Nuclear Non-Proliferation Treaty: Success or Failure

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Abstract: Today world is living under the threat of nuclear power and all the states are trying to counterpart it. Everyone on this planet is evident of destruction caused by the nuclear power and whole world is now trying to either eliminate the nuclear weapons or to make it use for the beneficial of society. The Nuclear Non-proliferation Treaty (NPT) was meant to check and control the nuclear power as a source of constructive purpose. There are various organization and other laws, which are continuously keeping an eye on the smooth running of NPT. The working of NPT has significantly controlled the destructive part but is hurdles by various obstacles that make it unsuccessful. This paper will highlight the cause and effects of NPT and it success as well as failure.

Keywords: NPT, nuclear power, nuclear weapons, IAEA, UNSC, NSW

I. Introduction

Ever since atomic era has started, the spreading of nuclear weapons has been one of the chief security issues faced by the international society. Besides this, potential spread of nuclear technology around the world leads to the concern of its disastrous consequences after World War-II. This growing concern is the main pillar for the establishment of Nuclear Non-proliferation Treaty (NPT) in 1968. The two main goal of this treaty was first to check the proliferation of nuclear power and secondly to disarm the five recognized nuclear armed states. This whole organization is a network of mutual mechanisms and arrangement commonly termed as international non-proliferation regime.1

The example of Hiroshima and Nagasaki destruction becomes the demonstration for the proliferation of nuclear technology as many other states started feeling the need of such power to compete.2 There are currently 189 signatory states; in which five countries (P5) are recognized nuclear weapon states (NWS). There are also three NWS (India, Israel, and Pakistan) that have never joined the NPT and the only country (North Korea) that withdraw from the treaty. The framework of the NPT is based on three legally binding pillars:

Defining Success and Failure by Conventional Wisdom

The NPT is always surrounded in a controversial discussion and on one hand it is been successful, considering the world has not been obliterated by nuclear weapons and on the other hand, the NPT has failed, since NWS continue to exist along with rogue states trying to obtain nuclear arms.

It is necessary to recognize that focusing solely on failures can generate a skewed understanding of success, resulting in exaggerated risks and potentially dangerous policy measures. In order to understand whether
effectiveness of NPT is in growth phase or in declining phase, there is a need to review the success and failure of NPT which are as given below

**Success of NPT**

Nearly 75% countries wish to be live under NNWS and there is considerable evidence supporting the success of the NPT initiatives. There are various organizations like IAEA, UNSC which are always in a continuous run to make the NPT successful. South Africa, Libya and Successful Disarmament Treaties: START and INF can be considered an example of modern-day non-proliferation success when it abandoned its nuclear program in 2003 and are discussed below:

**South Africa**

South Africa has set a best example of a country that has its own deal to agree to the NPT regime. The earlier president of South Africa de Klerk, in 1993, declared their nuclear program in the public. In addition he also announced the deactivation of both the program and the six warheads it had produced. He also declared that the nuclear facilities can anytime be inspected by the IAEA and the entire program was verified as disabled before the NPT got signed by South Africa. This dismantlement of the nuclear program was the only one of its kind event in worldwide politics and the country has to withdraw its nuclear program at that time and this truly set the best example of the success of the NPT. This made the evolution and replacement of the actors as well as institutions involved in the nuclear program of South Africa illustrating the need for determining the important actors in present-day nuclear risk states. During the early phases of the program under the Atomic Energy Board (AEB), the South African nuclear program qualified under the Peaceful Nuclear Explosives (PNE) program, and was actually being examined for use in mining. The failing of the security environment was the major cause for the establishment of defense system in South Africa. Ultimately it has to face the strong opposition from United States and Soviet Union. These changes included the reorganization of the AEB into the Atomic Energy Corporation (AEC), which was tasked with the production of atomic weapons. Currently South Africa is a major subscriber of NPT and is the major proponent of nuclear disarmament. The country remains free of nuclear weapons and uranium since it accede NPT. After all this being said, still the potential for serious issues with the South African nuclear program exists. The threat remains there because if the country needs it could easily resume the production of weapons grade uranium as it retains its entire nuclear industry and fuel cycle.

