

II. The 2015 Non-Proliferation Treaty Review Conference

TARIQ RAUF

The 2015 Review Conference of the Parties to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was held on 27 April to 22 May 2015 at the United Nations Headquarters in New York.¹ The president of the 2015 NPT Review Conference was Ambassador Taous Feroukhi of Algeria, representing the Non-Aligned Movement (NAM). After 20 working days, which witnessed heated discussions on nuclear disarmament and the establishment of a zone free of nuclear and other weapons of mass destruction (WMD) in the region of the Middle East, among other issues, the conference ended without any agreement on a concluding document or recommendations.² In the early hours of the final day, the conference president circulated a draft final document as her best effort to achieve consensus on a ‘take-it-or-leave-it’ basis, noting that it had not been possible to agree on a single consensual document, and that no outcome or position of a majority or of a minority could be imposed on the collectivity, and no state party could be compelled to accept any outcome.³

In the closing plenary, the conference president’s text on the Middle East in the draft final document was rejected by Canada, the United Kingdom and the United States. The conference therefore ended on a sour note in the late evening of 22 May 2015, reflecting the deep divisions on issues around the Middle East and nuclear disarmament. The USA stated that as there was no agreement on a final document, the 2010 NPT Review Conference mandate on the Middle East had expired, and all efforts had come to an end—blaming the Group of Arab States for an unworkable proposal. The Group of Arab States noted that it had been prepared to join the consensus for adopting the conference president’s draft despite its flaws. The Group of Non-Aligned States also expressed its view that it was ready to accept the conference president’s text despite its shortcomings and was surprised that two of the three states that had blocked consensus were depositaries of the NPT.⁴ The lack of agreement on a final document means that the agreed ‘64 actions’ of the 2010 NPT Review Conference remain the latest measures agreed by states parties

¹ Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty, NPT), opened for signature 1 July 1968, entered into force 5 Mar. 1970, INFCIRC/140, 22 Apr. 1970. All the statements and documents related to the 2015 NPT Review Conference, as well as some additional background information, are available at: <<http://www.un.org/en/conf/npt/2015/index.shtml>>. Daily reports on the conference were provided on the SIPRI website at: <<http://www.sipri.org/research/disarmament/nuclear/npt-review-2015/publications>>.

² Rauf, T., ‘The 2015 NPT Review Conference: setting the record straight’, SIPRI Essay, 15 June 2015.

³ 2015 NPT Review Conference, ‘Working paper of the president on the final document’, NPT/CONF.2015/WP.58, 11 June 2015.

⁴ Rauf (note 2).

to the NPT to promote the full implementation of the NPT and to achieve its universality.⁵

The NPT review process

The NPT is widely regarded as the cornerstone of nuclear non-proliferation, nuclear disarmament and cooperation on the peaceful uses of nuclear energy. It is a near-universal, multilaterally negotiated nuclear arms control treaty. Article VIII(3) of the NPT provides for a review conference to be held five years after the entry into force of the treaty and for subsequent review conferences every five years thereafter.⁶ Accordingly, review conferences have been held every five years since, the latest being in 2015. Furthermore, Article X(2) of the NPT states that 25 years after the entry into force of the NPT, a conference shall be convened to decide whether the treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods, and that this decision shall be taken by a majority of the states parties to the NPT. The reason why the NPT had an initial duration of 25 years was that the advanced industrial non-nuclear weapon states (NNWS) at the time of its negotiation, such as West Germany, Italy, Sweden and Switzerland, wanted to ensure that the NPT's objectives were being met—particularly with regard to nuclear disarmament and cooperation on the peaceful uses of nuclear energy. Consequently, in 1995 the states parties agreed without a vote to extend the NPT indefinitely on the basis of an inter-linked package of decisions and a resolution.⁷

Each NPT review conference is preceded by a preparatory committee that meets annually in the preceding three years to make procedural arrangements, discuss matters of substance and make recommendations to the NPT review conference on matters pertaining to the NPT. The 2015 NPT Review Conference Preparatory Committee met in Vienna in 2012, in Geneva in 2013 and in New York in 2014. It completed the procedural arrangements but states parties were unable to agree on any recommendations.

The work of NPT review conferences is conducted in three main committees (MCs) according to the so-called three pillars of the NPT: nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy. Since the 2000 NPT Review Conference, each MC has established a subsidiary body (SB) to discuss in a focused manner priority issues that fall within

⁵ 2010 NPT Review Conference, 'Final document', NPT/CONF.2010/50 (Vol. I), 28 May 2010.

