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**The Global Nuclear Non-Proliferation Regime (NNPR) Under Strain: Critical Challenges for the NPT RevCon 2026**

By

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The opinions expressed in this article are those of the author and do not necessarily reflect the views of the organization.

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This year marks 56 years since the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was signed, and on the 27th of April, its 11th Review Conference will be convened in New York. It has survived more than half a century, albeit being a treaty with deliberate and unequal obligations built into its very architecture. That inequality was the price of consensus.

It was, in theory, also the source of its longevity. The NPT was forged on the Grand Bargain, i.e. the nuclear weapon states (NWS) would make efforts in “good faith” toward general and complete disarmament and retain their right to develop and keep nuclear weapons; whereas the non-nuclear weapon states (NNWS) would forgo the bomb and in turn be allowed to retain the peaceful uses of nuclear energy; an inalienable right granted under the treaty.

However, much to the dismay of the non-proliferation community, this bargain is now under challenge. What the 2026 NPT Review Conference (RevCon) inherits is not a regime under strain, but one which is already hollowed out by the promises of NWS, which were obligated to sustain it. Several simultaneous failures have brought the regime to a point where it faces an unequal obligations problem that has not been resolved till date, selective counter-proliferation extended beyond the treaty's legal scope, a trend of rearmament and arms race defying the Article VI obligations and the looming danger of a third failed RevCon.

### **The Discrimination Problem**

The original grand bargain promised the NNWS the inalienable right to the peaceful development of nuclear technology and energy, in return for foregoing their right to develop nuclear weapons. The International Atomic Energy Agency (IAEA) was entrusted with the job of promoting the peaceful uses of nuclear energy. The NWS, in turn, pledged, in what is generally described as largely a political commitment, that it would work toward general and complete disarmament, without putting a timeline toward the achievement of such a goal.

The NPT was originally concluded for a period of twenty-five years. During the review conference process, a consistent concern has been that the inequalities between the NWS and the NNWS have accentuated, with the former preserving their rights and privileges while relegating the NNWS to the position of sole obligation bearers under the Treaty.

In 1995, NPT was extended indefinitely based on two crucial undertakings: a strengthened review process and a resolution on the Middle East calling for the establishment of a weapons of mass destruction (WMD) free zone. The latter was the price extracted by the NNWS for their consent to indefinitely extend the treaty. NNWS accepted a treaty without a sunset clause only on the explicit understanding that the NWS would move toward disarmament, and that the anomalous position of Israel, as the only nuclear-armed state in the Middle East which is not a party to the NPT, would be addressed multilaterally.

However, thirty-one years and counting, neither of the commitments has been honoured. The 2000 Review Conference (RevCon) produced the 13 Practical Steps toward nuclear disarmament, including an "unequivocal undertaking" by the NWS to eliminate their arsenals. Later, the 2010 Review

Conference adopted a 64-point action plan, which made specific reference to convening a conference on a Middle East Weapons of Mass Destruction Free Zone (WMDFZ).

However, the United States unilaterally cancelled the planned conference in 2012 because Israel refused to join such a process. This effectively scuttled the one deliverable that had been promised since 1995 to the NNWS. The 2015 and the 2022 RevCons both collapsed without a final document over this issue. The consecutive failure of two RevCons is a testament to the systemic failure of the treaty's review process.

### **The Peaceful Uses Problem**

At the heart of the current Iran's current non-compliance with NPT is the level of uranium enrichment it is undertaking in its nuclear energy programme, granted under Article IV of the treaty. The initial non-compliance allegations on Iran go back to 2003 when an Iranian opposition group held a press conference revealing two secret, undeclared facilities (Natanz and Arak) in Iran, putting it in violation of its obligations under the NPT. Iran then signed an Additional Protocol (AP) with the IAEA, as a confidence-building measure, allowing the latter enhanced access in Iran to report on the completeness and correctness of Iran's peaceful uses claims.

Tehran suspended the AP in 2006, only to start compliance again as part of the Joint Comprehensive Plan of Action (JCPOA) with the P-5 plus Germany. It was built on the compliance for relief model, committing Iran to cap enrichment levels at 3.67 percent, granting IAEA unfettered access to all declared and suspicious undeclared sites; in exchange for reciprocal sanctions relief and trade normalisation. U.S. President Donald J. Trump, however, announced withdrawal from the Iran deal in 2018. Iran announced it would begin reducing compliance exactly a year after the U.S. withdrawal.

