

# NPT SUCCESS AND THE HUMANITARIAN INITIATIVE

A range of initiatives is required to achieve a nuclear-weapon-free world

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- Underlying the challenges for the next five-yearly review conference of the Nuclear Non-Proliferation Treaty (NPT) in April and May 2015, which include lack of progress both on nuclear disarmament and the convening of a Middle East regional conference on a weapons of mass destruction (WMD)-free zone, NPT members have quite diverse priorities.
- The NPT needs to be preserved and strengthened, and the Review Conference provides an important opportunity to discuss effective measures, especially on nuclear disarmament.
- Regardless of what occurs during the review or on the (stalled) step-by-step approach to nuclear disarmament, other initiatives are necessary to achieve the nuclear-weapon-free world called for in the NPT's Article VI.
- A recent international initiative to focus attention on the humanitarian consequences of nuclear weapons complements the NPT's aims, although one of its prime strengths is that it is not contingent upon the consensus outcomes of NPT review cycles for permission or legitimacy.

## Introduction

The 1968 Nuclear Non-Proliferation Treaty (NPT) is widely regarded as a 'cornerstone' of international security. Historically, none of the NPT five-yearly review meetings have been easy, and some—most recently in 2005—failed to achieve agreed outcome documents at all. A consensus final outcome was achieved in 2010, however, on a detailed Action Plan for implementing the NPT, including its nuclear disarmament provisions.<sup>1</sup>

The 2015 Review Conference faces particular challenges. Among them are strong indications

that the five states recognized by the Treaty as 'nuclear weapon states' (China, France, the Russian Federation, the United Kingdom and the United States) will have little to show in terms of implementing the disarmament steps agreed in the consensus 2010 Action Plan.<sup>2</sup> If past form is any guide, these countries are likely to remind others that the Action Plan's obligations are political and not legal in strength, and argue that their failure to implement many of them to date does not conflict with their legal obligations under Article VI of the NPT to 'pursue negotiations

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in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control'.<sup>3</sup> This view of the NPT's nuclear disarmament obligation as an open-ended set of aspirations is unlikely to satisfy the many states that require concrete steps towards nuclear disarmament by the NPT nuclear-weapon states (which are referred to in this paper as the NPT5 to differentiate them from four nuclear-possessor states that are not members of the NPT<sup>4</sup>).

The security environment in which this year's Review Conference takes place is also unsettled. After lengthy negotiations, Iran, the United States and five other nations agreed on 2 April 2015 on an understanding limiting Iran's nuclear program for the next fifteen years, although they left several specific issues to a final agreement in June<sup>5</sup>—after the NPT review meeting has concluded. The turbulent situation in Ukraine has also added a new element to the mix of issues surrounding nuclear disarmament and non-proliferation. Conflict between that country, which renounced nuclear weapons in the 1990s, and its nuclear-armed neighbour has provided a salu-

tary reminder of the risks of use of these arms, yet led to some wistful thinking within Ukraine that perhaps it should have tried to retain nuclear weapons after the Cold War's end and subsequent break-up of the Soviet Union.<sup>6</sup>

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Without serious efforts to reduce the roles of nuclear weapons and radically reduce nuclear arsenals, it is difficult to strengthen the non-proliferation regime.

Opportunistically, others have used the Ukraine crisis to assert the merits of nuclear deterrence doctrines.<sup>7</sup> And Russian President Vladimir Putin reportedly said he was ready to put Russia's nuclear weapons on high alert during tensions over the crisis in Ukraine and Crimea.<sup>8</sup> This dangerously undermines the overall case for nuclear non-proliferation by re-asserting the supposed value of nuclear weapons. Without serious efforts to reduce the roles of nuclear weapons and radically reduce nuclear arsenals, it is difficult to strengthen the non-proliferation regime.<sup>9</sup>

## State of play

A question facing the 2015 NPT review meeting will be whether rolling over most or all of the unimplemented items of the 2010 Action Plan for at least another five years would be politically achievable (or advisable). In the best of situations (e.g. one in which the Action Plan was being comprehensively implemented) rolling over those elements not fully achieved would be necessary as a transitional arrangement. But in the absence of such progress or a firm timetable for it, the question arises whether the Action Plan has become another fig leaf for inaction.

