



Wilton Park



Report

How to prepare for NPT RevCon success

Wednesday 16 – Friday 18 December 2020 | WP1862V



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The postponement of the NPT Review until August 2021 presents challenges and opportunities for NPT diplomacy. The interruption/hiatus can be seen as an extension and hence an opportunity to continue work towards a successful Review, but with international Track I and II diplomacy forced into virtual format, it has become essential to find new ways to support that work. The pre-Covid challenges to success will remain but are likely to be joined by others: put simply, when the Review does convene, the international security environment will look significantly different to that of pre-Covid 2020.

The aim is to support and advance the work of the NPT Bureau and key stakeholders by convening a range of opinion to supplement their regionally-driven consultations.

The dialogues will assess how to make the most effective use of the delay to the Review and keep NPT diplomacy building momentum towards the rescheduled Review. It will assess how to keep the permanently operating features on track, but it will also develop strategies for how to deal with what will have changed. The latter will cover macro-level issues such as the post-corona international environment and how new political dynamics will spill over into nuclear non-proliferation policy, how post-Covid international cooperation will work, what the economic impact of Covid will be on nuclear activities, and the outcome of the US Presidential election. More NPT-specific issues will include the status of nuclear arms control, Iran and the fate of the JCPOA, the differing tracks on disarmament diplomacy, the impact of the TPNW after EIF, re-assessing nuclear risk reduction and consequence management, and future paths for peaceful nuclear uses.

1. The 2020 Non-Proliferation Treaty (NPT) Review Conference (RevCon) postponement to August 2021 offers an unprecedented opportunity for states to coordinate their positions on issues, bridge gaps, and further address the challenges which may preclude a successful conference outcome. However, lapsed time in the Treaty review conference process may also pose challenges for progress on key NPT issues, especially given the compounding and lasting effect that the global COVID-19 pandemic will have on the world moving forward. The pandemic has challenged states' domestic and foreign policies in both unique and collective ways, and as the world seeks a return to normalcy, it remains unclear how the virus's rippling effects will continue to divide or unite the international community. Developments in the international political and security environment, changes to defence postures, funding resources to support disarmament or peaceful nuclear uses, or relationships among nuclear-armed states all have the potential to promote or undermine success at the August RevCon.
2. In December 2020, representatives from the NPT Bureau and regional and thematic

groupings, as well as several non-government experts, met virtually for the Wilton Park programme Towards the rescheduled NPT Review conference: how to prepare for success? Their discussions focused on the three Main Committee issues – peaceful nuclear uses, non-proliferation, and nuclear disarmament, arms control, and risk reduction. Their conversations constructively engaged the issues most likely to feature in discussions of the three committees at the August RevCon, and highlighted key areas deserving of immediate attention in the months leading to the summer conference. Their meeting marked only the first of a series of conversations that will occur between now and August 2021 in an effort to support the success of the postponed RevCon.

3. States must use the coming months to identify what constitutes—and actively work towards—a successful RevCon, including what barriers may currently hinder the potential for a final consensus document. Questions about the expansion of peaceful nuclear uses, the review of past commitments on nuclear disarmament, and the status of the global non-proliferation regime writ large will shape these exploratory conversations. Throughout engagement, states should focus on actionable steps to be taken in the near-term and should seek to establish middle ground on contentious issues, as divergent opinions on these issues risk stifling critical preparatory work ahead of the conference and derailing the conference itself.
4. It is important that states recognise the opportunity the postponement offers, while still acknowledging the body of work that must be completed in the coming months. Expectations for a successful RevCon must be measured and considered alongside coordinated steps taken by all states to prepare for the conference. As these critical discussions continue throughout the first half of 2021, states should focus their efforts foremost on establishing a productive path forward. Neither success nor failure is predetermined for RevCon; States Parties must take collective ownership over the challenges at hand as they work towards a successful RevCon.