⁶ Non-Proliferation Treaty (NPT) (note 1).

⁷ For a detailed account of the extension of the NPT in 1995 see Rauf, T. and Johnson, R., 'After the NPT's indefinite extension: the future of the global nonproliferation regime', *Nonproliferation Review*, vol. 3, no.1 (Fall 1995).

the mandate of the MC.⁸ The conference is chaired by a president. Each of the MCs and their respective SBs has its own chair, and the chairs of the preparatory committee sessions go on to chair the MCs. Each NPT review conference is expected to produce a final document agreed by consensus, which outlines ways and means to strengthen the implementation of the NPT and achieve universality.⁹

The work of the three main committees

Main Committee I

MC.I considered issues related to nuclear disarmament.¹⁰ The main areas of discussion concerned (a) the humanitarian impact of nuclear weapons (HINW)—the concept that an understanding of the catastrophic consequences of the use of nuclear weapons should underpin all approaches towards nuclear disarmament; and (b) related efforts to persuade the 2015 NPT Review Conference to agree to launch a process leading to a legally binding treaty, convention or instrument to ‘close the legal gap’ in Article VII of the NPT on ‘effective measures’ to prohibit nuclear weapons and achieve nuclear disarmament (see section III).

A group of 159 NNWS, led by Austria and other states parties to the NPT that generally supported the HINW concept, such as the New Agenda Coalition (NAC) consisting of Brazil, Egypt, Ireland, Mexico, New Zealand and South Africa, put forward a range of options to close the legal gap in Article VI: (a) a comprehensive nuclear weapon convention, (b) a nuclear weapon ban treaty, (c) a framework agreement comprised of mutually supporting instruments, or (d) a hybrid arrangement.¹¹

The five NPT designated nuclear weapon states (NWS)—China, France, Russia, the UK and the USA—backed by the members of the Non-Proliferation Disarmament Initiative (NPDI) and a group of 26 states led by Australia, did not support efforts leading directly to a legally binding instrument

⁸ For a description of the functioning of an NPT review conference see United Nations, ‘Background: background information’, [n.d.]; and Rauf (note 2).

⁹ Non-Proliferation Treaty (NPT) (note 1).

¹⁰ 2015 NPT Review Conference, ‘Working paper of the chair of Main Committee I’, NPT/CONF.2015/MC.I/WP.1, 18 May 2015; and 2015 NPT Review Conference, ‘Subsidiary Body 1: draft substantive elements’, NPT/CONF.2015/MC.I/SB.1/CRP.1, 8 May 2015. See also 2015 NPT Review Conference, ‘Subsidiary Body 1: revised draft substantive elements NPT/CONF.2015/MC.I/SB.1/CRP.1/Rev.1, 12 May 2015.

¹¹ 2015 NPT Review Conference, Austria, Chile, Costa Rica, Egypt, the Holy See, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, the Philippines, South Africa, Sweden and Switzerland, ‘Humanitarian impact of nuclear weapons’, Working paper, NPT/CONF.2015/WP.30, 22 Apr. 2015; and 2015 NPT Review Conference, Austria, ‘The Vienna Conference on the humanitarian impact of nuclear weapons (8 and 9 December 2014) and the Austrian pledge: input for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons’, NPT/CONF.2015/WP.29, 21 Apr. 2015.

on nuclear disarmament but instead advocated putting in place ‘building blocks’ (a step-by-step approach) that could eventually lead to nuclear disarmament.¹²

The NAM, made up of 120 states, proposed a plan of action for the elimination of all nuclear weapons in an irreversible and verifiable manner, in three five-year phases: 2015–20, 2020–25 and 2025–30.¹³

The NWS openly dismissed the credibility of the proposal under the HINW concept, rejecting claims that there was any new information or data on the consequences of nuclear detonations or that their nuclear weapons posed any risk of accidental detonation. They dismissed all the recommendations suggested by the NNWS for prohibiting and eliminating nuclear weapons and remained wedded to their step-by-step approach to nuclear disarmament based on the principles of strategic stability and undiminished security for all states. A group of NWS, together with a group of some 30 NNWS (including Australia, Japan, New Zealand, South Korea and members of the North Atlantic Treaty Organization that rely on US nuclear guarantees) that remain wedded to notions of nuclear deterrence, rejected all recommendations by other NNWS on accelerating the pace and scope of nuclear disarmament. Despite protracted discussions on nuclear disarmament in MC.I—and in SB.I and in a focus group of 20 states convened off-site by the conference president—the divisions within the NNWS and between the NWS and a large proportion of the NNWS led to a total deadlock in negotiations. In the end, as noted above, the conference president made her best effort to draft a final document on the final day, which was considered below expectations in terms of its provisions on nuclear disarmament and controversial, according to certain Western states, in terms of its proposals on the Middle East.¹⁴ The conference president’s efforts proved unsuccessful as three Western states rejected the draft.¹⁵ The NAM and some other