NPT review outcome documents are packages of measures and political commitments that, in principle at least, reflect a balance of interests of most of the world's nations on a range of issues that include (but are not limited to) nuclear disarmament. Implementation of the NPT is reviewed under three pillars: non-proliferation, disarmament, and peaceful uses of nuclear technology.<sup>10</sup> It is difficult to draw bright lines in all cases be-

tween these review pillars because of perceived linkages between them. For example, some NPT non-nuclear-weapon states are reluctant to endorse or implement an IAEA Additional Protocol on nuclear safeguards.<sup>11</sup> In the absence of tangible disarmament progress they question why they should accept additional nuclear safeguards obligations for non-proliferation purposes.

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perceptions of imbalance or unfairness are a special problem for the NPT regime

Indeed perceptions of imbalance or unfairness are a special problem for the NPT regime as compared with the 1972 Bacteriological and Toxin Weapons Convention and the 1993 Chemical Weapons Convention, two other treaties that deal with WMD. A growing number of non-nuclear-weapon states interpret the NPT as discriminato-

ry because of its two categories of member state. On the one hand, there are the five countries that developed and tested these arms prior to 1 January 1967—the NPT5. On the other hand, there is everyone else—the non-nuclear-weapon states that in the ‘grand bargain’ of the treaty undertook never to receive, manufacture or otherwise acquire nuclear weapons based on a commitment by the possessing states to ultimately eliminate their nuclear arsenals.

While the distinction between the NPT5 and the non-nuclear-weapon states has existed since the NPT was negotiated, subsequent history has also played a role in these perceptions of imbalance and discrimination as something permanent rather than transitory. When agreed in the late 1960s, the NPT was a treaty of 25-years duration. In 1995, after difficult negotiations, consensus was found to extend the NPT indefinitely on the basis of a package of ‘Principles and Objectives’ to promote further nuclear disarmament steps and a resolution recognizing, in the context of the Middle East peace process, the need for a Middle East zone free of nuclear weapons and other WMD.<sup>12</sup> While it appears to have been universally understood that multilateral nuclear disarmament would be a delicate and lengthy process,<sup>13</sup> the inability of the NPT5 to achieve much in the way of further nuclear disarmament-related steps since 1995 has fuelled suspicions among non-nuclear-weapon states that the NPT5’s commitments to the goal of a nuclear-weapon-free world are lip service. Indeed, the Foreign Minister of Ireland, a state that played a significant role in initiating the NPT, recently observed that ‘Suggestions that there is an equivalence in relation to multilateral nuclear disarmament as compared with the other pillars of the NPT are not supported by the facts. On the contrary, the imbalance across the three pillars is increasing.’<sup>14</sup>

Twenty years after the 1995 review and indefinite extension of the NPT, all of the NPT5 continue to modernize their nuclear arsenals and these weapons remain a central component of each of their strategic doctrines. The practice of nuclear deterrence and the value accorded to nuclear weapons have remained relatively undisturbed even as absolute numbers have declined from the bloated arsenals of the Cold War.<sup>15</sup>

An additional factor is that of the Middle East, which as mentioned above, was the subject of a resolution in 1995 as part of the compromise on

which agreement was reached to extend the NPT indefinitely. It was agreed in 2010 at the last NPT Review Conference that a Middle East conference on a zone free of WMD would be convened.<sup>16</sup> The idea was that it would involve Israel (which is believed to possess nuclear weapons, and does not belong to the NPT). This conference, originally planned for 2012, was a priority for Arab states, especially Egypt. As of writing, it has not occurred.