Now, this would involve leaving the NPT, but as long as the country cites “supreme circumstances” or at least gives 90 days notice, any country can withdraw from the treaty without any penalty in the context of the NPT. As a matter-of-fact, there would probably be an enormous diplomatic counterattack, the results of which are impracticable to predict (given that North Korea was entirely isolated for its program, but India and Pakistan were not). Not considering the outcome, South Africa could still revive its weapons at very short notice if there was an extreme change in South African foreign policy.

**Libya**

Libya has set a new example of a country that had chosen disarmament. During the leadership of Muammar al-Qaddafi, the Libya was known as a rogue isolationist state throughout the era of cold war. This gain in such image was due to the support of terrorism (including the Lockerbie bombing in 1988) military skirmishes with the United States and also the continuity of producing nuclear arms. It had also acquired North Korea to supply the ballistic launchers.

Qaddafi astounded the world by declaring disarmament and to lapse the Libya’s Weapons of Mass Destruction (WMD) programs in December 2003. This took place after few months of secret negotiation with the United States. Libya had never possessed complete working nuclear weapon but it did have active chemical weapons program as well as several ballistic launchers. But Libya has eradicate these over to the United States (it does retain a small ballistic missile capability). Contrastingly Libya’s case is more relevant to state level but there is little information available on its structure of WMD that weakens the conclusion of Libya’s position on nuclear issue. This is expected the centralized as well as paranoid nature of Libyan government which is built wholly around the leadership of Muammar al-Qaddafi.

Seeking that in Libyan government, due to the obvious lack of institutional differences as in nuclear issues, the chief institutions and actors are of international level which included the Libyan government, the United States government, the International Atomic Energy Agency, and the United Nations. The actors and policies of the U.S. government is behind the renunciation of nuclear weapons by Libyan government. When Libya resolute to negotiate on this matter, neo-conservatives in the administration of George bush took more temperate approach towards the country when dealing with states such as Iran and Syria. This makes inevitable that the U.S. was keen to make concessions to the Libyan government in exchange for disarming (as opposed to the Bush Administration’s demands that Syria and Iran unilaterally renounce nuclear weapons), and this is the reason what allowed Libya to proceed with its disarmament plan. The factors that propel for Libya’s WMD programs were not much different from those of South Africa’s. The primary propelling factor
appears to be security; even though Qaddafi’s habitually conflicting statements on the subject make a definitive conclusion difficult to come by. However, Israel appears to be the main security concern for the Libyans at the time, as Qaddafi made repeated statements expressing his concern about Israel’s nuclear arsenal. The important factor that seems to play the chief role in the decision of Libya to abandon nuclear armament is security issues. The two prominent events behind this pronouncement were the invasion of Iraq in 2003 and the seizure of German cargo ship in the same year. The Iraq was invaded by the United States in response to rogue states that are involved in developing nuclear weapons. The US navy also seized a German cargo ship which was loaded with enriched uranium and hundreds of centrifuges in the Mediterranean Sea ahead for Tripoli in 2003. The source of the material loaded was not sure but it seems that the Qaddafi fears the risk of the US military response regarding seizure and secondly to curb the losses were the main reason behind. Prestige also seems a notable factor, as Qaddafi has gained an international honor for abandoning his program (again, much like South Africa).

The chances of regaining nuclear weapons are much lower in Libya as compared to South Africa because of the complete lack of nuclear industry as well as the means to produce nuclear weapons. Moreover the Libya has put much of its time and diplomacy to stabilize its relation with us by eliminating its arsenal. The lucidity that Libya had provided regarding the inspection of its WMD facilities and projectile weapons indicates clearly that the main interest of Libya is in returning to its international politics image rather than keeping nuclear arms. Barring the reversal of Libya’s interest in WMD policy, it continuous together the benefits of abandoning the program.

