Since the time of the Treaty’s signature in 1968, the parties to the Nuclear Non-proliferation Treaty (NPT) have all agreed to implement a set of actions with the aim of supporting the three pillars of agreement: non-proliferation, disarmament and the peaceful use of energy. After a lengthy stalemate period in 2005, which resulted in no action plan, the NPT Review Conference 2010, is considered to have been a real breakthrough in the IR community. However, the situation today, especially after the Ukrainian crisis, which resulted in the annexation of Crimea by Russia, has cast real doubts on the operational utility of the future of the three pillars of the NPT. It is true that in the last decade certain crucial achievements were realized in the fields of both nuclear disarmament and non-proliferation, both regionally and globally. However, now that the three nuclear powers, the USA, Great Britain and the Russian Federation, have reneged on the promises they gave to Ukraine under the Budapest Memorandum of 1994, whereby they agreed to preserve Kiev’s territorial integrity in return for Ukraine’s dismantling of its nuclear forces, the three pillars of the NPT seem to be in peril.

The good news is that the continuing Iranian negotiations, initiated for a six month period under the Geneva based interim agreement, brings hope. The expectations of the international community in this regard is quite high, particularly regarding the idea that P5+1 in negotiations with Tehran would come up with a mutually legally binding solution, such that Iran’s contentious nuclear programme would be put back on the NPT track. In this way, it is the hope that the present fragile balance between the legitimate rights of the non-nuclear parties of NPT, the related rights of civil nuclear energy usage and the current nuclear proliferation concerns of the international community could be stabilized and strengthened. Today, the ongoing Ukrainian crisis is analogous to the Cold War years; the relations between the three Euro-Atlantic members and Russia which compose the P5 are so cold that this situation certainly necessitates the creation of some kind of confidence building measures (CBMs) in order to transcend the current impasse in both the nuclear non-proliferation and disarmament realms. The 2010 dated Non-Proliferation and Disarmament Initiative (NPDI), a cross-regional group of 12 non-nuclear weapon states- Japan, Australia, Germany, Netherlands, Poland, Canada, Mexico, Chile, Turkey, UAE, Nigeria, Philippines, provides
some optimism.

With both the future of nuclear non-proliferation and disarmament under current conditions looking quite uncertain, the 8th NPDI meeting, attended by the foreign ministers of the 12 member states, initially aimed to foster the Action Plan of the 2010 NPT Review Conference; as well as taking the lead in supporting a global discussion about reducing nuclear risks and supporting a world free of nuclear weapons, a crucial initiative, still worth taking into account. Most important of all, the position of the NPDI states on nuclear non-proliferation, could be used as an opportunity to overcome the apparent discrepancy between the nuclear haves and have not’s under the NPT Treaty. Especially, as regards the recently strengthened nuclear non-proliferation measures originating from the West.

Back in 2006, Mark Fitzpatrick marked the Europeans’ and Americans’ anxiety over the Middle Eastern states’ renewed interest in civilian nuclear power as a sign of a new wave of nuclear renaissance1. It is true that the source of the West’s nuclear non-proliferation concerns have, in general, stemmed from their previous negative experiences related to several states in the Middle East and Asian regions. The first incidence in this regard was the IAEA’s discovery of Iraq’s clandestine nuclear programme in 1991 followed by North Korea going nuclear in 2006. These non-proliferation incidences have continued to be a worry for the West whilst the highly controversial Iranian nuclear crisis has remained unsolved. Currently, the P5 countries are trying to benefit from a suitable environment where, especially in the Middle East and Asian regions. The first incidence in this regard was the IAEA’s discovery of Iraq’s clandestine nuclear programme in 1991 followed by North Korea going nuclear in 2006. These non-proliferation incidences have continued to be a worry for the West whilst the highly controversial Iranian nuclear crisis has remained unsolved. Currently, the P5 countries are trying to benefit from a suitable environment where, especially in the Middle East, most states continue to lack nuclear (uranium) enrichment and plutonium reprocessing capabilities, in order to construct new and strengthened non-proliferation norms applicable to the region and beyond. Most of the resistance from the nuclear have-nots’ to these newly introduced non-proliferation measures have actually stemmed from the P5’s rather careless approach to maintaining the fragile balance between the NPT’s commitments under article 6 and 4. Until the 2010 Review Conference of the NPT, the resentments of the non-nuclear state treaty members’ were based on the P5 not effectively fulfilling its responsibilities stemming from Article 6. It is why they refused to shoulder further non-proliferation obligations either inside or outside the sphere of the NPT.

