



Foreign &
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Office



Wilton Park



Report

Nuclear non-proliferation: planning for 2020

Monday 5 – Friday 9 December 2016 | WP1498

In association with:





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This annual dialogue, a fixture in our calendar since 1996, assessed challenges, opportunities and prospects for the nuclear non-proliferation regime over the 2020 NPT Review cycle. What is feasible and what is necessary for the nuclear non-proliferation regime over the next 5 years? What is the future for disarmament diplomacy after the UN resolution on a ban treaty? Is the NPT well-equipped or configured for what will be required of it over the short and medium-run future? How can the security context for disarmament and non-proliferation be expected to evolve during the current Review cycle? What can the P5, and their allies, do to bridge the gap with the non-nuclear weapon states? How effectively do the different tracks on nuclear disarmament complement each other? How to construct effective international non-proliferation policy, including the NSS? What is the future of the JCPOA? What prospects for the forthcoming PrepCom, and is it feasible for the NPT process to be revised? What is the future of the norm against testing and the CTBT?

In association with Foreign and Commonwealth Office; Los Alamos National Laboratory; Sandia National Laboratories;; Netherlands Ministry of Foreign Affairs

“While the NPT may not be fair, it is in everyone’s interests that it endures”

Introduction

1. The 20th annual Wilton Park conference on nuclear non-proliferation convened after a year of electoral upheaval and growing concern about the future of the liberal international order, generating fears that diplomatic gains made painfully and carefully over decades could unravel fast, with calamitous impacts across the world. The tension between efforts to take an optimistic view by looking for opportunities, and the obvious shared fear of emerging strategic risks as we approached 2017, were recurrent themes in the debates. Our collective management of nuclear weapons and associate technology could become the most dangerous of all potential casualties.
2. This report attempts to reflect the diverse opinions expressed. These annual conferences revolve around the nuclear non-proliferation regime in general, and NPT diplomacy in particular. It was remarkable that as we approach the first Preparatory Committee of the 2020 Review Conference cycle in May, in the context of the previous Review Conference’s failure to adopt a final document, the focus of discussion instead was on the Ban Treaty, the poor strategic environment and changing nature of populist politics. In an environment where suspicion of multilateralism runs high it is very difficult to be optimistic.
3. One participant argued that ‘the world is better off with this discriminatory treaty’, meaning that while the NPT may not be fair, it is in everyone’s interests that it endures. However, interests do not necessarily win out over emotions or a sense of injustice. Whilst some participants pointed out that there are no significant proliferation break-out

threats (non-NWS with an active nuclear programme that could have a military dimension) on the immediate horizon, there are no shortages of challenges to the stability of the regime. Most obviously, a widespread resentment about the lack of recent progress in reducing the role of nuclear weapons in security doctrines, fuelled by nuclear modernisation programmes and deteriorating rhetorical relations between Russia and NATO. This has driven the argument that the NPT nuclear weapon states (NWS) are engaging in bad faith. This highlighted a difference in philosophy between those who believe it possible to rely upon nuclear deterrence whilst working step-by-step towards multilateral nuclear disarmament, and those who see deterrence and disarmament as fundamentally contradictory.

4. The nature of the NPT came up on several occasions, as a bargain or set of separate objectives each valuable to members in their own right. It was said on several occasions that both disarmament and non-proliferation are separately collective goods for all members, and that seeing the Treaty as a transactional bargain in which one can be played off against the other weakens collective investment in its provisions, and encourages coercive approaches.
5. Particular regional tensions identified as weakening the non-proliferation regime:
 - The lack of potent options to prevent North Korea deploying a nuclear weapons arsenal, and the danger of this setting a precedent or a proliferation chain;
 - Opposition to the nuclear deal with Iran, and absence of prospects for talks on a WMD Free Zone in the Middle East, or any effort to address Israel's nuclear arsenal;
 - The arms race in South Asia rivals East Asia as the most likely use of nuclear weapons in the foreseeable future.
6. The capacity of the international community to address these effectively is weakened by strategic competition between the major powers, particularly the P5, and resistance to tighter non-proliferation measures from states resentful of costly intrusion on their sovereignty.
7. Some participants clearly thought that these challenges were of a similar nature to those in the past, that they required patience, careful diplomatic attention and management. They believed that loose talk about the NPT being in crisis and on a slow slide to irrelevance was irresponsible and possibly self-fulfilling, and that in some respects the non-proliferation regime was stronger than it often had been in the past, North Korea being the only live proliferation threat to the Treaty. Others considered the situation more serious, regarding "business as usual" options as unsustainable, particularly in the context of changing strategic politics.