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Overall, it makes for a difficult atmosphere for the 2015 NPT review meeting. Moreover, the situation raises several questions. One is whether the NPT’s member states (which comprise virtually the entire membership of the United Nations) can be persuaded or coerced to form a consensus in support of some sort of Review Conference outcome in a package that must capture agreements on a range of issues beside nuclear disarmament.

What reasonably constitutes success in the context of the Article VI nuclear disarmament obligation is a second question. It is not self-evident that achievement of a final outcome document by consensus (a common metric used by diplomats) can automatically be described as ‘success’ according to this criterion. Such an outcome could conceivably even harm the NPT regime if it is widely felt to be lacking in credibility in the absence of significant new progress on Article VI implementation, or real commitment to nuclear disarmament by all parties.

A third, related question is where the so-called humanitarian initiative fits into this picture.

## Success from which point-of-view?

To aid our analysis, let us ask what NPT success would look like from the perspectives of the two categories of state within the treaty regime; firstly, the nuclear-weapon states, and then the non-nuclear-weapon states. It should be noted that neither category can be considered a monolithic bloc, although as a starting point it permits comparison. We begin with the NPT5.

### THE NPT5

A revival of tensions and mistrust between the Russian Federation and other Western countries has led some to conclude that ‘These dynamics will certainly inhibit common action among the [NP]T-5’<sup>17</sup> at the 2015 NPT Review Conference. Nevertheless, the NPT5 continue to belong to a self-identified club despite their strategic differences. This extends to the NPT, in which its nuclear-weapon states see themselves as the preeminent stakeholders in the regime’s stewardship. Their joint statement on 6 February 2015 illustrated this. Despite listing their inability to achieve agreed steps in the 2010 Action Plan which, they insist, is the accepted ‘roadmap’ to nuclear disarmament, the NPT5 noted their progress on an initial draft of a nuclear weapons glossary, and said that ‘They looked forward to a consensual, balanced outcome to the 2015 Review Conference, which would do much to enhance the P5’s continuing efforts to strengthen the NPT.’<sup>18</sup>

Ritchie and others have argued that whatever Article VI of the NPT stipulates about nuclear disarmament, the NPT5 have interpreted the treaty as a whole

‘as providing a justifiable set of rules that restrict nuclear possession to a handful of states based on the legal codification of historical circumstance while denying the right of nuclear possession to all other states.’<sup>19</sup>

This assertion by the NPT5 of the apparent legitimacy of their possession of nuclear weapons has, to an extent, been tempered since 2000 by their ‘unequivocal undertaking’ to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. This undertaking was recorded in the agreed outcome of the NPT review meeting that year and was reiterated in the 2010 Action Plan. In the absence of concerted implementation of the Action Plan or of the 2000

outcome, the undertaking remains unfulfilled, serving to date little other purpose perhaps than to underline the NPT’s continuing dichotomy between the possessors and non-possessors of nuclear weapons.

A second component of the value of the treaty to the NPT5 is its constraining effect on the further spread of nuclear weapons to other states. This is not just normative or moral force: the NPT is instrumental for enforcing non-proliferation compliance in practical terms, up to and including military intervention in some cases. It is not a coincidence that the non-proliferation pillar is the one on which each of the NPT5, especially France, the United Kingdom and the United States, place most emphasis.

It follows that the NPT5 have a strong common interest in preserving the present hierarchy of priorities under the treaty. They give most emphasis to non-proliferation, access to nuclear technology for peaceful purposes that could be turned to hostile use is tightly controlled through safeguards, while nuclear disarmament is—like the football Lucy holds for Charlie Brown in the *Peanuts* cartoons—largely a prospect that does not connect often with the football boot of reality. In other words, nuclear disarmament is, rhetorically, a desirable ultimate end-state, but one continually deferred (whether, for instance, by reason of procedural obstacles or difficult geopolitics). Military alliances such as NATO can be seen as elements of this system of control due to security assurances based on nuclear deterrence. Such alliances enfold a select group of NPT non-nuclear-weapon states into a strategic outlook favouring non-proliferation discourse, and act as a disincentive to abandoning reliance on nuclear weapons and thus to the total elimination of these arms.