¹² 2015 NPT Review Conference, Non-Proliferation and Disarmament Initiative (NPDI), ‘Recommendations for consideration by the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons’, Joint working paper, NPT/CONF.2015/WP.16, 20 Mar. 2015. The NPDI consists of Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Nigeria, the Philippines, Poland, Turkey and the United Arab Emirates (UAE)—7 of these are so-called umbrella states, relying on security guarantees from the 5 nuclear weapon states (NWS).

¹³ 2015 NPT Review Conference, Group of the Non-Aligned States Parties to the NPT, ‘Draft elements for a plan of action for the elimination of nuclear weapons’, Working paper, NPT/CONF.2015/WP.14, 13 Mar. 2015.

¹⁴ 2015 NPT Review Conference, Joint closing statement by Austria, 22 May 2015.

¹⁵ 2015 NPT Review Conference, US Department of State, Gottemoeller, R., Under Secretary for Arms Control and International Security, ‘Remarks at the 2015 Nuclear Nonproliferation Treaty Review Conference’, 22 May 2015; and 2015 NPT Review Conference, Rowland, M., United Kingdom’s Permanent Representative to the Conference on Disarmament in Geneva, Statement at the 2015 NPT Review Conference, 22 May 2015. The text of the statement and other documents relating to the 2015 NPT Review Conference are available at the website of the non-governmental organization (NGO) Reaching Critical Will: <<http://www.reachingcriticalwill.org/disarmament-fora/npt/2015>>.

states claimed in their statements after the collapse of the 2015 NPT Review Conference that they could have accepted the conference president's weak compromise text had her draft final document not been rejected.¹⁶

Although the conference president's draft final document did not command consensus, it did contain some useful recommendations on nuclear disarmament. It reaffirmed that the full and effective implementation of the NPT and the regime of nuclear non-proliferation and nuclear disarmament in all its aspects has a vital role in promoting international peace and security.¹⁷ It also reaffirmed the importance of the entry into force of the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) at the earliest possible date, and emphasized the responsibility of all signatories to promote the CTBT.¹⁸ It noted that the CTBT is a vital multilateral instrument for nuclear disarmament and nuclear non-proliferation.¹⁹

The conference president's draft final document also specified certain concrete benchmarks and timelines based on the working papers and statements made in the plenary, the MC.I and the SB.I, as well as during off-site negotiations:²⁰

1. Nuclear weapons must never be used again.
2. There is an urgent need for the NWS to implement the steps leading to nuclear disarmament agreed to in the final documents of the 2000 and 2010 NPT Review Conferences in a way that promotes international stability, peace and security, and is based on the principle of undiminished and increased security for all.
3. The NWS must engage in all processes over the course of the next NPT review cycle, with a view to achieving rapid reductions in the global stockpile of nuclear weapons.
4. All states parties concerned (i.e. the five NWS) should ratify the nuclear weapon-free zone treaties and their relevant protocols and review any related reservations and interpretive declarations over the course of the next NPT review cycle, with a view to the withdrawal of such reservations and declarations.
5. All states parties should immediately begin negotiations of a treaty banning the production of fissile material for use in nuclear weapons or other

¹⁶ 2015 NPT Review Conference, Baedi-Nejad, H., Director General for Political and International Security Affairs, Iranian Ministry of Foreign Affairs, Statement on behalf of the Group of Member States of the Non-Aligned Movement at the closing session, 22 May 2015. The text of the statement is available at the Reaching Critical Will website (note 15).

¹⁷ 2015 NPT Review Conference, 'Draft final document', NPT/CONF.2015/R.3 (Vol. I), 21 May 2015, para. 1. The text of the draft final document is available at the Reaching Critical Will website (note 15).

¹⁸ Comprehensive Nuclear-Test-Ban Treaty (CTBT), opened for signature 24 Sep. 1996, not in force.

¹⁹ 2015 NPT Review Conference, NPT/CONF.2015/R.3 (Vol. I) (note 17), para. 148.