Nuclear ban treaty negotiations

8. The growing support amongst NNWS governments for a treaty to ban nuclear weapons, culminating in the 2016 UN Resolution mandating negotiations, can be regarded as driven by frustration over slow progress on nuclear disarmament. But this frustration is not simply an emotional reaction, but can be seen as shining a light on uncomfortable truths. There is a clear step-by-step agenda, outlined in the 2010 Action Plan, that includes entry into force of the Comprehensive Test Ban Treaty (CTBT), talks on a fissile material cut-off treaty, de-alerting forces, and transparency and verification measures. Yet there has been no progress to speak of for five years (beyond the Iran nuclear deal), and there is little optimism for progress in the near future.
9. Advocates leading the call for a ban treaty spoke of the initiative as a fresh approach, one that would revitalise the NPT, and bring about some form of balance in the enforcement of its articles. They believe that the Ban Treaty only threatens a certain misconception of the NPT as indefinite pillar supporting an out-dated international order, rather than the 'real' NPT that has evolutionary disarmament at its heart. The

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misperception is what is at fault, ensuring the wider regime remains brittle, threatening its future.

10. They perceive the Ban Treaty process as establishing a norm that could then affect long term behaviour. Of course, this involves uncomfortable pressure upon states resisting this norm, and so would inevitably incite push-back. Some participants suggested that the international community might need to pass through a necessary and unavoidable stage of uncertainty and turbulence, as the established status quo gave way to a future nuclear order.
11. However, others remain deeply unhappy with the Ban Treaty approach. They see major risks in the approach of delegitimising nuclear deterrence before the international community is ready (this was countered by Ban advocates who argued that nuclear deterrence was already delegitimised by the NPT). In this perspective, a Ban Treaty would not result in any meaningful positive pressure on the NWS or upon their strategic calculus, but would instead harm efforts to listen and further entrench division. Opponents believe that the process is alienating NWS, and could even mean those international organisations involved become a source of ridicule (more interested in passing idealistic motions than agreeing realistic steps that strengthen security). They fear that it could harm support for the wider non-proliferation regime and in particular for the 'heavy-lifting' required in NWS to further NPT Article VI goals. It was said that there may be hidden agenda from the Ban initiative to trigger a new advisory opinion from the World Court of Justice, based upon evidence compiled within the humanitarian initiative. It was also said that the Ban approach offered no incentives to states to engage seriously in arms control or other intermediate steps to manage nuclear risks. Some states, it was suggested, may even use the cover of the Ban Treaty to avoid their own responsibilities towards the international community, such as agreeing an Additional Protocol, or even to withdraw from the NPT entirely.
12. But there was particular criticism reserved for some campaigners who had been deeply hostile to those sceptical of the Ban Treaty approach. It was universally acknowledged that civil society has an important role to play in the diplomatic process, including appropriate influence on the agenda, on states, on impacting the wider public debate and on reporting on proceedings. But some tactics had sown unnecessary division and created push-back that harmed efforts to negotiate. Ultimately, it was often said there is no alternative to tangible step-by-step agreements, and so the appropriate measure to assess a Ban is whether it could ever serve to encourage those steps. This judgement is perhaps the deepest source of difference of view with ban advocates.
13. Nevertheless, there appeared to be acceptance among opponents of the Ban to the fact that the negotiation is going ahead regardless. All parties would do well to recognise a shared interest in ensuring that any positive impact upon the disarmament process, step-by-step or otherwise, is maximised, and any damage is minimised. This means:
 - Those opposed to the Ban Treaty toning down their hostility for the moment and focusing their efforts on parallel processes that hold more promise in their view; and
 - Advocates of the Ban Treaty taking care to avoid damaging the NPT, perhaps by keeping the Ban Treaty separate from other non-proliferation and disarmament processes.
14. The conference devoted some time in small groups to particular aspects of the Ban Treaty process in light of the Open-Ended Working Group sessions and the decision taken by the UN First Committee to open formal negotiations in 2017. One group considered the content such a treaty might include, concluding it would inevitably express a normative approach. It would likely be a brief and simple declaration, and would probably not involve detail around the mechanisms of elimination. Taking account of precedents such as the Chemical Weapons Convention and the UN

Framework on Climate Change, we can expect it to include a statement of prohibition against the acquisition, development, production, possession, deployment and use of nuclear weapons. It would seek to frame further mechanisms governing related aspects, including definitions, verification and inspection procedures. It would also include a provision for entry into force, a timeline and any withdrawal clause. It would not necessarily involve any formal connection to the NPT, and therefore could include non-NPT parties.

