NPT Turns 50: Will It Get to 60?

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This year marks the 50th anniversary of the Nuclear Nonproliferation Treaty (NPT) and the tenth five-year review of its status at the UN. It is one of the few treaties to enjoy almost universal adherence (150 states are members). Its supporters already are talking about the treaty’s next half-century.

But will it see out the next decade? There’s plenty to argue it won’t.

North Korea (no longer a member) has the bomb and Iran has long been on the verge. But compared to other urgent worries — such as cyber terrorism, global warming, and Islamic extremism — nuclear proliferation today is so old and familiar, it hardly seems urgent. If states were going to proliferate massively or use nuclear weapons again, this surely would have happened by now. But it hasn’t. The NPT, in part, may be responsible. That said, it can be argued that the Treaty has done all the good it might and America’s declining cache of diplomatic capital would be best spent on more urgent concerns.

Then, there’s the complaint that the NPT is no longer the best way to achieve its grandest promise — to get the recognized nuclear-armed powers — America, Russia, China, France, and the United Kingdom— to eliminate their nuclear arsenals. China is building up its nuclear arsenal and the US and Russia are upgrading theirs. The NPT formally grandfathers them and they are permanent members of the United Nations Security Council. Meanwhile, the number of nuclear-armed states legally outside of the treaty has grown since 1970 from zero to four (Israel, Pakistan, India, and North Korea). About this, the treaty and its supporters have said relatively little. These inconsistencies are significant. In recognition of them, a new treaty on the prohibition of nuclear weapons was proposed in 2017. It now has 80 state signatories. Might the NPT’s best days be behind it?

Perhaps but the most profound reason to worry about the treaty’s future cuts in a very different direction. In the next decade, it is all too likely that the NPT’s past success in preventing the further spread of nuclear weapons among the world’s nations — will be reversed.

What makes dramatically more proliferation likely-- three trends that have received too little attention.

First, is the decay of nuclear taboos. Long relied upon by anti-nuclear weapons groups in states, like Japan, as a legal-political barrier to nuclear weapons acquisition, the NPT has become a poster child for such decay. In 2005, the Bush Administration announced it would share nuclear
technology and uranium fuel with India in violation of the NPT’s prohibition on such commerce and the world mostly went along.

Last year, Saudi Crown Prince Mohammed Bin Salaman publicly announced in a 60 Minutes interview that Saudi Arabia, a member of the NPT, would immediately get nuclear weapons if he thought Iran was developing them. Not long thereafter, South Korean legislators, anxious that the US might reduce troop levels there, called on their government to develop options to make nuclear weapons. South Korea is a member of the NPT.

Iran has also threatened to withdraw from the treaty. But if Tehran does, so too would Saudi Arabia, Turkey, and Egypt and Algeria, and the UAE might later follow suit. All of these states, but the UAE, insist they have an “inalienable” right to enrich uranium and to recycle plutonium — activities that can bring states within weeks of acquiring nuclear weapons.

Perhaps because of Iran’s threat to pull out, Turkish President Recep Erdogan complained that it was “unacceptable” that Turkey¹ could not have nuclear weapons. At the United Nations Security Council, he went much further, though, making the case that the NPT regime of five recognized nuclear-armed states — the US, Russia, China, the UK, France was illegitimate. There are more than five important states, he explained and said either no one should have nuclear weapons or all states should be free to acquire them. His comments were met with applause.

Second, and arguably worse, renewed vertical proliferation is threatening to fuel the bomb’s spread. Combine possible Middle Eastern withdrawals with continued Russian, Chinese and North Korean nuclear weapons force build-ups with fraying US security ties with its East Asian allies — South Korea and Japan — and you have the ingredients for additional withdrawals by Seoul and Tokyo, and, in short order, the NPT’s collapse. After a Japanese withdrawal, an Australian nuclear weapons program, as well as programs in Vietnam and Indonesia, additional programs in Brazil, Argentina, South Africa, and even Germany, would seem reasonable.