In terms of a 2015 Review Conference outcome, it means that the NPT5 are, as in previous review meetings, most interested in nuclear non-proliferation obligations that serve their individual and collective interests (for instance, by which the feet of alleged or suspected transgressors such as Iran can be held to the fire). Each of the NPT5 also keeps a watchful eye on safeguards and peaceful uses issues for non-proliferation reasons and, to varying extents, with a view to their roles as exporters of nuclear technology for prestige and profit. While no doubt the NPT5 do share ‘a broad



sense of obligation to the [nuclear disarmament] process'<sup>20</sup>, they will not agree to time-bound commitments on nuclear weapons elimination or measures that undermine the legitimacy of their own continued possession of nuclear weapons. Nor are the three Western NPT5 alone in this: as mentioned above, a number of states depend on their 'nuclear security umbrellas', and currently share a strong interest in such outcomes too.<sup>21</sup>

## THE NON-NUCLEAR-WEAPON STATES

If the NPT5 can be described as strategic rivals with common interests, historically they have been better coordinated and more agile in review cycle settings than the vast majority of the NPT's membership, the non-nuclear-weapon states.<sup>22</sup> This mass of countries has interests in the disarmament discourse that are, in practice, not always shared. It means that there is no simple answer to the question of what the non-nuclear-weapon-states would regard as an NPT success.

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As mentioned above, some states—like those in NATO, Australia, Canada, Japan and South Korea—depend on nuclear weapons for their security. Several of these so-called nuclear umbrella states are outspoken on nuclear disarmament matters, especially when additional justifications such as preventing the diversion of fissile materials or/and anti-terrorism can be invoked. In certain cases this has served to underline a dichotomy illustrated by Australian Foreign Minister Julie Bishop, who wrote in 2014 that 'the stark reality today remains that as long as nuclear weapons exist, many countries will continue to rely on nuclear deterrence', including Australia.<sup>23</sup>

It means that, like the NPT5, a successful review outcome for the nuclear umbrella states would likely be one that preserves the sanctity of the nuclear non-proliferation regime, does not rock the boat too much as far as their security arrangements are concerned, and puts them in appropriate diplomatic company. To put it another way, nuclear disarmament progress is desirable, but not at the cost of disruption of the current

order. (Recent evidence of the increased risks of nuclear weapon detonations—and the humanitarian consequences—has not to date changed this equation, but may yet prove unsettling.) A priority for this group is achievement of a consensus procedural outcome, even if it is weak in nuclear disarmament terms; they are probably not alone among the non-nuclear-weapon states in this view.

The greatest proportion of non-nuclear-weapon states belongs to the Non-Aligned Movement (NAM). Its collective calls for nuclear disarmament have been a consistent feature since its formal foundation in 1961, although the NAM encapsulates a broad spectrum of views as Potter and Mukhatzhanova showed in their study on its nuclear politics. Past NPT review meetings have shown that

'As most NAM members have little interest in or expertise on highly technical matters and possess little institutional capacity to engage effectively in nuclear negotiations, a small number of NAM states can disproportionately influence NAM positions on these issues. These same states tend to have vested interests in the nuclear sphere and hold more extreme positions on crucial nuclear issues than the majority of NAM members.'<sup>24</sup>

Thus, in deal making at the 2010 NPT Review Conference, Egypt played a particularly active role in negotiations on the Middle East without which a final compromise outcome would probably not have been achieved. On the flip side, NAM members and observers have been the keenest critics of the perceived discriminatory nature of the NPT regime, a matter of special sensitivity to some post-colonial states of the global South. Their growing resentment may make a deal similar to that of 2010 more difficult to achieve at the 2015 NPT review meeting, in which Middle East issues are again expected to be prominent. However, as shown by the obstacles over the last five years to holding a conference on a Middle East WMD-free zone, the ability of concerned states to deliver Israel's participation currently appears to be very limited.

