

**EFFECTIVENESS OF THE NUCLEAR NON PROLIFERATION
TREATY IN THE MAINTENANCE OF INTERNATIONAL
PEACE AND SECURITY: CASE OF IRAN**

BY

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**A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENTS OF THE MASTER OF SCIENCE DEGREE IN INTERNATIONAL
RELATIONS**

DEPARTMENT OF POLITICAL AND ADMINISTRATIVE STUDIES

FACULTY OF SOCIAL STUDIES

UNIVERSITY OF ZIMBABWE

MARCH 2015

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Dedications
To my mother

Acknowledgements

I am greatly indebted to my supervisor, Mr. Mhandara whose guidance and encouragement helped me to successfully complete this project.

I would also like to express my deepest gratitude to my beloved mother Ms. Phoebe Chidawo for her hard work in making sure my Masters dream became a reality.

I would also like to thank my friends Norman, Ben, Hillary and all my classmates for their assistance.

Abbreviations

Comprehensive Test Ban Treaty	CTBT
International Atomic Energy Agency	IAEA
Non-Nuclear Weapon States	NNWS
North Atlantic Treaty Organisation	NATO
Nuclear 5	N5
Nuclear Non-proliferation Treaty	NPT
Nuclear Weapon States	NWS
Strategic Arms Reduction Treaty	START
United Nations Security Council	UNSC

Abstract

This study focuses on the effectiveness of the Nuclear Non-proliferation Treaty in the maintenance of international peace and security, using Iran as a case study. The Treaty came into force in 1970 and its major aim is to curb nuclear proliferation. The main objectives were to examine and explain the existence of the Treaty with special attention being to examine the Iran nuclear project. The United States and Israel have been at the forefront of demonizing Iran's nuclear programme. However, Iran a party to the Treaty insists that its program has peaceful intentions. The result has been a protracted deadlock and animosity. With the use of documentary search and in-depth interviews, the study revealed that suspicion than reality has been the major cause of the stalemate. Findings further indicate that double standards shown by the nuclear powers, especially the United States have hampered the effectiveness of the Treaty. If this blatant discrimination continues there is real danger of a nuclear arms race in the vulnerable Middle East region. The presence of nuclear weapon states outside the Treaty is also a major cause for concern as these weapons may fall into the wrong hands and threaten world security. The Treaty therefore needs to bring these non NPT members to the negotiating table. There is also need for the nuclear powers to adhere to the Treaty and avoid discrimination in its application.

CHAPTER 1: INTRODUCTION

1.1 Background to the Problem

Throughout history, states have been building and acquiring arms for their defence. However, if not controlled, this exercise can have devastating effects on global security as evidenced by the outbreak of World War I. An arms race amongst major powers in Europe led to the desire to use them and ultimately resulted in the World War I. World War II saw the use of nuclear weapons in the US bombing of Hiroshima and Nagasaki in 1945, leaving a trail of destruction and tens of thousands dead. The Cuban Missile Crisis of 1962 between the US and the Soviet Union is the closest the world has come to a nuclear war and this crisis served as a message on the potential dangers of a nuclear arms race. The Nuclear Non Proliferation Treaty of 1968, which became effective in 1970, is the largest arms control treaty in the world with 190 countries having signed on. The treaty was accompanied by a United Nations Security Council Resolution 255 of 19 June 1968. The Nuclear Non Proliferation Treaty (NPT) rests on 3 pillars; nuclear nonproliferation, disarmament and the use of nuclear energy for non-aggressive purposes. According to the United Nations (2010), the NPT is a global treaty which aims at stopping the spread of nuclear weapons and technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament. The NPT embodies the only obligatory commitment in a multilateral agreement to the ultimate objective of disarmament by the nuclear-weapon states. Of all United Nations members, only India, Israel, Pakistan and South Sudan have never signed the treaty and North Korea withdrew in 2003. The treaty recognises only five nuclear weapons states and these are China, France, Russia, the United Kingdom and the United States of America, also known as the N5. The NPT is credited with having a positive effect on global security as alluded to by Kofi Annan, former United Nations Secretary General who described the treaty as the ‘cornerstone of global security’. The treaty has also defied predictions by former US President John Kennedy who in 1960 stated that there would be dozens of nuclear weapon states in the coming decades. However, the treaty has also been viewed as being largely discriminatory as it allows only 5 states to possess nuclear weapons and denying other states the rights to also acquire these weapons for their security. The N5 have also used this treaty to preserve their nuclear privileges and maintain their stranglehold on power.

1.2 Statement of the Problem

The NPT is the largest arms control treaty with over 190 members. The treaty is credited with the maintenance of global peace since it has so far managed to avoid the outbreak of any nuclear wars. The denunciation of nuclear weapons by states such as Brazil, Argentina and South Africa has also had a positive effect for the agreement. However, with India, Pakistan and most notably Israel opting not to join, its recent history has been tainted with controversy and more so when the Democratic People's Republic of Korea (North Korea) withdrew in 2003. Of late, Iran has been accused of breaching its obligations under the treaty. The Middle East state is party to the Nuclear Non Proliferation Treaty having signed the treaty in 1968 and has a nuclear program that it states is in line with the requirements of the treaty. Article IV of the Treaty states that all members of the NPT are entitled to an undisputable the right to use, develop or research on nuclear energy for peaceful, nonviolent purposes. However the US and its Western allies have alleged that Iran is building nuclear weapons and since then the United Nations has passed several resolutions for Iran to halt its enrichment's programme. The country has also been slapped with sanctions such as the Iran Sanctions Act and the Comprehensive Iran Sanctions by the United States government over its actions. The nuclear powers, who are also the permanent members of the United Nations Security Council, and Germany, known as the P5+1, have been engaging with Iran in trying to stop its nuclear programme. However the problem stems from the fact that there is no concrete evidence to prove that Iran is using its nuclear plants for aggressive means and a 2007 investigation by the United States intelligence also revealed that Iran did not have any nuclear weapons. This exposes the P5+1 hypocrisy and more so when compared to Israel which has since refused to join the NPT and is widely regarded as a nuclear state with the support of the United States. The mere fact that Iran's nuclear programme, which has so far proved to be for peaceful energy purposes, is receiving so much attention from the N5 is a subject of great controversy. The NPT clearly states that all states have the right to develop nuclear energy for peaceful purposes and the fact that Iran is not allowed to exercise this right without major scrutiny is a cause for concern and leads to questions being raised regarding the effectiveness of the Treaty in arms control.

1.3 Objectives of the Study

The specific objectives of this study are to;

- Explain the existence of the NPT
- Examine the effectiveness of the NPT regime in arms control
- Examine Iran's nuclear programme
- Analyse the reasons behind the N5's attitude regarding Iran's nuclear project
- Give recommendations on how the NPT can be more effective

1.4 Research questions

The key research questions are:

- What purpose does the NPT serve?
- How effective has the NPT been in controlling nuclear weapons proliferation?
- Is Iran's nuclear programme a cause for concern?
- What hindrances have there been to the effectiveness of the NPT in arms control?
- Can the NPT be reformed so as to ensure more efficiency?

1.5 Hypothesis

The effectiveness of the Nuclear Non Proliferation Treaty as an arms control instrument has greatly been hampered by the double standards of the nuclear weapon states regarding Iran's nuclear programme.

1.6 Justification of the Study

Nuclear weapons have a massive bearing on international peace and security issues and they also have an impact on relations between states. With the devastation that nuclear weapons caused in the bombing of Hiroshima and Nagasaki, it is clear that these weapons are a danger to humanity. Iran is a constant feature in the news due to its nuclear programme which the US and its allies claim is against the purpose of the Nuclear Non-Proliferation Treaty which Iran is a party to. Under scrutiny is the manner in which the Treaty has been enforced on Iran as it is alleged the

Islamic state is building nuclear weapons whilst at the same time there is no clear evidence to support this contention. There has been major international pressure, especially from Washington and its allies over this issue hence the need for thorough investigation to ascertain if this pressure is indeed warranted. This research is an attempt to explain the reasons behind the Iran nuclear project and the reasons for its condemnation by the N5. Whilst a lot has been written on the effectiveness of the NPT in arms control issue, this study focusing on Iran will enrich the existing body of literature on how the NPT can become more effective and impartial in nuclear arms control.

1.7 Theoretical/Conceptual Framework

Arms control as a concept best describes the existence of the NPT. According to NATO (2012), “Arms control refers to mutually agreed upon restraints or controls usually between states on the research, manufacture or the levels of and /or locales of deployment of troops and weapons systems”. After the destruction of Hiroshima and Nagasaki in the Second World War and the Cuban Missile Crisis, it became apparent that nuclear weapons posed a major threat to international peace and security hence there was need to come up with an initiative that would help in controlling the development of these arms. Arms control initiatives such as the NPT, are crucial for global peace in that they seek to make the world a safer place with the end goal of this particular agreement being disarmament. In other words the NPT has been very beneficial to global security since it has kept nuclear weapons at bay within those states that are part of the treaty, Iran included. The Middle Eastern state has been vocal in calling for the region to become a nuclear free zone hence it shows the commitment that Iran has to nuclear arms control and the NPT as a whole.

Neo-classical Realism as a theory also explains the current Iran nuclear crisis. Rose(119:153) states that foreign policy is derived from the domestic institutional structure as well as by external threats and opportunities, material power and a state's place in the international system. This suggests that what a state does depends largely on domestic ideologies and that states decide their foreign policy based on power and interests. This is the case with the current impasse between the United States and Iran. Washington has been at the forefront of accusing Iran of undermining the NPT and developing nuclear weapons. This is so because the United States wants to maintain its reputation as the global hegemony and also because if Iran was to

develop nuclear weapons, this would unsettle Israel, its ally in the Middle East. Neo classical realists also believe that military might is the only effective tool against aggression rather than diplomacy or international institutions which is why the United States keeps expanding its military might with its budget ballooning every year. Defensive Structural Realism is also another theory relevant to this study and was developed from Neo-classical Realism. According to Waltz (2000:201), states estimate threats posed by other states by their relative power proximity, intentions and the offense-defense balance. As such, the main threat to any state's security comes from other states. Therefore states form alliances to protect themselves which is why military groupings such as the Northern Atlantic Treaty Organisation (NATO) have emerged. The United States and Israel have also made a pact to attack Iran if it becomes apparent that it has acquired nuclear weapons.

Offensive realism can also be used to explain the current situation regarding Iran and the NPT. Labs (1997) states that the international environment is uncertain and any state may use its power to harm the next hence security requires acquiring as much power compared to other states as possible. Offensive realists believe that the international system is chaotic and states can never trust each other or be certain of the others' intentions. The only way to be safe would be to maximize one's power and try to stop whoever tries to challenge your authority. The United States as the superpower realizes the potential that a nuclear Iran could possess hence it is trying everything in the book to stop Iran. According to Mearsheimer (2001:143) ,the international system encourages an offensive strategy because anarchism leads to insecurity and only by being the strongest can a state be secure, ultimate security comes only from being the most powerful state in the system and maintaining a hold on regional hegemony. This can be used to explain Israel's obsession with Iran's nuclear program. As a strong state in the Middle East with a powerful ally in the United States, Israel no doubt fears the capabilities that a nuclear Iran would have and has so far issued several threats of attack to Tehran.

