,000 to over 65,000, making it clear that the nuclear disarmament leg of the NPT was being ignored as the United States and Soviet Union embarked on a nuclear arms race.

Some claim that the NPT helped strengthen the taboo against nuclear weapons. However, a closer examination of recently declassified papers indicates that since 1970, there have been over a dozen instances where the United States and Soviet Union came close to initiating a nuclear exchange, many of which were based on system errors or misperceptions about the intentions of the other. Even today, with some nuclear weapons maintained on hair-trigger alert, the risk of an accidental or inadvertent nuclear exchange remains.

Today, the nuclear taboo is being challenged as major nuclear powers undertake research and development (R&D) for more usable low-yield nuclear weapons. Ballistic missile defense, hypersonic systems that carry both conventional and nuclear payloads, and growing offensive cyber capabilities further blur the line between conventional and nuclear weapons.

Challenges Before NPT RevCon

The NPT has reached the limits of its success as far as the proliferation objective is concerned. Further, its packaging as a balanced three-legged stool stands exposed as a wobbly, one-legged stool, for the NPT delegitimized proliferation but not nuclear weapons.

The clearest reflection of this growing frustration among the non–nuclear weapons states party to the NPT was the humanitarian initiative spearheaded by a coalition of nongovernmental organizations (NGOs) and civil society to negotiate a treaty prohibiting nuclear weapons. The Treaty on the Prohibition of Nuclear Weapons (TPNW) was concluded in 2017 and entered into force in January 2021, making it the only multilateral nuclear treaty to emerge since the NPT fifty years ago. (The Comprehensive Nuclear-Test-Ban Treaty was concluded in 1996 but is yet to enter into force after twenty-five years, indicating its political infirmity.) Each of the TPNW's eighty-six signatories and fifty-four ratifying states are members of the NPT in good standing.

For the first time, an NPT RevCon will take place with a new, unignorable divide between states that rely on nuclear weapons (or nuclear-armed allies) for their security and states that believe nuclear weapons are a threat to global security and accept that the NPT cannot be the route to nuclear disarmament.

However, the five nuclear weapons states party to the NPT are convinced that the TPNW undermines the NPT even though the TPNW's 140 signatories and ratifiers provide legitimacy.

Other divisive political challenges for the RevCon include Iran and the Joint Comprehensive Plan of Action, which was unilaterally discarded by the Donald Trump administration; a push by non–nuclear weapons states for substantive reductions in nuclear arsenals; lack of progress on the 1995 initiative for the Middle East as a zone free of all weapons of mass destruction; a U.S. push for universal adherence to the International Atomic Energy Agency Additional Protocol; and North Korea's nuclear arsenal, among others.

Redefining Success

For the last fifty years, a substantive consensus outcome has been the criteria for a successful RevCon. Yet anticipating the difficulties of a consensus, the NPT supporters are suggesting that the definition of a successful outcome should be reconsidered.

The NPT record indicates that no consensus was reached in 1980, 1990, 2005, and 2015. In 1995, despite the failure to reach consensus on a comprehensive final document, the critical objective of an indefinite and unconditional extension of the NPT was achieved (it had an original duration of twenty-five years). Some use this outcome to argue that a consensus final document need not be a true measure of success. Conversely, the 2000 and 2010 RevCons reached consensus after difficult negotiations, but none of the agreed steps or recommendations were ever implemented. Even these past agreements are unlikely to be endorsed today. The convergence of interests among the major powers has broken down, removing the basic political pre-condition for any progress.

Nuclear weapons–dependent states' suggest setting a lower bar for a successful outcome. Merely holding a conference should be enough, according to some, as this would avoid the acrimonious and time-consuming negotiations that create undue expectations. However, such an approach is at best a temporary resolution. Any permanent resolution would lie in accepting the limitations of the NPT and seeking to join the TPNW proponents in a constructive dialogue. This needs imaginative approaches and a shift from the zero-sum model of negotiation to a win-win outcome, preserving the NPT while looking beyond it. A mindset change is necessary for the NPT to overcome its midlife crisis.