



Wilton Park



Report

## How to prepare for NPT RevCon success

Monday 29 – Wednesday 31 March 2021 | WP1918V

In association with:

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In association with The Ministry of Foreign Affairs of the Netherlands; Sandia National Laboratory; the Swedish Ministry for Foreign Affairs.

### Introduction

1. The postponement of the nuclear Nonproliferation Treaty (NPT) Review Conference (RevCon) until August 2021 presents challenges and opportunities for NPT diplomacy. As a result of the global COVID-19 pandemic, states parties were granted an unprecedented opportunity to further coordinate their positions on NPT issues, bridge gaps, and further address the key challenges that may preclude a successful conference outcome. Yet lapsed time in the treaty review process may also pose new challenges for progress on certain NPT issues, especially given the lasting and compounding effects that the pandemic will have on the world moving forward. Developments in the international political and security climate, changes to national defence postures, funding resources to support disarmament or peaceful nuclear uses, and relationships among nuclear-armed states, all have the potential to promote or undermine success at the August RevCon.
2. In March 2021, representatives from the NPT Bureau and regional and thematic groupings, as well as several non-government experts, met virtually for the second session of the Wilton Park programme Towards the Rescheduled NPT Review Conference: How to Prepare for Success? The first of such sessions was held in December 2020 under the same online format. In March 2021, participants' discussions focused on the three Main Committee issues—peaceful nuclear uses, non-proliferation, and nuclear disarmament, arms control, and risk reduction. Their conversations built upon previous discussions intended to constructively engage the issues most likely to feature in debates of the three committees at the August RevCon, and highlighted key areas deserving of immediate attention in the remaining five months before the summer conference in order to potentially constitute common ground at the RevCon.

### RevCon atmospherics

3. States Parties appear committed to holding the RevCon in August 2021 and there is support for a hybrid model should the pandemic preclude a large in-person meeting in New York. While some parties have been supportive of this hybrid approach, others remain concerned that an online or hybrid format may hinder the often crucial but informal diplomacy that occurs at the RevCon, or present barriers to effective participation from all States Parties and civil society. NPT President-Designate Ambassador Gustavo Zlauvinen intends to consult with States Parties to reach a definitive agreement on the date and modality of the RevCon by early summer.
4. Six years have passed since the last NPT RevCon, and there is a salient need among States Parties for tangible progress toward certain agreed-upon benchmarks. Joint voluntary commitments may be welcome at the RevCon, but they cannot replace pledges to meet—or build upon—already established commitments, including those

codified in the 13 steps from 2000 and 64-point action plan reached during the 2010 RevCon.

5. Whilst certain states view past commitments to be binding, others view them only as politically binding. It is imperative that States Parties work through these divergent interpretations in the coming months to reach consensus on the nature of commitments reached and reaffirmed at the August RevCon. Participants urged a strong consideration of language, as the term 'acquis' is understood differently in different regions of the world.
6. Despite current challenges, the nuclear 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. The pillars are interdependent as effective safeguards promote peaceful uses and positively contribute to the environment for nuclear disarmament. However, as the need for the IAEA continues to expand, it is critical that the organisation is fit for purpose and properly funded.
7. The extension of New START provides a useful boost to atmospherics and there is hope that current efforts with Iran may prevent the issue from dominating the RevCon, but concerns surrounding the future of the Joint Comprehensive Plan of Action (JCPOA) remain salient. A failure to restore the JCPOA would place more tension on the global nuclear non-proliferation regime.
8. Finally, COVID-19 will have an immeasurable impact on the conference, through its format, through state capacity, and international funding for non-proliferation efforts. As countries continue to navigate how to protect their people, it is critical that those who have found success in vaccines share this resource with other countries and demonstrate the commitment to the international community.

