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Report

The nuclear non-proliferation regime towards the 2020 NPT Review Conference

Monday 10 – Friday 14 December 2018 | WP1633

In association with:



**Sandia
National
Laboratories**



Federal Foreign Office



Ministry of Foreign Affairs of the
Netherlands



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Introduction

The Nuclear Non-Proliferation Treaty (NPT) will celebrate the 50th anniversary of its entry into force and the 25th anniversary of its indefinite extension in 2020. In addition, 2020 will also mark the 75th anniversary of the first and only use of nuclear weapons in conflict. These anniversaries are coming at a time when the world is facing growing arms control, non-proliferation and disarmament challenges; not dissimilar to the era when the NPT was first negotiated. The impending anniversaries offer an opportunity to reflect on the strength and weaknesses of the NPT and evaluate the threats and risks we face from today's complex deterrence structures.

As key Cold-War-era and modern arms control agreements disintegrate amidst growing tensions among nuclear-armed states and proliferation of conventional and nuclear capabilities, the window for pragmatic dialogue based on balanced and sober threat assessments is closing all-too-fast. In large part, current low levels of trust are due to faltering American and Russian leadership on arms control. In addition, there is a pervasive lack of trust between nuclear and non-nuclear states that manifests itself in polarised views evident in debates on topics related to each of the NPT's central pillars: non-proliferation, disarmament, and peaceful uses of nuclear energy.

In this context, the 50th anniversary of the NPT provides a unique opportunity to counter the current narrative of diverse challenges the Treaty faces and to reorient it to one that celebrates the long-standing benefits the agreement provides. A successful 2020 NPT Review Conference (RevCon) could help reinvigorate the NPT, setting the stage for the next 50 years of treaty implementation. In addition, it could spur much needed progress on complementary treaties, such as the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which is yet to enter into force, and the Fissile Material Cut Off Treaty (FMCT), which is yet to enter into official negotiation.

In addition to writing a new narrative, the anniversary may present a chance to come to a better understanding of what "success" might be defined as in an NPT

context. Various experts and government officials have suggested for years that success at NPT RevCons cannot be judged by whether or not there is a consensus-based final document, as there are no guarantees that the obligations in the text will be implemented or that states will not express their dissent over specific aspects of such a document. In this vein, it should be remembered that certain NPT RevCons were considered successes even though they did not result in a full consensus, namely on the review portion of the final document (for example in 1995 and 2010). Thus, what “success” means in an NPT context has proven to be malleable.

In turn, the international community must begin to creatively think about how to redefine “success” with today’s geostrategic and political context in mind, whilst also laying the path for real accountability. Failure in 2020 may be better defined as NPT States Parties walking away more profoundly questioning motivations and the utility of their commitments, while success could be best appraised through how much trust is rebuilt. All in all, civil society and state actors will all have to carefully navigate the remainder of the review cycle to avoid setting under-ambitious goals to simply reach a consensus. At the same time, a strong attempt for at least partial consensus should be made as the first back-to-back failure in reaching any consensus in two consecutive RevCons would not bode particularly well for confidence in the overall non-proliferation and disarmament regimes.

While exogenous factors associated with the current political moment are manifesting in a sense of impending failure, there is no doubt that the lead up to the 2020 NPT RevCon will present numerous opportunities to develop a more proactive, integrated approach even amongst the most unlikely candidates for dialogue. The 23rd Wilton Park nuclear non-proliferation conference investigated these opportunities for NPT diplomacy by taking a closer look at how the Treaty remains resilient and relevant in the coming days.