Third, there’s more on tap technically than ever before to fuel these nuclear breakouts and ramp-ups. Detailed nuclear weapons design information, that once was scarce, now — after publication of Saddam’s designs by the IAEA, AQ Khan’s shopping of China’s implosion device, Iran’s pilfering of US and Russian design information, and the natural leakage of a 75-year old technology—is relatively plentiful.

Meanwhile, surplus stockpiles of nuclear weapons explosives (separated plutonium and enriched uranium), which were nonexistent a half-century ago, now are measured in thousands of bombs’ worth of plutonium and highly enriched uranium in Japan, India, China, the US, Russia, France, and the UK. These surpluses took decades to acquire. Converting them into thousands of weapons, though, would take less time than it took the US to acquire its first nuclear explosive.

Compounding this prospect are states’ increasing capabilities to produce massive amounts of enriched uranium and separated plutonium. Japan plans in 2021 to open a large reprocessing plant at Rokkasho that could produce over 1,500 bombs’ worth of plutonium a year (i.e., roughly as many potential bombs as the United States has in its entire deployed force). Japan is also completing a uranium enrichment plant that could annually produce approximately an additional 500 bombs’ worth of highly enriched uranium.

China is doing even more. It’s planning on adding enough enrichment capacity to its “peaceful” nuclear program to meet all of its domestic civilian reactor requirements and still have enough in surplus to produce more than 1,000 bombs’ worth of weapons uranium a year. Beijing also is building enough reprocessing capacity to produce 2.5 tons of nuclear explosive plutonium — enough for 500 weapons a year — and finalizing a deal with France to import a plant that would produce over 1,500 additional bombs’ worth of nuclear explosive plutonium annually. India, which is completing a fast reactor that can make scores of bombs’ worth of weapons-grade plutonium, also has a new, large uranium enrichment plant that will significantly increase its ability to make weapons-grade uranium.

Fortifying these nuclear proliferation trends is US, Russian, Chinese, Japanese, South Korean, and Indian enthusiasm for “advanced” reactors, most of which demand the recycling of plutonium and the enrichment of uranium to nearly 20 percent. South Korea, Japan, and India are eager to pursue these “peaceful” activities in collaboration with the United States. China and Russia are building and operating fast reactors and spent fuel recycling plants and have plans to build more. None of these activities are economical. All are super useful for making bombs.

Individually, each of these trends is hardly fatal. Together, however, they threaten a nuclearized world without precedent. Instead of it taking years (decades) to ramp up nuclear arsenals to hundreds or thousands of warheads, nuclear weapons states would be able to do so in less than 12 to 36 months. Meanwhile, would-be nuclear states, such as Japan and South Korea, could acquire not one or ten, but scores to hundreds within the same time period.

What happens after such large nuclear ramp-ups or breakouts occur is anyone’s guess. History offers no guide for such pronounced proliferation: The last 75 years has only seen nine states acquire nuclear arms and it took each decades to acquire the arsenals they currently hold. All this would change. Such hyper-proliferation, in turn, is likely to occasion a significant revamping of nuclear weapons use doctrines. China and India are all moving toward early or first use. Russia, NATO, and Pakistan are already there.

Aggravating these temptations to acquire and use nuclear weapons is the centrifugal diplomatic forces further nuclear proliferation would release. If any of America’s close friends or allies--

Japan, South Korea, Saudi Arabia, Egypt, the UAE, Turkey, or Australia — went for the bomb, it would stress and loosen existing US alliances. In this context, further nuclear proliferation and first use would become more intense and likely than at any time since the fall of the Berlin Wall.

Are these trends facts? Not yet. Can we push them further to our future’s backstage? Perhaps. Three measures could help.

First, make further withdrawals from the NPT less attractive. Second, clamp down on the uneconomical stockpiling and civilian use of nuclear weapons explosives (plutonium and highly enriched uranium) and the means to make these explosive materials. Third, give meaning to efforts limiting the threats existing nuclear weapons pose.

Regarding NPT withdrawals, the United States and its allies have only dealt with one case to date—North Korea. What Washington and others did, in this case, is the model of what not to follow. In this instance, the United States did nothing to deter North Korea from withdrawing even though it had a decade of formal warning. The International Atomic Energy Agency (IAEA) first found North Korea to be in noncompliance with its safeguards agreement in 1993 and reported this to the United Nations Security Council. The UN, however, only took hortatory action. When Pyongyang finally followed through early in 2003 on its announced intent to withdraw that it first made a decade before, the United Nations Security Council decided to “study” the matter.