“This ‘irreplaceable’ P5 process is all the more valuable for keeping open lines of communication at difficult times”

An agenda for the NWS

15. The responsibility of the Permanent Five UN Security Council members (P5) is to maintain international peace and security. These five are also the recognised NPT NWS. But this is not a cosy club - the five are locked in long-term strategic competition, and recent developments have weakened their capacity for cooperation in global security.
16. The ‘P5 Process’, initiated by the British government in 2009, provides a useful forum to discuss nuclear doctrine, minimise nuclear risk, consider measures that strengthen strategic stability, reduce misunderstanding and to build trust. This has not been an easy road, and from the outside can seem painfully slow. One participant claimed that this ‘irreplaceable’ P5 process is all the more valuable for keeping open lines of communication at difficult times. With Presidents Trump and Putin in office, leadership within the process may have to come from other members of the process.
17. Of course, there will always be suspicions that it is either an empty talking shop, or a cabal enabling the NWS to unite against pressures upon them and their practice of nuclear deterrence. And the process has other risks: it could raise expectations that disappoint, or empower the less progressive states to prevent agreement. It can also magnify the impression that nuclear weapons possession brings status and a seat at the table. This can be mitigated to a degree by involving non-NWS more actively in the ‘P5 process’, and connecting the process in a more transparent and accountable manner to the established NPT process.
18. One area of work that the P5 Process, including non-NWS, may be particularly suited to is verification. There has been no history of verification when dismantling warheads. All previous nuclear reductions have occurred in an environment conducive to trust, where states involved have made a risk calculation that the retired systems are not necessary to their security. Verification is only necessary when there is a trust deficit. The technical challenges are huge, as it is not possible to confirm dismantlement in detail without revealing highly sensitive information. It is akin, said one participant, to doing verification with a blindfold on.

US nuclear policy under the Trump Administration

19. It is still unclear how the Trump Presidency will impact upon global strategic security. The overwhelming sense of the conference was that there would be no business as usual. On the one hand the President appeared from his tweets ready to engage in a new nuclear arms build-up, but on the other opposes what he sees as an anti-Russian tendency within Washington and is ready to engage in open and extensive talks with Vladimir Putin. Top Trump Administration nuclear priorities would be North Korea, counter terrorism and a new settlement with Iran, with an emphasis on coercive counter proliferation.
20. It was said that other issues, particularly disarmament and arms control, might barely get a look in. Arms control has in recent years been in cold storage as a result of deteriorating relations between Russia and NATO/US. Whilst President Trump does not appear to be predisposed to arms control, he does represent a break from the past in numerous ways, and has talked of improving relations with Russia. Whilst there was some scepticism expressed about his ability to turn this situation around, there could yet be a benefit to arms control.

“The scientific community may have an important role to play in advocacy by outlining the technical case against further testing”

21. Trump was characterised by some participants as a mercurial, potentially impulsive, transactional deal-maker, but that his deals would unlikely respect established grand multilateral bargains. He may not maintain as strong an active, principled leadership position within the global community, which could leave a vacuum in places and a reassurance deficit. He seems suspicious of broader global institutions such as the NPT, seeing them as constraints on American action, but will clearly lean heavily upon the Treaty, bilateral arrangements and restrictive regimes (such as PSI and the NSG) to justify robust non-proliferation action. There was general agreement that he would be more confrontational towards a new Ban on nuclear weapons than the outgoing administration would have been, and even less persuaded to change course by it.
22. There has been much public speculation around Trump’s likely response to strategic crises, and the role of his personality, apparent impulsiveness and tendency to rely upon brinkmanship. How this will translate in the international diplomatic arena is yet to be seen. It is likely that his credibility will be tested early in his Administration.

