

# The International Non-Proliferation & Disarmament Regime

## Key treaties, resolutions, and bodies



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This fact sheet serves as a brief introduction to the principal treaties, resolutions and institutions that make up the complex and sometimes confusing web of the nuclear non-proliferation regime.

### Treaties and Key Resolutions

## The NPT

The Nuclear Non-Proliferation Treaty is often described as the cornerstone of the whole regime, and is the only legal commitment that binds signatories to the principle of nuclear disarmament. The treaty contains three main pillars: non-proliferation, disarmament, and the peaceful uses of nuclear energy, often interpreted as the core bargain of the regime, and an implicit recognition that non-proliferation depends upon the commitment to disarmament and the availability of technology for civil nuclear power.<sup>1</sup> Under the pillar of non-proliferation, non-nuclear weapon states (NNWS) parties agree not to acquire nuclear weapons and nuclear weapon states (NWS) pledge not to transfer nuclear weapons to anyone, or assist NNWS in their development.<sup>2</sup>

The disarmament pillar calls on all states parties to negotiate in good faith and

to achieve nuclear disarmament and general and complete disarmament.<sup>3</sup> The NPT recognizes the rights of all states to develop nuclear energy for peaceful purposes.<sup>4</sup>

### This briefing covers:

#### Treaties and Key Resolutions

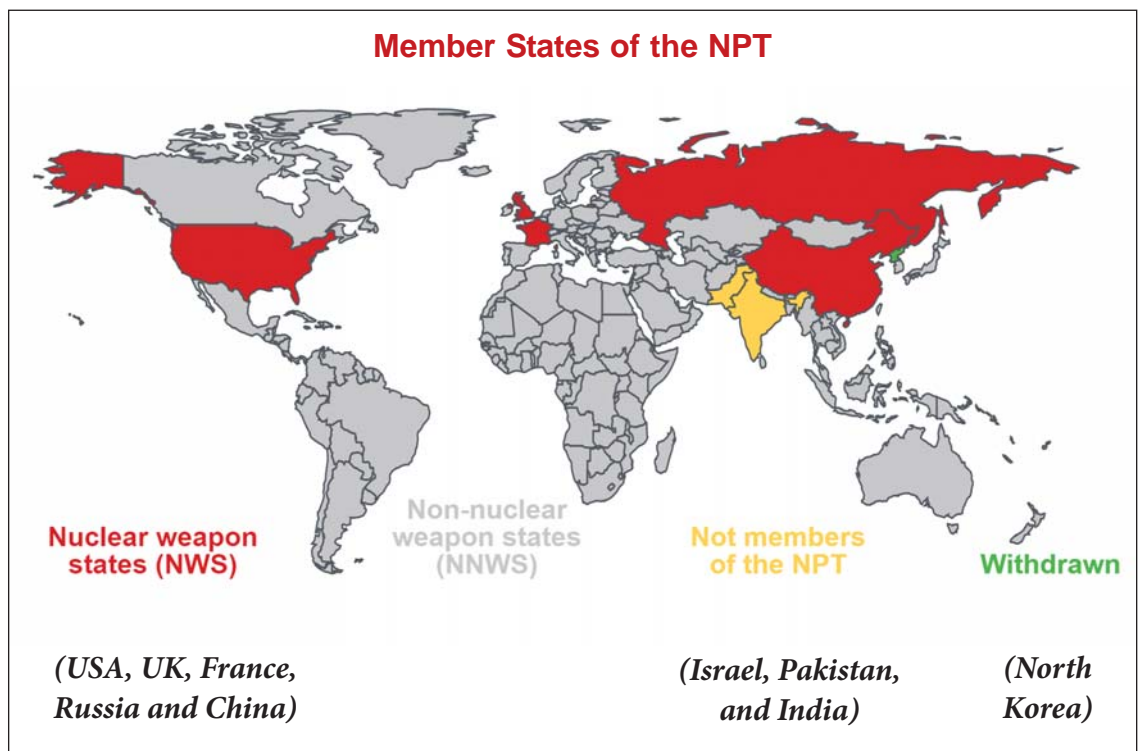
Nuclear Non-Proliferation Treaty (NPT)  
Comprehensive Test Ban Treaty (CTBT)  
Fissile Material (Cutoff) Treaty (FM(C)T)  
UNSCR 1540

