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The Negotiation of the Non-Proliferation Treaty, 1965-1968: A Note

THE NON-PROLIFERATION TREATY – the outcome of three years of negotiations between 1965 and 1968 – was meant to stop the spread of nuclear weapons beyond the five states – the Soviet Union, the United States, Great Britain, France, and China – which possessed them in 1964. Once it came into force in 1970, the development of nuclear weapons changed from a symbol of national pride into a violation of international law. The importance of the treaty must be judged, therefore, by what might have happened had it not been made: the spread of nuclear weapons would probably be uncontrollable. Instead, the treaty, to which 172 states have adhered, is the most widespread arms-control agreement in history and has set the pattern for disarmament negotiations at the United Nations.

The negotiation of the treaty at Geneva fell into two parts. The two superpowers, the United States and the Soviet Union, worked out between them the substantive issues to be incorporated in the draft treaty and, with the support of their allies, tried to limit the modifications needed to satisfy the non-nuclear states, many of which were also non-aligned. Next, the multilateral negotiating body in Geneva sent its final draft of the treaty to the general assembly for approval, to be followed by a request to the secretary-general to open the treaty for signature. The procedure was followed in all of the multilateral negotiations that followed, namely the Sea Bed Treaty of 1971, the Convention on Environmental Modification of 1977, and the Convention on Chemical Weapons of 1993.

The treaty was negotiated in the Eighteen-Nation Disarmament Committee, an autonomous body outside the permanent framework of the United Nations, to which, at the suggestion of the United States and the Soviet Union, disarmament negotiations were transferred by the general assembly under Resolution 1,722 of 20 December 1961. Made up of five states from the Western bloc, five states from the Soviet bloc, and eight non-aligned states,¹ the committee accurately reflected the political

¹ The United States, the United Kingdom, Canada, France, Italy, the Soviet Union, Czechoslovakia, Poland, Romania, Bulgaria, Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden, and the United

composition of the United Nations at the time. The eighteen members were joined by a representative of the secretary-general and, in return, the United Nations paid for the committee and allowed it to work from UN facilities in Geneva and to draw on the secretariat. Although the United Nations expected, in return for this help, that the committee would carry out the will of the majority of the general assembly, the arrangement undermined the assembly's influence. It could only make recommendations to the committee, which the committee might choose to ignore.

To offset the admission of the eight non-aligned states, a co-chair was set up. Not a usual practice at the United Nations but a by-product of the committee's autonomy, the co-chair ensured that the superpowers co-operated: by forcing them to share responsibility for the committee's agenda and decision-making, it significantly reduced the rivalry between them and denied the non-aligned states the opportunity to steer between them. Through the co-chair, the superpowers kept control of the committee; their joint decisions determined its daily operations, including the preparation and presentation of draft agreements. Furthermore, as all of the committee's decisions required the consent of the superpowers, they also determined the extent of its willingness to comply with the directions of the general assembly.

During the working sessions of 1962-3, the committee grappled with a nuclear test ban. Non-proliferation came next, owing to the need, after the Chinese nuclear test of 1964, for effective measures to prevent the further spread of nuclear weapons. The monopolization of the committee's subsequent sessions by the negotiation of the non-proliferation treaty mirrored the priorities of the member states of the United Nations. Successive resolutions of the general assembly in 1966 stated that 'the prevention of further proliferation of nuclear weapons is a matter of the highest priority demanding unceasing attention of both nuclear weapon and non-nuclear weapon powers'.¹ Similarly, the secretary-general, U Thant, saw a non-proliferation treaty as an indispensable first step towards further disarmament. 'It is difficult', he argued in 1967, 'to conceive of any agreement in the foreseeable future or any other measure of disarmament, if it is not possible to reach agreement on a treaty to prevent the spread of the nuclear weapons.'²

Serious negotiations for a non-proliferation treaty, which began between the superpowers in 1965, led in August 1965 to the submission through the co-chair of the first drafts. The US draft read as follows:

Arab Republic.

¹ See, e.g., [New York, United Nations] G[eneral] A[ssembly] R[esolution] 2,149 (xxi), 4 Nov. 1966; 2,153 A (xxi), 17 Dec. 1966.