The United States, Russia and the P5

1. Once major leaders in non-proliferation and disarmament, the United States and Russia have become sources of anxiety for the international community as they re-emphasise the role of nuclear weapons in their security policies. In particular, both countries are leading the trend of nuclear weapons states embarking on ambitious nuclear modernisation programs. While the United States, Russia, and all other nuclear weapons states defend these programs as necessary to ensure the safety and readiness of their arsenals until such a time when the conditions for disarmament exist, many non-nuclear weapons states interpret modernisation as vertical proliferation. At the same time, domestic trends in both the United States and Russia have made progress on bilateral and multilateral arms control less and less likely. In the US, partisan politics are bleeding into non-proliferation and disarmament issues, spawning distaste for international organisational frameworks and agreements. Similarly, domestic pressures in Russia have led to a revanchist, anti-arms control attitude exemplified by the growing opposition to the New Strategic Arms Reduction Treaty (New START) in the Duma. Because these trends are domestically generated, external pressure has increasingly limited power to change either American or Russian behaviour.
2. For example, despite international pressure to solve the Intermediate Range Nuclear Forces (INF) Treaty crisis through dialogue, the United States and Russia remain at

loggerheads over the agreement, which each side continues to accuse the other of violating. The United States declared its intention to withdraw from the treaty in October 2018 after citing concerns over the 9M729 missile system. At the same time, Russia has noted its concerns over US missile defence, INF-range armed unmanned aerial vehicles (UAVs), and the MK-41 vertical launch system used in the American-European Phased Adaptive Approach (EPAA) missile defence system. Although the United States and Russia have been trying to resolve their mutual accusations without success for several years, some argue that there still may be ways to provide more clarity and set facts straight, such as reciprocal on-site inspections. The consequences of losing the INF Treaty are significant. For example, if the United States and Russia are unable to preserve the agreement, it will make New START extension increasingly difficult due to a further lack of trust. In turn, it is less likely commissions defined under the treaties to discuss compliance will be utilized. Furthermore, going into the 2020 NPT RevCon, the end of the INF will only add to the perception that the United States and Russia are not taking disarmament seriously.

3. It is a positive sign that the P5 have begun to lay out plans to convene more regularly in 2019 than in recent years on issues relevant to the NPT, starting with clarifying national nuclear doctrines and postures. Thus, if P5 consultations—starting in Beijing at the beginning of 2019—continue in a positive manner with an actual programme of work, perhaps some faith will be restored in the group’s ability to maximise common interests. While the P5 process has proven to be a limited and fragile instrument over the past ten years, it has produced results that, however modest, are important for the future. For example, the P5 process has been an avenue to reach out to non-nuclear weapons states and should be further developed from that vantage point.
4. Beyond the P5 process, all efforts to evaluate mutual interests should be explored. Strategic stability talks have been limited to date but could offer an alternative, especially if potentially expanded from the United States and Russia to other actors, such as the wider P5 or a “P5 Plus” that includes non-NPT nuclear weapons states. As conceptual frameworks for expanding strategic stability talks are formulated, the United States and Russia have a responsibility to re-engage in bilateral strategic stability talks and seriously consider any and all proposals raised for mutual work. Due to the looming crisis over the INF Treaty and lack of energy behind extending New START, a European presence may also be warranted. While strategic stability talks have been limited to date, they could offer an alternative venue for dialogue if they are adapted to current circumstances, including the changing understanding of the very concept of strategic stability itself. Furthermore, while the impetus for arms control and non-proliferation has somewhat been lost, there remain areas where it could be mutually beneficial for the United States and Russia to cooperate, such as risk reduction, nuclear safety and security, and counter-terrorism. These countries can also all work together to plan for future challenges, such as the vulnerabilities associated with emerging technologies and disarmament verification.