Hence, President Obama, in his 2009 Prague speech, wherein he declared the US “zero nuclear policy”, has since


then focused his efforts mostly on re-vitalizing the NPT’s credibility with numerous initiatives. In this regard, the new START agreement together with follow up conferences like the 2010 New York and 2012 Seoul Security Summits as well as the May 2010 NPT Review Conference were crucial milestones in demonstrating that the five nuclear states, including the US, are now determined and serious in meeting their obligations in the field of nuclear disarmament. Up until the Ukrainian crisis, the positive mood continued whereby the nuclear fives freely and legitimately acted, demanding that the non-nuclear states of the NPT accept and implement newly proposed and strengthened nuclear non-proliferation measures, at least at the regional level. The nuclear fives, more self-confident since the Obama’s 2009 Prague speech about starting to fulfill the Article 6 obligations of the NPT, have continued to highlight and criticize the cases of non-compliance examples that have contradicted the main clauses of the NPT Treaty. In this regard Iran has been at the top of the list, due to a violation of its responsibilities under the NPT Treaty and the IAEA related agreements. Unfortunately, the non-compliance example of Iran, together with the North Korean case, has mostly been used as a means to work against the aim of limiting and regulating the nuclear have not’s, and their legitimate rights to the civilian use of nuclear energy, in the name of strengthening non-proliferation practices/measures in the global context. The nuclear fives, have, in the last decade, asserted that the close link between the probability of nuclear proliferation and a nuclear cascade could now be averted by strengthening the measures of non-proliferation. Hence, for a long time, the nuclear fives, in the face of legitimate demands from the non-nuclear states’ to the rights of civilian nuclear energy use, based their arguments on the prevalent non-compliance examples2.

However, the recent Ukrainian crisis has coincided with the breaking of promises provided by three nuclear powers ensuring Kiev’s territorial integrity in return for Ukraine’s dismantling of its nuclear capabilities under the clauses of the Budapest Memorandum of 1994. With this form of non-compliance by the three nuclear weapon states, it is now going to be more difficult and challenging for the proponents of nuclear non-proliferation to get assurances from recent and future WMD hopefuls to dismantle their asymmetric military capabilities, because the promises of great powers can no longer be taken as credible.

Hence, today, the non-proliferation community is not only faced with yesterday’s traditional problem of non-compliance but...
ance led by non-nuclear states but also, in the aftermath of the Ukrainian crisis, with the nuclear threes’ (the US, the Russian Federation and Great Britain) new non-compliance behavior which also contradicts prevalent international non-proliferation norms. This Ukrainian incident surely has the capacity to make a negative impact on the direction of the ongoing P5+1 negotiations together with possibly triggering the current divergence between nuclear and non-nuclear states’ views about the future interpretation of non-proliferation and disarmament debates. Today, the NPDI group, due to their perfect record in meeting their nuclear non-proliferation responsibilities, can be a possible candidate to facilitate negotiations between the opposing sides of the NPT regime.