² 15 Dec. 1967 [United Nations] G[eneral] A[ssembly] O[fficial] R[ecords], A/C.1/22/PV. 1552, p. 14.

ARTICLE I

1. Each of the nuclear states party to this treaty undertakes not to transfer any nuclear weapons into the national control of any non-nuclear state, either directly, or indirectly through a military alliance, and each undertakes not to take any other action which would cause an increase in the total number of states and other organizations having independent power to use nuclear weapons.
2. Each of the nuclear states party to this treaty undertakes not to assist any non-nuclear state in the manufacture of nuclear weapons.

ARTICLE II

1. Each of the nuclear states party to this treaty undertakes not to manufacture nuclear weapons; each undertakes not to seek or to receive the transfer of such weapons into its national control, either directly, or indirectly through a military alliance; and each undertakes not to take any other action which would cause an increase in the total number of states and other organizations having independent power to use nuclear weapons.
2. Each of the non-nuclear states party to this treaty undertakes not to seek or to receive assistance in the manufacture of nuclear weapons or itself to grant assistance.¹

The US draft did not satisfy the Soviet Union, which wished above all to ensure that states such as West Germany would not be able to acquire nuclear weapons indirectly, under the umbrella of the projected NATO multilateral nuclear force.² The Soviet draft, intended to eliminate such loopholes, was tabled in September 1965 and read as follows:

ARTICLE I

1. Parties to the treaty possessing nuclear weapons undertake not to transfer such weapons in any form, directly or indirectly, through third states or group of states to the ownership or control of states or groups of states not possessing nuclear weapons and not to accord to such states or group of states the right to participate in the ownership, control or use of nuclear weapons. The said parties to the treaty shall not transfer nuclear weapons or control over them or over their emplacement and use, to units of the armed forces or military personnel of states not possessing nuclear weapons, even if such units or personnel are under the command of a military alliance.
2. Parties to the treaty possessing nuclear weapons undertake not to provide assistance directly or indirectly, through third states or group of states not at the

¹ D[isarmament] C[ommission] O[fficial] R[ecords], Supp. Jan.-Dec. 1965, doc. 227.

² John Simpson, 'Global Non-Proliferation Policies: Retrospect and Prospect', *Review of International Studies*, i (1982), 73.

present possessing nuclear weapons, in the manufacture, in preparations for the manufacture or in the testing of such weapons and not to transmit to them any kind of manufacturing, research or other information or documentation which can be employed for purposes of the manufacture or use of nuclear weapons.¹

Article II provided, in similar wording, for the states not possessing nuclear weapons to undertake corresponding obligations.

As the treaty 'should avoid any loopholes which might permit nuclear weapon powers to proliferate directly or indirectly nuclear weapons in any form',² finding a way to preclude indirect proliferation under the umbrella of the rival military alliances remained the outstanding issue between the superpowers. Each continued until late in 1966 to negotiate only with its allies and with the other. Although their drafts gradually approximated each other more closely, they visualized the treaty as an agreement between the United States and its allies on the one hand, and the Soviet Union and its allies on the other, ignoring the concerns of the states which were to forgo the option to acquire nuclear weapons.³ In John Stoessinger's words, the superpowers 'attempted to sell a non-proliferation treaty'; to frame it to suit their own interests; to retain control of the negotiating process; and unilaterally to impose obligations and responsibilities on the non-nuclear states.⁴

In response to this development, the non-aligned states, which had followed the superpowers' lead during the negotiations on arms control between 1962 and 1964, changed their stance. They took steps to obtain greater influence over the terms of the non-proliferation treaty by rallying in November 1965 around a general assembly resolution demanding a 'proper balance of mutual obligations and responsibilities'.⁵ Henceforth, the negotiations 'must take place between nuclear and non-nuclear, between aligned and non-aligned countries: it is undeniable that in regard to the treaty the non-aligned and non-nuclear weapon countries have equitable claims to put forward which must be taken into account in the negotiations'.⁶

This demand for a balance of obligations reflected the non-aligned

¹ GAOR, 20th session, annexes, agenda item 106, doc. A/5976.

² 18 May 1967 [United Nations], E[ighteen] N[ation] D[isarmament] C[ommittee], PV. 297, p. 5; see also 9 Nov. 1966, GAOR A/C.I/21/PV. 1448, p. 123.