Successful Disarmament Treaties: START and INF

The investigation in the international agreement can been also done regarding the principal actors involved as well as many characteristics features can also undergone examination to calculate the effectiveness of nuclear arms control treaty. Perhaps the most successful of these treaties are the Intermediate Range Nuclear Forces (INF) treaty and the Strategic Arms Reduction Treaty (START I). The consequence of both the treaties is the curtailment of nuclear arsenals in the Soviet Union and America. These treaties known for its scope, the time of negotiation and lasting effects they have had on strategic policy of the United States and Russia in the years from the time when it was signed and sanctioned. The INF treaty has been one of the most effective treaties today and it becomes the only arms control treaty to ever eradicate an entire group of nuclear arms for the participants. As the name suggests, these were Intermediate Range Ballistic Missiles (IRBMs) and Ground-Launched Cruise Missiles (GLCMs). The very first thought for the establishment of treaty arises when the Russian SS-20 advanced IRBM was deployed in the theatre of Europe. When North Atlantic Treaty Organization (NATO) and Union of Soviet Socialist Republics (USSR) started expanding more advanced intermediate and shorter range weapons in the relevant field, both the parties came forward and the President Reagan and Premier Gorbachev signed an agreement to reduce INF and ultimately executed the elimination of INF in their countries. One of the other important distinctiveness of the treaty was its tremendously scrupulous in its verification techniques to make certain both sides dismantled their INF weapons. This invasive means of verification implemented by the treaty is one of the reasons for its success. These included not only remote inspection by satellite, but also on site inspections of relevant nuclear facilities. Comparative to START treaty, this treaty provides more scrutinies inspection regime and also encourages compliance and today also it is in full effectiveness. Strangely, the security is the main driver of the treaty. Both sides dreaded the augmentation of arms in the region enough to come to the table. To be entirely fair, the U.S. hedged its bets with the development of its Pershing I and II IRBMs and nuclear tipped GLCMs in Europe, but was equally interested in the disarmament talks. Although START I has not achieved that much success in the elimination of weapons like INF but it has much broader scope and it has still been a dramatic success, it condensed all its strategic nuclear warheads on each side to 6,000, with 1,600 strategic delivery systems which included Intercontinental Ballistic Missiles (ICBMs), Submarine Launched Ballistic Missiles (SLBMs), and strategic bombers. The treaty was endorsed in 1991, soon before the disintegration of the Soviet Union. Amusingly, the treaty was successfully multilateralised after the breakup of the Soviet Union, and all of the successor states acceded with the terms (including the total disarmament of Ukraine, Belarus, and Kazakhstan).

While it is unclear exactly how close Russia and the United States came to meeting START I’s guidelines, arsenals were significantly reduced, and as of 1996, both sides were ahead of their timetables on the elimination of their armaments. Additionally, the treaty was so flourishing that both the United States and Russia chose to persist abiding by its terms even after its termination in December 2009. Russia and United States replaced the former version of treaty by and signed NEW START TREATY in April 2010 which is reported to trim down nuclear armament to lowest level almost one fourth of the time of cold war. The long term consequences remain hidden but it could lead to new era of nuclear cooperation between the two states and apart from this, it also nullifies the inefficiency of START TREATY. As the propelling factors behind the START treaty are not clear but it is inferred that the factors behind this treaty are much similar to those of INF, since the treaties were negotiated simultaneously. This suggests that both sides began to view their nuclear arsenals as a security responsibility to a certain extent than an asset. This is additional evidenced by the absolute abolition of the nuclear arsenals in Ukraine, Belarus, and Kazakhstan. On the other
hand, a number of barriers exist to certain parts of its execution. In view of the fact that the treaty conceals the tactical weapons (which require significant and expensive infrastructure to deploy and maintain), some of the Soviet successor states have had issues in being accord with some of the more rigorous facility elimination requirements. Regardless of its various issues, it remains a very successful treaty and the gold standard for arms control treaties.

In order enhance the global security, the then President Barack Obama on 5th April 2009 delivered a speech in Prague to promote a nuclear-free world. In their support United Nations Security Council (UNSC) adopted Resolution 1887 and latter on the UNSC passed Resolution 1540 as a means of legally binding UN member states to prevent non-state actors from obtaining weapons of mass destruction. All of these efforts have complemented to make the NPT successful.