Nuclear security and sharing

5. Nuclear security is of global value, as a nuclear terrorist attack would affect countless countries, not just the victim of the attack. As such, nuclear security should offer an opportunity for international cooperation. However, since the final Nuclear Security Summit (NSS) in 2016, momentum on the issue has been lost and the goal of securing all fissile materials has not been completed. In addition, the inherent exclusivity of the “minilateral” process emblematic of the NSS series, which only included about 50 countries, has also contributed to a perception that nuclear security is an exclusive and Western agenda. While the replacement of these summits with more open ministerial meetings has changed some countries’ positions, nuclear security remains highly politicised.
6. Nuclear security initiatives have been known to enjoy widespread support, including that of the G77 and the Western Europe and Others Group (WEOG). However,

following delays and denials of radioactive sources since 2003 and the shrinking of the International Atomic Energy Agency (IAEA) budget after the 2008 financial crisis, G77 support has waned. Since 2008, the G77 have reiterated that nuclear safety and security are not a statutory obligation of the IAEA, and that nuclear security should not be funded through the organisation. In addition, states have expressed concern that nuclear security comes at the expense of cooperation on peaceful uses of nuclear energy.

7. More specifically, certain states are concerned that funding for nuclear security will be taken from the budget of initiatives like the technical cooperation programmes that allow for the transfer of nuclear technology. However, it can be argued that the promise of nuclear security has added to the resources available for technical cooperation, so concerns about competing resources may be unfounded. However, this is a powerful example of the lack of trust between nuclear and non-nuclear states. For the relationship to be seen as a positive-sum game as opposed to a zero-sum game, transparency in decision making, especially on budgeting, from donor countries could help.
8. If security measures fail to prevent or detect another nuclear accident or fissile materials are used for a terrorist attack, it will affect public opinion in a way that also undermines the peaceful uses of nuclear energy and their contributions to a number of objectives, such as the UN Sustainable Development Goals (SDGs). The use of concrete examples of both the benefits of nuclear security and the danger of inadequate nuclear security may be helpful to illustrate the stakes involved. For example, the Fukushima disaster could be invoked as an example of the potential consequence of both inadequate nuclear security and safety, thus making a stronger case for the preventative approach.
9. Moving forward, substantive efforts must be made to counter the narrative that nuclear security disproportionately benefits Western nations and hinders nuclear sharing. Thus far, the concept of nuclear security has been divorced from the idea of cooperation on peaceful use. These narratives must be integrated to convey that nuclear security enables nuclear sharing. States that have benefited from nuclear sharing have a key role in spreading this message and in communicating their positive experiences in the lead up to the 2020 NPT RevCon. The IAEA can sometimes be a challenging place for discussions about nuclear security, so countries should seek out alternative venues for dialogue, such as the International Criminal Police Organisation (INTERPOL), UN Convention against Transnational Organised Crime (TOC), UN Office for Disarmament Affairs (UNODA), UN Security Council Committee established pursuant to Resolution 1540, International Conference on Nuclear Security 2020 (ICONS 2020), and more.

Middle East Weapons of Mass Destruction Free Zone

10. Similar to part NPT RevCons, the proposed establishment of a Middle East Weapons of Mass Destruction Free Zone (MEWMDFZ) may pose a challenge for this review cycle. However, some have argued that the establishment of a UN Conference on the issue will reduce the salience of the MEWMDFZ in an NPT context, and thus be less likely to negatively affect the Treaty. Although many agree that the establishment of a MEWMDFZ is more important than ever, significant barriers remain. Israel and the Arab states are divided on whether the MEWMDFZ should precede or follow the resolution of other issues in the region, such as full compliance by all states with international obligations. Both parties accuse the other of negotiating in bad faith.
11. After the United States presented a working paper, entitled “Establishing Regional Conditions Conducive to a Middle East Free of Weapons of Mass Destruction and Delivery Systems,” at the 2018 NPT PrepCom, some states agreed with the argument that the NPT review cycle should not be the primary platform for progress and turned to the United Nations General Assembly. In August 2018, the Group of