Initially, Iran kept its part of the deal, negotiating with its European partners despite sustained sanctions pressure. It was on May 8, 2019, that Iran announced it would stop performing some of its JCPOA commitments, including increasing uranium enrichment and stockpiles beyond agreed limits. In January 2020, in the absence of any reciprocal progress from the remaining European states, Iran announced it would no longer abide by any restrictions on its nuclear programme.

In February 2021, Iran stopped implementing the AP, and later the IAEA reported in 2024 that it had lost "continuity of knowledge" regarding Iran's inventory of centrifuges and hence it was not possible to verify the peaceful nature of its programme.

The recent US-Israel war on Iran in this context reveals the duplicity of the non-proliferation norms. Israel, a non-NPT state in possession of more than 100 nuclear weapons, has been allowed to retain ambiguity even about their presence. Although there have been repeated UN resolutions calling for it to join the treaty as a non-nuclear-weapon state. The United States has long declined to formally challenge this position and is largely believed to have aided Israel's nuclear weapons programme. This constitutes, in effect, a political exemption granted to a non-NPT state that has no legal basis in the NPT.

Compounding this, in a move that seriously undermined the non-proliferation regime, the United States

allowed India, a NWS outside NPT, to enter into international nuclear trade for civilian purposes. Such trade was originally legally mandated only for NPT states parties who had formally renounced their right to develop nuclear weapons.

To compound this double standard, the United States later facilitated an "India-Specific" Additional Protocol, keeping eight of India's civilian facilities (dual-use) outside of safeguards, apart from its Fast Breeder Reactor programme. Unlike the intrusive models pushed elsewhere, the Indian AP version applies primarily to Indian exports and fails to apply beyond a few designated civilian facilities.

This poses serious challenges to South Asian strategic stability as well as the global non-proliferation regime. It also amply demonstrates that the rules of the regime are selectively applied, and geopolitical exigencies are preferred over non-proliferation obligations, and strategic partnerships carry exemptions that sidestep legal obligations.

### **The Counter-Proliferation Problem**

The other bizarre development that undercuts the legitimacy of the NPT is the selective counter-proliferation by a non-NPT NWS against NNWS members of the treaty. The use of military force to destroy nuclear infrastructure predates the current Iran crisis. On June 7, 1981, Israel destroyed Iraq's Osirak research reactor under Operation Opera.

Later on September 6, 2007, Israeli aircraft destroyed the Al-Kibar facility in Syria, a site which was later claimed in 2011 by the IAEA as very likely to be a nuclear reactor. Neither action was authorised by the UN Security Council.

Neither action was channelled through the NPT's safeguards-violation mechanisms under the IAEA's statute. Both unlawful acts of counter-proliferation established a wrong precedent, i.e. a non-NPT NWS reserved the right to destroy nuclear facilities it judges threatening with impunity, regardless of whether those facilities are under IAEA safeguards.

That precedent reached its logical culmination in June 2025. On June 13, Israel launched Operation Rising Lion, a massive air campaign which targeted uranium enrichment facilities at Natanz, the Arak heavy-water reactor, air defence systems, and ballistic missile launch sites in Iran. The campaign also killed several Iranian nuclear scientists.

The IAEA Director-General, Rafael Mariano Grossi, stated on June 17 that the agency "did not have proof of a systemic effort by Iran to move into a nuclear weapon," and told the UN Security Council on June 20 that "armed attacks on nuclear facilities should never take place." Nonetheless, on June 21, the United States joined Israel and targeted Fordow, Natanz, and the Isfahan nuclear technology complex. All these were declared nuclear facilities under IAEA safeguards.

The US Intelligence Community had assessed as recently as March 2025 that Iran "is not building a nuclear weapon" and that the Iranian Supreme Leader Khamenei had not reauthorised the programme suspended in 2003. These assessments were publicly overridden by political leadership in both

Washington and Jerusalem. Israel struck the Arak heavy-water reactor on June 19, leading to Iran's parliament decision to suspend cooperation with the IAEA (June 23).