#### International bodies and formal initiatives

UN First Committee  
Conference on Disarmament  
Nuclear Security Summits  
Proliferation Security Initiative

#### Key groups of states

NWS in the P5 Process  
Non-Proliferation & Disarmament Initiative  
E3+3/P5+1



The treaty entered into force in 1970 and currently has 190 States Parties. Five are defined as nuclear weapon states (NWS): China, France, Russia, the UK, and the US; by virtue of their having tested a nuclear device prior to 1st January 1968. The Democratic People's Republic of Korea (North Korea) is the only state to have ever withdrawn from the treaty (in 2003), though this withdrawal is still contested by some who state that they did not use the proper legal channels to do so.<sup>5</sup>

Three other states exist outside of the treaty and possess nuclear weapons: India, Pakistan and Israel. The treaty was originally created to last 25 years, in recognition that it was not to endorse a permanent discrimination. It was extended indefinitely in 1995, giving some stability but removing the sense of urgency created by a deadline.

There is no secretariat for the NPT - it is serviced by the UN Office for Disarmament Affairs. States meet in a four-week review conference once every five years (next in May 2015), and there are three annual two-week preparatory committees held in the run up to each.

## CTBT

The Comprehensive Test Ban Treaty (CTBT) outlaws the detonation of nuclear weapons for testing anywhere, building upon the Partial Test Ban Treaty of 1963 that stopped testing in the atmosphere. The CTBT Organisation was set up by the treaty to encourage entry into force and act as guardian of the extensive global network of verification stations that constantly monitor the environment to confirm the absence of nuclear tests. 183 states have signed the treaty, but it stipulates that the 44 specific countries that hold nuclear technology must sign and ratify the treaty before it enters into force, and eight of these have not yet done so: China, Egypt, India, Iran, Israel, North Korea, Pakistan and the United States.<sup>6</sup>

Currently, the United States has signed but the political climate makes ratification unlikely in the near future. India was one of the first countries calling for a CTBT, but was unsatisfied with the final treaty and refused to sign.<sup>7</sup> Pakistan initially supported the treaty but then refused to sign and ratify until India does so.<sup>8</sup> China is also holding out on ratifying until the United States does.<sup>9</sup> Egypt, Israel and Iran have all linked ratifying the CTBT with greater peace and stability in the Middle East.<sup>10</sup> With North Korea's withdrawal from the NPT and nuclear tests as recently as February 2013, it seems unlikely that North Korea will ratify the CTBT any time in the near future.<sup>11</sup> With the exception of North Korea, there has been an informal moratorium on testing for 17 years.

## FM(C)T

A Fissile Material (Cutoff) Treaty would end the production of highly enriched uranium and weapon-grade plutonium for explosive military purposes, and later on in the process tackle stockpiles. It would not ban the production of fissile material for naval propulsion, nor for civil purposes. Non-nuclear weapon states are already prohibited from producing fissile materials for explosive military purposes and it is believed the five NWS have stopped producing any (although this remains unconfirmed in China).<sup>12</sup> A FM(C)T would formalise and lock-in this situation, as well as attempting to pull in states outside of the NPT: Israel, India, North Korea and Pakistan.

The lack of consensus in the Conference on Disarmament on opening negotiations on an FM(C)T, with opposition led by Pakistan, has prevented progress.<sup>13</sup> The Group of Government Experts was convened following a vote in the UN First Committee in 2013, and is set to report later in 2015. But there remains little hope of progress in the CD any time soon.

1 US Department of State. 2010. 'Treaty On The Non-Proliferation Of Nuclear Weapons'.

[www.state.gov/documents/organization/141503.pdf](http://www.state.gov/documents/organization/141503.pdf).

2 *ibid*

3 *ibid*

4 *ibid*

5 Bunn, George, and Roland Timerbaev. 2005. 'The Right To Withdraw From The Nuclear Non-Proliferation Treaty (NPT): The Views Of Two NPT Negotiators'. *Stanford University*. [http://fsi.stanford.edu/sites/default/files/Bunn\\_Timerbaev.pdf](http://fsi.stanford.edu/sites/default/files/Bunn_Timerbaev.pdf).

6 Comprehensive Test Ban Treaty Organization. 2015. 'Status Of Signature And Ratification'. <http://www.ctbto.org/the-treaty/status-of-signature-and-ratification/>.

