

Dissuading or Deterring NPT Withdrawal: Lessons for the Like-Minded

Ever since the Democratic People’s Republic of Korea (DPRK) withdrew from the Nuclear Nonproliferation Treaty (NPT), the international community has struggled with the challenge of what to do about the prospect of further withdrawals. The collective global response to the question of how to make future such withdrawals less likely, however, has been all but nonexistent – though not been for any lack of ideas about what to do. (In addition to various proposals made in the 2000s by several NPT States Party, for instance, former IAEA Deputy Director General for Safeguards Pierre Goldschmidt published an important examination of the question in January 2020.) It is worth exploring, therefore, why the international community has not been willing to do more.

Some states appear to have an interest in not seeing more done to deter withdrawal because they themselves might actually wish to take advantage of that option in the future. For their parts, moreover, both Russia and China have effectively signaled over the years that they do not actually *mind* nuclear weapons proliferation, provided that it does not directly threaten them and that it *does* threaten the interests of the United States and its allies. Another group of states uneasy with doing more is the Non-Aligned Movement (NAM), many of whose members are motivated, in this regard, by their political investment in narratives depicting the NPT as “unfairly” privileging weapons-possessors. In theory, this should not prevent NAM support for measures to deter withdrawal by a state that has been found in violation of the NPT, but it does.

And indeed there *is* a sound argument against measures that would restrict the exercise of withdrawal *per se* – not least because one cannot say that it is *impossible* for a country ever to have a sound reason for withdrawal. In some hypothetical future in which U.S. alliance guarantees have collapsed and an otherwise all but defenseless ally faced an overwhelming threat of invasion and conquest by Russia or China, for instance, it would be difficult in good conscience tell that country that it must sacrifice its very existence on the altar of nonproliferation scrupulousness. To be sure, this insight should not preclude setting up “generic” measures to deter withdrawal *by a country in violation of the Treaty*. Nor does it mean that withdrawal by a country not genuinely facing an existential threat from an aggressive neighbor – or withdrawal undertaken merely out of ideological principle, or merely in order to preserve a weapons *option* that existential strategic circumstances do not compel – should not be opposed. Nevertheless, from the perspective of international peace and security, it does seem clear that not all withdrawals are created equal – and that impeding NPT withdrawal in *all* cases would be inappropriate.

These various dynamics help explain why – despite thoughtful entreaties by Pierre Goldschmidt and others – the political stars have not yet aligned to permit general support even for such reasonable measures to disincentivize withdrawal by violators. There seems little likelihood of agreement upon anything like the kind of pre-established “generic” approach through multilateral mechanisms at the United Nations and IAEA that Goldschmidt advocates.

Thankfully, however, this does *not* mean that there is nothing that can be done to help meet this challenge by countries of goodwill whose governments are serious about

nonproliferation. Lack of agreement at the United Nations level need not preclude responses by coalitions of states with the good sense both to prize nonproliferation and to see threats to international peace and security for what they are.

Like-minded governments should resolve among themselves, in advance, to act resolutely against themselves (whether or not the United Nations does) against any state that withdraws from the NPT after having violated it, or under other circumstances creating a threat to international peace and security. They should also each establish authorities in national legislation for mandatory sanctions triggered by a country's withdrawal from the NPT after having been found in violation, and should agree within their alliance networks, in advance, that withdrawal from the NPT by a country that has violated that Treaty or that has expressed hostility toward one or more members of such an alliance inherently presents a threat to collective security. And they should both press for the improvement of IAEA safeguards and for safeguards provisions that would survive withdrawal, and should include "disgorgement" provisions in nuclear cooperation agreements to cover withdrawal. Such steps may help at least somewhat deter North Korea-style withdrawals in the future.

To help make *justified* withdrawal less likely, it is also important to shore up America's alliance networks to ensure that despite growing threats from Russia and China, no U.S. ally will ever feel it has no choice *other* than withdrawal and nuclear weapons development. America's allies have much work to do in shoring up these alliance networks, but the biggest burden still falls upon Washington, and it is absolutely essential that U.S. leaders remain committed to preserving the credibility and effectiveness of the security guarantees – including the "extended" nuclear deterrence guarantees – that U.S. alliances provide to countries that might otherwise feel the need to resort to autonomous nuclear deterrence. From the perspective of deterring NPT withdrawal, strong U.S. alliances can help make *justified* departures from the Treaty framework unnecessary, thus allowing all states to focus more intently and directly upon deterring future North Korea-style problems.