The Comprehensive Test Ban Treaty

23. There was some speculation around the Administration and Congressional ratification of the Comprehensive Test Ban Treaty (CTBT). There is no evidence at all that President Trump will be inclined to push for ratification, and indeed the issue is seen in Washington as a totemic partisan indicator: Republicans have a strong belief in maintaining maximum US freedom of action, and that could include testing future nuclear warhead designs.
24. The scientific community may have an important role to play in advocacy by outlining the technical case against further testing. Their influence may be limited; scepticism of climate change amongst President Trump and his supporters suggests a level of insulation from such opinion. Nevertheless, resistance from the labs to proposals for future nuclear tests could have particular leverage. One participant made reference to the Göttingen Manifesto of 1957, in which 19 German scientists declared their opposition to working on tactical nuclear weapons for Germany. Perhaps a larger group of US scientists could declare their intention to avoid participation in any preparations for nuclear testing.
25. Yet some more hopeful participants pointed out that President Trump would have greater freedom to achieve ratification than any previous President. He could come to see it as a useful signal both domestically and internationally that might balance out other priorities, at minimal cost to himself. In particular, it could be an effective way to build a coercive alliance against North Korea, or a concrete answer to a Ban Treaty.
26. However, most participants agreed that we are more likely facing the task of holding the line against probable efforts to curtail the possibility of ratification. Some participants asked how best to build resilience against potential negative shocks to entry into force, such as withdrawal by a major party (such as Russia) or resumption of testing by a state other than North Korea.

Looking back in review

27. This was the 20th anniversary of the annual Wilton Park nuclear non-proliferation conference. The mood in 1996 had been more optimistic, with a sense of recent achievement from the indefinite extension of the NPT and the signing of the CTBT. Over the 20 years the story has been a mixed one. Some notable successes include:
 - successful Review Conferences in 2000 and 2010 with their programmes of action;
 - the ratification of new START in 2010/11;
 - a moratorium on testing (broken temporarily by India and Pakistan in 1998 and by North Korea several times since);
 - the consolidation of institutions such as NSG;

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- the initiation of the Humanitarian Initiative on the impacts of nuclear weapons, reviving an important awareness and attracting energy to the issue; and
- developments in verification.
- All NPT non-NWS (DPRK again the exception) had abided by their obligations and refrained from developing nuclear weapons; ambiguity in Iran had been reduced by the JCPoA without military action.

28. Losses over the 20 years include:

- The Pakistani-Indian tests and subsequent arms race;
- The contemporary modernisation of arsenals in every nuclear armed state;
- The deterioration of relations between Russia and NATO, involving nuclear sabre rattling and a lack of arms control post new START;
- The development of North Korea’s nuclear weapons capability;
- Polarisation of the global nuclear non-proliferation community and the manner in which nuclear disarmament and non-proliferation have been played off against one another; and
- The failure to deliver on promises of progress on a Middle East WMD Free Zone.

29. Wilton Park conferences throughout this time have played an important role for diplomats and those working alongside, to educate, provide opportunities for honest and open deliberation, and build an informed, networked community.

Looking forward to the NPT 2020 cycle

30. The cornerstone agreements and action plans of 1995, 2000 and 2010 remain in place and many looking to maintain business as usual will expect these to be the point of departure for diplomatic talks in the PrepComs and Review Conference. This is not easy, and there must surely be a significant dangers of moves backwards as norms and structures built up over the 50 years decay or are deconstructed. The lack of progress, particularly in disarmament and in driving forward a WMD-Free Zone in the Middle East will be particular sources of tension. Significant effort will be needed to build capacity, particularly in cross-group coalitions that have not yet achieved their potential. There will need to be some honest reflection of the 50 years of the Treaty and assessments of the risks moving forward (including further polarisation, proliferation waves and wild cards, a breakdown of assurance, limited nuclear use), rather than the usual defensive or offensive diplomatic approaches. This requires an acknowledgement of the responsibilities, complexities and systemic challenges involved beyond the blame game. It is inevitable that parochial domestic debate leaks into international positioning, but states could consider how they might assist each other overcome this tendency.

31. It was proposed in the lead-up to 2015 to redefine success as something other than a consensus document, since these can often bury good ideas and encourage hostage-taking. History suggests that agreeing the action points is just the start. NPT meetings can only achieve so much, but can generate frameworks and concrete ideas that can then be developed elsewhere. The 2020 review cycle clearly demands fresh ideas, as well as a greater resilience against cynicism, oppositional tendencies and turbulent dynamics. There was some support expressed for a back-to-basics, article-by-article review of progress under the Treaty and proposals for future action. There was also support for more side-events and a youth forum.