### **MC1: Disarmament**

9. Main Committee One (MC1) will require proactive engagement by both nuclear weapons states (NWS) and non-nuclear weapons states (NNWS) to facilitate a successful 2021 RevCon, especially around issues such as the Treaty on the Prohibition of Nuclear Weapons (TPNW) and P5 disarmament progress. States may pursue a minimalist approach that focuses on existing areas of consensus like increasing transparency; an authentic approach that outlines what NWS have done to support disarmament and what actions NWS and NNWS would like to see next; or use COVID-19 as an opportunity to pursue an innovative RevCon approach. Regardless of the path, states parties constructive engagement and P5 leadership, that is forward-looking and building upon past commitments for progress, including the TPNW, will be critical to a successful RevCon final document.
10. The NWS have a particular role at RevCon and it is critical that they bring tangible progress to the conference. While NWS non-proliferation work does not operate in a vacuum, there are areas in which the parties can highlight current disarmament efforts, and particularly those pursued through the P5 Process. This includes highlighting how the Glossary contributes to nuclear disarmament efforts and reaffirming the Reagan-Gorbachev statement. If mutual reaffirmation is not possible, then unilateral statements or actions would also provide a construction foundation. A more proactive approach might include creating a work plan for the 2025 RevCon, in which the NWS must discern if they would like to expand the current expansive agenda or be more specific about what they would like to achieve. France is now the chair and leading the P5 process which includes workstreams agreed at the Beijing Conference in 2019, in addition to the strategic risk reduction workstream added at the London Conference in 2020. The NWS can also focus on increasing transparency around their existing work with NNWS and NGO's. Finally, if there is capacity, the NWS should demonstrate that despite tension, the process is working. This can include proactively engaging the debate around NPT past commitments by offering NWS concrete progress and benchmarks, which would contribute greatly to RevCon success. Such option includes

concrete progress on strategic risk reduction, through a joint NWS statement on an issue like space, emerging technology, or crisis communication.

11. Other states parties and grouping engagement, such as the Non-Proliferation and Disarmament Initiative (NPTDI) and its Landing-zone paper in addition to the Stockholm Nuclear Disarmament Initiative with its 22 Stepping Stones, offers proposals on concrete steps towards nuclear disarmament which could be explored.
12. Past commitments present a central challenge to the success of the 2021 RevCon. Some state parties argue that past commitments are binding and must be upheld. States find that executing former commitments facilitates trust that future commitments will be fulfilled. Meanwhile, some states argue that past commitments are politically, not legally binding; which is also why there is tension around the use of the term 'acquis' to describe former NPT RevCon commitments (primarily due to the use of that term in an EU legal context). Among NWS, there is frustration insofar that past commitments fail to consider how the security environment has evolved. In addition, a new US president does not indicate a major shift in the country's approach to past commitments, but the Interim National Security Guidance offers a glimpse into how the Biden administration seeks to engage nuclear issues.<sup>1</sup> Ultimately, it is critical that the NWS and NNWS articulate clear benchmarks for each commitment so that expectations are clear and accountability is possible. The 2010 Final Document offers a foundation for these efforts to build upon previous commitments and focus on areas of agreement—like risk reduction—thus offering states an opportunity to create meaningful progress. Even within this area of consensus, NNWS emphasise that eliminating nuclear weapons is a critical part of risk reduction and should not be forgotten.
13. The effect of the TPNW's January 2021 entry into force on the 2021 NPT RevCon remains to be seen. Both NWS and NNWS do not wish for the TPNW to undermine a successful RevCon or prevent meaningful conversation on other issues like progress on past commitments and non-proliferation efforts. Thus, it is critical that state parties proactively engage this issue ahead of the 2021 conference to discern the best path forward. The TPNW has significant support among NNWS, in particular the 54 State Parties and 34 further signatories, and these states are interested in pursuing the Treaty's acknowledgement in the RevCon final document.<sup>2</sup> There is an opportunity for European diplomats to lead this conversation as their constituency reflects the diversity of views among those who support and oppose the TPNW. States emphasise that the TPNW can be constructively engaged and support a successful RevCon final document. NPT state parties can learn from groups like NPTDI and the Stockholm Initiative in which there are members who support and do not support the TPNW, but it has not been a dominant or divisive issue. It is important to note that humanitarian consequences are not exclusive to the TPNW and have been mentioned in previous NPT RevCons, including the 2010 final document. Humanitarian consequences offer an opportunity for NWS and NNWS engagement at the 2021 RevCon, regardless of how the TPNW is included in the final document.
14. Ultimately, states can learn from the 2010 approach to RevCon in which parties did not reaffirm past commitments, but built upon them. This requires new meaningful actions that offer concrete steps and ideally avoid the dissatisfaction with the implementation of previous longer action plans. The NWS will be critical in this effort to identify priorities and hopefully create benchmarks that foster a successful consensus document.