³ Michael Mandelbaum, *The Nuclear Question: The United States and Nuclear Weapons, 1946-1976* (Cambridge, 1979), p. 139.

⁴ John Stoessinger, *The United Nations and the Superpowers: China, Russia, and America* (New York, 1977), p. 173.

⁵ The request for a balance of mutual obligations and responsibilities appeared in the text of GAR 2,028, 23 Nov. 1965. For the text of GAR 2,028 (xx) see United Nations, *The United Nations and Nuclear Non-Proliferation* (New York, 1995), pp. 47-8.

⁶ UAR, 16 March 1967, ENDC, PV. 294, p. 5.

states' assumption that the committee had 'apparently [been] paralysed or hypnotized by the preoccupations of some of the larger powers'.¹ For the non-aligned group, the treaty itself was bound to be discriminatory, as it perpetuated the disparity between 'nuclear haves' and 'have nots'.² The responsibility of the non-nuclear states not to acquire nuclear weapons must be balanced, therefore, by an obligation of the nuclear states not to supply nuclear weapons to others.

The non-aligned and non-nuclear states wished to obtain a fair return for giving up the right to obtain nuclear weapons.³ In the words of Josef Goldblat, Poland's representative on the committee, what was being asked for was 'a kind of exchange of one commodity for another over a bargaining counter'.⁴ If the non-aligned states were to deny themselves access to nuclear weapons, their security and their economic development must be guaranteed. Otherwise, they would be deprived of 'access to the economic benefits and technological spinoffs of the nuclear age at a time the developing countries were facing severe economic and resource problems'.⁵

As William Epstein recognizes, however, 'the non-aligned, non-nuclear weapon countries were not a solid bloc with a single point of view, but rather were divided among themselves and constituted a whole spectrum of opinion'.⁶ This undermined the group's bargaining position. Furthermore, the non-aligned states expected the superpowers to link non-proliferation with nuclear disarmament, and refused to treat it, as both the Soviet and the Western blocs did, as a move in the right direction which, by itself, 'would create more favourable conditions for the attainment of further agreements on the urgent measures of disarmament'.⁷ The prohibition of nuclear weapons 'should be coupled with or followed by tangible steps to halt the nuclear arms race and to limit, reduce and eliminate the stocks of nuclear weapons and the means of their delivery'.⁸ Naturally, the most extreme positions in support of linking non-proliferation with nuclear disarmament were taken in the general assembly, rather than in the committee where the non-nuclear states sat on the sidelines. In the assembly, however, they could support the statement of Chile that 'the renunciation by the small states of any attempt to develop

¹ Tanzania, 18 Dec. 1967, GAOR A/C.I./22/PV. 1555, p. 5.

² Ethiopia, 14 Aug. 1967, ENDC, PV. 323, p. 14.

³ For the non-aligned viewpoint with regard to the platform for a balance of mutual obligations and responsibilities, see 23 May 1967, ENDC, PV. 298, p. 9; 27 May 1967, ENDC, PV. 300, pp. 5, 11; 16 Nov. 1967, ENDC/PV. 348, p. 7; 13 Feb. 1968, ENDC, PV. 364, p. 15.

⁴ 29 Aug. 1967, ENDC, PV. 326, p. 5.

⁵ Ralph Townley, *The United Nations: A View from Within* (New York, 1968), pp. 113-14.

⁶ William Epstein, *The Last Chance: Nuclear Proliferation and Arms Control* (London, 1976), p. 122.

⁷ 14 Dec. 1967, GAOR A/C.I./22/PV. 1551, p. 27.

⁸ *Ibid.*

their own nuclear weapons will be of no avail unless it is accompanied by the nuclear disarmament of all states.¹

The link between a non-proliferation treaty and nuclear disarmament divided the militants from the moderates within the non-aligned group. The former tried for the first time to use the negotiations for a non-proliferation treaty as a political vehicle to put pressure in the committee on the superpowers to commit themselves to actual steps towards nuclear disarmament.² Brazil and India, both members of the committee, as well as Pakistan, were among the most militant. They told both the general assembly and the committee that 'the commitment of non-nuclear weapon states to sign away the right to manufacture or otherwise acquire those weapons must be coupled with a specific and binding commitment on the part of the nuclear powers to take concrete steps to halt the nuclear arms race'.³ On the other hand, for the moderates, such as Mexico and Sweden, the negotiation of the non-proliferation treaty need not be balanced by nuclear disarmament: if the treaty was required to 'include specific measures to be implemented by the nuclear powers in the immediate future, this would be tantamount to opposing the very existence of a non-proliferation treaty'.⁴ A non-proliferation treaty should instead be seen as an essential step forward, which would be followed without delay by other and more effective measures leading to disarmament. For the moderates, nuclear disarmament was too important to be used as a bargaining counter.