RevCon atmospherics

5. State parties are entering the 10th NPT Review Conference in a changed geopolitical environment. After a postponement from April 2020, the conference intends to take place in August 2021 to allow for meaningful in-person interaction. Given the delicate nature of the NPT's review—especially after a challenging three PrepComs—parties believe that interpersonal connections will be critical to a successful RevCon across all three pillars. Whilst the postponement has allowed President Designate of the 2020 Review Conference Gustavo Zlauvinen and States Parties additional time to prepare, the delay also alleviated pressure to present deliverables and disrupted the preparations of states and groups. Thus, it is imperative that parties reaffirm their commitment to the three interdependent pillars of NPT regime by proactively engaging one another on critical issues like peaceful nuclear uses, non-proliferation support, and disarmament obligations, in the coming months.
6. It is worth noting that despite current challenges, the non-proliferation regime is strong; International Atomic Energy Agency (IAEA) safeguards remain effective, and all states continue to benefit from the three pillars of the NPT regime. However, the 10th NPT Review Conference will take place against a backdrop of domestic political crises due to COVID-19 and shifting political environments resulting from elections across the world. Whilst global health and climate change are pressing challenges, states fear that domestic financial constraints and discontent will reduce states' commitment to non-proliferation institutions like the NPT and IAEA. Diminished financial or political support threatens to undermine the efficacy of the already-underfunded non-proliferation regime. Countries may also use this moment as an opportunity to unite around humanitarian needs, which includes fighting COVID-19 and maintaining the non-proliferation regime to prevent nuclear weapons use, instead of turning inward. Finally, the politics surrounding the NPT continue to be fluid. Parties expect a shift in the United States' approach to non-proliferation policy in light

of the 2020 elections and await the upcoming 2021 Iranian presidential election, which could affect Iran's relationship to the United States and its status under the Joint Comprehensive Plan of Action (JCPOA). Whilst new administrations may offer a positive shift in non-proliferation priorities, domestic leadership transitions have historically failed to resolve existing deep mistrust among states. Parties must be mindful to separate political issues from those that constitute a violation of the NPT regime; ultimately, focusing on specific areas of common ground in preparation for and during the conference will be critical to cultivating success.

Peaceful nuclear uses

7. Promotion of the inalienable right to peaceful nuclear use, as enshrined in Article IV of the NPT, warrants further consideration ahead of the rescheduled NPT RevCon in August 2021. As a key pillar for nuclear weapons states (NWS) and non-nuclear weapon states (NNWS) in the global nuclear non-proliferation regime, widespread agreement on peaceful nuclear use offers a critical area for progress and supports a successful RevCon.
8. The role that peaceful nuclear use plays in maintaining support for disarmament and nuclear non-proliferation is often undervalued or forgotten. Moreover, for as long as nuclear weapons exist, doubt and distrust will plague important conversations on the benefits and applications of peaceful nuclear use. Recognising these impediments, states must undertake discussions aimed to increase funding for—and expand access to—nuclear technologies for the countries that need them most.
9. The 2015 General Conference of the IAEA recognised that peaceful nuclear use could support the United Nations' (UN) seventeen Sustainable Development Goals (SDGs), but this connection is seldom recognised or explored. 'Nuclear' is commonly associated with weapons, not life changing applications. The 2021 RevCon offers an opportunity to reframe the global perception of peaceful nuclear use as it relates to SDGs and to expand critical access to developing countries. At the RevCon, states that have benefited from peaceful use may share stories of their success by demonstrating the direct impact that nuclear applications have had in the areas of human growth, agriculture, and other UN SDGs.
10. The link between security and development is clear. As the 2021 RevCon nears, IAEA member states should consider alternative pathways to unlock non-traditional funding sources for the agency, including those typically earmarked for development assistance. In the short-term, the IAEA could also seek to integrate further with UN development programmes. Given that the COVID-19 pandemic is expected to affect the agency's future budget, increased funding through the development sector will allow the IAEA to continue its important work expanding access to nuclear technology and ensuring the safety of peaceful nuclear technology.
11. There is also a need for an innovative and forward-looking agenda that improves upon the Action Plan published in the final consensus document of the 2010 RevCon¹. Actions 47-64 refer to peaceful nuclear use, but the Action Plan is widely considered to be outdated. Ahead of the August 2021 RevCon, States Parties should put forth new ideas by way of working papers or national reports outlining contemporary examples of peaceful nuclear use to shape a new agenda. Working papers submitted ahead of the August RevCon can also support conversations regarding the integration of peaceful nuclear use on a regional or sub-regional basis.
12. Action to promote peaceful nuclear use in the context of the NPT requires honest investment by all States Parties – including the five nuclear-armed states. Ahead of the RevCon, states should consider means of expressing their political commitment to expanding access to peaceful nuclear technologies. It is important for the P5, especially, to state their commitment and ameliorate any distrust that surrounds P5

¹ https://www.nonproliferation.org/wp-content/uploads/2015/04/2010_fd_part_i.pdf

support for expanded peaceful use. This is an important step in mitigating the lack of access to nuclear technology that is caused by inadequate levels of funding, access, and regional and national integration. The RevCon presents an opportunity to begin addressing these issues on a multilateral level.