There are also a number of coalitions or groupings of non-nuclear-weapon states that are, or have been in recent times, active, and which 'perform various roles in the NPT review process. Some groupings are regional in nature, others are characterized by a common language or political perspective, and still others are defined by

the weapons they possess or their commitment to their elimination.<sup>25</sup> In their analysis of active coalitions, Potter and Mukhatzhanova noted three: the Vienna Group of 10, which has played a significant role over 35 years on safeguards-related issues, the cross-regional and nuclear disarmament-focused New Agenda Coalition (NAC) that played a major role in the 2000 Review Conference in building bridges between the NPT5 and the NAM, and the relatively recent emergence of the Non-Proliferation and Disarmament Initiative (NPDI). It is noteworthy that the NPDI, which is at its core largely composed of nuclear-

umbrella states<sup>26</sup>, has sought to cultivate a role for itself as a bridge between the NPT5 and the non-nuclear-weapon states. It is not clear whether this is how either the NPT5 or the majority of non-nuclear-weapon states see the NPDI.

This already indicates that there are contrasting possible views about what would constitute success at the 2015 NPT review meeting among the non-nuclear-weapon states. Nuclear disarmament and dissatisfaction with the current lack of implementation of the 2010 Action Plan is likely to be near the heart of any difficulty, and any deal will need to take account of this.

## Humanitarian initiative: prospects for progress

It seems unlikely on balance that a wholesale ‘rolling-over’ of the 2010 Action Plan is going to be a sufficient basis for consensus for a final outcome document at the 2015 NPT Review Conference—at least not without considerable struggle. This is not simply because of NAM politics but for at least two other reasons. The first is, as already discussed, because of widening skepticism about the intentions of the NPT5 to implement the disarmament provisions of previous agreements including the 2010 Action Plan. The second is due to emergent international initiatives motivated by concern about the consequences of nuclear weapon use such as the series of humanitarian conferences in Oslo, Nayarit and Vienna from 2013.

The three humanitarian conferences have contributed to a sense among many states that new forms of collective action are needed to reduce the inevitable risks of nuclear violence associated with nuclear weapons in any hands. In this regard, the United States, United Kingdom and several of their allies made the case at the most recent humanitarian impacts conference in Vienna in December 2014 that the sequence of steps set out in the 2010 Action Plan roadmap remains the only feasible option for nuclear disarmament progress and that other approaches could undermine the NPT (see Nick Ritchie’s paper in this series). Set against this, a number of the 158 states present not only voiced concerns about the unacceptable humanitarian consequences of any use of nuclear weapons and the lack of tangible results from the step-by-step process the NPT5 endorse, they increasingly signaled their openness to crea-

tive approaches beyond the deadlocked existing multilateral disarmament machinery.

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it begs the question of whether the non-nuclear-weapon states should remain passengers—hostages, even—in the NPT process, or whether they should be more proactively focused on what they themselves can do

In what could be described as a case of ‘shooting the messenger’ the NPT5 have been critical of the humanitarian conferences and various joint-statements on humanitarian issues. They have accused these initiatives of detracting from the NPT, when they are in fact linked to widespread concern that the NPT ‘grand bargain’ is endangered because of inaction on nuclear disarmament.<sup>27</sup> In this respect, the 2015 NPT review conference offers the next substantial opportunity for discussion about what to do about the current impasse and how to meaningfully address the widening view that nuclear weapons are unacceptable weapons in any context because of the appalling humanitarian consequences of a nuclear conflict. In particular, the NAC appears to have captured the imagination of many other non-nuclear-weapon states and civil society with a working paper submitted to the 2014 NPT preparatory meeting (and to appear in updated form

at the review meeting) on possible options for implementing Article VI (see Tim Caughley's paper in this series).<sup>28</sup>