7 Comprehensive Test Ban Treaty Organization. 2008. 'Ten Years Since India And Pakistan Conducted Nuclear Tests'. <http://www.ctbto.org/press-centre/highlights/2008/ten-years-since-india-and-pakistan-conducted-nuclear-tests/>.

8 *ibid*

9 Zukang, Sha. 2014. 'The Entry Into Force Of The CTBT: The Chinese Perspective'. *European Leadership Network*. [http://www.europeanleadershipnetwork.org/the-entry-into-force-of-the-ctbt-the-chinese-perspective\\_1790.html](http://www.europeanleadershipnetwork.org/the-entry-into-force-of-the-ctbt-the-chinese-perspective_1790.html).

10 Center for Arms Control. 2010. 'CTBT At Fourteen: Prospects For Entry Into Force'. [http://armscontrolcenter.org/issues/nuclearweapons/articles/ctbt\\_at\\_fourteen\\_prospects\\_for\\_entry\\_into\\_force/](http://armscontrolcenter.org/issues/nuclearweapons/articles/ctbt_at_fourteen_prospects_for_entry_into_force/).

11 *ibid*

12 Arms Control Association. 2013. 'Fissile Material Cut-Off Treaty (FMCT) At A Glance'. <http://www.armscontrol.org/factsheets/fmct>.

13 *ibid*

# UNSCR 1540

UN Security Council Resolution (UNSCR) 1540 was adopted unanimously in 2004, seeking to reduce the likelihood that non-state actors would obtain a nuclear weapon or associated technologies and materials. UNSCR 1540 prohibits states from providing support to nonstate actors that may attempt to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

The 1540 Committee, made up of the 15 UN Security Council members, works to monitor and implement the resolution.<sup>14</sup> It assists international implementation, assistance, cooperation with international organizations, and transparency and media outreach. Recently, it has focused on universal reporting, increased transparency through outreach activities, and increased engagement of civil society.<sup>15</sup>

## International bodies and formal initiatives

### UN First Committee

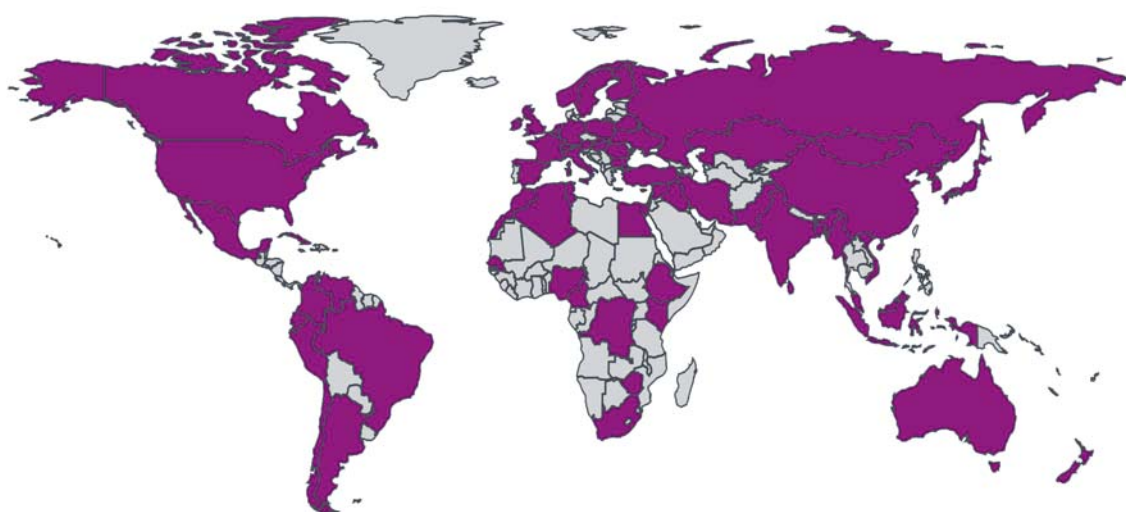
The UN General Assembly is broken into six committees, First Committee covering issues of disarmament and international security.<sup>16</sup> The committee is open to all UN member states and passes resolutions, and whilst these are not legally binding they do act as a yardstick for international opinion. It provides a platform for state positions on disarmament-related matters, building consensus and common understanding. It can trigger more formal initiatives or negotiations elsewhere, particularly at the Conference on Disarmament in Geneva (see right). A number of successful disarmament initiatives like the Arms Trade Treaty have their roots in First Committee. Nevertheless, the system has its drawbacks. States often become entrenched in a conservative inflexible official position that can block progress on the disarmament agenda.