**Failures of the Nonproliferation Regime:**

In spite of these successes, there is a number of shortcomings with the NPT. The treaty was not designed to address non-state actors. Consequently, it fails to address threats from terrorist organizations and nuclear black markets. This would suggest that there are issues and violations with Articles I, II and VI of the NPT. There is a lack of provision since non-signatory states are not required to comply with the treaty, therefore the movement or theft of nuclear weapons could be achieved through any of the nine NWS.

In recent developments, the IAEA reported that Iran has assembled and delivered a nuclear reactor close to the western city of Iraq and is continuing with its nuclear advancements. This indicates there is a loophole in Article IV of the NPT since NNWS have the right to pursue nuclear energy for the purpose of generating power.

According to Stockholm International Peace Research Institute, the five legally recognized NWS (China, France, Russia, the UK, and US) appear determined to retain their nuclear weapons indefinitely. It is difficult to move towards nuclear disarmament if none of the five states are prepared to implement Article II of the second pillar of the NPT. The countries like North Korea, India and Pakistan were the few evident countries where there is sign of failure of NPT which are as given below:

- **North Korea**

  Questionably, inability to forbid North Korea to produce nuclear arms was one of the greatest failures of NPT because it is the only country to resign NPT later on and started indigenous nuclear program (culminating in an attempted test detonation) in total disobedience of the international community. Additionally there has been a lack of international reaction to this program during the administration of Clinton and bush. Thus the principal actors in this situation are international actors like the United States, North Korea, Russia, China, the UN, the IAEA, South Korea, and Japan. These actors played different roles in the evolution of North Korean nuclear issue with South Korea and Japan in the most threatened position by a confrontational, nuclear armed North Korea. United States, Russia and china played act as a peacekeepers although having different views on the crisis. Nevertheless, this is shifting. In mid-2009, in the period of nuclear test, Russia and china co-operate American criticism for the program and China (historically the strongest supporter of the DPRK on the UN Security Council) abducted the North Korean funds in Macao. Furthermore in 2008 it became more complicated to treat the North Korea as monolithic state due to the succession struggle in North Korea due to declining health of Jim Jong-II. This complication arises as more actors become appropriate in an impoverished, out-of-the-way, nuclear armed country with a history of aggression. In 1994, the North Korea planned to resign from NPT so as to begin the construction of nuclear reactors at Yongbyon. The chief source of nuclear material for Democratic People's Republic of Korea (DPRK) is the reprocessed spent nuclear fuel which is converted into plutonium. The technical assistance was provided from Pakistan through the A.Q. Khan’s network in the late 1990s. The ballistic missile inventory in North Korea was of major concern that can be fitted with nuclear warheads. These include Soviet designed Scud-Bs and –Cs, as well as indigenously designed Nodong and Taepodong missiles. On the other hand, the kind of nuclear warheads in their arsenal as well as the degree of its weaponization is not well informed till date. More over much greater concern than the nuclear assault by the DPRK (which would likely result in a devastating nuclear response from the United States) is the trading of its nuclear weapons and materials to overcomes financial crisis. All the sources indicate the security and economics as the prime drivers for the nuclear program in North Korea where the security reason dominates. North Korea initially described its “nuclear deterrent force” as a policy bargaining chip in 2003, and has over and over again claimed that it was developing nuclear arms for self defense and to defy U.S. sanctions and nuclear threats.

Obstinately, the intention behind Jim Jong II regarding the use of nuclear program seems to lapse the non aggression policy signed earlier with united states and as a result of growing Russian and Chinese exasperation with the short of predictability of the DPRK and its continued defiance of the international community, the situation gets worse. To enhance the economics, North Korea has paying more attention in using the program as a bargaining chip to have U.N. sanctions as well as to build cooperation with Japan and South Korea. North Korea marks a greater risk not only to its regional neighbors but also to the NPT regime. It also indicates a disturbing model of withdrawing NPT with no recourse but to accept the sanctions. It also encourages countries like Iran to establish its own nuclear arsenals and also become the platform for supplying disastrous material to...
other countries and even to the terrorists groups. Keeping this is mind; North Korea set a terrific example of great obstacle in the future of non proliferation depending on how this rising nuclear power is administered over the coming years.