1.8 Literature Review

Much has been written about the NPT effectiveness with regards to Iran over the last decade. Iran as signatory to the Treaty, has been actively calling for the Middle East to become a nuclear arms free zone and has also insisted that its nuclear program is in line with the NPT and only for peaceful purposes. Avery (2012), states that the NPT has been facing difficulty in distinguishing

between a civilian nuclear power generation program and a nuclear military program which has in the long run resulted in suspicions over Iran. However, on the other hand Iran is fully in compliance with the NPT and there is no evidence thus far as to the aggressive nature of the Iranian nuclear programme and the continued pressure by the P5+1 as a result becomes suspicious. The Treaty clearly states that nuclear energy for peaceful purposes is permissible and the fact that Iran is being denied this provision hampers the effectiveness of the NPT. The situation also raises fears that Iran will face the same fate as Iraq which was accused of possessing nuclear weapons by the United States and the United Kingdom in 2003. This was followed by a bloody invasion but more than a decade later, these weapons have become more of a myth and the country has been left impoverished and in a much worse condition than it was in before the invasion.

Furthermore, the International Atomic Energy Agency (IAEA), an organisation that works in collaboration with the NPT and the United Nations on nuclear arms control, has so far failed to come up with any concrete evidence to back up its suspicions that Iran is building nuclear weapons. A United States intelligence report also came up with nothing regarding the issue in 2007. Articles I and II forbids the N5 from helping non-nuclear states but France has helped Israel acquire weapons as much as China has helped the Pakistanis and as such it raises eyebrows that the same states that have long been violating the NPT are now threatening Iran because of a nuclear program that fully complies with the treaty. As such, the behaviour of the N5 towards Iran reveals the double standards within the NPT and these greatly hamper the effectiveness of the treaty. The general consensus is that Iran has no nuclear weapons but at the same time, it is now being threatened with dire consequences by the United States and Europe who have already placed several sanctions on Iran over its nuclear project. When North Korea was faced with overwhelming international pressure due to its nuclear programme, it opted out of the NPT in 2003, proving that its programme was going against the treaty. However the fact that Iran is still party to the treaty perhaps proves that it has nothing to hide and this is shown by its willingness to allow the International Atomic Energy Agency (IAEA) to inspect its plants.

Like any other multilateral agreement, the NPT is faced with challenges and the Iran issue exposed these cracks. Clempson (2011) postulates that, "The NPT has been moderately successful to date, but the range of challenges it faces is now so vast, that the only option is for it

to be redesigned”. In other words, there is need for the revamping and reforming of the agreement, which was extended indefinitely in 2005, so as to make it more effective. The NPT hence needs to be clear and impartial so that it can perform better in the field of nuclear weapons control.

1.9 Methodology

1.9.1 Research Design

A case study of Iran will be utilised in this research to better understand the effectiveness of the NPT as a nuclear arms control agreement and within this case study, qualitative research methods are going to be employed. According to Denzin and Lincoln (1994:24), qualitative research includes the collection of empirical materials including case studies, personal experiences, interviews, observations and interactional texts that describe routine problematic moments and meaning in individuals’ lives. Data collection methods will include documentary search and in depth interviews. Documents, both historical and contemporary are a rich source of data for social research and they include books, essays, newspapers, institutional memoranda and government pronouncements and proceedings and are going to be utilised as well. These are very important as they provide a starting point for any research and saves time and money and this method is going to be employed as a lot has been written on the subject. In depth interviews help to get a better understanding of the topic as the researcher can probe deeper to get more valuable information.

1.9.2 Sampling procedure

According to Latif and Maunganidze (2003:14), a sample is a subset chosen from the population for study and sampling is a selection of subjects from a whole population of these subjects because studying the whole population is time consuming, expensive and difficult. This research will utilise purposive sampling which involves the researcher selecting individuals and sites for study because they can purposefully help in the understanding of the research problem and the sample elements are selected because they are representative of the population of interests. The research will also use snowball sampling. Churchill and Iacobucci (2011:90) state that a

snowball sample is a judgment sample that is sometimes used to sample special populations and relies on the researcher's ability to locate the initial set of respondents. This sort of sampling is usually done when there is a small population size that may be difficult to come across and the respondents may identify other subjects who meet the required criteria. Officials from the Iranian and United States embassies and United Nations representatives in the field of arms control will be targeted as participants and they can in turn suggest other participants who may be useful to this research.

1.9.3 Data Analysis

According to Rodgers (2010:53), data analysis involves the process of examining, cleaning, changing and molding data so as to highlight the valuable information and then be able to make the important conclusions. Qualitative research findings are in the form of themes, categories, concepts or tentative hypothesis or theories and once data is collected and summarised, the researcher looks for relationships among the categories and patterns and this is known as thematic analysis. It involves searching through data to find any recurring patterns or themes. Once the themes have been collected and the findings studied, the researcher is ready to formulate theme statements to develop a story line. When the literature is linked with the findings, whoever reads it can grasp the content and understand the drive of the researcher.

1.10 Delimitations

The scope of the research is limited to the Nuclear Non Proliferation Treaty, its effectiveness in nuclear arms control with the aid of Iran as a case study from the time it joined the NPT to the present. The United Nations and the International Atomic Energy Agency will also be included. Comparison with Israel will also be made for a more effective analysis.

1.11 Limitations

This study will be limited by difficulties involved in getting information from respondents who would be better suited to answer the research questions. Obtaining information from Iran and members of the P5+1 will most likely not be possible due to the distance and the sensitivity around the issue. Documentary search and the internet will be used but this may also be affected by bias due to the sensitivity of the issue. To deal with this bias, triangulation will be employed

whereby information from the internet, documentary search and in depth interviews will be cross validated to ensure reliability.

CHAPTER 2: CONCEPTUALISING ARMS CONTROL AND DISARMAMENT

2.1 Introduction

This chapter will attempt to discuss in detail the two concepts related to the research question; arms control and disarmament. The Nuclear Non-proliferation Treaty is an arms control agreement which contains provisions for states to pursue disarmament in good faith. These concepts will be discussed to establish their practicality and how they can increase the effectiveness of the Treaty.

2.2 Arms Control

Arms control is one out of numerous other approaches to achieving international peace and security. The international system is characterised by anarchy and mistrust and one state can never be sure of another's true intentions leading to a security dilemma which in turn leads to an arms race creating tensions and in the worst case scenario leads to war. As such, arms control initiatives try to address the negative consequences of such a dilemma. The 1968 Nuclear Non - proliferation Treaty, which aims to limit the transfer of nuclear weapons and technology between nuclear weapon states and non-nuclear weapon states, is an example of an arms control agreement. It has a regulatory mandate and its goal is to manage the existing order rather than constructing a new one. Arms control initiatives such as the NPT have been credited with the maintenance of international peace and security but it is also important to acknowledge the fact that that they have also been met with criticism due to factors that hinder their effectiveness.

The concept has been subject to different interpretations but generally most scholars concur that it involves limiting countries' military capabilities or potential in agreed ways. According to Dhanapala (2001:1)

Arms control begins from the premise that the old problem of war simply cannot be solved entirely through any single decision or collective action. The challenge for arms control are therefore, to reduce the risk and frequency of armed conflicts, to lessen or contain their damaging effects, to shorten their duration, and to reduce their risks to civilian populations. This approach results in the capping of arms races, not their elimination.

Larsen (2002:1) also adds that arms control can be defined as any agreement among states to regulate some aspect of their military capability or potential. The agreement may apply to the location, amount, readiness and types of military forces, weapons and facilities. Whatever their scope and terms, however, all forms of arms control have some sort of cooperation or joint action among the participants regarding their military programs. In other words, arms control is one way of reducing the risk of war and limiting the damages of armed conflicts. Mistrust amongst nations in the international system causes security concerns whereby state A is suspicious of state B and piles up weapons for its defence. Perlo-Freeman (2014) describes an arms race as a pattern of competitive acquisition of military capability between two or more countries. An arms race between Germany and the United Kingdom was one of the reasons that led to the outbreak of the First World War whereby Germany became ambitious and wanted to overtake the United Kingdom as the world naval power. The British, as a reaction to this German threat, started expanding their already huge military base. According to Askedra (2011) "Britain required a strong Navy, its colonial holding required protection hence it constructed massive Dreadnoughts, or battleships and well protected warships. They were the most powerful in the world..." A nuclear arms race between the United States and the Soviet Union in the 1960s almost led to a nuclear war between the two countries and such incidents have necessitated the need for arms control agreements so as to avoid the outbreak of wars and to ensure the maintenance of international peace and security.

According to Schelling and Halperin (1985:3), arms control objectives are three fold;

We believe that arms control is a promising, but still only dimly perceived, enlargement of the scope of our military strategy. It rests essentially on the recognition that our military relation

with potential enemies is not one of pure conflict and opposition, but involves strong elements of mutual interest in the avoidance of a war that neither side wants, in minimising the costs and risks of the arms competition, and in curtailing the scope and violence of war in the event it occurs.

Firstly, arms control strategies seek to reduce the likelihood of war, secondly, they reduce the potential cost of war and lastly they seek to minimise the scope and the violence of war if it eventually occurs. Arms control was seen as a means of setting limits on the development and acquiring of weapons and weapons technology. As a result of this limitation, it meant that arms races were minimised and ultimately the likelihood of war was greatly reduced. On reducing the cost of wars or potential cost of wars, proponents of arms control believe that arms races are expensive and controlling the acquiring of arms meant resources would be channeled elsewhere. Bull (1961:3) states that arms control theorists believed that arms races were economically ruinous and that arms control would make possible the diversion of resources toward worthier objectives. For example, the Zimbabwean government was criticized for acquiring weaponry when almost all its crucial sectors such as industry, health and education were in crucial need of capital injection. SIPRI Yearbook (2013) states that Zimbabwe tends to spend more on its military than its counterparts in the Southern Africa region. This is ironic in the sense that the country is not at war or in any imminent danger and the money would be better spent on worthier objectives such as providing clean water, better healthcare services and resuscitating the economy. The third objective is that if fewer weapons are used, then war or armed conflicts would be less devastating. The bombing of Hiroshima and Nagasaki by American forces during the Second World War using nuclear weapons caused widespread devastation resulting in over 120000 deaths. With these depressing figures, it is clear why arms control theorist believe the concept can help in minimising the damages caused by armed conflicts.