In this vacuum of inaction, North Korea was able to expel IAEA inspectors from their country. Legally, implementation of Pyongyang’s original comprehensive nuclear safeguards agreement with the IAEA was tied to its adherence to the NPT. Once Pyongyang withdrew, North Korea was free from international nuclear inspections. As for sanctioning North Korea’s nuclear activities, the United Nations only did so three years after Pyongyang withdrew from the NPT and only sanctioned it after Pyongyang exploded its first nuclear weapon in 2006.

If the United States and other like-minded nations want to block more states from withdrawing as North Korea did, they must announce now what they will do before any state withdraws or acquires a bomb. In this regard, Pierre Goldschmidt, a former deputy director of the IAEA for safeguards, has several useful suggestions. First, the UN should agree now to authorize temporary expanded inspections authority to the IAEA and demand a subsequent shutdown of any enrichment or reprocessing plants upon an IAEA request for such authority to the UN Security Council to deal with a noncompliant state. Passing such a country-neutral UN resolution now, alone might deter future noncompliance (think Iran).

Second, the IAEA and all nuclear supplier states should insist that non-weapons states that receive nuclear assistance, and are inspected, place all of their civilian nuclear materials and

activities under IAEA inspections in perpetuity. This would assure that if any state decided to withdraw from the NPT, all of their civilian nuclear holdings and plants would remain under IAEA supervision.

Finally, Goldschmidt recommends the UN adopt a country-neutral resolution stating the Security Council will consider it to be a “threat to international peace and security” for any state to withdraw from the NPT if it is found to be in noncompliance with its IAEA safeguards agreement. This resolution should further stipulate that the IAEA should seal all nuclear equipment and materials subject to IAEA safeguards in the withdrawing state and remove these materials and plants as soon as practical.

If the state refuses to comply, the UN should ban all military cooperation with that state. In support of this resolution, the permanent members of the UN Security Council should also make a political announcement in advance stating that all of them consider NPT withdrawals to be such a severe threat to international peace and security that none of them would exercise their right to veto a sanctions resolution if four other Security Council members supported it.

Getting such UN resolutions approved and having US sanctions laws align with them would go a long way to deter future NPT withdrawals. To push the threat of NPT withdrawals back further, however, will require limiting “peaceful” stocks of enriched uranium and separated plutonium and the means to make them. Given the negative economics of using plutonium as a civilian fuel, civilian reprocessing of spent fuel should be placed on hold. The United States, Germany, and the United Kingdom no longer reprocess; Japan, China, France, India, and Russia should stop as well. As a first step, the United States, China, Japan, and South Korea should agree to a moratorium on such civilian activities. Each have plans to proceed, all have military reasons to fear one another. As for uranium enrichment, global capacity currently exceeds civilian demand significantly. It should be frozen until civilian demand approaches supply, as was previously proposed by the IAEA.

More generally, the NPT’s pledge of providing civilian nuclear technology as a quid pro quo for nuclear inspections should be reconsidered. This NPT principle is rooted in a mistaken, outdated enthusiasm for nuclear power, which once was thought to be essential to “make the deserts bloom” and would be “too cheap to meter.” That was what engineers and economists thought back in the 1950s and 1960s.

These assumptions, however, have been mugged by reality. Nuclear reactors now are too expensive to compete with many nonnuclear alternatives and — as the North Korean, Indian, Iranian cases so clearly demonstrate — are nuclear bomb starter kits. If the NPT is to have a future, nuclear supplier states should consider offering less dangerous, more economical forms of energy, including advanced natural gas-fired plants, renewables, and electrical storage systems in the place of nuclear power.