32. Somehow, the manner in which international meetings address these issues is not conducive to open exploration or solutions. The Open Ended Working Group was an opportunity, but deemed dangerous by those states opposed to a Ban. The UN High Level Conference on Nuclear Disarmament in 2018 presents another opportunity.

Conclusion

Delegations need to avoid both complacency and panic when approaching the current, and formidable, nuclear complexities. The international community needs to rebuild trust and habits of cooperation, based upon attempts to build empathy (an attempt to see things from the other's perspective) and identify shared interests. NWS have to address more seriously the risks of nuclear use. It is unsustainable to assert that these risks are low, when many people believe they are higher today than they were five years ago.

Perhaps the nuclear policy community, focusing upon the management of nuclear weapons, is part of the problem. Talking about nuclear weapons separately from more general strategic dynamics strengthens the perception of status and unique salience. If instead of focusing upon possession of nuclear weapons as a starting point we could consider how best to manage and eliminate the nuclear threat to all members of the international community, this could help move discussion away from polarised blame towards cooperative solutions. This suggests an inclusive approach based upon individual state and global society responsibility in relation to managing such risk.

Another question arising out of the conference was how we might better secure discussions that cross the boundaries between the deterrence and disarmament communities, the subject of a subsequent blog by two of the conference's participants. The Ban Treaty initiative is only one of several disarmament moves within the international community that tend to be criticised as naive or counter-productive by those within the deterrence community, who have far more influence over the defence policies of the nuclear armed states. But the deterrence communities are sometimes accused of taking insufficient notice of the risk and consequences of failure, and the systemic and longer-term impacts of their policies and attempts at the global level to tackle the security dilemmas that drive them. What looks deeply rational at a national level can be extremely corrosive to international cooperation and diplomacy at the global level, begging the question of how to discuss deterrence openly without damaging the non-proliferation agenda? Ultimately the deterrence and disarmament communities share an interest in sustainable security; productive dialogue between them should be feasible as well as necessary.

Perhaps the most significant of all questions in the field are two:

- What are the dynamic risks to global security arising from or in the context of strategic deterrence, shifting global power balances and emerging technologies, and how can we best manage these collectively? and
- What are the conditions for nuclear disarmament, and how can we all work together to bring them about?

A lack of clarity on these conditions and the way stations along the route toward a world free of nuclear weapons is a significant handicap, and feeds the view that there is a lack of political will behind disarmament or confidence that it could ever happen, which in turn weakens the non-proliferation regime. Equally, divergence around what we mean by strategic stability and how it fits with the shifting sands of global power is an important source of friction.

The Nuclear Ban Treaty will need its advocates to display a certain level of mutual restraint and realism. At the same time, nuclear deterrence advocates need to accept that the Ban Treaty negotiations will happen this year and the process (including formulation, signatures and ratification) will continue for some years to come, and to absorb that into their calculations and strategy. Continued opposition to the Ban only deepens the divisions they claim the Ban will exacerbate. Better to acknowledge the sincerity of the frustration and consider what they would deem to be more constructive parallel processes along the step-by-step agenda that will help to legitimise their position..

Equally, advocates need to acknowledge that tangible progress to disarmament requires cooperation by the NWS, so that the current Ban Treaty process is simply an instrumental early step in a necessarily long and complex path. They will also need to ensure that their actions do not upend what is left of the non-proliferation consensus or damage the future of

the NPT: it was suggested that for the time being the Ban Treaty should not be used to attack or blame the NWS in NPT meetings. It was said that disarmament is unlikely to be achieved or advanced by such pressure. They should be ready to indicate a clear willingness to develop further non-proliferation steps in parallel to disarmament steps, rather than seeing disarmament as a precondition to further collaboration. Whilst they may see nuclear deterrence as in direct conflict with disarmament, they need to keep the 'welcome mat' out at all times for all states and to exercise some empathy for those who believe their security is dependent upon a functioning nuclear deterrent posture.

It would be a shame for the humanitarian initiative to fall away in the context of Ban Treaty negotiations, as it had value in its own right. A collective acknowledgement of inevitable risk when nuclear weapons are deployed and a focus on risk reduction could hold promise as one area of collaboration in a polarised community. Another would be for states to collectively acknowledge that they each have responsibility towards the global security agenda, and that security in its many interpretations should play a central role in disarmament and non-proliferation efforts. Consideration of the security dimension need not preclude that of justice, values and aspirations.

Paul Ingram

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