## **MC2: Non-proliferation**

15. Non-proliferation work in Main Committee two (MC2) offers an opportunity for widespread NPT engagement and support at the 2021 RevCon. The extension of New

<sup>1</sup> <https://www.whitehouse.gov/wp-content/uploads/2021/03/NSC-1v2.pdf>

<sup>2</sup> [https://www.icanw.org/signature\\_and\\_ratification\\_status](https://www.icanw.org/signature_and_ratification_status)

START by the United States and Russia offers a boost to atmospherics, but significant work remains to be done ahead of the August conference. Specific areas of focus include Iran, the Middle East Weapons of Mass Destruction Free Zone (WMDFZ), safeguards standards, and supporting international treaties that codify the importance of non-proliferation. Non-proliferation and nuclear safeguards provide critical support to disarmament and peaceful nuclear uses by facilitating effective verification and it is critical that they are properly supported by the international community.

16. The Middle East remains a critical area of focus, both through Iran and the hope for a return to the JCPOA by all parties, and the Middle East WMDFZ. There are concerns that the JCPOA may dominate the RevCon, and Iran's willingness to engage this issue within the NPT remains to be seen. However, high tensions regarding Iran's nuclear activities in 2010 among similar parties did not greatly impact the RevCon. In addition, there is still room for progress among JCPOA parties ahead of the 2021 RevCon. There is hope that meetings between the P5+1 and Iran will chart a path forward and positively contribute to the conference. Looking beyond Iran, there is hope that the Middle East WMDFZ United Nations (UN) process might have largely alleviated this issue for the NPT. Jordan skillfully chaired the 2019 UN meeting and focused on cooperation instead of confrontation. It is critical that resources and confidence building measures continue in preparation for the next meeting to be chaired by Kuwait.
17. The IAEA and safeguards remain a cornerstone of the NPT and provide support for the other two pillars, especially peaceful nuclear uses. The Additional Protocol remains voluntary and widely supported among NPT parties. The universalization of this protocol remains a challenge, but creating a lessons learned document with the IAEA provides a concrete step forward in the meantime. It is also worth considering how bilateral arrangements, like the Agency for Accounting and Control of Nuclear Materials (ABACC) between Argentina and Brazil, can be used to increase inspections and build trust outside of the Additional Protocol. However, there is hope that NPT state parties will pursue ratification of the Small Quantities Protocol (SQP). This is also contingent upon the IAEA receiving proper funding so that it may support state obligations to safeguards.
18. Other areas of consensus remain around issues of nuclear terrorism, which is no longer a focal point but remains a critical effort. The Amended Convention on the Physical Protection of Nuclear Material (CPPNM/A) will host its first review conference in 2022, which also provides an opportunity for additional states to support the nuclear non-proliferation regime by ratifying the amendment. While the Democratic People's Republic of Korea (DPRK) continues to be the only country to test a nuclear weapon and reprocess nuclear material in the 21st century, some argue that the current state of their nuclear weapons program indicates that denuclearization of the Korean Peninsula should now be considered both a disarmament and non-proliferation issue.
19. International treaties that support non-proliferation also offer an opportunity for progress. If the Comprehensive Test Ban Treaty (CTBT) along with the three NWFZ sitting with the US Senate were signed and ratified, it would provide a significant boost for the non-proliferation regime. It is worth noting that negative security assurances have endured despite the changes in the US administration, but there is concern that the credibility of these assurances is diminishing.

### **MC3: Peaceful nuclear uses**

20. There is a general lack of awareness surrounding peaceful nuclear technologies, including how those technologies can support states' efforts to achieve sustainable development and mitigate the risks of climate change. Despite limited global understanding of their ranging benefits, safe and secure uses of nuclear technologies strengthen the NPT regime and should be duly recognised during discussions within Main Committee 3 (MC3) at the August RevCon. The RevCon should be used as an opportunity to showcase the successes of the past few years, to raise awareness of the benefits of peaceful use, and to provide an impetus for more states to incorporate

nuclear technologies into their national development policy frameworks.

