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The Non-Proliferation Regime

Dr. Nayef R.F. Al-Rodhan
Senior Scholar in Geostrategy and
Director of the Program on the
Geopolitical Implications of Globalization
and Transnational Security
Geneva Centre for Security Policy

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To comment, please email Bethany Webster at b.webster@gcsp.ch.
Review and Critique

As Robert Jervis once stated, “[a] rational strategy for the employment of nuclear weapons is a contradiction in terms,” since their destructive power creates impenetrable problems.\(^1\) Following a considerable degree of pessimism in the 1980s about the prospects of a possible nuclear war, the 1990s were characterized by a great deal of hope about the diminishing relevance of nuclear weapons. Yet, against the hopes of many, the end of the bipolar system did not signal a decline in the relevance of nuclear weapons. The former superpowers continue to hold a large number of strategic, as well as tactical, nuclear weapons. China has modernized its nuclear arsenal. A number of new nuclear-weapons states (NWS) have appeared (India, Israel, and Pakistan) since the Nuclear Non-Proliferation Treaty (NPT) was established in 1968. And Iran and North Korea may soon join the nuclear club. Thus, the possibility of nuclear-weapons proliferation destabilizing various regions is very real.

One of the major problems afflicting the NPT is the fundamental contradiction at its heart: It banned the possession and control of nuclear weapons for all states except the original five NWS – the United States, Russia/Soviet Union, the United Kingdom, France, and China. Non-nuclear-weapons states (NNWS) that signed on to the NPT agreed not to acquire or develop nuclear weapons in the expectation that NWS would work toward nuclear-weapons disarmament. Yet, this has failed to transpire. Thus, the NPT rings hollow to many NNWS that agreed to restrict their own military build-up in the expectation that NWS would continue to work toward disarmament.\(^2\)

Moreover, with the end of the Cold War, there is no longer a clear consensus on how best to ensure global security and stability. This makes progress in the area of nuclear non-proliferation extremely difficult to achieve. As Shahram Chubin notes in his policy brief, how best to restore consensus in a changed security and energy context poses a considerable challenge to the nuclear non-proliferation regime. For example, how can the non-proliferation regime respond to the demand for nuclear energy as a “clean” fuel and, at the same time, control the spread of nuclear materials and guarantee their safety? And how can it successfully deal with India, Israel, and Pakistan without encouraging other states to “go nuclear”?\(^3\)

An additional challenge to the NPT is also identified by Chubin. The nuclear non-proliferation regime faces the problem of preventing nuclear materials from falling into terrorist hands, given the existence of secondary suppliers and dual-use technology. Indeed, dealing with non-state actors represents a new problem for the NPT. As a state-based treaty, the NPT may not be able to adequately ensure nuclear non-proliferation in an environment in which non-state actors play an increasingly important role.
Dilemmas and Our Recommendations

Globalization, therefore, presents a series of serious challenges for the NPT. How to respond to them, however, remains highly contested. Reaching a consensus on how to deal with the problems facing the NPT will be vital to confirming its continued relevance, as well as ensuring its effectiveness. In what follows, we highlight eight dilemmas related to this issue and eight corresponding recommendations that may contribute to appropriate policy choices.

As alluded to earlier, one of the major challenges facing the NPT is the difficulty of controlling dual-use technology. The NPT allows states to develop nuclear energy but prevents the development of nuclear weapons. Yet, the technology required to reach both ends is similar. In order to overcome this hurdle, proliferation-resistant technology that can only be used for energy production should be developed. An additional difficulty is posed by the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors. Monitoring and controlling the supply of dual-use technology by non-state secondary actors.
of such technology by these actors is particularly difficult given that the NPT is a state-based treaty. We suggest that multilateral security cooperation should be encouraged. Preventive maritime inspections of the Proliferation Security Initiative (PSI), for instance, should also be strengthened and possibly linked to the NPT in some way.

Members of the NPT face the additional problem of effectively dealing with the three nuclear states that remain outside the Treaty. Yet, they need to do so without appearing to be hypocritical and discriminatory in preventing further proliferation. In particular, it is essential to avoid the perception that challenging the NPT will be rewarded by cooperation.

Responding appropriately to these new nuclear-weapons powers is vital to ameliorating regional instabilities and, in the worst-case scenario, avoiding nuclear exchanges. Given the fragility of Indian-Pakistani relations, as well as volatility in the Middle East, a broader effort should also be made to reduce underlying tensions within these regions. Specifically, outstanding conflicts should be resolved in order to lessen the perceived need for nuclear deterrence. Multilateral alliances should also be encouraged in order to prevent blackmail or aggressive regional strategies.

The NPT will also have to find a way of reconciling increased global energy demands, the need to employ “clean” and durable energy, and the proliferation of technologies and materials that may be used to develop nuclear weapons. In order to achieve these seemingly contradictory ends, a number of measures should be taken. First, the International Atomic Energy Agency (IAEA) should be expanded. Second, an international fuel bank should be established as a reliable source of nuclear fuel. It is important to stress, however, that such a bank should be subjected to stringent inspections aimed at monitoring its energy use.

Conclusion

While the NPT has failed to prevent states from developing nuclear weapons, it is the best we have at the moment. Yet, the challenges facing the NPT in a changed security and energy environment are daunting. Perhaps the biggest problem facing the non-proliferation regime is the lack of consensus on how best to respond to threats to security and stability. Another major obstacle to preventing nuclear proliferation is the nature of the NPT itself. Since it is state-based, it is confronted with the challenge of responding to non-state proliferators. Moreover, increased demand for nuclear energy makes the task of controlling the spread of nuclear weapons even more difficult due to the dual usage of the technology required for nuclear-energy and nuclear-weapons programs.
References