It is not likely that consensus agreement will be found on any of the options in the NAC working paper or its successors at the NPT Review Conference in view of the resistance of the NPT5 to any but the stalled step-by-step approach. And so it begs the question of whether the non-nuclear-weapon states should remain passengers—hostages, even—in the NPT process, or whether they should be more proactively focused on what they themselves can do collectively to build momentum toward nuclear disarmament progress in the longer term. Such empowerment of the non-nuclear-weapon states supports a step-by-step process towards nuclear disarmament (though not necessarily *the* step-by-step process as defined by the NPT5) because it could bring about new initiatives that change conditions and make further disarmament steps more likely.

It is useful here to differentiate between procedural and substantive success at the Review Conference:

- A consensus outcome document that fails to address core issues and papers over deep political cracks until the 2020 Review Conference could be framed by some as a procedural success (that is; the meeting was safely navigated) but a substantive failure (no meaningful progress on core issues).
- A substantive success could be defined as constructive discussions on a variety of difficult and contentious issues that generates some new thinking (as well as inevitably cementing some existing divisions), particularly on progress towards Article VI.
- A procedural *and* substantive success would require productive dialogue, compromise and credible political commitment to realize measurable and achievable actions agreed in some form of final outcome document.

There is not space here for an in-depth discussion of different options for creating more propitious conditions for nuclear disarmament (for that, see the other papers in this series). However, it is worth mentioning Austria's December 2014 national pledge.<sup>29</sup> Austria's hosting of the Vienna conference on the humanitarian impact

of nuclear weapons was the culmination of three big-tent-style gatherings that have expanded the evidence base and raised awareness about the humanitarian consequences of nuclear weapons in an inclusive way. This process of weighing of the evidence led Austria to conclude that it is anomalous for a legal gap to remain unfilled for nuclear weapons when other categories of WMD are prohibited.

Austria's national response to the findings of the three humanitarian conferences via its pledge is compatible in substance with (although not the same as) civil society campaigners' calls for a treaty banning nuclear weapons. The notion of a ban treaty builds upon recognition that in a number of important disarmament cases like the elimination of biological and chemical weapons and anti-personnel mines and cluster munitions, prohibition has preceded elimination.<sup>30</sup> Moreover, a growing number of states are associating themselves with the Austrian pledge in the lead-up to the NPT review meeting—although the United States appears to have warned NATO non-nuclear-weapon states and other allies not to do so.<sup>31</sup>

This suggests that the NPT5 instinctively resist the idea of filling the legal gap on any terms that are not strictly their own. The ban treaty's proponents acknowledge that the NPT nuclear-weapon states are currently unlikely to join such a process to negotiate a legally binding instrument.<sup>32</sup> But nuclear-weapon-dependent states of most kinds would find it difficult to ignore such a new treaty, intended to undercut the legitimacy over the longer run of possession of nuclear weapons by *anyone*—in a way that the NPT has palpably failed to do. It is thus not really credible to insist that such a notion detracts from NPT goals or implementation.

Arguably a ban treaty would also help to solve a problem for proponents of a Nuclear Weapons Convention (NWC), a more comprehensive agreement that contains a timetable and arrangements, including verification, for the elimination of all nuclear weapons. That problem is how to get such a NWC negotiation process going in the first place. Even with the backing of the United Nations Secretary-General,<sup>33</sup> the NWC idea is not supported by any of the nuclear-weapon-possessors. It might do so, however, in a changed context in which nuclear weapons are substantially delegitimized.

## Conclusions

This paper has sought to examine three linked questions:

1. Can NPT member states reach consensus on a Review Conference outcome that adequately addresses a diverse range of interests and priorities?
2. What, reasonably, constitutes success at the Review Conference in the context of the Article VI nuclear disarmament obligation?
3. How will the humanitarian initiative affect the Review Conference?