The non-aligned states made it clear, however, that if the committee continued to disregard their views, they would block an agreement: they were no longer willing to play the passive role they had played in 1962-3 during the negotiations between the superpowers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water. Their first attempt to persuade the superpowers to include non-aligned and non-nuclear states in the negotiations came in August 1966, when all the eight members of the non-aligned group in the committee submitted a memorandum demanding compliance with the general assembly's request for a balance of mutual obligations and responsibilities, adding what was tantamount to an ultimatum that, if their views were ignored, they would not sign the treaty and nuclear weapons would spread all over the world.⁵

¹ 14 Dec. 1967, GAOR A/C.I/22/PV. 1551, p. 17.

² *International Arms Control: Issues and Principles*, ed. J. Barton and L. Weiler (Stanford, 1976), pp. 296-7.

³ Brazil, 14 Dec. 1967, GAOR A/C.I/22/PV. 1551, p. 27; see also Pakistan, 28 Oct. 1966, GAOR A/C.I/21/PV. 1434, pp. 5-10.

⁴ See, e.g., the statement of Mexico, 19 Sept. 1967, ENDC, PV. 331, pp. 17-19, 9.

⁵ India, 14 Dec. 1967, GAOR A/C.I/22/PV. 1551, p. 13.

Henceforth, the non-aligned states made constant efforts to use the need for their adherence to the non-proliferation treaty to strengthen their political influence. By enlarging their role in the negotiations, they hoped to increase the general assembly's leverage on the superpowers. They justified their course of action 'because in the past, the superpowers had tended to treat the non-nuclear states as if they counted for little and as if they had no interest in this vital question of war and peace. The superpowers were always apt to agree behind the scenes and to present us with a *fait accompli*, on the confident assumption, helpless as we are, we would have to accept their conclusions.' They then gave a warning that 'if the proposed non-proliferation treaty is to have the support of the have-nots, then it must meet their legitimate concerns.'¹

In demanding a more prominent role in the negotiations for a non-proliferation treaty, the non-aligned states were also bidding to seize from the superpowers the initiative in disarmament negotiations. They sponsored in November and December 1966 a set of resolutions by which the general assembly agreed to convene not later than 1968 a conference in Geneva of non-nuclear states to decide how their security could best be assured; how they could help to prevent the spread of nuclear weapons; and how nuclear power could be harnessed to peaceful purposes.²

This decision, by excluding the nuclear states, was without precedent in the history of the disarmament negotiations. It institutionalized the cleavage between the nuclear and the non-nuclear states and endangered the coherence of the United Nations. The adoption of these resolutions by the general assembly was the result of constant complaints from the non-aligned states that they had been kept in ignorance of the details of the negotiations and of the methods proposed to prevent the spread of nuclear weapons, partly because most members of the group were not members of the committee.³

The proposed conference came to serve a number of interrelated purposes. As the non-aligned summit held at Cairo in 1964 had appealed to both the United Nations and the committee to take up the non-proliferation issue, the non-aligned, non-nuclear states felt that to ensure themselves a more prominent role in the negotiations, they would have to formalize their loose relationship. Although the conference 'was intended to serve primarily as a forum of consultation among non-nuclear weapon states with a view to collectively ensuring their legitimate interests of

¹ Ghana, 15 Dec. 1967, GAOR A/C.I./22/PV. 1553, p 2.

² GAR 2,153 B (xxi), 17 Nov. 1966; see also, GAR 2,346 B (xxii), 19 Dec. 1966.