The main goal of arms control is to limit the military capabilities of states but at the same time states retain the power to be able to protect themselves in cases of aggression. Therefore, arms control as a concept is a realistic and applicable tool of trying to achieve and maintain global peace. The concept gained prominence in the post-Cold War era, whereby after realizing how close the world had come to witnessing a nuclear war, there was now need to curb the advancement of these weapons. Such arms control agreements such as the Strategic Arms

Reduction Treaty ; START I of 1992 and START II of 1993 and Chemical Weapons Convention have been able to minimise the possible outbreak of nuclear wars between major powers but it is perhaps the Nuclear Non Proliferation Treaty that has done more to ensure global stability. Its renewal in 1995 and its indefinite extension proves how effective it has been thus far. The treaty has been credited with limiting nuclear weapons proliferation and preventing an outbreak of a nuclear war that was imminent at the time of the NPT's conception. The NPT has restricted the development of nuclear weapons and several countries such as South Africa and Libya have abandoned the development of these weapons.

However, as effective as arms control agreements have been, a number of states, especially in the developing world, feel that such initiatives are meant to advance self-interests of the more powerful states and to maintain their dominion. Rather than promoting the reduction of weapons of mass destruction and reducing the likelihood of armed conflicts, arms control has become a tool to keep less powerful states submissive. Arms control and non-proliferation efforts are two of the tools that have occasionally been used to implement the US national security strategy. This is evidenced by the fact that America has been exerting pressure on states that it does not have cordial relationships with, those it has termed 'rogue states', to adhere to arms control agreements. Pressure on Iraq, North Korea and now Iran has seen America using its influence and power to control nuclear weapons development in these countries and this ultimately led to North Korea opting out of the NPT in 2003. It is no secret that America is an ally of Israel as evidenced by it vetoing any decision against Israel in the UN Security Council nor that Israel, a non NPT state, possesses nuclear weapons. As a result, a nuclear Iran in the Middle East would challenge Israel, thereby creating a security dilemma which would threaten American interests in the region, hence the current pressure America is exerting on Iran.

Moreover, rather than being on the decrease, reports actually indicate that international arms trade and military spending is on the rise. SIPRI Yearbook (2007) reports that in 2006 approximately \$1, 2 trillion was spent on military purposes worldwide and this was an increase by 11 percent from the previous year. In the last decade, global defence spending has increased by 37 percent and the USA is at the forefront, accounting for 42 percent of global defence spending and there has also been a 50 percent rise in international arms trade. Mutzenich (2008:1) adds that proliferation of weapons of mass destruction has increased sharply and arms

control initiatives are in a profound and perhaps even existential crisis with the increasing spread of missile systems being a major cause for concern. These depressing figures show that arms control as a concept is on the decline as states are now seeking to increase rather than decrease and control their military capabilities.

Another hindrance to arms control success is the realist notion that states only cooperate where there are benefits. States join International Organisations, Regional Organisations and Sub Regional Organisations mainly for the benefits that these can provide and when they can no longer provide these benefits, states usually do not cooperate. States mostly cooperate if they see an advantage in doing so. According to Ericson (2005), states join certain movements because the benefits outweigh the costs and the pros outweigh the cons. They usually receive more security, more prosperity and more prominence because of this. The problem comes when they can no longer identify with the cause and this is mainly due to pressure from the more powerful within the same organisation or structure. Zimbabwe pulled out of the Commonwealth after pressure from former coloniser Britain and in the same vein, North Korea pulled out of the NPT in 2003 after a rift with America which has since termed the Asian state a 'rogue state'. This therefore shows that states only cooperate where they can get benefits and when they can no longer identify with a certain cause, they can opt out and this hinders the effectiveness of arms control efforts.

The effectiveness of arms control is also being hampered due to the rise of non-state actors. Mutzenich (2008:2) asserts that although the threat of a nuclear world war has diminished, at the same time, in place of this danger, previously unknown threats to international security have risen. Weak, unstable states and non-state actors with weapons of mass destruction are on the increase. In other words, non-state actors such as terrorists now pose a more serious threat on international security because they are not states hence not party to any arms control agreements such as the NPT and terrorists make use of states with poor security such as Nigeria, Somalia, Pakistan and Afghanistan as safe havens for their activities. The Commission on Weapons of Mass Destruction Proliferation and Terrorism (2008) states that, "Unless the world community acts decisively and with great urgency, it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world soon..." The advent of terrorism and the relative accessibility of dangerous weapons and nuclear technology poses an

even greater threat and the possibility of a terrorist nuclear attack should not be dismissed. Technological advancements also affect the effectiveness of arms control agreements. Peace Pledge Union (2014) states that whilst negotiators are trying to control existing weapons, more advanced versions and completely new ones are being developed and deployed, thus any arms control agenda is thus out of date by the time it is drawn up.

2.3 Disarmament

Disarmament, closely related to arms control, is also another concept used in international relation to maintain peace and security. Unlike arms control which calls for the limiting of arms, disarmament initiatives advocate for the reduction and abolition of weapons. The term gained popularity in international relations after the 1899 Hague Conference to find ways of limiting the scourges of war. After the First World War, Germany, which was blamed for igniting the war, was forced to disarm in the Treaty of Versailles (1919) and all the other powers were encouraged to follow suit. This was after the tremendous damage that had occurred during the war, including the nuclear bombing of Hiroshima and Nagasaki. Since then, multiple conferences on disarmament have been held and these include the Eighteen Nation Disarmament Committee in 1962 and the ongoing Conference on Disarmament that started in 1979.

In comparison to arms control, advocates of disarmament take a somewhat diverse approach. They acknowledge that the potential for conflicts is integral in human relations, but they also recognize that the very existence of certain types of arms clearly exacerbates both the risk of conflict and its consequences should it occur, thus they seek severe reductions of such arms and, in the case of weapons of mass destruction, their total eradication. According to the United Nations Department for Disarmament Affairs (2004), disarmament aims at the physical elimination of agreed types of weapons, or mutual commitments not to produce them. The world seeks to eliminate all “weapons of mass destruction” or WMD such as nuclear, biological, and chemical arms and the world is seeking to control the production, sale, and use of many types of conventional weapons. The General Assembly has defined the term, “general and complete disarmament” to mean the elimination of all WMD, coupled with the “balanced reduction of armed forces and conventional armaments, based on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into

account the need of all States to protect their security.” As such, unlike arms control, the disarmament agenda seeks to achieve what ought to be rather than being satisfied with what is.

Disarmament is a noble approach to reducing the likelihood of armed conflict especially when one looks at what arms races have caused in the international system. Libya and South Africa are examples of states that have managed to successfully disarm in nuclear terms. The United Nations has hailed Libya's disarmament in 2003 and uses it as a model on successful disarmament. According to Kimball (2011), South Africa has shown that a nuclear free world is a possibility by becoming the first and only country to build nuclear weapons and then later voluntarily abandon them and since its accession to the NPT, it has become a leading force in the global effort to advance nuclear disarmament and nonproliferation. Africa, through the African Union, has made its intentions known to make the continent a nuclear free zone under the African Nuclear Weapon free Zone Treaty, also known as the Pelindaba Treaty which entered into force in 2009. Outside Africa, Costa Rica is the only country known to have fully disarmed as Article 12 of its 1949 Constitution abolished the army hence the Central American country has no standing army whatsoever. According to Rauf (1999) Iraq, which was pursuing a clandestine nuclear project, had its nuclear infrastructure forcibly destroyed both as a result of a defeat in war and as mandated by the United Nations Security Council.

Disarmament also has economic benefits as funds used for arms could be channeled to other sectors. Hartley (1993), states that disarmament has major economic consequences involving costs as well as benefits. On the cost side, it requires a fundamental reallocation of resources from military to civilian production. This is likely to result in major potential problems of unemployment or underemployment of labour, capital, and other resources in the process of disarmament. As a result, the economic dividends of disarmament are likely to be small in the short term. Ultimately, however, in the long term, disarmament leads to significant and worthwhile benefits through the production of civil goods and services as resources are reallocated to the civilian sector. Thus, in its economic aspects disarmament is like an investment process involving short-run costs and long-run benefits. This is evidenced by countries such as South Africa, Canada and Australia that have opted to give up production of nuclear weapons and have very stable economies.

Under the Nuclear Non-proliferation Treaty, states are encouraged to abandon nuclear weapons altogether. Article VI of the NPT states that every party to the Treaty should pursue dialogues for the benefit of mankind and global security on effective ways to stop any nuclear arms race and ultimately nuclear disarmament. As such, states under the Treaty, especially the nuclear weapons states; China, France, Russia, the United Kingdom and the United States are expected to act in good faith and gradually disarm such as what South Africa and Libya did. Nuclear weapon states are forbidden under the Treaty from exchanging technology on nuclear weapons with non-nuclear weapon states so as to avoid the proliferation of these arms. According to Rauf (1999), Canada was the first state that had the capability to make nuclear arms to renounce such a capability and others, under different circumstances, include Sweden, Australia, Argentina, Italy, Belarus, Kazakhstan, Switzerland, Brazil and Ukraine. These developments prove that states within the international system are capable of acting in good faith for the maintenance of international peace and security and that nuclear disarmament can be achieved.

Larsen (2002:3) states that “Disarmament has a longer legacy than arms control and was a common theme in international relations literature during the 1950s. In the early 1960s international security specialists began using the term arms control in place of the term disarmament, which they believed lacked precision and smacked of utopianism”. In other words, after the outbreak of the First and Second World War, states thought that it was necessary to completely do away with arms, especially after witnessing the damage technologically advanced weapons had caused. However, it soon became apparent that disarmament was asking too much of states in an anarchic international arena hence the concept lost favour with arms control, a more realistic approach, gaining prominence. Mutual disarmament is an idealistic approach since states acquire arms because they are insecure and want to protect their independence and territorial integrity amongst other reasons. If all states agree to limit their artillery, the security of all might be sustained at a lower expense but if just one state does not participate in the negotiations, the others may not be willing to collaborate seeing that partial disarmament will threaten their security. Peace Pledge Union (2014) adds that the concept of mutuality, reciprocity, simultaneity, balance and proportionality occur again and again and may be one explanation to the lack of success in disarmament negotiations. As a result, disarmament as a concept has not been that much of a success due to mistrust amongst nations and the fact that it is utopian in nature.

According to the McCloy Zonin Agreement on Principles for Disarmament, “All measures of general and complete disarmament should be balanced so that at no stage...could any state or group of states gain military advantage, and that security is ensured equally for all.” As such, disarmament efforts should be conducted in good faith so as to ensure their effectiveness. After losing out in the First World War and being blamed for causing it in the first place, Germany was forced to disarm in the Treaty of Versailles. This situation left Germany vulnerable but it wasn’t long before the country acquired arms once more and eventually led to the outbreak of the Second World War. As such, disarmament efforts need to be balanced so that global security is achieved. Forcing one to disarm tends to do more harm than good as has already been proven by the Germany example.