On the first, time will tell: while it seems possible that all of the NPT's member states could be persuaded or coerced to join a consensus in support of a Review Conference package, such a course could end up further undermining the health of the treaty regime if it is not linked in a credible way to action by the NPT5 and their allies on nuclear disarmament. Without this, the notion of rolling over the 2010 Action Plan on nuclear disarmament in similar form merely indicates its failure to date. Continued failure inevitably invites widening skepticism and so could erode faith in the NPT's original 'grand bargain'—with a fracturing of the regime or its steady disintegration as a result.<sup>34</sup>

On the second question, this paper has shown that success means different things given the differing interests of the NPT5 (and in some cases, allies under their nuclear umbrellas) versus the large majority of non-nuclear-weapon states party to the Treaty. To the former, it means maintenance of the NPT regime in more or less its current form, taking into account some minor concessions or need to update it to reflect contemporary developments, confirmed through a consensus final document. In contrast, for many of the non-nuclear-weapon states and civil society activists, substantive success in nuclear disarmament necessitates a significant change away from the status quo. This tension was managed in 2010 in a manner that was not entirely transparent to outsiders, and some NAM countries in particular were surprised when a final outcome document emerged that gave considerable ground on some of their positions of principle on disarmament.<sup>35</sup> It is unclear whether this could happen again in

2015—or whether those countries would allow it to this time.

In view of diplomatic conditions and the procedural constraints of Review Conferences, a significant change away from the NPT status quo is not likely this May. Faced with a weak outcome in substantive terms or—alternatively—attempts to blame them for failure, many non-nuclear-weapon states may be inclined to accept the former and look elsewhere for opportunities for progress. Meanwhile, behind the rhetoric of both supporters and detractors of the humanitarian consequences conference process, this approach has provided a cross-regional and constructive way to channel concerns and growing frustration about nuclear disarmament inaction. The avowed aim of the countries that have hosted such international meetings has been to strengthen disarmament and non-proliferation, not to weaken it. Having now examined the risks and consequences of nuclear weapons, this initiative has put the question of what to do about it front-and-centre.

Among its effects, the humanitarian conferences initiative has also sharpened the focus on the deadlocked multilateral disarmament machinery, including the fact that the NPT regime itself cannot negotiate nuclear disarmament treaties and is under great strain. The first choice of much of the international community traditionally has been the 65-member Conference on Disarmament (CD) in Geneva. But, approaching almost two decades of deadlock over its programme of work and now stagnant, the reality is that the CD's dysfunction has contributed to the strain on the NPT regime. Relieving this stress—in effect strengthening the NPT—may lie in processes initiated by non-nuclear-weapon states outside the review cycle, and not within it, to create more propitious conditions for nuclear disarmament. This is a difficult conversation to have without accusations from those with the most interest in the status quo that those bringing forth proposals intended to help the NPT are instead undermining it. In that regard, one of the strengths of the humanitarian initiative is that while it complements efforts to strengthen the NPT, it is not contingent upon the consensus outcomes of Treaty review cycles for permission or legitimacy.



## Endnotes

- 1 2010 NPT Review Conference Action Plan: <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2010/2010NPTActionPlan.pdf>.
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- 7 For instance, on 19 February 2015, French President François Hollande said, 'The [nuclear] deterrent also enables us to maintain our freedom of action and decision under all circumstances, because it enables me to prevent any threat of blackmail by another state aimed at paralyzing us: <http://basedoc.diplomatie.gouv.fr/vues/Kiosque/FranceDiplomatie/kiosque.php?fichier=baen2015-02-23.html>.
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- 11 Notably, Brazil, Egypt, Syria and Venezuela. In the Western Group, Argentina has also not commenced negotiations on an additional nuclear safeguards protocol with the International Atomic Energy Agency.
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