Finally, the United States needs to develop a more convincing narrative about how it plans to limit existing nuclear weapons threats. It is difficult to persuade others to forgo going nuclear with weapons, if you are going more nuclear with weapons yourself. Article 6 of the NPT calls on the United States, Russia, China, France, and the UK to “pursue negotiations in good faith on
effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.” Failure to demonstrate progress on this front has arms control critics calling on the world’s nations to “ditch” the NPT. President Erdogan’s recent criticisms of the treaty certainly at the UN General Assembly focused on this point (and his pitch received with warm applause). The US, Russia, and China, meanwhile, are investing heavily in modernizing or (in China’s case) expanding their arsenals. This trend is unlikely to change very soon.

What can be altered, however, is these states’ arms control ambitions. The United States currently seems more focused on explaining why it should abandon existing arms control (the INF Treaty, New START, Open Skies, etc.) than in proposing or negotiating a new, major arms control agreement it favors. Russia, meanwhile, is all for extending existing agreements but is hardly very ambitious beyond this. Finally, China seems to be in denial that it should be involved in any arms control negotiations at all.

The United States with its allies can and should change this. This will not be easy. For one thing, America’s relative military and diplomatic capital right now is stretched thin. But Washington should make it clear that this will change—in a matter of a few years—and that engaging in fair negotiations on this front now is ultimately in everyone’s interest.

To help make this case, America’s military modernization efforts should be tailored to this purpose. They should be designed to diminish, rather than enhance the value of relying more heavily on nuclear arms for our security. In particular, the United States should invest in advanced conventional capabilities in which it has a comparative advantage—including space-based systems, advanced precision weaponry, and submersible technologies. Building up these capabilities should encourage the PRC and Russia to invest in nonnuclear naval, air, and missile systems that are defensive rather than offensive. This, in turn, should make nuclear restraints and other strategic arms limits easier to reach both in East Asia and Europe.

This last point brings us to a larger requirement: The United States must update the way it views nuclear proliferation threats. At a minimum, it needs to recognize that our nuclear woes can no longer be resolved if it continues to view them as it did a half-century ago during the Cold War. Then, the United States and its allies had a military and diplomatic narrative for reducing nuclear threats. This is what we need today. However, pushing bi-polar nuclear and military “balances,” bilateral super arms control summits, and “peaceful” global nuclear-powered development agendas are no longer reliable paths to peace.

During the Cold War, we could afford to react to strategic developments even after they occurred. Waiting to shape policies until a state’s violation of its international obligations was proven made sense when the United State and its allies merely wanted to stay ahead of the Soviet Union in strategic weaponry. Today, this is no longer sufficient. Now, our aim must be not just to stay ahead, but to discourage states from acquiring strategic weaponry.

To accomplish this, our government cannot wait to react to other states’ successful strategic weapons tests or deployments. Instead, it needs to identify proliferated futures for specific regions and countries that we want to avoid and happy endings we wish to secure. It is against these alternative futures, Washington and its allies must plan.
What does this mean operationally? At a minimum, the US Defense Department must offer a clearer description of these futures in its own threat assessments and guidance documents. These narratives, in turn, should drive more of the Intelligence Community’s development of its National Intelligence Topics and priorities, and routine interactions with mid- and senior-level policy makers.

This effort must be normative in character, aimed at where Washington wants to get to rather than merely passive analysis. The fruits of and progress in institutionalizing this collaboration (perhaps in the National Counterproliferation Center, a revitalized Strategic Assessment Group, or similar body) should, in turn, be a topic for Congressional oversight by the intelligence, foreign affairs, military, and nuclear proliferation-related committees. 5

All of this will place a particular burden on the Intelligence Community. As alliances shift, new coalitions form. Previous allies and long-term rivals seek new or expanded nuclear weapons capabilities, intelligence collection and analysis will need to be broadened. Intelligence will have to be gathered and assessed not just on our adversaries, but our friends and emerging trends that could alter current alignments.

Finally, for nonproliferation to have any future, the United States, its allies, and its adversaries must be convinced that living under country-neutral rules serves their interests more than living in a global wild-wild West. That, in turn, will require national military and diplomatic efforts tailored to this purpose — a project that was once familiar but now is all too novel.

Assuming these steps are taken, the NPT could well survive and thrive for another half-century. If not, the NPT will simply be pushed to the margins of history along with the Kellogg Briand Pact, which famously banned war a decade before the globe was engulfed in the most destructive war in recorded history.