### Conference on Disarmament

The Conference on Disarmament (CD) is the only permanent multilateral treaty negotiating forum for arms control and disarmament issues.<sup>17</sup> The CD is made up of 65 member states and works in ad hoc groups to discuss matters relating to nuclear weapons, other weapons of mass destruction, conventional weapons, reduction of armed forces and military budgets. The CD runs by consensus.

The last success of the CD was the 1996 CTBT, which still has not entered into force. Since then, the CD has failed to reach the necessary consensus to move forward on any negotiations, most notably on any talks over the FM(C)T.<sup>18</sup>

Member States of the Conference on Disarmament



Member states

# Nuclear Security Summits

The first Nuclear Security Summit (NSS) in Washington DC in 2010 followed President Obama's 2009 Prague speech in which he called nuclear terrorism "one of the greatest threats to international security."<sup>19</sup> The summits, held every two years, have focused on state commitments to reduce the risk of nuclear terrorism, and have prioritised securing, downgrading or destroying stockpiles of highly enriched uranium.<sup>20</sup> Subsequent meetings have been held in Seoul in 2012 and The Hague in 2014. The next, planned to be held in the United States 2016, is presumed to be the last.<sup>21</sup>

## PSI

The Proliferation Security Initiative (PSI) is a multinational, voluntary cooperative to intercept those trafficking weapons of mass destruction and their delivery systems.<sup>22</sup> Countries join the PSI by agreeing to its non-binding Statement of Interdiction Principles.<sup>23</sup> The PSI is considered an "activity not an organization".<sup>24</sup> States such as China outside the PSI are concerned about the legality and fairness of interdiction (delaying, disrupting or destroying shipments).<sup>25</sup> The PSI is intended to complement UNSCR 1540, and over 100 countries have endorsed the Statement of Interdiction Principles.<sup>26</sup>

# International Partnership for Nuclear Disarmament Verification (IPNDV)

Initiative announced by the United States in December 2014 to bring together both nuclear and non-nuclear weapon states to discuss the challenges of verification in nuclear disarmament and ways to overcome those challenges.<sup>27</sup> The first meeting of the IPNDV is scheduled for March 2015.

14 United Nations. 2015. '1540 Committee Faqs'.  
<http://www.un.org/en/sc/1540/faq/facts.shtml>.

15 United Nations. 2015. '1540 Committee Activities'.  
<http://www.un.org/en/sc/1540/committee/committee-activities.shtml>

16 United Nations. 2015. 'First Committee'.  
<http://www.un.org/en/ga/first/>.

17 United Nations, 2015. 'An Introduction To The Conference'.  
[http://www.unog.ch/80256EE600585943/\(httpPages\)/BF18ABFEF5D344DC1256F3100311CE9?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/BF18ABFEF5D344DC1256F3100311CE9?OpenDocument).

18 United Nations Institute for Disarmament Research. 2009. 'Getting The Conference On Disarmament Back To Substantive Work: Food For Thought'.  
<http://www.unidir.org/files/medias/pdfs/getting-the-conference-on-disarmament-back-to-substantive-work-food-for-thought-eng-0-149.pdf>.

19 Nuclear Security Summit. 2015. 'About the NSS'.  
<https://www.nss2014.com/en/nss-2014/about-the-nss>

20 Nuclear Security Summit. 2014. 'Results of NSS 2014'.  
<https://www.nss2014.com/en/nss-2014/results>

21 Nuclear Threat Initiative. 2015. '2014 and 2016 Nuclear Security Summits'. <http://ntiindex.org/the-road-ahead/2014-and-2016-nuclear-security-summits/>

22 U.S. Department of State. 2015. 'Proliferation Security Initiative'.  
<http://www.state.gov/t/isn/c10390.htm>

23 *ibid*

24 Arms Control Association. 2013. 'The Proliferation Security Initiative (PSI) At a Glance'.  
<https://www.armscontrol.org/factsheets/PSI>

25 *ibid*

26 *ibid*

27 U.S. Department of State. 2014. 'An International Partnership For Nuclear Disarmament Verification'.  
<http://www.state.gov/t/avc/rls/234680.htm>



# NWS in the P5 Process

In 2008, the UK Secretary of Defence Des Browne called for a technical meeting of NPT nuclear weapon states to work together to build confidence and overcome the obstacles to multilateral disarmament and verification. The first P5 process meeting was held in London in 2009 and there have been five subsequent meetings so far (the latest in London again in February 2015). The process involves a handful of strands, including transparency through common reporting frameworks and a common glossary of terms. The general consensus appears to be that while such an initiative could be essential to progress on multilateral disarmament, achievements so far have been disappointing and the meetings have lacked transparency.