³ E. L. Burns, 'The Non-Proliferation Treaty: Its Negotiation and Prospects', *International Organization*, xxix (1969), 804.

national security and economic well being',¹ it was intended to lead to closer co-operation among the participants and give them greater collective bargaining power with the superpowers. As Pakistan, the original sponsor of the general assembly's resolutions, stated: 'The aim of the conference would be to evolve a common standpoint of non-nuclear weapon countries which would enable them to enter into a fruitful dialogue with the nuclear weapon states.'²

A new political pattern was emerging owing to the suggestion, for the first time, that the negotiating process should be democratized. With the view to increasing their influence, the non-aligned states proposed to draft at the conference a common negotiating position,³ as the first step towards removing disarmament from the control of the superpowers.⁴ Thus, according to Pakistan, 'the idea of the conference is to establish new channels of consultation whereby non-proliferation of nuclear weapons and nuclear disarmament will become, not the preserve of few, but the concern of all. We therefore want to ensure that each and every nation has its full say in the matter.'⁵

These plans were bound to provoke a response from the superpowers. Once the plans were known, the superpowers had to conclude a non-proliferation treaty ahead of the conference, to present it with a *fait accompli* but also to ensure that the non-aligned states would subscribe to it. Thus, even the preparations for the conference gave the non-aligned states greater influence on the negotiations. The superpowers worked hard to postpone it, while accepting the need to adopt a more democratic process. In particular, they agreed in October 1967 to submit the draft treaty for consideration and approval by the general assembly.

The superpowers, however, despite the challenge from the non-aligned states, remained in control of the negotiations. Capitalizing on the loyalty of their allies and the disagreements among the non-aligned states, the Communist and Western blocs jointly sponsored a resolution in the general assembly – Resolution 2,346 of December 1967 – approved by an overwhelming majority, which stated 'that it is imperative to make further efforts to conclude such a treaty at the earliest possible date'; expressed the hope 'that the remaining differences between all the states can be quickly

¹ Ethiopia, 15 Dec. 1967, GAOR A/C.1/22/PV. 1552, p. 7.

² United Nations, *The United Nations and Disarmament, 1945-1970* (New York, 1970), p. 307.

³ Cf. Leo Mates, *Non-Alignment: Theory and Current Policy* (Belgrade, 1972), p. 347; see also Jasip Djerdja, 'The Non-Nuclear Countries and Their Course of Action', *Review of International Affairs*, xix (1968), 1-3.

⁴ For the attempts of the non-aligned states to change the UN disarmament machinery, see Dimitris Bourantonis, 'Democratization, Decentralization, and Disarmament at the United Nations, 1962-1978', *International History Review*, xv (1993), 699-713.

⁵ Pakistan, 17 Nov. 1966, GAOR A/C.1/21/PV. 1469, p. 4.

solved'; and asked the committee to submit a draft treaty before 15 March 1968.¹

Although it met the needs of the superpowers, the decision also demonstrated the general assembly's wish to regulate the negotiations and to supervise the committee more closely: the assembly was no longer content merely to recommend items for the committee's agenda. This suited the superpowers as well as the non-aligned group. If the general assembly gave the seal of democratic approval to a treaty which met the superpowers' requirements, it would enable them to avoid undesirable commitments prohibiting vertical proliferation.

In reality, the general assembly was solely concerned with the prohibition of the horizontal proliferation of nuclear weapons, which was held to be the essential ingredient of a non-proliferation treaty. By stressing 'that the remaining differences between all the states can be quickly resolved', the general assembly implicitly restricted the scope of the treaty to the common ground to be found in the key provisions of the draft treaty the superpowers had submitted to the committee.² The revised treaty had been formulated as follows:

ARTICLE I

Each nuclear weapon state party to this 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 assist, encourage or otherwise acquire nuclear weapons or other nuclear explosives, devices or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear weapon state party to this treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or 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.

The two articles which prohibited the horizontal proliferation of nuclear weapons were adopted without alteration as Articles I and II of the definitive treaty. Further negotiations, however, took place on a number of questions of interest to the non-nuclear and non-aligned states, thus

¹ GAR 2,346 A (xxii), 19 Dec. 1967.

² GAR 2,346 A (xxii), 19 Dec. 1967 was adopted by 112 votes to 1 with 4 abstentions.

satisfying their request for a balance of obligations and responsibilities. These included provisions for a system of international safeguards; for the sharing of potential benefits from peaceful applications of nuclear energy; and a good-faith clause on measures regarding cessation of the nuclear arms race and disarmament.

