

8. THE NON-PROLIFERATION TREATY (NPT) -- THE FOURTH REVIEW CONFERENCE

BACKGROUND

The Fourth Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT) convened in Geneva on 20 August 1990. The Conference was scheduled to conclude on Friday 14 September, but continued through the night of the 14th, finally adjourning at about 6 a.m. on Saturday the 15th. Article VIII of the Treaty, which came into force in 1970, required that a conference "to review the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized" be called at the end of five years. Thereafter, also under Article VIII, a majority of the signatories may request further conferences at five year intervals. Article X of the Treaty, however, requires that in 1995, twenty-five years after its entry into force, a conference be convened "to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods." The 1990 Review Conference, therefore, was the last before the 1995 date for renewal.

The Elements of the Treaty

The NPT was negotiated between 1965 and 1968. During the negotiations, disagreement between the United States and the Soviet Union centred on the prospect that the United States might transfer nuclear weapons to West Germany under a NATO agreement. A second significant disagreement occurred between the nuclear weapon states (NWS) and the non-possessing states. The latter argued that if the proposed treaty was to weigh equally on the parties, there should be a linkage established between horizontal and vertical proliferation.

The NWS resisted specific linkage, but in the end were obliged to compromise. Article VI of the NPT requires the parties "to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control." In addition, the Preamble to the Treaty recalled the determination of the parties to the 1963 Partial Test Treaty "to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end."

With these general attempts to balance obligations between nuclear-possessing and non-possessing states, the NPT signatories undertook the following commitments: