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The unloved treaty

In two months time those countries which have ratified the Non-Proliferation Treaty (NPT) will be reviewing, under UN auspices in Geneva, the first five years of the treaty. There is no doubt that in 1970 the hopes (at least of the non-nuclear countries) were that by 1975 the NPT would be a solid foundation on which to build further arms-control measures, aimed at progessively steering the world away from the contemplation of nuclear solutions to political problems. Certainly in the past five years nobody has fired a nuclear weapon in anger, though the NPT could hardly claim much credit for that. On the other hand the prospects for a nuclear-free future are no better than they were in 1970 and the NPT foundations have been neglected—indeed show signs of crumbling.

The treaty bans the development of nuclear explosives of any kind in non-weapon states in exchange for promises that the benefits of peaceful applications will be extended to those states. There are some notable absences from the list of ratifiers; a few non-ratifiers have signed but will not ratify for fairly specific reasons, but the following countries *inter alia* have not even declared interest in the treaty at all: Argentina, Brazil, Chile, China, France, India, Israel, Pakistan, Portugal, South Africa and Spain. The weight of the three original nuclear powers which used to reassure other countries that treaties were worth signing is now counterbalanced by the weight of three other nuclear powers who want nothing to do with this treaty.

The reasons for the failure of the NPT to catch on are all too obvious—it is asking for major concessions from the 'have-nots' in exchange for minimal concessions from the 'haves', and it is a trap for have-nots who sign and find that their unfriendly neighbours do not follow suit. Much has been written on the extent to which vertical proliferation, the continued refinement of the nuclear nations' arsenal, causes offence to non-nuclear powers. There has been remarkably little public discussion of the real reason for the diffidence of most potentially nuclear states towards the NPT—the fear of unbalanced horizontal proliferation which, in the absence of simultaneous accession by all states, cannot be ruled out.

It is widely believed that the NPT contains assurances to non-nuclear states in the event of nuclear attacks. This is not so. A resolution of the UN Security Council, which appeared when the NPT was first opened for signature, replaces any binding commitment by a general welcome for the intention of the UK, the USA and the Soviet Union to act "in accordance with the Charter" were any non-nuclear-weapon state, party to the NPT, to be the victim of an act, or the object of a threat, of nuclear aggression. The catch is that the Security Council with all its possibility for veto would be the vehicle for action. Small wonder that countries which have refused to sign the NPT abstained on this resolution also.

Finally, the NPT promised that benefits from peaceful nuclear explosives would be made available "through an international body". Negotiations were to start "as soon as possible". Back in 1968 when the treaty was drafted, the Plowshare programme in the United States was languishing. In major excavation projects, for instance, costs for even chemical-explosive techniques were double those for conventional techniques. Since then, however, things have changed dramatically. The factor of two in cost is now a factor of much less than one; in the future the same will be true of nuclear explosives.

In the Soviet Union, in an entirely different political and physical environment, the cross-over point must have been reached much earlier, for nuclear explosive projects burgeoned in 1970 and now run at the rate of 10 a year. Thus the hopes of many in 1968 that peaceful applications would never be economic and thus might not obstruct arms control discussions have been proved unfounded.

So where is the international body? It is now five years since the treaty came into force and the International Atomic Energy Agency (IAEA) has yet to establish any body to consider the political and legal aspects of an international service. In the meantime, the Soviet Union, it is said, took it upon herself to offer India nuclear explosives for peaceful purposes but was rebuffed. Some minds had better be made up soon on the establishment of a body; the next bilateral deal may be accepted.

The IAEA has not been entirely inactive. Technical panels have exchanged a substantial amount of information and non-nuclear countries have been party to all this. But the political nettle has yet to be grasped.

The reasons are a combination of bureaucracy, politics and genuine concern for safety. There is a resistance in Vienna to the accumulation of yet more duties for a secretariat already fully extended. There is concern that the IAEA might include only NPT-ratifiers amongst beneficiaries of nuclear technology. And there is a fear that the apparent legitimisation of nuclear explosive transfers will lead to the even wider dissemination of potential weapons material, and will be an encouragement to even more countries to think nuclear. This last is a fairly weak objection now that events have overtaken hopes that peaceful explosions might not prove viable. The IAEA itself these days puts out fairly enthusiastic publicity for nuclear explosives in its technical reports. There is, however, some substance to fears that the service might be tied to the NPT. Any restrictions of this sort, although at first sight a means of bolstering up the treaty, would in the long run diminish IAEA initiatives by driving non-ratifiers into more implacable opposition.

On many grounds the NPT has not lived up to expectations and could even be seen as creating opposing nuclear camps. Will anyone have the courage in May to suggest the treaty be scrapped and new approaches tried?