²⁰ 2015 NPT Review Conference, NPT/CONF.2015/R.3 (Vol. I) (note 17).

nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 and the mandate contained therein.²¹

6. All states parties should pursue and intensify efforts to develop the nuclear disarmament verification capabilities—taking into account the role of the International Atomic Energy Agency (IAEA) in the area of verification—that will be required to (a) provide assurance of compliance with the various disarmament agreements and joint statements issued by states parties and the IAEA, and (b) achieve and maintain a world without nuclear weapons.

Main Committee II

MC.II addressed issues concerning safeguards, nuclear security, export controls and nuclear weapon-free zones, as well as regional issues concerning the Middle East, South Asia and North Korea.²² The bulk of the text in the chair's working paper reporting on MC.II was drawn from other working papers and the interventions of states, which in turn were based on the texts of resolutions adopted by the IAEA General Conference in 2014. Although the chair's working paper did not command consensus, it is useful to note some of its salient elements.

The chair's working paper expressed the MC.II's support for the IAEA, the authority responsible for assuring compliance with safeguards agreements, and stressed the importance of maintaining the credibility, effectiveness and integrity of IAEA safeguards. It welcomed the fact that (a) 172 states had comprehensive safeguards agreements in force; (b) 6 additional states had brought their NPT safeguards agreements into force since 2010; and (c) 124 states had in force additional protocols to safeguards agreements.

The working paper expressed concern over cases of non-compliance with the NPT by states parties, and called on non-compliant states to move promptly to full compliance with their obligations. It underscored the importance of complying with the non-proliferation obligations and addressing all non-compliance matters in order to uphold the NPT's integrity and the authority of IAEA safeguards.

Regarding internationally recognized nuclear weapon-free zones on the basis of arrangements freely arrived at among the states of the region concerned, the chair's working paper noted that the further establishment of new zones strengthens the nuclear non-proliferation regime and contrib-

²¹ United Nations, Conference on Disarmament, Report of Ambassador Gerald E. Shannon of Canada on Consultations on the Most Appropriate Arrangement to Negotiate a Treaty Banning the Production of Fissile Material for Nuclear Weapons or Other Nuclear Explosive Devices, CD/1299, 24 Mar. 1995.

²² 2015 NPT Review Conference, 'Working paper of the chair of Main Committee II', NPT/CONF.2015/MC.II/WP.1, 18 May 2015; and 2015 NPT Review Conference, 'Regional issues, including with respect to the Middle East and implementation of the 1995 Middle East resolution', Working paper of the chair of Subsidiary Body II, NPT/CONF.2015/MC.II/WP.2, 20 May 2015.

utes towards realizing the objectives of nuclear disarmament. It underlined the importance of the establishment of nuclear weapon-free zones where they do not exist, especially in the Middle East. The working paper also reaffirmed the urgency and importance of achieving universality of the NPT and called on all states in the Middle East that have not yet acceded to the NPT to do so as NNWS so as to achieve its universality at an early date.

SB.II, which reported to MC.II, dealt with regional issues but was unable to reach any agreement on the implementation of the 1995 NPT Review and Extension Conference Resolution (1995 Resolution on the Middle East) on establishing a zone free of nuclear weapons and all other WMD (and their delivery systems) in the Middle East (MENWFZ/WMDZF).²³ Nor was there any agreement on the convening of a conference on a MENWFZ/WMDZF, as had been agreed at the 2010 NPT Review Conference.²⁴ Some members of the Group of Arab States expressed frustration regarding the failure of the NPT depositary states that co-sponsored the 1995 Resolution on the Middle East—Russia, the UK and the USA—and the facilitator appointed by the UN Secretary-General to convene a conference on a MENWFZ/WMDZF.²⁵

The Group of Arab States proposed a new framework for the Middle East conference to be convened by the UN Secretary-General within 180 days from the adoption of the final document of the 2015 NPT Review Conference aimed at launching a process to conclude a legally binding treaty establishing a MENWFZ/WMDZF.²⁶ This conference would take as its terms of reference the 1995 Resolution on the Middle East and would establish two working groups (WG): WG.I would deal with the scope, geographic delimitation, prohibitions and interim measures, and WG.II would deal with verification and implementation. The conference would meet annually in plenary and WG format, and its convening would not be postponed.²⁷ In effect, this proposal placed the entire onus for the convening of the conference on the UN

²³ 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, 'Resolution on the Middle East', NPT/CONF.1995/32 (Part I), Annex, [n.d.]; and 2015 NPT Review Conference, NPT/CONF.2015/MC.II/WP.2 (note 22).