2.4 Conclusion

Arms control and Disarmament are two closely related approaches that seek to promote global peace and reduce the likelihood of armed conflicts. These two approaches have the same mandate although they involve different processes. Arms control tries to limit the military capabilities whilst disarmament aims for the reduction and abolition of weapons. Arms control has had much more successes than disarmament because it is more practical than the latter which smacks of utopianism. Chief amongst these successes is the Nuclear Non Proliferation Treaty which has managed to control the production of nuclear weapons and their use. Disarmament has also enjoyed some sort of success with South Africa and Libya disarming and other states acting in good faith and declaring their regions as nuclear weapons free zones. However, for further effectiveness, these two approaches have to be negotiated for in an impartial manner for the greater, common good which is international peace and security. This chapter has discussed the concepts of arms control and disarmament and the next chapter will discuss the NPT and its effectiveness regarding these issues.

CHAPTER 3: THE EFFECTIVENESS OF THE NUCLEAR NON-PROLIFERATION TREATY (NPT)

3.1 Introduction

This chapter shall discuss the Nuclear Non-proliferation Treaty in detail, when it was formed and the circumstances regarding its formation. Other important treaties and instruments connected to the Treaty such as the International Atomic Energy Agency and the Comprehensive Test Ban Treaty will also be examined to determine the effectiveness of the Treaty in the maintenance of international peace and security.

3.2 The Nuclear Non-proliferation Treaty: An Overview

The Nuclear Non-proliferation Treaty of 1968, which has a membership of 190 states, is recognised as the biggest arms control agreement in the world. Its existence came about after the realisation that the increase in nuclear weapons was a threat to international peace and security. The Treaty divides its members into two groups; nuclear weapon states, namely China, France, Russia, the United States and the United Kingdom and non-nuclear weapon states. However, according to the Labour and Trade Union Review (2003:2), outside the NPT are four countries with nuclear weapons and these are India, North Korea, Pakistan and Israel, with North Korea the only state to announce its withdrawal from the NPT. The Treaty rests on three pillars which are nonproliferation, peaceful uses of nuclear energy and disarmament. The NPT is thus regarded as the world's most successful arms control agreement.

The NPT was due to expire in 1995 but the United States and other nuclear weapon states agreed to extend the Treaty indefinitely. This development arose out of an agreement known as the Principles and Objectives for Nuclear Non-Proliferation and Disarmament. The agreement reiterated the need for further commitment towards the disarmament agenda and also contained provisions for the negotiation of the Comprehensive Test Ban Treaty (CTBT) by 1996. According to Burroughs (2009), another critical element of the package was a resolve calling on all NPT parties, specifically the nuclear weapon states, to work to establish a zone free of nuclear and other weapons of mass destruction and their delivery systems in the Middle East. The Labour and Trade Review Union (2003:2) states that “the Middle East resolution was proposed by the US/UK and Russia, calling for a nuclear free zone in the Middle East. This resolution was a gesture by the major nuclear powers to the many non-nuclear states which complained at the Conference that Israel’s possession of nuclear weapons made a mockery of the non-proliferation principles they were required to adhere to by the Treaty”. The Middle East has throughout history been a war torn region so there was need to make provisions that would eliminate the proliferation of nuclear weapons in the region.

According to a report by the U.S Delegation to the 2010 Nuclear Non -proliferation Treaty Review Conference, the three pillars of the Treaty are interrelated and mutually reinforcing. An effective nonproliferation regime whose members comply with their commitments provides an essential groundwork for progress on disarmament and makes possible greater cooperation on the peaceful use of nuclear energy. These pillars are crucial to the success of the Treaty and ultimately result in increased international peace and security. The first pillar of the NPT is non-proliferation which is outlined in Articles I and II. Nonproliferation aims at stopping the spread of nuclear weapons especially amongst states that do not have them and to stop them from developing or acquiring them. Article 1 states that,

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to support, inspire, or persuade any non-nuclear-weapon State to produce or by any means acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices

Article II adds that,

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

These two articles are depended on each other and are meant to stop the spread of nuclear weapons. Nuclear weapon states are prohibited from transferring or assisting any other state in the manufacture of nuclear weapons and the non-nuclear weapon states also agree not to acquire weapons or receive assistance to build these arms. The NPT has been successful in stopping the spread of nuclear weapons since the number of nuclear weapons states within the agreement has remained at five.

However, what threatens this pillar is that there are some countries with substantial nuclear activities which are not interested to join NPT and give up their right to build nuclear bombs. India, Israel and Pakistan fall under this category. India and Pakistan have already declared to undergo nuclear bomb test but Israel has not yet declared itself as a nuclear weapon state. Furthermore, The NPT comes out as a fragile and biased regime as its actions encourage some member states to withdraw from for their own security reasons like what North Korea did in 2003. Perkovich (1998:59) states that a number of reasons drive states to acquire nuclear weapons. Israel, Pakistan, China, the Soviet Union and the United States acquired nuclear weapons to address threats to their existence yet in countries such as France, India, South Africa and the United Kingdom factors other than security drove their acquisition. “The quest for national grandeur, prestige and independence, ambition, and persuasiveness of leading scientists attracted by the technological challenge and the desire to display personal and national prowess; domestic political jockeying. All these elements stand out as important components of proliferation” (Ibid 60). As a result, it is difficult to stop the spread of nuclear weapons when states claim that they are doing so for their own safety or prestige since the nuclear five (N5) acquired them for the very same reasons. Shokrani (2012:252) adds that one of the most serious challenge with the nonproliferation pillar is the situation whereby the North Atlantic Treaty

Organization (NATO) has been sharing nuclear technology with non-nuclear NATO countries (Italy, Germany, Holland, Turkey and Belgium) which host U.S. nuclear weapons on their territories. These are direct violations of Articles I and II since the U.S. is transferring to non-nuclear states control over nuclear weapons and this undermines the stability of the NPT and of international security in general.

The second pillar is the promotion of peaceful uses of nuclear energy. The NPT permits states to pursue nuclear energy for peaceful means. Nuclear energy was primarily planned for military use but its benefits to human life were not overlooked. Nuclear material and technology can be used in variety of fields, from generating electricity to medicine and agriculture as well as industry (Ibid: 253). Article IV of the NPT states that “Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.” The article expressly gives the right to both nuclear weapon states and non-nuclear weapon states without any discrimination to develop nuclear energy for peaceful purposes. However, the non-discriminatory aspect of this article has been violated more than it has been conferred. Gold (2011) assesses that Iran’s case is a good example of this discrimination as some sectors ask the question why Iran, which enjoys huge oil and gas reserves, needs to invest in a program to generate electricity from nuclear reactors disregarding the fact that the NPT does not exclude oil-rich countries from production and use of nuclear energy. He further states that the critical issue is that of referring Iran to the United Nations Security Council (UNSC) which has since passed several resolutions on Iran’s nuclear program but Iran insists that its nuclear program is merely for peaceful purposes which are authorized by NPT and claims that the UNSC resolutions are illegal and UNSC is acting beyond its powers. This case of Iran not being allowed to develop nuclear energy because it is an oil rich country and would not require nuclear energy proves that Article IV is applied in a discriminatory manner

Article VI contains the third pillar of the NPT which is disarmament. Disarmament according to the preamble of the Treaty contains provisions supporting the desire of members to create conditions for a halt to the production of nuclear weapons and complete disarmament. Article VI of the Treaty states that parties, especially N5 agree to “pursue negotiations in good faith on

effective measures relating to 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.” Disarmament has been hailed as a noble approach to stopping the spread of nuclear weapons and has had some measure of success with states like Libya and South Africa disarming. However, disarmament has been dismissed as utopian.

3.3 The International Atomic Energy Agency and its Dynamics

After realizing the danger associated with nuclear weapons and their proliferation, there was need to come up with a body that would monitor the development of nuclear energy in non-nuclear weapons states. As such the concept of the Agency arose out of the fear that proliferation would threaten global peace and security. The International Atomic Energy Agency (IAEA) was set up in 1957 by a United Nations resolution to help nations develop nuclear energy for peaceful purposes. The IAEA was originally established as a body to promote peaceful uses of atomic energy under appropriate international safeguards but has over the years expanded its involvement in international efforts, on both global and regional levels, aimed at preventing the spread of nuclear weapons. With the conclusion of the NPT and the establishment of the IAEA as its monitoring agency, the Agency has become the principal guardian of the international nuclear nonproliferation regime. The main functions of the Agency, according to the IAEA Statute which was formally adopted in July 1957, are to encourage and assist research, development and practical application of atomic energy for peaceful uses throughout the world; establish and administer safe-guards designed to ensure that such activity assisted by the Agency is not used to further any military purpose; apply safeguards to relevant activities at the request of Member States; apply, under the Nuclear Non-Proliferation Treaty (NPT) and other international treaties, mandatory comprehensive safeguards in non-nuclear weapon States (NNWS) Parties to such treaties. Under Article III, the NPT allows the IAEA to police and monitor nuclear activities with the main aim being to avoid nuclear weapons proliferation.

The roles of the Agency are outlined in Article III of the NPT which states that IAEA administers International safeguards to verify that non-weapon states party to the NPT fulfill the nonproliferation commitments they have agreed to within the Treaty. Article III (1) states that

Each Non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic

Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all nonviolent nuclear undertakings within the area of such a State, under its control, or agreed out under its regulations anywhere

The IAEA provides safeguards against the misuse of nuclear technology and encourage transparent development of nuclear energy for peaceful purposes. The Agency continues to play a key role as a facilitator for sustainable growth of nuclear energy and as the cornerstone for nuclear safety, security and verification of adherence to the NPT. The IAEA therefore undertakes regular inspections of civil nuclear facilities like it has been doing in Iran for several years now. Non-nuclear weapon states are required to comply with the Agency and to accept safeguards. All nuclear resources for peaceful purposes under the jurisdiction of states must be declared to the IAEA who conduct routine, constant and short notice checkups on nuclear facilities. According to Miller (1990), "Safeguards' objectives are the timely detection of the diversion of significant quantities of nuclear materials from peaceful activities...and deterrence of such diversion by the risk of early detection". These safeguards are backed up by the threat of international sanctions since the Agency can refer any suspects to the United Nations Security Council.

The International Atomic Energy Agency is important in enforcing and policing the NPT and has been somewhat successful in carrying out its mandate. The Agency has managed to detect clandestine nuclear plants inconsistent with Article IV of the NPT. According to Weitz (2011), the Libyan case has demonstrated how collective measures and sanctions can help in forcing a state to adhere to its NPT obligations. Libya was pursuing a clandestine nuclear programme to manufacture weapons and the IAEA was pivotal in dismantling its illegal nuclear project which was successfully completed in 2006. The Iraq case can also be viewed as a success story as the amalgamation of international inspections and economic sanction during the 1990s managed to

detect Iraq's secret nuclear programme. Other success stories include Brazil and South Africa who chose to discard their nuclear weapons with the help of the IAEA. These case studies prove that the Agency is crucial in detecting clandestine nuclear programs that could threaten the effectiveness of the NPT and stopping them before they threaten international peace and security.