21. Linking nuclear technologies to the UN Sustainable Development Goals (SDGs) can support the expansion of peaceful nuclear use.<sup>3</sup> States Parties should consider supporting the launch of a funding initiative to expand access to nuclear technologies and support the work of the IAEA. Such a fund could support a number of the SDGs, which cover food and agriculture; health; human capacity development; and energy planning.
22. Beyond that, certain states seek to move beyond linking the work of the IAEA to the SDGs by advocating that states marry their national sustainable development plans to nuclear technologies. Certain participants voiced support for a formal commitment by States Parties at the RevCon to integrate, to the extent possible, the peaceful application of nuclear technology into their sustainable development plans and development assistance plans and concepts.
23. The IAEA continues to operate on a zero-growth budget, which will have lasting implications for the agency's ability to support peaceful nuclear endeavors. The IAEA's role in expanding access to peaceful uses, as well as its funding deficit, should be recognised by States Parties at the RevCon. Adding to that, the IAEA Zoonotic Disease Integrated Action (ZODIAC) Initiative, established in 2020 to advocate the benefits of nuclear technologies to investigate, detect, and contain disease outbreaks, is severely underfunded.
24. States appear committed to ensuring that the benefits of peaceful nuclear uses are better explained to international development agencies so that the IAEA potentially can source additional funding from those partnerships. Participants were further reminded that certain contributions by IAEA Member States are eligible for earmarking as UN Official Development Assistance, including 100 percent of Member States' contributions to the IAEA Technical Cooperation Fund and 33 percent of Member States' contributions to the IAEA Regular Budget.
25. States praised the IAEA for its past efforts to conduct workshops in the host country's language, which allowed technicians and practitioners from that country or region to benefit greatly from the program. At the RevCon, States Parties should support IAEA initiatives to conduct additional workshops in other languages, aside from English, to expand access and increase awareness of peaceful nuclear uses worldwide.
26. The 2010 Action Plan has 18 provisions which apply to peaceful nuclear uses: action items 47-64.<sup>4</sup> Many of these items have had a high rate of implementation since they were first outlined in 2010, which merits acknowledgement and celebration at the RevCon. Developing countries would like to see a codification of benchmarks which encourage an expansion of nuclear industry and support for peaceful uses. It is important that States Parties recognise that, for many non-nuclear states, the peaceful uses pillar of the NPT is the most important. States Parties must do their part before, during, and after the RevCon to ensure that all states feel there is benefit to subscribing to the NPT regime.
27. The IAEA Ministerial Conference on Nuclear Science and Technology and its Declaration from 2018 could provide useful language that is already agreed upon and could provide a foundation to build upon. A gender perspective should be applied, not the least in peaceful uses, but for all pillars and could contribute to progress at RevCon.

<sup>3</sup> <https://sdgs.un.org/goals>

<sup>4</sup> <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2010/FinalDocument.pdf>

## **Next steps**

28. Throughout the three-day conference, participants offered a variety of suggestions to facilitate a successful August 2021 RevCon. Success or failure of the RevCon will depend on actions taken by States Parties in the coming months and how they choose to approach the conference, as they navigate a changed geopolitical landscape. Success is widely defined as consensus at the RevCon, which will require proactive efforts before August to engage with diplomats, bilaterally or in small coalitions of states (like the NPDI, NAC, etc.), and civil society to address specific issues in order to make progress across all three NPT pillars. Participants also reiterated the importance of concrete benchmarks for progress within the NPT regime.

## **Peaceful nuclear uses**

29. In the coming months, States Parties should engage in further discussions toward adopting a formal commitment to integrate the peaceful application of nuclear technologies into their sustainable development plans. At the RevCon, such a commitment should be codified in the final conference document.
30. States Parties should highlight the successes of peaceful nuclear applications in supporting health, food and agriculture, and energy planning in the final document. Formal acknowledgement of the NPT's role in promoting peaceful nuclear uses and the IAEA's work to expand access to nuclear technologies can support endeavors to expand the IAEA's budget and the agency's development assistance programs.