A last concern, with which the draft treaties did not deal, was the 'security assurances'. In return for renouncing the manufacture or acquisition of nuclear weapons, the non-nuclear states demanded guarantees of their security. They asked for positive as well as negative assurances: positive assurances were promises by the nuclear states to defend the non-nuclear states in the event of a nuclear attack on any of them, and negative assurances were promises by the nuclear states never to use or threaten to use nuclear weapons against the non-nuclear states.

The assembly's intervention stymied the militant among the non-aligned states which were attempting to use the non-proliferation treaty to commit the superpowers to nuclear disarmament. The claim by the United Kingdom that a threat 'to press for such measures (nuclear disarmament) at this stage in the negotiations would throw the whole non-proliferation issue back to the bilateral stage of the negotiations' helped to influence the choice made by the non-aligned states.¹ They accepted the assembly's definition of the non-proliferation treaty as a single arms-control measure: the prohibition of the horizontal proliferation of nuclear weapons.

From the moment the general assembly agreed on the timetable for submission of a draft treaty, the superpowers were able to retain control over the negotiating process. Their discretionary power to present draft treaties enabled them to table identical completed drafts shortly before they were due to be submitted to the general assembly. By doing so, not only did they pre-empt the changes sought by the non-aligned states, but they also threw on to them the political burden of deciding whether or not the deadline should be met. The weight of the burden was increased by the secretary-general's plea in January 1968 that the years of patient negotiations 'must now be brought to fruition'.²

The text of the treaty was approved by the general assembly on 12 June 1968 after it had been amended to include more detailed provisions governing international safeguards, the sharing of benefits from the peaceful application of nuclear energy, and the cessation of the arms race.³ The demand for security assurances to the non-nuclear states was met by an undertaking on the part of the nuclear states to make, as they eventually

¹ United Kingdom, 21 March 1967, ENDC, PV. 295, p. 4.

² 18 Jan. 1968, ENDC, PV. 357, pp. 4-5.

³ GAR 2,373 (XXII), 12 June 1968, was adopted by 95 votes to 4 with 21 abstentions.

did, parallel declarations to the security council that amounted to positive assurances. The 'forgotten conference'¹ of the non-nuclear states, held in August in Geneva, failed to provide a vehicle for increasing their leverage on the superpowers and the disarmament committee. It restricted itself to finding means for the treaty to obtain the widest possible adherence.

The strengthening of the non-proliferation treaty has been a top priority in disarmament negotiations ever since. Its viability, however, rests on an explicit bargain between the nuclear and the non-nuclear states: the latter agreed to forgo the acquisition of nuclear weapons on the condition that the former would, in the words of Article VI of the treaty, 'pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament'. The asymmetry of these obligations has been a bone of contention eroding the perceived value of the treaty, and four successive review conferences of the non-proliferation treaty, held in 1975, 1980, 1985, and 1990, have failed to resolve the problem.

With the end of the cold war, however, nuclear disarmament has become possible and agreements on nuclear arms reductions have been negotiated. Since 1987, the United States and the Russian Federation have eliminated more than 2,000 intermediate-range missiles and taken an entire class of weapon systems out of commission; agreed in the START and START II agreements to remove more than 17,000 nuclear warheads from missiles and bombers; and decided unilaterally to dismantle thousands of tactical nuclear arms. These reductions represent substantial progress, in keeping with the spirit and the letter of Article VI of the non-proliferation treaty, and contributed to the successful outcome of the extension conference of the non-proliferation treaty held in 1995 in New York.

The conference was not a continuation of the review conference mechanism established by Article VIII of the treaty. Article X, paragraph 2, stipulates that, twenty-five years after the approval of the treaty, a conference shall decide whether it should be extended indefinitely or for a fixed period or periods. Fortunately, the conference decided to grant the non-proliferation treaty permanent status. Without it, non-proliferation would have been jeopardized.

There remains, however, the need for a comprehensive nuclear test-ban treaty. It alone will serve to deter non-nuclear states from developing nuclear capability, if only because they regard such a treaty as a litmus test of the commitment by the nuclear states to non-proliferation.

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¹ Epstein, *Nuclear Proliferation*, pp. 128-34.