However, as effective as the Agency has been, it is not without criticism. Most non-nuclear weapon states have accused the IAEA of being biased and selective in the application of its safeguards. They contend that the Agency is an extension of Western intelligence meant to extend their privileges under the NPT. According to the Daily Times (2014) Iran was in 2005 accused by the IAEA for non-compliance with its nuclear safeguards agreements but the findings were notoriously subjective with the IAEA raising possible military concerns based on foreign intelligence which was largely outside the legal authority of the Agency to pursue. This may suggest that the Agency has been manipulated by the West to further its own agenda. Rauf (2012) adds that "...another valid question pertains to expert controls particularly given to the programs in Pakistan, Israel and India. Expert controls have been tainted by charges of politicization and questions about their legality especially when making a comparison of the treatment meted out to North Korea which breached its NPT safeguards obligations and Iran which remains an NPT member in good standing with the Agency". In practice the role and duties of the IAEA remain controversial with developing countries claiming discrimination. All these allegations of unfair practices stem mainly from the funding of the Agency. The Daily Times (2014) adds that over 65 percent of its budget comes from the United States and its Western allies hence the Agency works under political pressure from these states. Another issue that hinders the effectiveness of the Agency, according to Pilat (2007) is the threat of non-state actors and the IAEA's preparedness to deal with such actors is debatable. This is because they are not part of multilateral agencies like the IAEA, thus, there is need to revamp the Agency so that it performs its duties in a more impartial manner.

3.4 Nuclear Weapons, Non Proliferation and the Comprehensive Test Ban Treaty

Former American President Dwight Eisenhower began the American drive to ban explosive test of nuclear weapons as a way of keeping the U.S-Soviet Union nuclear arms rivalry from going out of control. India was also at the forefront of calling for the ban in testing nuclear explosives in 1954. Efforts to limit tests have been made since the 1940s and heightened in the 1950s when

the United States and Soviet Union conducted hundreds of hydrogen bomb tests. The harmful fallout from these tests incited worldwide condemnation and these pressures, plus a desire to improve U.S.-Soviet relations in the wake of the Cuban Missile Crisis of 1962, led to the Limited Test Ban Treaty of 1963, which banned nuclear explosions in the atmosphere, in space, and under water. All these efforts finally culminated in the Comprehensive Test Ban Treaty (CTBT) of 1996, when the United Nations General Assembly adopted the Treaty which would ban all nuclear explosions. The Natural Resources Defense Council (2012) states that nuclear testing has a long history beginning in 1945 and since then the United States has conducted 1,030 nuclear tests, the Soviet Union 715, the United Kingdom 45, France 210, and China 45. The last U.S. test was held in 1992; Russia claims it has not tested since 1990 and in 1998, India and Pakistan announced several nuclear tests. While the CTBT was opened for signature in 1996, it has not entered into force, leaving a ban on nuclear testing as the most outstanding issue on the arms control itinerary.

According to Ploughshares Fund (2011) The CTBT prohibit all nuclear explosions and tests of nuclear weapons. It also provides for a global monitoring system and a means for short notice, on-site inspections to detect and deter cheaters by prohibiting the testing of nuclear devices, the Treaty prevents states without nuclear powers from developing them and keeps those with nuclear weapons from developing new weapons systems. The Treaty will also help in delegitimizing nuclear weapons and bring about pressure on those states who continue to refuse to join the NPT to refrain from further weapon development. It is also regarded as a crucial indication of the nuclear weapons states' obligation towards disarmament. The CTBT is not yet in force because Article XIV of the Treaty requires ratification by 44 states before it can enter into force. According to armscontrol.org, the CTBT will enter into force after 44 'nuclear capable' states have deposited their instruments of ratification with the United Nations Secretary General. To date 36 of these 44 have ratified with the exception of India, Iran, Pakistan, Israel, North Korea, the United States, Egypt and China.

The negotiation of Comprehensive Nuclear-Test-Ban Treaty was great step towards stopping any further test of nuclear weapon however this Treaty has never come into force due to non-ratification from the above mentioned states with nuclear programs or capabilities which were listed in an annex to the treaty. As of September 2014, 183 states had signed the Treaty and 163

had ratified. France, the United Kingdom and Russia as nuclear powers have already ratified the CTBT. On December 5, 2013, the U.N. General Assembly adopted a resolution stressing the importance of the entry into force of the CTBT and the vote was 181 in favour and one against (North Korea). This shows how important the Treaty's entry into force is for increased international security. When the Treaty enters into force, it will greatly reduce nuclear weapons proliferation since it prohibits non-nuclear weapon states from developing them and also prohibits nuclear states from developing new weapons. The International Monitoring System (IMS) carries out onsite inspections and can detect violations as it did when North Korea conducted tests in 2006 and 2009. As such, the IMS is very beneficial towards nuclear nonproliferation and shows the effectiveness and benefits of the CTBT if it was to enter into force.

Though the CTBT is believed to be one of the best-supported treaties in the history it is likely not to come into force for many years to come judging on the attitude of the remaining eight states. It is ironic how the United States, which was very influential in calling for the CTBT, has still not ratified the Treaty 14 years down the line. Several US presidents have had different views on ratification. According to Medalia (2014:7), under President Carter, when an agreement on a CTBT seemed near he however pulled back, claiming continued testing was needed to maintain reliability of existing weapons, to develop new weapons, and for other purposes. On September 22, 1997, President Clinton submitted the CTBT to the Senate. He asked the Senate to approve it in his State of the Union addresses of 1998 and 1999 and that request was rejected, the Bush Administration was openly opposed to ratification and Obama has called for ratification but does not seem to be in a hurry to do so. This may serve to prove that America is not sincere about nonproliferation efforts. This view is echoed by the BRICSPOST (2014) which states that the intentions of the United States was and is to ensure the overwhelming superiority of its nuclear arsenal both in quality and quantity. China's refusal to sign can also be attributed to the American position. As a result of the United States' defiance, the remaining countries claim they are justified as well. The Center for Arms Control and Non Proliferation (2014) states that India and Pakistan have not yet signed the Treaty to begin with and US failure to ratify has given both states the leeway to refuse to sign. India has since stated that if the United States was to ratify the Treaty, they would follow suit. Egypt and Israel cite security issues in the Middle East, while Iran states that the Treaty does not meet nuclear disarmament conditions as initially agreed upon.

It seems US' refusal to ratify has also influenced the other remaining seven states not to ratify since in the international system one can never know or trust the intentions of another. As long as the United States does not ratify the Treaty, curbing nuclear proliferation and advancing disarmament will remain somewhat of a pipe dream.

3.5 Conclusion

The Nuclear Non -proliferation Treaty has been described as the cornerstone of international peace and security as it has managed to protect the world from an outbreak of a nuclear war that was imminent in the 1960s. Its effectiveness is evidenced by how it has managed to keep the same number of nuclear weapon states within the Treaty at five. The NPT consists of three pillars which are nonproliferation, peaceful uses of nuclear energy and disarmament. The International Atomic Energy Agency which enforces the Treaty has also managed to use its powers in collaboration with the United Nations Security Council to stop nuclear weapons proliferation. The Comprehensive Test Ban Treaty, even though it has not yet entered into force, is seen as a means to constrain further development of nuclear arms by the nuclear weapons states and also prevents non-nuclear states from acquiring them.

However, even though the NPT has managed to prevent the outbreak of any nuclear wars, it would be dangerous to ignore its weaknesses based on this achievement alone. The Treaty has been accused of being discriminatory as it only allows five states to possess nuclear weapons. It is viewed as a means used by China, France, Russia, the United Kingdom and the United States to maintain their hold on power whilst disallowing other states from acquiring weapons for their security. Nuclear weapons states outside the NPT also proves the ineffectiveness of the treaty. India, Israel and Pakistan have refused to join the Treaty whilst North Korea opted out in 2003. There are fears that since the Treaty has failed to stop these states from acquiring and developing weapons, it could fail again. This has also been worsened by the rise of non-state actors such as terrorist who have access to nuclear weapons. These groups pose the biggest threat to international security since they are not part of multilateral agreements such as the NPT and cannot be monitored by the IAEA or the CTBT. On disarmament, the continued resistance of the nuclear weapons states to commit themselves towards elimination of nuclear weapons also acts as proliferation tool since it portrays the image that nuclear arms are essential and valuable assets. It is also crucial to examine the reasons why states seek out nuclear weapons. Regions

with instability issues such as the Middle East are more likely to proliferate for their own security. The Pakistan and India case is an example of an arms race necessitated by regional security issues, with India seeking to extend its hold on regional hegemony and Pakistan fearing for its security. The International Atomic Energy Agency has also been accused of being biased towards the West due to its funding and has been accused of being an extension of Western intelligence. The Comprehensive Test Ban Treaty of 1996 has not yet entered into force because eight countries, including the US, China and India have refused to ratify. This is mainly due to the fact that the Treaty will stop these states from testing explosives and also developing new ones, eventually leading to disarmament and these states are against this. As a result, these issues have hampered the effectiveness of the NPT in the maintenance of international peace and security. After having dissected these issues, it is clear that there is a need to revamp and reform the NPT so that it can be in a better position to carry out its duties. Article VIII of the NPT requires members to meet every five years to review the Treaty so these issues should be at the forefront of deliberations at the next conference in 2015.

The next chapter will look at the rationale of the study and will discuss Iran's nuclear program in detail. The chapter will also establish if Iran is acting within its obligations under the NPT or not.

CHAPTER 4: THE NPT AND THE IRAN NUCLEAR QUESTION

4.1 Introduction

This chapter encompasses the rationale of the study and provides an in-depth analysis of Iran's nuclear program. The history of Tehran's nuclear program will be examined. It is important to study this history because it will help in crystalizing the current situation that Iran finds itself in. Iran's relationship with the United States will also be examined since it is Washington that has at been the forefront of accusing Iran of building nuclear weapons. Factors such as the instability in the Middle East and the Israeli threat will be discussed as well.

4.2 Iran and Its Nuclear Program: Behind the Smokescreen

Iran has been pursuing a nuclear program since the 1950s after encouragement by then United States president Dwight Eisenhower's Atoms for Peace speech. According to American Rhetoric (2014), at the United Nations General Assembly in December of 1953, President Dwight Eisenhower of the United States delivered a speech which has come to be known as 'Atoms for Peace' in which he called for the transforming of atoms from a menace to the benefit of mankind. He also sought to end the arms race between his country and the Soviet Union which was threatening world peace. In the speech he advocated for the peaceful use of nuclear energy and the prevention of nuclear arms proliferation. After this Eisenhower initiative, the United States offered economic and civilian assistance to Iran to help develop its nuclear energy program. Council on Foreign Relations (2012) adds that "... the two countries announced a 'proposed agreement for cooperation in research in the peaceful uses of atomic energy' and by

the 1970s, France and Germany had joined in assisting Iran. Regional wars and predictions of looming energy shortfall prompted the Shah, the Iranian leader, to explore alternative of power production.”