## **Non-proliferation**

31. States Parties should support the universal adoption of the modified Small Quantities Protocol (SQP) among states with a negligible amount of nuclear materials or technologies that qualify for the special safeguards agreement.
32. Ahead of the RevCon, States Parties should prepare for discussions on the Middle East WMD/FZ. Acknowledgement of the UN conference process in the final document will demonstrate continued support for this endeavor.
33. As of April 2021, talks are underway to restore the 2015 nuclear deal with Iran, the JCPOA. It remains to be seen how developments with respect to the JCPOA will affect RevCon proceedings, but States Parties should remain actively committed to engaging with Iran and promoting restoration of the deal outside of the RevCon to facilitate a successful RevCon.
34. In an effort to strengthen and promote all three pillars of the NPT regime, States Parties should begin preparing for the CPPNM/A Review Conference, which is due to take place in 2022.

## **Disarmament + arms control**

35. The P5 Process should continue to make progress on the glossary and should consider carefully how best to message the glossary to States Parties of the NPT. The five NWS who comprise the P5 process should pay careful attention to highlighting how the glossary can make a direct contribution to the NPT, and how it can play a role in supporting global nuclear disarmament.
36. At the RevCon, the United States and Russia, along with the other members of the P5 Process should consider issuing an updated version, at or before the RevCon, of the 1985 Reagan-Gorbachev statement that "a nuclear war cannot be won and must never be fought."
37. A number of NNWS Parties to the NPT believe that an official work plan or issue prioritisation from the NWS would indicate the nuclear-armed states' commitment to past commitments and their obligations under Article VI of the NPT. The five NNWS should prepare to issue a response to this informal request at the August RevCon and consider this an opportunity to increase transparency and communication between NNWS and the NWS.

38. Supporters of the TPNW have emphasised that the treaty will not derail the RevCon so long as its January 2021 entry into force is aptly noted in the final document. States Parties should engage before August to find compromise on the issue in a way that accounts for the TPNW's entry into force and the widespread support for the Treaty among a fair number of NPT States Parties without offering explicit endorsement.

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

39. At the RevCon, the reaffirmation of past commitments agreed upon in 1995, 2000 and in 2010 are likely to fuel contentious debate between States Parties who have divergent views on the legal standing of agreements reached during past meetings. Certain states support commitment to concrete progress that are building upon the 2010 Action Plan as a way forward, while others attest there is little appetite for another lengthy action plan not coupled with an official reaffirmation of past commitments. There are growing calls for benchmarks, which could recognise calls by many states to acknowledge previously agreed-upon commitments whilst looking forward. Before the RevCon, States Parties should continue to meet in smaller groups or coalitions to grow consensus on an agreed upon way to address past commitments and their concrete implementation in the final document without derailing the conference itself.
40. The five NWS have an opportunity to lead the charge on reaffirming past commitments and working to establish new benchmarks. The NWS should continue to work amongst themselves, along with NNWS and non-governmental organisations, to determine what shared commitments and benchmarks they can meet, and on what timelines to reach a much needed common ground and be forward-looking. Proposed initiatives by groups and initiatives should be explored by the NWS.
41. As RevCon nears, States Parties' intentional preparation is increasingly important. While there are issues of consensus, like continued support for the IAEA in order to preserve all parties' benefit from the NPT regime, the need to connect peaceful uses to SDG's, and risk reduction, further effort is required. Proactive engagement, especially by the NWS, can facilitate a constructive discussion on all three pillars and avoid potential conflicts over issues like past commitments and the TPNW.

**Erin Connolly and Julia Masterson**

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## Acronyms

- CEND: Creating the Environment for Nuclear Disarmament
- CTBT: Comprehensive Test Ban Treaty
- DPRK: Democratic People's Republic of Korea
- 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
- NPDI: Non-Proliferation and Disarmament Initiative
- 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
- SQP: Small Quantities Protocol
- TPNW: Treaty on the Prohibition of Nuclear Weapons
- UN: United Nations
- WMDFZ: Weapons of Mass Destruction Free Zone
- ZODIAC: Zoonotic Disease Integrated Action