Non-proliferation

13. The non-proliferation pillar offers an opportunity for widespread NPT party engagement and cooperation. States emphasise that a return to full compliance by all members of the 2015 JCPOA is important for the NPT regime, and is essential for substantial progress to be made on a future Middle East WMD free zone (WMDFZ).
14. Given that US President-Elect Joe Biden has indicated his support for US re-entry to the deal, positive developments with respect to the JCPOA are anticipated ahead of the 2021 RevCon². Countries should be mindful that US compliance also requires the US Congress to support sanctions waivers, which may take more time. Whilst there is hope for Iran's compliance with its NPT safeguards agreement and obligations under the JCPOA, it remains unclear to what extent regional issues, like the prospective Middle East WMDFZ, will feature heavily in conversations at RevCon as it did in 2015.
15. At the 2015 RevCon, States Parties were divided over the modalities of convening a conference to discuss the establishment of the Middle East WMDFZ. In 2018, in an effort to hold the conference independently of the NPT regime, a UN process was established whereby states agreed to meet on an annual basis until the zone is formed. Whilst the inaugural November 2019 conference succeeded in producing a joint political declaration, the November 2020 conference was postponed in light of the COVID-19 pandemic. States in the region have agreed to meet no later than 21 November 2021 at the United Nations headquarters in New York. States hope this alternative forum will alleviate some of the burden on the NPT and contribute to a successful RevCon.
16. Whilst the Middle East WMDFZ is unlikely to undermine proceedings of the NPT RevCon, states are adamant that the zone remains an NPT issue in accordance with the 1995 extension package and will continue to be a part of the NPT process until the zone is achieved. Participants in the UN dialogue will require that the RevCon recognise their progress through reference of the UN conference process in the final document. Given what progress has been made toward the Middle East WMDFZ since 2015, it is important that other States Parties consider how best to address the zone and recognise positive efforts whilst respecting the views of those who do not see the UN process as sufficiently inclusive.
17. North Korea – which certain states regard as an NPT State Party bound by the Treaty's obligations – will also feature on the August 2021 RevCon agenda. France intends to bring forward a joint declaration on North Korea to pressure its return to compliance with the treaty. Whilst counter to the NPT, discussions about whether and how to contend with a permanently nuclear-capable North Korea have increased in recent years. In the near-term, there is also hope for an interim deal between the United States and North Korea whereby North Korea exchanges limits on its nuclear programme for sanctions relief; however, this is still considered to be unlikely.
18. There is also an opportunity for the international community, and for the P5 specifically, to secure a formal commitment from North Korea on non-proliferation. Although doing so could signal an acknowledgement of North Korea's nuclear weapons programme, it could also institutionalise a North Korean commitment to not proliferate military nuclear technology. Although the topic of North Korea is unlikely to break consensus at the RevCon, States Parties may benefit from further thought and discussions about how to appropriately address North Korea at the August

² <https://www.armscontrol.org/act/2020-12/news/biden-victory-may-save-iran-nuclear-deal>

conference – either by further condemning Pyongyang’s weapons programme, pushing for an interim deal with the United States, or seeking to formally limit the proliferation of North Korea’s nuclear technology.

19. Finally, at the RevCon, Main Committee 2 may anticipate discussions on the importance of IAEA safeguards as they relate to the NPT and global non-proliferation regime. Although the model Additional Protocol is a voluntary agreement, it is viewed by many states as the new safeguard’s standard. The RevCon is not in the position to change the provisions of the NPT and oblige universalisation of the Additional Protocol, but there is considerable tension between states pushing for widespread implementation of the Additional Protocol and those that have chosen not to implement the agreement. To certain states, language on safeguards that could modify legal obligations under the NPT, especially in domains that may compromise the strategic package of the treaty, is unacceptable. Whilst the safeguards regime warrants recognition and effort to further strengthen implementation, States Parties should be cognisant of this apparent red line as they prepare for conversations on the topic at the August 2021 RevCon.