- **India and Pakistan**

The cold war between India with Pakistan has been the topic of nuclear clash on the Indian subcontinent as both have declared their nuclear done in the late 1990s which is regarded as an example of nonproliferation disaster as of North Korea. Both India and Pakistan have not signed the NPT as India asserted it as biased and Pakistan would not sign if it is not signed first by India. Furthermore it also describes the lacuna in the commitment of existing nuclear states towards disarmament and the dismissal of the issue in the face of other political issues (such as the War on Terror). The in-house problems exist in Pakistan embodied an opportunity for terrorists and non state actors to steal nuclear arms which ultimately make the analysts to consider the Pakistan as a barrel of prime nuclear power. As the nuclear programs of both the countries are almost same, therefore both will be reviewed together.

Clearly, the two primary actors are India and Pakistan in this particular case and both are not monolithic countries as in India there exists many actors with different positions to put their views on nuclear issues. However in Pakistan the drive of nuclear power was more or less relies on the people of Pakistan. Still there are some actors in the country who were responsible for the development of nuclear arms. Dr. Abdul Qadeer Khan is one of the most notable of these, as he spearheaded the Pakistani nuclear weapons program from the scientific side.

Given the lack of the involvement of IAEA, the major international actors in the particular case of failure of non proliferation regime were the United States and United Nations. The united states were more responsible as they were lagging in the effective response to the growing nuclear issue during Clintons and bush administrations. Sanctions on both sides were light which were not able to accelerate the development of nuclear arms on both side.

The development of nuclear weapons on both sides dated back to the signing of NPT in 1968, with India as the catalyst. India begs to be excused to sign the NPT for the reason that it felt the treaty was biased and allowed the existing nuclear weapon states a monopoly. 1974 was the year when India tested its first peaceful nuclear explosives but even after this, India was not skilled enough to deliver nuclear arms until 1986-1988 as from May 11th to May 13th 1988, India practiced 5 nuclear test detonations. Then India became a fully nurtured state of nuclear weapon after developing ballistic missile types capable of delivering nuclear warheads.

On the other hand, in reaction to India’s denial to sign the NPT in 1970s, Pakistan had been developing its own nuclear program. Pakistan, in the beginning, has planned a nuclear test in 1977 in answer to the Indian 1974 test but later on it was cancelled. Then in 1983 and in 1988, Pakistan again conducted its first “cold test” and moreover Pakistan had a number of nuclear weapons constructed, but left disassembled.

In 1998, Pakistan got ready to take the challenge and tested at least two (possibly as many of six) nuclear weapons between May 28th and 30th which prevent Indian talks of military action in Kashmir. The factors that propelled conflict on both the sides are different. In case of India, the factors are arguable. As it seems that security issues are the major feature that results in conflict but in many cases, it is supposed that India does not have any major security pressure that would merit a nuclear arsenal, including China.

Additionally, the terrorism and rebel continuous to bloom in both the countries as there is always a risk of theft of nuclear weapon and black market sale. Awaiting both countries can connect each other peacefully and agree to dismantle their nuclear arms; both countries will remain grave liabilities to global nonproliferation.

### II. Conclusion

Although NPT has been successful in maintaining the overall international safety and security by reducing the nuclear arsenals, but there are certain flaws, which need to stride in order to make NPT regimes more strong. In order to make NPT more effective, IAEA need to modify its existing verification practices by performing inspections at undeclared locations and should keep an eagle eye on the states constructing new nuclear facilities to ensure that it is being used for peaceful purposes.

It is concluded that IAEA should draft an alternate safeguard agreements by coordinating with UNSC that would be irreversible and would restrict non-compliant states from withdrawing from the NPT if it is perceived as a threat to international security.

It is also concluded from the study that IAEA and UNSC are not enough to improve the success of the NPT but the governments of states need to support the NPT both at individual level as well as at international level.

### References


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