Iran continued with this quest for nuclear energy under the auspices of the Atoms for Peace program. According to Etemad (1987:2) Iran was already carrying out nuclear research and education at the University of Tehran when the NPT entered into force in 1970 and by then Iran had already launched an extensive nuclear energy program. However, this advancement was dealt a blow in 1979 when the Iran Revolution occurred. The Wisconsin Project on Nuclear Arms Control (2012) states that the 1979 Revolution put a spanner in the works of the program and the war with Iraq in 1980 also interfered as it took up resources and damaged Iran’s existing nuclear infrastructure but the program was revived in the late 1980s with assistance from Russia, China and Pakistan. The beginning of the 21st century however, saw a change of fortunes in Tehran’s nuclear program with the United States and its allies stating the program was inconsistent with its obligations under the NPT and that Iran was now pursuing nuclear weapons. According to the Middle East Monitor (2010:1), “It followed the unearthing of Tehran’s nuclear aspirations when, in August 2002, an exiled Iranian opposition group named the National Council of Resistance of Iran (NCRI) revealed classified details about Iran’s nuclear program, including information about uranium enrichment”. After this revelation, there was pressure on Iran to reveal details about its nuclear program in what has come to be known as the Iran Nuclear Crisis.

The main concern surrounding the Iranian nuclear energy program has to do with uranium enrichment. Sanger and Cooper (2009) state that the most controversial dimension of the program to many has been Iran’s enrichment capabilities which the United States and its allies believe could be used to produce highly enriched uranium for a nuclear weapon. However, Hallinan (2013) argues that any close reading of the NPT clearly indicates that even though the word enrichment is not used in the text all signers have the right to ‘the peaceful application of nuclear energy’. Uranium enrichment between 3-5 percent is used to fuel power and uranium enriched from 90% can be used for weapons development. Intelligence agencies, including Israel’s, are in general agreement that Tehran has not enriched above 20% and a nuclear weapon requires 110 pounds of uranium fuel enriched to between 90 and 95 %, (Ibid). Mecker and Perry

(2014) add that “Iran has very little to show for its decades of nuclear pursuit. Its uranium centrifuge program can enrich in one year as much uranium as the European consortium Urenco can produce in five hours. All Iran has today is the capacity to produce small amounts of reactor fuel.” As it stands, Iran has not enriched uranium to the levels required to manufacture a nuclear bomb and any pressure that is being exerted is based on suspicions rather than hard evidence.

4.3 Iran-United States Relations

The United States has been at the forefront of condemning Iran’s nuclear program and this is ironic since it is Washington that first helped Iran in its pursuit of nuclear energy. Therefore it is important to trace the history of these two countries’ relations. Iran was once a powerful ally of the United States in the Middle East. During the Cold War, Washington supported Iran so as to gain mileage over the Soviet Union. The Americans even supported the Shah who was a dictator because they wanted to curb the spread of communism in the region so having Iran as an ally worked to their advantage. The special relationship was working well until the Shah was deposed in the 1979 Iranian Revolution that ushered in an anti-American regime led by Ayatollah Khomeini who was a radical Islamist against Western thought and values. According to Reichmann (2013), when Ayatollah returned from exile, he seized power and described the United States as the ‘great Satan’. When the United States offered the deposed Shah refuge, this angered a group of radical militants who invaded the United States Embassy in Iran and took hostage 52 Americans only freeing them 444 days later after lengthy diplomatic negotiations. The United States froze Iranian assets in America and after this all diplomatic relations between the two states collapsed.

However, in 1988, the United States navy shot down an Iranian commercial flight over the Persian Gulf killing all 290 passengers on board and claimed it was not intentional but a tragic incident and this seemed to seal the two countries’ fate as enemies. Since then, the relations between the two states have been tense with the United States accusing Iran of human rights abuses. Furthermore, in a report by the U.S. Department of State on 30 April 2009, Iran was categorized as the “most active state sponsor of terrorism” in the world. Since 1979 the United States has imposed several sanctions against Tehran and this has been a continuing policy of United States presidents since then. According to Clawson (2014), in 2010, the Obama administration continued with the tradition and passed the Comprehensive Iran Sanctions

Accountability and Divestment Act (CISADA) which ban nearly all trade and investment by the American government and nationals with Iran. These sanctions have had a major impact on the Iranian economy and have created vigorous debates regarding their purposes.

The fact that Iran refuses to acknowledge Israel's existence and threats made by its former leader Ahmed Ahmadinejad in 2005 to wipe Israel off the map have also exacerbated tensions due to the fact that Israel is a strong ally of the United States in the Middle East. The Bush administration went further and named Iran as a threat to international peace and security by classifying it as an Axis of Evil and an Outpost of Tyranny. Wright (2007) states that Former Secretary of State Condoleezza Rice addressing the House Foreign Affairs Committee on October 24, 2007 stated that 'the policies of Iran constitute perhaps the single greatest challenge for American security interests in the Middle East, and possibly around the world.'

As a result of these factors, it did not come as a surprise when the United States due to this fallout started stating that Iran's nuclear program, which it had assisted and supported all along, was now inconsistent with the NPT. As a way of stopping Iran from being powerful in the Middle East and challenging Israel, the United States has slapped Iran with several sanctions. Starting with the Carter regime, the United States has been increasing its sanctions against Iran. These sanctions prohibit the transfer of much-needed military and petroleum technology as well as barring American companies and individuals from investing in or doing business with Iranian nationals and companies. According to Arbuthnot (2011), "Iran has been under increasingly stringent sanctions since November 1979 which have ironically necessitated additional sources of energy for which it is now being threatened with a similar fate to Iraq."

Borger (2012) reports that head of the IAEA Yukiya Amano, has been accused by several former senior officials of pro-western bias and over reliance on unverified intelligence. Amano has been labelled as being sympathetic to the West as he was supported by the United States in his 2009 election whereby he narrowly beat South African Abdul Minty who wanted to champion the interests of developing countries. These allegations were further heightened following the release of classified cables known as WikiLeaks. The cables revealed how Amani courted American support in exchange of handling the Iranian nuclear issue in the way Washington wanted. Ploughshares Fund (2014) adds that the main beneficiaries of the Amano reign have been the

United States and the Japanese nuclear power industry since he withheld serious criticism of the industry during the Fukushima crisis.

4.4 Suspicion

The major drive behind the ‘Iran Nuclear Crisis’ has to be suspicion. Bolan (2013:77) assesses that much of the public debate surrounding American policies regarding Iran has been distorted by myths that obscure the actual status of Iranian nuclear programs. Likewise, discussions about the allegations of a nuclear-armed Iran are often built on questionable assumptions.

This is so because up to now, there has been no concrete evidence to prove that Iran has or is building nuclear arms. According to Peterson (2010) “Iran claims it is in complete compliance with its NPT obligations, including declaring all its nuclear material and allowing inspectors to monitor its facilities. It advocates against nuclear weapons and notes that despite thousands of hours of inspections in Iran, the International Atomic Energy Agency (IAEA) has not found any evidence of a bomb program.” The latest IAEA document does not use the word violate but says that Iran’s lack of cooperation ‘reduces the level of confidence’. This seems to suggest that the mistrust regarding Iran is based primarily on suspicion. According to Thomas (2014) Iran might develop a nuclear weapon, and it might not. Uranium is not used only for nuclear weapons, it has other non-military uses. In addition, creating a nuclear warhead would take them years. To date the only "proof" that Iran might create nuclear weapons is that provided by the United Nations stating that they have received from ‘intelligence’, to that effect from an unnamed country, assumed to be Israel. With Israel being an ally of the United States, this raises eyebrows.

. Hans Blix, a former IAEA director general, questioned the Agency’s credibility when he stated “...there is a distinction between information and evidence, and if you are a responsible agency, you have to make sure that you ask questions and do not base conclusions on information that has not been verified.” To add to this, Mohamed ElBaradei who led the IAEA for 12 years, stepped down at the end of November in 2009 and in a presentation before the Council on Foreign Relations in early November he voiced the opinion that there is no indication and no concrete proof that Iran has an active nuclear weapons program,(Krastev:2009). These utterances more than anything seem to suggest that the IAEA is basing its judgment on suspicion rather than facts.

This suspicion is also what drove the United States to invade Iraq in 2003 which it accused of possessing weapons of mass destruction. More than a decade later, the weapons of mass destruction that were said to be a threat to international peace and security have now, more than anything else, become a myth. Robert Kelley, a former United States ambassador to the IAEA who was part of the American action team on Iraq at the time of the invasion stated in The Guardian of 22 March 2012 that there were worrying comparisons between the West’s mistakes over Iraq’s supposed weapons of mass destruction then and the IAEA’s assessment of Iran now. He further stated that the Agency seems to be focused on suspicions and that it is not its duty to

be making political judgments. According to Mousavian (2013), the case of Iran can be a repeat of 2003's folly attack of Iraq which saw the deaths of thousands of United States military men and women, costing trillions of dollars and bringing destruction to Iraq infrastructure with no achievement.

These suspicions have led a group known as P5+1 to engage with Iran in discussions since 2006. This group is made up of the five states allowed by the NPT to possess nuclear weapons. These five states; China, France, Russia, the United Kingdom and the United States are also the permanent members of the United Nations Security Council. The sixth state part of the negotiations is Germany. According to the International Crisis Group (2014:1), main objective of the P5+1 is to constrain Iran's nuclear program. In Geneva, where the agreement – officially known as the Joint Plan of Action – was signed, the group for the first time agreed to let Iran maintain some enrichment capacity. Davenport (2014) adds that negotiations are part of a dual track strategy with the second track being United Nations Security Council resolutions which have since imposed systematic sanctions on Tehran. On November 2014, the P5+1 talks were extended by seven months after the negotiations reached a dead end. As it stands, the world awaits with bated breath for the outcome of these talks as the issues around it are crucial for the NPT regime to reclaim its credibility in the face of double standards.

4.5 The Israeli Threat

According to Ebel (2010:13) “no country is more interested in day-to-day developments in the Iranian nuclear sector than Israel. Iran has stated that the Holocaust was a lie, a position unacceptable to Israel. Iran has also declared that Israel should be wiped off the map”. Besides the United States, Israel has also been at the forefront of accusing Iran of building nuclear weapons. Israel has never been party to the Nuclear Non-proliferation Treaty but is widely recognised as a nuclear weapons state. The World Nuclear Association (2014) states that after Israel was established in 1948, there was close collaboration between France and Israel in nuclear research and in 1968, the United States Central Intelligence Agency (CIA) concluded that Israel had started producing nuclear weapons. Cohen (2011) adds that Israel refuses to admit that it has nuclear weapons, a policy known as nuclear ambiguity and may now have as many as 400 atomic and hydrogen nuclear weapons. Israel is widely believed to have several hundred

nuclear bombs with the capability to deliver them anywhere in the Middle East region, and is demonstrably the region's strongest and most capable military power.