Disarmament

20. The disarmament pillar—which provides the only legal obligation to pursue negotiations on disarmament—will require proactive engagement by both NWS and NNWS in the coming months in order to facilitate a successful 2021 RevCon. As arms control stagnates and new technologies proliferate, NNWS are questioning NWS commitment to what they often consider to be the most important NPT pillar. As states prepare for RevCon, it is worth noting that maximalist positions often result in entrenchment, and parties should remain focused on areas of common ground to rebuild arms control³.
21. Whilst President-elect Biden has committed to extend the New START Treaty, challenges between the owners of the two largest arsenals remain⁴. An updated US Nuclear Posture Review will not be completed before the August 2021 RevCon and there is concern that the US Congress is increasingly less supportive of future bilateral or multilateral non-proliferation agreements. In addition, the length of time for which New START will be extended remains unclear as does the potential for broadening its scope to include non-strategic systems or new technologies. Progress in this area will require active bilateral engagement ahead of—and beyond—August 2021. NPT States Parties hope that a New START extension would provide constructive energy for the next iteration of arms control and the 2021 RevCon. Many states have also expressed the hope that the United States and Russia could reaffirm the 1987 Reagan-Gorbachev statement that a nuclear war cannot be won and must never be fought whilst continuing to work on future arms control arrangements.
22. Regarding multilateral disarmament engagement, the P5 Process offers a forum for dialogue and progress among the NWS. This is an opportunity for the P5 to step beyond geopolitics and demonstrate their commitment to the NPT regime. A renewed focus on increasing transparency would positively improve awareness of the P5’s progress, ongoing commitment to the NPT, and manage external expectations of the P5’s work. The P5, which is currently chaired by France, seeks to build upon current areas of collaboration. These areas include peaceful nuclear use, risk reduction, conversations around the Fissile Material Cut-off Treaty (FMCT), and the continued health of the NPT regime. NNWS also seek reassurance that risk reduction efforts support—and do not replace—disarmament efforts. NWS must clarify how their risk reduction measures focus on achieving a world free of nuclear weapons, not normalising permanent nuclear weapons possession.

³ <https://www.defenseone.com/ideas/2020/10/reboot-arms-control/169324/>

⁴ <https://joebiden.com/americanleadership/>

23. The disarmament pillar will also require support outside of the P5. Initiatives like Creating the Environment for Nuclear Disarmament (CEND) and the Stockholm Initiative can capitalise on NWS and NNWS engagement and further increase transparency through RevCon side events and increased Non-Governmental Organisations (NGO) participation. NPT parties should use these forums and other channels of communication to proactively examine tensions around past commitments as well. Some states interpret past RevCon commitments as legally binding, while others view them solely as a political commitment. Within this debate, avoiding divisive language like “acquis” will help states productively engage past commitments and focus on building upon the 2010 language instead of reaffirming them individually. The NNWS expressed concern that failure to treat former commitments as obligations undermines the value of the NPT regime and reiterated the New Agenda Coalition 2019 recommendations⁵. Whilst past commitments is an issue across the NPT pillars, it is most acute in the disarmament pillar. This is an area in which the P5 may lead on a future “roadmap” based on past commitments, ensuring that they maintain the integrity of the NPT without rewriting the Treaty. Building on past commitments offers a positive way to engage former obligations and move forward.
24. Finally, the effect of the TPNW’s entry into force on the RevCon remains to be seen. Support for the TPNW and the humanitarian consequences initiative is critical for many NPT NNWS, in particular the 86 signatories and 51 State Parties to the TPNW⁶. Whilst NWS have voiced opposition to the Treaty, proactive diplomatic engagement and negotiation ahead of the RevCon can prevent a crisis at the conference. Options include an acknowledgement, not endorsement, of the TPNW’s entry into force, or a reference to certain groups of countries’ positions on the TPNW. Another option includes creating a separate section in the final document that only TPNW state parties sign onto. This structure does not require state parties to endorse the document in its entirety, but it does risk a dangerous precedent that may undermine the value derived from consensus in final documents.
25. The disarmament pillar will require unique and sustained attention leading up to RevCon as both NWS and NNWS view disarmament issues as central to the final document. Whilst conversations around integrating disarmament and risk reduction, new technologies, and the TPNW will prove difficult, they are necessary to maintaining the health of the NPT regime.

Next steps

26. Throughout the three-day conference, participants offered a variety of suggestions to facilitate a successful August 2021 RevCon. RevCon’s success or failure will be determined by states’ actions now and in the coming months as they navigate a changed geopolitical environment and avoid falling into old political grievances. Success requires proactive engagement ahead of the RevCon, with diplomats working through conferences like Wilton Park in addition to other international fora like CEND and the Stockholm Initiative. This work should include a diversity in region, gender, and age in order to increase investment in the NPT and the non-proliferation regime. States should proactively engage specific issues to make progress across the three pillars.

Peaceful nuclear uses

27. As part of the effort to connect peaceful nuclear uses to other issues, states should support the creation of a Fund for Africa designed to expand the application of peaceful nuclear use across the continent would provide a positive step forward for the NPT regime. This initiative could also pilot the integration of IAEA technical

⁵ <https://undocs.org/pdf?symbol=en/NPT/CONF.2020/PC.III/WP.35>

⁶ https://www.icanw.org/signature_and_ratification_status

assistance and UN development initiatives whilst addressing SDGs 1 and 2 (food and agriculture), SDG3 (health), and SDGs 4 and 8 (human capital development).⁷

28. States should develop and submit to the Committee chair papers on the application of peaceful nuclear technology and how to support expansion of peaceful nuclear uses in the coming months. This effort may also include an international panel of experts to advise on supporting regional and national peaceful nuclear use integration.