Within this complex situation, the NPDI initiative is credible in terms of being a forum for non-proliferation issues. No doubt, the wide geographical representation of this group of 12’s can be considered an advantage for it. Moreover, the good standing of the NPDI states, in regard to existing treaties and agreements related with non-proliferation and disarmament and their specific interest in implementing the 2010 Action Plan also attests to the NDPI members’ credibility before the whole non-proliferation community. In this regard, at least ten states of the NPDI initiative and their respective record with the present non-proliferation and arms control requirements should be taken into account. So far, 10 of the 12 states of the NPDI have ratified the Comprehensive Test Ban Treaty (CTBT), implemented the AIEA Additional Protocol (AP), and ratified the Biological and Toxin Weapons Convention (BTWC) and the Chemical Weapons Convention (CWC). Nine of the NPDI countries currently sit in the Conference on Disarmament (CD)-UAE whilst the the 10th has an observer status. Seven of the NPDI participate in the Missile Technology Control Regime (MTCR), and eight of them are in the Wassenaar Arrangement. Moreover, six of the NPDI member states are currently sitting on the AIEA Board of Governors, and seven are part of the Australia Group and the Zangger Committee. All of the 12 member states have already ratified or acceded to the Convention on the Physical Protection of Nuclear Materials (CPPNM). More importantly, all of the 12 member states of the NPDI have participated in the three Nuclear Security Summits and actively supported Resolution 1540 on preventing terrorist acquisition of materials related to the production of weapons of mass destruction.

Currently, the NDPI, due to its membership of 12 major states and their credible standing in the field of non-proliferation, has the potential to be a more reliable and effective voice for representing the nuclear have not’s in their legitimate rights related to nuclear non-proliferation issues as well as to their civilian use of nuclear energy. Being cognizant of its advantages, the NPDI, since its foundation in 2010, has focused on two of the three major topics with the aim of having access to the agenda of the great powers’ policies related to the NPT’s three pillars, namely nuclear non-proliferation, disarmament, and the civilian use of nuclear energy. What is most striking is that the NPDI, even as a group of 12 countries, has so far displayed a unified position in their approach to non-proliferation issues in comparison to others in the field of disarmament. Until the assembling of the 8th ministerial meeting of the NPDI in Japan in 2014, the member states had devoted most of their attention to highlighting the stalled process of the Conference on Disarmament (CD) which is associated with the future of the FMCT as well as the CTBT. More importantly, the NPDI group as a whole has, in almost all of its meetings, made statements to the effect that it favored the idea of freeing the Middle East from Weapons of Mass Destruction. Additionally, the NPDI has also put a lot of effort into working on promoting transparency in nuclear reporting, with the aim of helping nuclear states in dealing with disarmament efforts as well as highlighting the need to resolve the prolonged stalemate in the Conference on Disarmament (CD).

Conclusion

The NPDI, as stated above, was formed as a group of 12 countries in the aftermath of the NPT Review Conference of 2010 which followed US president Obama’s Prague speech in 2009 where he made a call for a “zero nuclear policy”. It is true that the NPT Review Conference’s substantial achievements of 2010 were instrumental as an inspiration for the creation of the NPDI group. This group of 12 states initiative, despite its many advantages like its widespread geographical presentation and the good record of non-proliferation of most of its members and so on, has also been criticized in several areas. These criticisms have originated due to the security relations of some members of the NPDI with either the US or NATO that was constructed in the past along the lines of the American extended deterrence security guarantee. According to opponents of the NPDI initiative, like China and others, it is rather difficult to believe in the sincerity of the call for nuclear disarmament from Western sources as viable against the present threats of WMD proliferation due to some of the NPDI countries’ having acquired positive nuclear security assurances.

These critics aside, during the NPDI’s 8th Ministerial Conference, some of the representatives of the NPT’s non-nuclear states have legitimately focused attention on the need for international efforts in curbing non-proliferation to maintain a delicate balance with the needs of the NPT’s non-nuclear state’s legitimate rights to civilian nuclear energy use. Since one of the NPDI’s general aims is to forward the concluded measures of the 2010 Nuclear Non-proliferation Treaty Review Conference, this respectable forum can be used as an important venue for creating the most needed CBMs in the fields of both disarmament and non-proliferation just before the convening of the 2015 Nuclear Non-proliferation Treaty Review Conference. Hence, the NPDI forum could perhaps be used as a basis for facilitating the likelihood of improving the tense relations between the Russian Federation and the West, at least in the field of disarmament.