28 Berger, Andrea, and Malcolm Chalmers. 2013. *Great Expectations The P5 Process And The Non-Proliferation Treaty*. Whitehall Report. RUSI. [https://www.rusi.org/downloads/assets/WHR\\_3-13\\_Web.pdf](https://www.rusi.org/downloads/assets/WHR_3-13_Web.pdf).

29 Australian Minister for Foreign Affairs. 2014. 'Non-Proliferation and Disarmament Initiative (NPDI) Meeting in Hiroshima'. [http://foreignminister.gov.au/releases/Pages/2014/jb\\_mr\\_140413.aspx](http://foreignminister.gov.au/releases/Pages/2014/jb_mr_140413.aspx)

30 Morello, Carol. 2015. 'Kerry rules out extension of Iran nuclear talks'. *Washington Post*. [http://www.washingtonpost.com/world/kerry-rules-out-extension-on-iran-nuclear-talks/2015/02/08/21ed9748-af26-11e4-8876-460b1144cbc1\\_story.html](http://www.washingtonpost.com/world/kerry-rules-out-extension-on-iran-nuclear-talks/2015/02/08/21ed9748-af26-11e4-8876-460b1144cbc1_story.html)

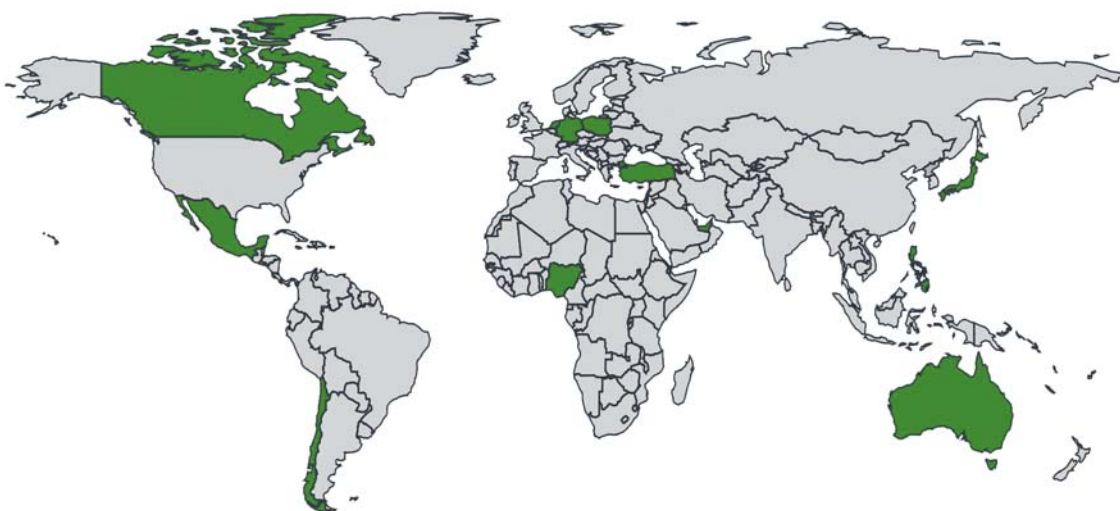
# Non-Proliferation and Disarmament Initiative (NPDI)

The NPDI is a small but committed group of middle power states looking to collaborate in pushing forward on disarmament and non-proliferation instruments. The NPDI submitted a proposal for a common reporting framework to the NWS in 2012.<sup>28</sup> Whilst the NWS rejected the proposal, they met with NPDI states in January 2014, and invited several NPDI members to take part in one of the P5 Process meetings in London in February 2015.<sup>29</sup>