The IAEA Director General assured the UNSC members and the international community that the agency “can guarantee, through a watertight inspections system, that nuclear weapons will not be developed in Iran. They can form the basis of a long-standing agreement that brings peace and avoids a nuclear crisis in the Middle East.

This opportunity should not be missed. The alternative would be a protracted conflict and a looming threat of nuclear proliferation that, while emanating from the Middle East, would effectively erode the NPT and the non-proliferation regime as a whole.”

However, the advice fell almost on deaf ears as soon after there were more than once attacks close to the Bushehr Nuclear Power Plant’s perimeter. The legal and normative significance of attacking declared, safeguarded nuclear energy programmes cannot be overstated. It sets a dangerous precedent for non-proliferation norms and compliance under the NPT.

### **The Breakout Problem**

The collapse of the JCPOA serves as a cautionary tale for threshold states regarding the limits of international agreements. The JCPOA fell apart with the unilateral withdrawal by the U.S in 2018, albeit twice being certified by US President Trump’s own administration of compliance and the IAEA’s confirmation too.

This withdrawal demonstrated amply that the safeguards programme of the IAEA does not guarantee long-term security or immunity from external pressure. This exposed a double standard in the non-proliferation regime, suggesting to other nations that strategic interests and political exigencies may ultimately override treaty commitments, potentially incentivising states to seek nuclear deterrence over relying on external assurances.

The message was clear: only internal balancing through the development of nuclear weapons serves as a credible deterrent against external unlawful aggression. This would lead states to infer that only a capability in being is the sovereign insurance policy, as the selective application of norms disincentivises non-proliferation objectives rather than promoting it.

### **Disarmament and the Grand Bargain Problem**

Another rather critical challenge to the NPT and the nuclear non-proliferation regime is its third pillar, enshrined in its Article VI. The NNWS view Article VI as a failed promise. They argue that rather than pursuing negotiations in "good faith toward the cessation of the arms race at an early date and work towards general and complete disarmament”, the NWS are in the process of modernising their arsenals and have abandoned all forms of restraint in their nuclear weapons programme development.

The New START agreement between the United States and Russia was the last standing bilateral

commitment on reduction of their nuclear arsenals, and this year, with its expiration in February, there is currently no formal understanding amongst any of the nuclear states to pursue nuclear arms reductions.

The situation seriously undermines the grand bargain, where NNWS gave away their right to the development of nuclear weapons in exchange for a commitment by NWS towards global disarmament. The development of new and advanced disruptive technologies compounds this challenge of a renewed arms race amongst the NWS.

Moreover, the NNWS have recently been advocating in favour of a humanitarian impact of nuclear weapons approach to disarmament rather than that of strategic stability. The Treaty on Prohibition of Nuclear Weapons (TPNW) came as a reaction to the slow progress on nuclear disarmament in the NPT RevCon process. The TPNW has created a normative fragmentation in the non-proliferation regime, where the divide between NWS and NNWS is widening, and this divide will likely dominate the 2026 review conference.

### **What the 2026 RevCon Needs to Address**

The 2026 conference faces the challenge of breaking a long cycle of failing to produce a substantial, final, consensus-driven document. Against a backdrop of multiple setbacks to the international non-proliferation regime, it is hard to imagine an outcome which most states-parties would regard as successful.

These challenges range from renewed interest in nuclear weapons development as deterrence by the NNWS, the absence of effective political coalitions to bridge major divides among NPT stakeholders, to that of continuing divisiveness in the review process over a humanitarian or strategic stability perspective to disarmament.

It would be challenging for the 2026 RevCon to reverse these trends. This also reflects the extent to which the regime's three pillars have been hollowed simultaneously with the disarmament obligations unmet, counter-proliferation militarised beyond legal frameworks, and assurances rendered politically contingent.

A successful RevCon would, however, require a partial outcome, even if it's a procedural one, as a third consecutive failure would seriously fracture the future of the regime. The real challenge is that even a partial outcome requires political will that appears to be in short supply in the current environment of weapons modernisation and arms build-up. The NPT has survived more than half a century on the credibility of a 'bargain', and that credibility now stands in question.



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