Israel continues to refuse to join the NPT but at the same time asking for international pressure on Iran. Recently, at the United Nations General Assembly, the United States voted against Resolution (687) whose goal was "... establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons." As long as the United States continues to shield Israel and employs double standards against Iran, the NPT is being undermined and the Middle East will always remain unstable. Cohen (2013:1) postulates that one of the most overlooked and under-discussed aspects of the Iranian nuclear program is the double standard that's applied to it. While Israel has an estimated 200-400 nuclear weapons that it has concealed for decades, Iran is treated like the nuclear threat whilst it does not possess a single nuclear weapon and adding insult to injury, Israel is usually the first and most vocal voice condemning Iran and demanding crippling sanctions while deflecting attention away from its own record. In other words, whilst Israel has nuclear weapons, it is condemning Iran for exactly the same thing it has been doing all along

Israel has always maintained that if Tehran was to develop these weapons, it would strike Iran first as a way of protecting itself. Cordesman (2013) assesses that Israel poses a more serious existential threat to Iran than Iran could ever pose to Israel because Israel has long extended the range of its nuclear arms and continues to build weapons without any monitoring by the IAEA. This is further evidenced by Israel's threat to attack Tehran. In an interview with The Times of London in 2002, Prime Minister Ariel Sharon called on the United States and other world powers to attack Iran and called Iran the 'center of world terror' and in 2012 Benjamin Netanyahu threatened to attack Iran without the assistance of the United States. More recently, in an interview with Cable News Network (CNN) reporter Fareed Zakaria, Israel's Defence Minister Ehud Barak alluded to the fact that attacking Iran was now a serious option for Israel. Israel has even managed to get the United States on its side in the event that it attacks Iran. The United States Senate Resolution 65 passed on 22 July 2013 declares that;

If the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional

responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support of the Government of Israel in its defense of its territory, people, and existence.

In the face of these threats, it is clear that the United States and Israel, who are both powerful nuclear states, pose a more serious threat to Iran's peace and security than Iran could ever pose to them. Israel's threats, which are gaining momentum with time should be a concern rather than the Iranian nuclear program which has proved to be consistent with the NPT time and time again. Article X of the Treaty allows states to withdraw anytime they wish to as North Korea did in 2003 and the fact that Iran is still part of that Treaty has to count for something. The threat of Israel in the Middle East and more importantly to Iran proves that double standards are hampering the effectiveness of the Nuclear Non-proliferation Treaty in the maintenance of international peace and security.

4.6 The Proverbial Bad Neighbourhood

Iran is located in the Middle East which is known to be one of the most unstable regions in the world. Surrounding states such as Iraq, Syria, Egypt, Libya, Pakistan and India have been known to possess or desire nuclear weapons at some point. States such as Afghanistan, Turkey and Palestine are also very unstable and this poses problems for Iran's security. iDEVIATE (2014) states that the United States' close links with Israel ,occupying Iraq and removing Saddam Hussein, international silence during Saddam's chemical weapons attack against Iran weakened Iran's trust and decided on how best to protect itself in the midst of these threats. As a result, for Iran, having a nuclear program is a way of protecting itself. This is best explained by nsnbc international (2014) which states that "...another aspect of Iran's push for nuclear energy that is largely omitted in Western media is that Iran may want to develop at least the impression that they could pose a threat to Israel, which is believed to possess between 200 and 400 nuclear warheads as well as the delivery systems needed to threaten Tehran." As a result, the West has largely ignored this aspect and pushed their own agenda of Iran plotting to build weapons of mass destruction in the same manner as they did with Iraq. Kinzer (2008) postulates that,

The leaders of Iran ultimately want to preserve their regime and enhance its influence internally and externally, especially in the Middle East. It is precisely the latter objective of the Iranian regime that has come into conflict with the economic and geopolitical

interests of the U.S. to maintain its hegemonic reach in the region. The nature of this conflict and the two sides' responses to it are largely shaped by the history of U.S. interventions in Iran and the region, and by the process through which the Islamic Republic was established.

This argument is further augmented by to Esfahani (2008:3) who adds that,

Acquiring nuclear technology also has become an important means often enhancing internal confidence and rallying Iranians behind the regime. This would not necessarily lead to a buildup of a nuclear arsenal. In fact, most Iranian leaders seem to understand full well that the arms race that a nuclear Iran might trigger in the region could destabilize the country's neighborhood and ultimately cost them heavily. Rather, their objective seems to be developing the Islamic Republic's capabilities as a regional power in order to gain respect at external negotiating tables as well as in internal politics

This argument reveals the other dimension of the Iran nuclear program which is that the program and all the controversy surrounding it is a way of protecting its sovereignty in the anarchic Middle East. The Iranian Government has time and time again pleaded for a nuclear free zone in the region and the fact that the supreme leader Ayatollah Khomeini passed a decree declaring nuclear weapons as unacceptable in the Islam religion proves that Iran has no intentions of actually building or possessing nuclear weapons.

4.7 Conclusion

The Iranian Nuclear Crisis, as it has come to be known, has been a constant feature on the Nuclear Non-proliferation Treaty agenda with the United States and Israel being the most vocal in condemning Iran's nuclear program and calling it inconsistent with the Treaty. Iran began its nuclear program in the 1950s when it had the support of the American government and other nuclear powers such as France and Russia. However, this support started weaning when there was a revolution in Iran and the Iranians and Americans became sworn enemies. This aspect and the United States' special relationship with Israel meant that a nuclear Iran was unacceptable in the Middle East which is why there has been extreme pressure on Iran. This pressure has been backed by UN resolutions, crippling sanctions and the threats of attack by Israel with the backing of the United States which was endorsed by its Senate under Resolution 65. However what is

most ironic is the fact that the NPT watchdog, the International Atomic Energy Agency, has so far, after thousands of hours of inspections and more than adequate manpower, found no evidence of any divergence from peaceful purposes of nuclear energy to a weapons program. The only proof that those who are claiming Iran's program is a threat to international peace and security is unverified intelligence which has been criticized by some sections in the international relations field as being political rather than factual. This then leads to the more likely assertion that the only basis that the United States and its allies have for persecuting Iran is suspicion. Iran has been suspected of plotting to build nuclear weapons for decades now and up to now these suspicions have been proved false. There is also fear that these suspicions will turn out to be another case of Iraq which was attacked and left in ruins due to suspicions of possessing weapons of mass destruction which have since failed to turn up more than a decade later. The fact that Iran is a member of the NPT with the ability to withdraw but not doing so proves that Tehran is willing to engage with negotiators and undertake its responsibilities within the Treaty. Iran has also been consistently calling for a nuclear free Middle East and believes nuclear weapons to be inconsistent with its religion. However, threats of attacks by Israel and the instability in the Middle East has left Iran with no choice but to create the impression that it is capable of defending itself in the face of aggression and this aspect has largely been omitted in the Western media which continues to push for sanctions against Iran and calling it a threat to international peace and security.

The next chapter will reflect on the findings and also give concluding remarks on the whole study. Recommendations on how best the Nuclear Non-proliferation Treaty can enhance its effectiveness, especially when dealing with the Iranian case will also be given.

CHAPTER 5: FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter will give the major findings of the study, the conclusions and also outline the implications of the study. Recommendations will also be proffered.

5.2 Summary of the Study

This study was centered on the effectiveness of the Nuclear Non-proliferation Treaty (NPT) in the maintenance of global peace and security. The NPT is an arms control agreement concerned with stopping the spread of nuclear arms which have the power to cause massive destruction as was witnessed during World War II. To examine this effectiveness, a case study of Iran was used.

5.2.1 Purpose of the Study

This study focused on the Nuclear Non-proliferation Treaty and its effectiveness in the maintenance of international peace and security. The NPT is regarded as the corner stone of global peace for it has managed to prevent the outbreak of any nuclear wars. However one cannot ignore the cracks within the Treaty as double standards have hampered its effectiveness. Iran, a party to the Treaty has been accused of plotting to build nuclear weapons but NPT watchdog, the International Atomic Energy Agency (IAEA) has found no diversion of nuclear energy for peaceful purposes, as Article IV of the NPT permits, to a nuclear weapons program. This study therefore seeks to reveal the double standards on the part of the United States and its allies who have been piling pressure on Iran whilst turning a blind eye to other states that actually possess nuclear weapons such as Israel which could pose an even bigger threat to international security than Iran can.

5.2.2 Restatement of Objectives of the Study

The specific objectives of this study were to;

- Explain the existence of the NPT
- Examine the effectiveness of the NPT regime in arms control
- Examine Iran's nuclear programme
- Analyse the reasons behind the N5's attitude regarding Iran's nuclear project

- Give recommendations on how the NPT can be more effective

5.2.3 Restatement of the Research Questions

The key research questions were:

- What purpose does the NPT serve?
- How effective has the NPT been in controlling nuclear weapons proliferation?
- Is Iran's nuclear programme a cause for concern?
- What hindrances have there been to the effectiveness of the NPT in arms control?
- Can the NPT be reformed so as to ensure more efficiency?

5.2.4 Research Methodology

This research made use of qualitative research methods. Documentary search and in-depth interviews (see Appendix 1) were the primary sources of information gathering. Purposive sampling was used in choosing respondents for interviews. Iran was utilised as a case study in examining the effectiveness of the NPT in ensuring global peace and security.

5.2.5 Framework of Analysis

Larsen (2002:1) states that arms control can be defined as any agreement among states to regulate some aspect of their military capability or potential. The NPT is widely regarded as a successful arms control agreement because it has managed to defy predictions made decades ago that there would be dozens of nuclear weapon states by the 21st century. However, the Treaty has been criticized as being biased and discriminatory. A review of the various literature on hand revealed that the NPT's effectiveness has been greatly reduced due to the application of double standards and bias. Several commentators believe that most non-nuclear weapon states within the NPT view the Treaty as being flawed and ineffective. Avery (2012) contends that "...majority of NPT members are dissatisfied with the long continued noncompliance especially Article IV since nuclear powers have shown absolutely no signs of complying with it."

5.2.6 Limitations

The research was hampered by the lack of objective information regarding the Iranian case study. Most of the information available was coming from the American perspective and getting

the other side of the story was no easy feat. Interview respondents from the Iranian embassy were also difficult to get hold of.

However, despite these limitations, this research was carried out extensively and the findings are valid.

5.3 Summary of Findings and Analysis

The NPT, though a noble attempt at reducing the spread of nuclear arms has been hampered by double standards and bias in its operations. The interests of the nuclear powers, especially the United States have become the law and this has not gone down well with most non-nuclear weapon states who have accused the nuclear states of manipulating the Treaty to protect their privileges. The case of the Iranian nuclear program has only made these accusations more apparent. Below are the major findings and analysis.

5.3.1 Arms Control and the NPT

The NPT is an arms control agreement that seeks to stop the spread of nuclear arms. After World War I, Germany was forced to disarm since it was accused of igniting the war. However, Germany managed to rise again and yet again ignited World War II. It was after this that the concept of arms control gained prominence and in 1970 the NPT came into force. The Treaty has thus far been successful in preventing any outbreak of nuclear wars. However, the Treaty has been ineffective in stopping the spread of nuclear weapons. North Korea pulled out in 2003 and is now recognised as a nuclear state. Israel, India and Pakistan are also nuclear weapon states who have shown no desire to join the NPT and cite the need to protect themselves in the anarchic international system as reasons for acquiring nuclear weapons. The Treaty as an arms control agreement has also been undermined by the five nuclear states who have been helping non weapon states with nuclear technology and are also increasing their weaponry and technology. The nuclear states under the Treaty have also showed no interest in disarming as the agreement stipulates. As such, the NPT as an arms control agreement has been used by the nuclear states to protect their privileges and advance their national interests as they have exhibited no intentions of reducing their weaponry.