## E3+3 / P5+1

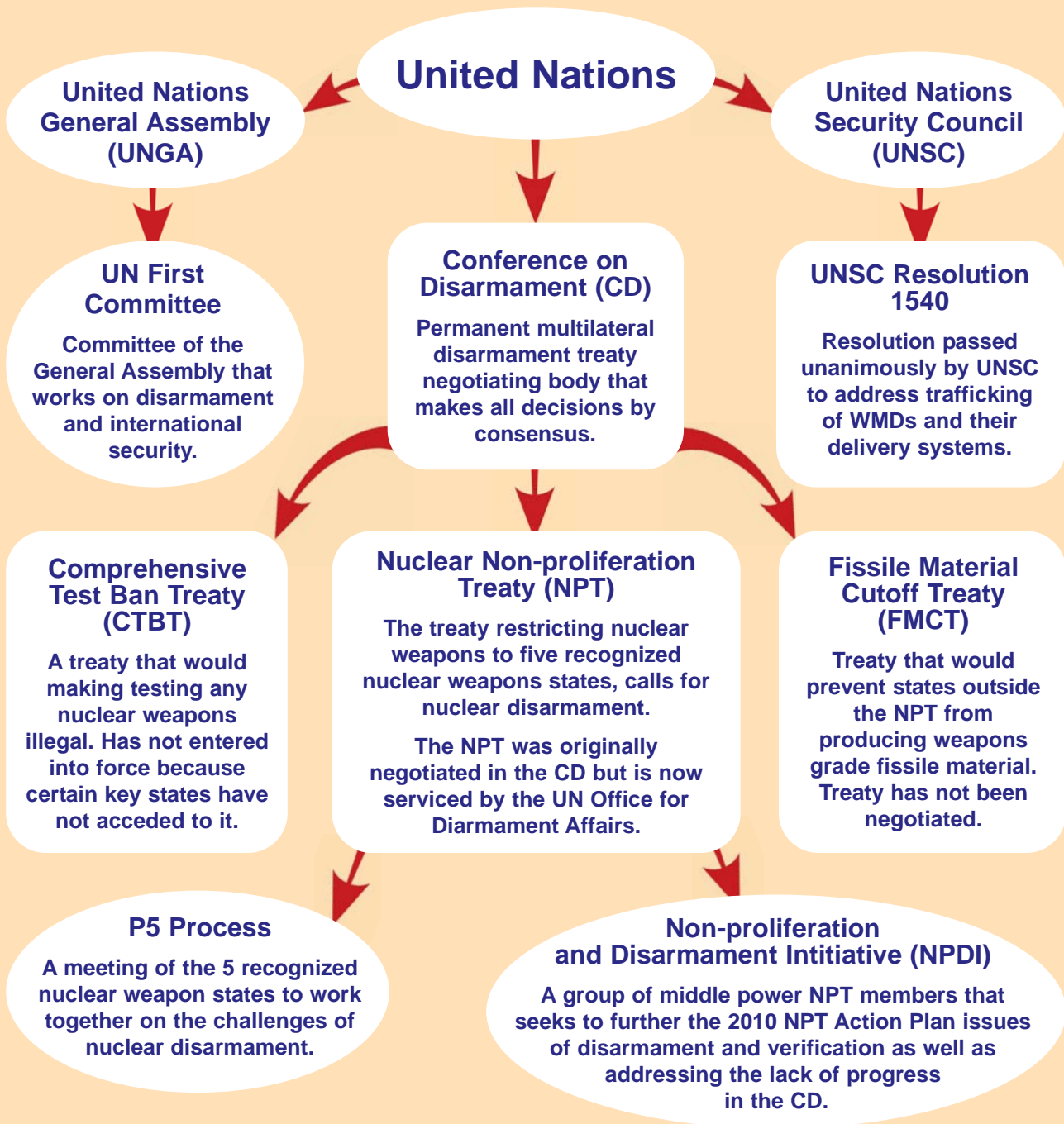
The E3+3 or P5+1 consists of the original three European states involved in negotiating with Iran between 2002 and 2006 (France, the UK and Germany) who were joined by the United States, Russia, China and the EU External Action Service in 2006. There was a lack of significant progress in negotiations until the Fall of 2013 when they signed the temporary Joint Plan of Action with Iran. Negotiations are ongoing in the hopes of reaching a final deal, with a deadline for a final deal of June 30, 2015.<sup>30</sup>

### Member States of the Non-Proliferation and Disarmament Initiative (NPDI)



Members of the Non-proliferation and Disarmament Initiative (NPDI)

# A graphic summary of the International Non-proliferation & Disarmament Regime



## Other multilateral initiatives