²⁴ 2010 NPT Review Conference, NPT/CONF.2010/50 (Vol. I) (note 5), pp. 29–31.

²⁵ 2015 NPT Review Conference, 'Preparations for the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction', Report by the facilitator, NPT/CONF.2015/37. The 2010 NPT Review Conference agreed that the UN Secretary-General and the co-sponsors of the 1995 Resolution on the Middle East—Russia, the UK and the USA (conveners)—would convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a MENWFZ/WMDZF, with the 1995 Resolution on the Middle East as its terms of reference. On 14 Oct. 2011, the conveners appointed Under-Secretary of State Jaakko Laajava of Finland as facilitator and designated Finland as the host government for the 2012 conference. The conference was not held in 2012, but during 2013–14 the facilitator held 5 rounds of multilateral consultations involving the states of the region of the Middle East.

²⁶ 2015 NPT Review Conference, Bahrain on behalf of the Arab Group, 'Implementation of the 1995 resolution and 2010 outcome on the Middle East', Working paper, NPT/CONF.2015/WP.33, 22 Apr. 2015.

²⁷ 2015 NPT Review Conference, NPT/CONF.2015/WP.33 (note 26).

Secretary-General and excluded any role for the three NPT depositary state co-sponsors of the 1995 Resolution on the Middle East.

This proposal did not secure the approval of two of the three NPT depositary state co-sponsors and protracted negotiations continued on the sidelines of the 2015 NPT Review Conference. In a bid to break the deadlock, Russia proposed a compromise solution principally based on input from Egypt. In summary, the Russian proposal was as follows:

1. A Middle East conference should be convened no later than 1 March 2016, with the aim of launching a continuous process of negotiating and concluding a legally binding treaty establishing a MENWFZ/WMDfZ.

2. In preparation for the conference, all states in the Middle East should engage in intensive direct consultations in appropriate formats, with the intention of reaching consensus on an agenda and a final document for the conference.

3. Should the states of the Middle East fail to agree among themselves on the necessary arrangements for the conference by 15 January 2016, the UN Secretary-General, in consultation with the co-sponsors of the 1995 Resolution on the Middle East, would issue invitations to all states in the region to a conference to be convened by 1 March 2016.

4. The terms of reference of the conference would be the 1995 Resolution on the Middle East, all substantive decisions would be taken by consensus, and the conference would define the follow-up steps leading to the establishment of a MENWFZ/WMDfZ.²⁸

Two of the three NPT depositary state co-sponsors, the UK and the USA, opposed being excluded from the preparations for the Middle East conference and were of the view that the Group of Arab States would hold the conference despite potential objections from Israel, which is not a party to the NPT, although it did attend the 2015 NPT Review Conference as an observer. As noted above, the UK and the USA, supported by Canada, rejected the conference president's compromise draft final document. Russia supported the Group of Arab States' proposal and announced that it would issue compromise text to bridge the differences; however, it did not provide such text.

Main Committee III

MC.III covered peaceful uses and applications of nuclear energy, international nuclear cooperation, nuclear safety, provisions for withdrawal from the NPT, universalization of the NPT, and the strengthened review process of the NPT. The most contentious discussions were on strengthening the

²⁸ 2015 NPT Review Conference, Russia, 'Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction', Working paper, NPT/CONF.2015/WP.57, 14 May 2015.

criteria to be met by a state in the event of its withdrawal from the NPT, international cooperation on the transfer of nuclear materials and technologies, and the review process. No agreement was achieved on strengthening the withdrawal provisions or on changing the review process beyond what was agreed on these issues at the 1995 and 2000 NPT Review Conferences.

The chair's working paper reflected broad general agreement even though it was not formally agreed by the MC.III; several of its main recommendations are presented below.²⁹ Among other things, the working paper encouraged, to the extent possible, transparency and inclusiveness in export control policies to ensure and facilitate, to the fullest extent possible, access by developing states parties to nuclear material, equipment or technology for peaceful purposes, in accordance with the provisions of the NPT. It recognized that regional cooperative arrangements for the promotion of the peaceful use of nuclear energy can be an effective means of providing assistance and facilitating technology transfer, complementing the technical cooperation activities of the IAEA in individual countries, with each state party having the right to define its national energy policy. The working paper recognized the primary responsibility of individual states for maintaining the safety and security of their nuclear installations, and the crucial importance of an adequate national technical, human and regulatory infrastructure in nuclear safety, radiological protection and spent fuel and radioactive waste management, as well as an independent and effective regulatory body. It encouraged all states that had not yet done so, to become party to the 1994 Convention on Nuclear Safety, the 1986 Convention on Early Notification of a Nuclear Accident, the 1986 Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, and the 1997 Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.³⁰