5.3.2 The NPT: An Overview

The Nuclear Non-proliferation Treaty is made up of three pillars. The first pillar is non-proliferation which is outlined in Articles I and II. Nonproliferation aims at stopping the spread

of nuclear weapons especially amongst states that do not have them and to stop them from developing or acquiring them. However, this aspect has been violated, hampering the effectiveness of the NPT. Shokrani (2012:252) states that one of the most serious challenge with the nonproliferation pillar is the situation whereby the North Atlantic Treaty Organization (NATO) has been sharing nuclear technology with non-nuclear NATO countries (Italy, Germany, Holland, Turkey and Belgium) which host U.S. nuclear weapons on their territories. The second pillar is expressed in Article IV of the NPT which states that “Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.” However, the case of Iran has proved that this provision is being applied discriminately due to the fact that the United States and Israel believe Tehran has ulterior motives. The third pillar is concerned with disarmament. Article VI of the Treaty states that parties, especially N5 agree to “pursue negotiations in good faith on effective measures relating to 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.” This pillar too has been facing challenges due to the fact that none of the five nuclear powers are willing to do away with their nuclear weapons. The violations of these three pillars on which the NPT stands on proves that the Treaty is flawed and needs to be reformed so as to be more effective.

5.3.3 Iran’s Nuclear Program: Behind the Smokescreen

Iran is party to the NPT and has been pursuing a nuclear energy program since the 1950s. Article IV states that all parties to the NPT have the right to pursue nuclear energy for peaceful purposes and Iran has pointed towards this provision for its program. Initially, the United States supported Iran in this regard but after the 1979 revolution and the hostages’ situation, relations between the two states broke down and Washington has since accused Iran of pursuing a nuclear weapons program. The International Atomic Energy Agency (IAEA) has found no evidence of diversion from peaceful purposes to a nuclear weapons program and this leads to the conclusion that these allegations are driven by suspicion. Another angle to explain the impasse that has largely been ignored in the Western media is the fact that Iran is located in a dangerous, unstable region and is trying to create the impression that it can defend itself. Esfahani (2008:3) states that,

Acquiring nuclear technology also has become an important means often enhancing internal confidence and rallying Iranians behind the regime. This would not necessarily lead to a buildup of a nuclear arsenal. In fact, most Iranian leaders seem to understand full well that the arms race that a nuclear Iran might trigger in the region could destabilize the country's neighborhood and ultimately cost them heavily. Rather, their objective seems to be developing the Islamic Republic's capabilities as a regional power in order to gain respect at external negotiating tables as well as in internal politics

5.3.4 Iran-US Relations

The sour relations between Tehran and Washington also explain the attitude of the United States towards Iran's nuclear program. When Ayatollah Khomeini became Iran leader after the 1979 revolution, he declared the United States as the 'great Satan' and since then relations have been strained. America has since accused Iran of human rights abuses and being the chief sponsor of terrorism and has several sanctions on Iran in place. It has also stated that Iran's nuclear program, which it supported initially, is not for peaceful, civilian purposes but for manufacturing weapons which goes against the NPT. It is also important to note that America is an ally of Israel which has involved in a war of words with Iran for a while now and has also passed Senate Resolution 65 which promises to help Israel if it is to attack Iran. This then proves that these sour relations are now creeping into the NPT and the United States is now manipulating the treaty so as to achieve its own national interests.

These findings prove that the NPT has become a tool of achieving national interests and maintaining nuclear privileges by the nuclear powers. Sour relations between the United States and Iran and the special bond between America and Israel have encroached into the Treaty and have led to suspicions rather than hard facts becoming the basis of persecution. Therefore, the case of Iran has shown that discrimination, bias and double standards are hampering the effectiveness of the Treaty

5.4 Implications of the Study

This study has revealed that the Nuclear Non-proliferation Treaty has been hijacked by personal interests of the powerful states within it to maintain their nuclear privileges. The United States has used the Treaty for its own national interests and as a tool of foreign policy. This has weakened the Treaty and greatly affected its effectiveness. As a result, most non-nuclear weapon

states view the Treaty as being biased and has led to states such as India, Pakistan and North Korea acquiring nuclear weapons. This scenario is especially dangerous because these states are not members of the NPT and the Treaty cannot control their activities and therefore nuclear weapons in these states can fall into the wrong hands. Terror attacks have been on the rise since 9/11 and there is a growing danger that failure to control nuclear weapons may result in terrorists using these weapons in their activities. The NPT pays special attention to the Middle East because it is quite a vulnerable region and one of the most unstable regions in the world. However, the fact that Israel is a recognised nuclear power in the region has only heightened tensions in the region and led to nuclear weapons proliferation, the exact opposite of what the NPT seeks to achieve. As a result, there is need to review the Israeli issue and engage with Jerusalem at the negotiating table.

This research has managed to reveal the shortcomings of the NPT in maintaining international peace and security. Most of the available literature praises the Treaty for maintaining peace and avoiding the outbreak of any nuclear wars whilst ignoring the widening fissures within the agreement. A closer look of the Treaty will reveal that it is biased and seeks to place nuclear weapons within the reach of a selected few who are also the permanent members of the United Nations Security Council (UNSC). The research has also managed to look at the 'Iran Nuclear Crisis' from another angle since most of the available information was biased towards the United States' view.

5.5 Conclusion to the Study

The study was focused on the effectiveness of the Nuclear Non-proliferation Treaty using Iran as a case study. The NPT came into force in 1970 as a means to curtail the spread of nuclear weapons and divided its members into two groups; nuclear weapon states and non-nuclear weapon states. The nuclear weapon states; China, France, Russia, the United Kingdom and the United States are those that possessed nuclear arms before the Treaty came into force. The NPT has been successful in maintaining this number within the Treaty and has also managed to prevent the outbreak of any nuclear wars and has been described as the cornerstone of global peace. However besides these five, there are other states outside the Treaty that have managed to acquire these weapons and these are Israel, India, Pakistan and North Korea. This has caused a security dilemma since the NPT cannot control the activities of these states. The Iran nuclear

crisis has also showed that the Treaty has been manipulated by powerful states to achieve national interests. The United States has been at the forefront of accusing Iran of plotting to build nuclear arms due to the fact that a nuclear Iran would challenge Israel, its close ally. The NPT allows members to pursue nuclear energy for peaceful purposes but Iran due to its location and relationship with the West is not allowed to do so without major scrutiny. The findings proved that Iran has no nuclear weapons and the pressure is caused by suspicions and this has greatly reduced the effectiveness of the Treaty.

5.6 Recommendations

5.6.1 Reformation of the NPT

This study recommends that the Nuclear Non-proliferation Treaty be revisited and reformed so as to make it more effective. This study has revealed that the NPT has been manipulated by the powerful states within the Treaty to serve their own interests. It is vital that the provisions of the Treaty be respected. The NPT stands on three pillars which are non-proliferation, nuclear energy for peaceful purposes and disarmament and all of these pillars have been violated. The nuclear powers, just like in the United Nations Security Council are more concerned with their own interests and see the Treaty as a foreign policy tool. The failure by the United States and China to ratify the Comprehensive Test Ban Treaty proves that these states are not sincere when it comes to the arms control agenda.

5.6.2 The Need to Adapt

There is also need for the Treaty to adapt to the changing environment. When the NPT came into force in 1970, international relations was dominated mainly by states. However, the 21st century has seen the rise of non-state actors, especially terrorists who have the power to destabilize states. The activities of terrorist groups such as Al-Qaeda which was responsible for the 9/11 attacks and Boko Haram which is wreaking havoc in Nigeria, shows the power that terrorist organisations possess in modern times. As such there is real danger of nuclear weapons falling into the hands of these organisations. This is especially so in states such as Israel and Pakistan where terrorists' groupings have been known to operate, hence as a result, the NPT needs to be wary of these.

5.6.3 Negotiating with Non-NPT Nuclear States

Closely related to the above point is the need for the Treaty to bring the states who possess nuclear weapons outside the NPT to the negotiating table. India, Pakistan, Israel and North Korea have refused to become parties to the NPT and this is a major cause for concern. As long as nuclear states remain outside of the NPT, the world can never be truly safe because they are not bound by the Treaty. The United States should stop shielding Israel each time Jerusalem is encouraged to join the NPT. The Middle East is a largely unstable region and the fact that Israel possesses nuclear weapons may lead other states within the region to acquire nuclear weapons for their own protection. The NPT should work towards making the region a nuclear weapon free zone as one of its resolutions states. There is need for impartiality and nondiscrimination when carrying out Treaty provisions. There is no need why one state's nuclear program should be seen as a threat to another state since the rights are conferred to every state. The United States should not let its diplomatic issues with Iran outside of the NPT interfere within the Treaty.

5.6.4 Positive Engagement with Iran

This study also recommends that the nuclear weapon states engage positively with Iran in trying to solve the Iran 'nuclear crisis'. The sanctions that have been placed on Iran are hurting the ordinary Iran citizens and crippling the economy yet there is no evidence to justify these sanctions. The United States should desist from issuing threats of attacks on Iran and should not encourage Israel in its quest to attack Iran. US Senate Resolution 65 proves that the United States and Israel have the same agenda, which is to keep Iran from becoming a powerhouse in the Middle East. Therefore, there is need for there to be positive and objective engagement with Iran on the best way to solve the so called crisis.

The 2015 NPT Review Conference to be held in New York should look at the above mentioned issues and try to find ways of making the Treaty more effective in the maintenance of international peace and security. This conference is special in that it also marks 20 years since the NPT was extended in 1995. The delegates should reflect on whether the extension was the worthwhile and how to make it even more effective.

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Appendix 1: Interview Guide

My name is Natasha Mataire and I am postgraduate student at the University of Zimbabwe in the Department of Political and Administrative Studies. I am doing my dissertation research for my Masters in International Relations. My topic is: The Effectiveness of the Nuclear Non-proliferation Treaty in the Maintenance of International Peace and Security: Case of Iran. This interview guide has been prepared in a way intended to unravel in-depth perceptions of the respondents with regards to the topic. The information obtained from this research will be used purely for academic purposes and is highly confidential. Your responses will be greatly appreciated.

1. What is your understanding of arms control as a concept?
2. What in your view led to the creation of the Nuclear Non-proliferation Treaty (NPT)?
3. What role does the NPT play in the maintenance of international peace?
4. How effective has the NPT been in stopping the spread of nuclear weapons?
5. What has affected the effectiveness of the NPT?
6. What in your view is the rationale behind the Iran Nuclear Program?
7. Is Iran's nuclear program a cause for concern?
8. What solution can you proffer for the Iran Nuclear Crisis?
9. What can be done to reform the NPT?