Non proliferation

29. States must measure their expectations for progress on the Korean Peninsula and the Middle East.
- i. The P5 may choose to lead on the issue of North Korea and seek a commitment by Pyongyang to not proliferate sensitive nuclear technology whilst also working toward an agreement on denuclearisation.
 - ii. With respect to Iran, US re-entry to the JCPOA and a return to full compliance by all parties may take longer than states prefer, but patience and continued support for the agreement throughout this period is critical.
 - iii. States should begin actively considering how to best address the Middle East WMD/FZ and the UN conference process in the RevCon final document. Their agreed upon language should recognise the important progress that has been made toward the zone whilst also respecting the position of those who do not consider the UN process to be sufficient.

Disarmament + arms control

30. The United States and Russia should immediately extend New START for the full five-year term.
31. Conversations among NWS and NNWS regarding the next phase for arms control in forums like the Stockholm Initiative and CEND should continue throughout the months leading to, and beyond, August 2021 RevCon. As arsenals become smaller and emerging technologies proliferate, NWS and NNWS must collaborate to offer innovative solutions.
32. Other areas for progress ahead of the RevCon include gathering support for the CTBT entry into force, further developing the P5 glossary, re-engaging with the FMCT, affirming negative security assurances, and prioritising adherence to the various NWFZ protocols. NWS should be clear that continued risk reduction measures and work on the Glossary supports collective disarmament and does not promote permanent nuclear weapons possession by any state. The P5 can demonstrate their support for non-proliferation through a side event at RevCon that highlights progress made by the P5 thus far, establishes a future work plan, and reassures NNWS that the focus on risk reduction serves broader disarmament interests and does not divert attention away from important disarmament initiatives. The Non-Aligned Movement (NAM) and New Agenda Coalition (NAC) have voiced their concerns as it relates to disarmament progress and the P5 must work with NWS and NNWS to address these concerns and promote global disarmament.

States can proactively engage issues that may prevent a final document.

33. The P5 should prepare for and lead the past commitments debate by supporting action plans and creating a “roadmap” that builds on past commitments to move the NPT regime forward in a productive manner.
34. Whilst deciding how best to engage the TPNW with the NPT regime broadly will require extensive discussion, in the near-term states should prioritise determining

⁷ <https://sdgs.un.org/goals>

how to acknowledge the Treaty in the final document at the August RevCon. Support for the TPNW by NNWS in the NPT regime is undeniable and proactively engaging how the TPNW interacts with the RevCon final document is critical for a successful RevCon.

- i. Options include:
 - a) an acknowledgement, not endorsement, of the TPNW's January 2021 entry into force.
 - b) a reference to certain groups of countries' positions on the TPNW.
 - c) the creation of a separate section in the final document that only TPNW state parties sign onto.

Conclusion

Whilst at RevCon, building on previous success will be critical to promoting success. Support for the IAEA is required for states' continued benefit from the NPT regime. In addition, current domestic and geopolitical constraints will require parties to look outside the traditional NPT regime. This can manifest through SDG support for peaceful nuclear use along with CEND and the Stockholm Initiative supporting arms control progress.

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Acronyms

- CEND: Creating the Environment for Nuclear Disarmament
- FMCT: Fissile Material Cut-off Treaty
- IAEA: International Atomic Energy Agency
- JCPOA: Joint Comprehensive Plan of Action
- NAC: New Agenda Coalition
- NAM: Non-aligned Movement
- NPT: Nuclear Non-Proliferation Treaty
- NNWS: Non-Nuclear Weapon State, as defined by the Nuclear Non-Proliferation Treaty
- NWS: Nuclear Weapon State, as defined by the Nuclear Non-Proliferation Treaty
- NGO: Non-Governmental Organisation
- P5: The United Nations Security Council five permanent members (China, France, Russia, United Kingdom, and United States)
- PrepCom: Preparatory Committee, as it relates to the Nuclear Non-Proliferation

Treaty

- RevCon: Review Conference, as it relates to the Nuclear Non-Proliferation Treaty
- SDG: Sustainable Development Goals, as outlined by the United Nations
- TPNW: Treaty on the Prohibition of Nuclear Weapons
- UN: United Nations
- WMDFZ: Weapons of Mass Destruction free zone