The working paper noted that attacks or threats of attacks on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety, have dangerous political, economic and environmental implications, and could raise serious issues pertaining to international law. The working paper stated that—pursuant to Action 64 of the action plan adopted at the 2010 NPT Review Conference—states parties should abide by decision GC(53)/DEC/13 of the 2009 IAEA General Conference on the prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction.³¹

²⁹ 2015 NPT Review Conference, 'Chairman's working paper: Main Committee III', NPT/CONF.2015/MC.III/WP.2, 18 May 2015.

³⁰ The full texts of these conventions are available at the International Atomic Energy Association's website: <<http://www-ns.iaea.org/conventions/default.asp?s=6&l=44>>.

³¹ International Atomic Energy Association, Decision on the prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction, GC(53)/DEC/13,

The working paper also noted the establishment of a reserve of low-enriched uranium (LEU) in the Russia in December 2010 for the use of IAEA member states, as well as the establishment of an IAEA owned and operated LEU Bank, approved by the IAEA Board of Governors, in December 2010. It welcomed Kazakhstan's offer to host the IAEA LEU Bank.

Assessment of the 2015 NPT Review Conference

The conduct of the conference

With regard to the conduct of the 2015 NPT Review Conference, there was a noticeable lack of effective coordination in the conference bureau, an absence of clarity about how and what the conference president intended to achieve as an outcome, and a pronounced lack of imagination on the part of many delegations to achieve the best outputs from the strengthened review process and to use it to achieve the best results.

The closed-door, off-site, 'presidential consultations' that took place in the last week of the conference, involving some 20 delegations, were widely perceived as undemocratic and non-inclusive.³² In addition, many of the traditional state groupings now appear to be outdated and incapable of dealing with current issues and priorities. Issue-based coalitions—such as the NAC, the NPDI and the HINW—may be more relevant, but lack coherence and are mired in intra-group divisions.

The future of the NPT regime

Even though the 2015 NPT Review Conference was a largely acrimonious meeting that failed to agree an outcome document, the NPT regime is not in any imminent danger of collapse, despite the dire warnings from some quarters. NPT review conferences have failed to produce results in the past but the NPT regime has continued and even been strengthened in some areas, such as nuclear verification, nuclear safety and security.

Assessments of the 2015 NPT Review Conference have ranged from disappointment to guarded optimism. For example, in a jointly authored article, the presidents of the 1995 and 2005 NPT Review Conferences, Ambassadors Jayantha Dhanapala and Sérgio de Quieroz Duarte, cautioned that: 'One can only hope that this failure will not be the coup de grâce to the two long-standing NPT objectives of accelerated progress on nuclear disarmament and on establishing a Middle Eastern WMD-free zone'. They added that 'unless

18 Sep. 2009.

³² The states that took part were Austria, Australia, Brazil, Cuba, Egypt, Iran, Ireland, Japan, Mexico, the Netherlands, New Zealand, Peru, South Africa, Sweden, Switzerland and the 5 NWS.

the gap between promises and effective measures is filled, the legitimacy, authority, and appeal of the NPT will inexorably wane'.³³

Traditionally, part of the blame for the failure of a review conference is apportioned to the review process itself. In fact, the underlying reasons are major political differences between states parties about the future course of nuclear disarmament, establishing a WMD-free zone in the Middle East and strengthening non-proliferation controls. At the 2015 NPT Review Conference, the HINW proposal and the push to outlaw and eliminate nuclear weapons were major factors increasing divisions between states, in particular the outright rejection by the NWS of these objectives. Compounding these differences was the support given by two of the three NPT depositary states to a nuclear-armed state that is not party to the NPT—namely Israel—on the question of a WMD-free zone in the Middle East. Nuclear disarmament and the Middle East were problematic issues at the 1985, 1995, 2000 and 2010 NPT Review Conferences, all four of which nonetheless produced agreed final documents after protracted negotiations. As the Preparatory Committee for the 2020 Review Conference begins its work in Vienna in 2017, it will be important for states parties to develop a renewed sense of support for the NPT, especially with regard to new initiatives on nuclear disarmament and the Middle East.

³³ Dhanapala, J. and Duarte, S., 'Is there a future for the NPT?', *Arms Control Today*, vol. 45, no. 6 (July/Aug. 2015).