Arab States proposed that the Secretary-General should convene an annual conference to address this issue, which was taken up by the General Assembly's First Committee in October 2018 and ultimately approved. It is worthwhile to note that Israel, Micronesia, and the United States voted against the resolution whilst 71 countries abstained. In any case, the first conference on the creation of a MEWMDFZ will be held in November 2019. Given its inclusivity of all countries in the region and focus on finding consensus, the annual conference to be convened by the Secretary-General may provide a valuable alternative venue in which to discuss the creation of the MEWMDFZ and thus diminish the centrality of the issue for the outcome of NPT review cycles. However, the Arab Group's proposal was divisive and some states perceive that the decision to convene a conference under the auspices of the UN Secretary-General to be hasty and prone to capture by the perspectives of one side in this longstanding and difficult debate. Such States point to the explicit call in the General Assembly's resolution for the start of negotiations on a treaty, instead of more open-ended and inclusive discussions on the issue.

12. In order to get off to a strong start, every effort must be made to keep the agenda for the 2019 conference broad and inclusive of all states in the region, including Israel. Quick wins early on will help build confidence in the process, while more technical issues can be dealt with further along in the process. Finally, states must continue to pursue progress on the development of MEWMDFZ in other fora in parallel to negotiations in the First Committee. Ultimately, if progress is not made in the First Committee, a return to the NPT process is inevitable.

Iran and the Joint Comprehensive Plan of Action

13. The Joint Comprehensive Plan of Action (JCPOA) was concluded in 2015 between Iran and the United Kingdom, France, and Germany plus the United States, Russia, and China (E3+3) in order to prevent Iran from developing nuclear weapons. As it enters its fourth year of implementation, the JCPOA is under great stress. Despite the United States discontinuing participation in the agreement by imposing secondary sanctions as part of a "maximum pressure" campaign, Iranian commitments under the deal have continued whilst certain steps have been taken to showcase readiness to break out of the agreement's parameters if deemed necessary. In turn, it is unclear how long those in Iran who argue for continuing engagement with the remaining parties, namely Europeans whose credibility has been slighted due to mismanaged expectations over sustaining the agreement, will win over campaigns for resistance.
14. While the United States has argued that Iran must forego any fissile material production, Iran has effectively reiterated their original red line: Iran is entitled to an indigenous, peaceful civil nuclear program and they are unwilling to make any concessions on this. Simply put, the scope of the JCPOA is the extent to which the Iranians were originally and are currently willing to negotiate, especially given recent events. In turn, Iran has called upon the international community to offer economic incentives to preserve the JCPOA, and this has been responded to in several ways. In particular, the E3, Russia, and China continue to believe that the JCPOA is the best option for preventing Iran from producing nuclear weapons, especially due to the robust verification that underpins the agreement. As such, they see the JCPOA as beneficial to all the original parties, including the United States, and the rest of the international community.
15. These governments disagree with Washington's position that there is an effective alternative strategy to stop Iranian weapons development; however, their positions overlap on certain issues, namely the shared US and European concern over Iran's ballistic missiles. These concerns are twofold: the Iranian development and testing of ballistic missiles, and Iranian missile proliferation to various actors in the region. On the former, Iran cites its deterrence needs in the face of other missile and nuclear armed states, and on the latter, Iran says that it also has concerns about the regional behaviour of other states, including weapons proliferation. The resulting conclusion is

that there must be a regional dimension when dealing with the issue of ballistic missiles, and it should therefore be de-linked from the JCPOA, which should take priority at the moment.

16. The E3/EU-28 have vowed to help facilitate cross-sector engagement to showcase that there is practical willpower behind their symbolic statements of solidarity with Iran. Unfortunately, due to international reliance on the US dollar, Europe has had a difficult time convincing companies with previous engagement in non-sanctionable trade that they will be adequately protected. Since non-sanctionable trade mainly includes humanitarian goods, such as food and medicine, this has resulted in large scale inflation that has hit ordinary people in Iran. While Europe attempts to beat the clock before Iranians begin to believe there is no benefit to remaining in the JCPOA, Russia and China are also using the opportunity to explore alternative financial systems that are dependent on their own currencies to also extend benefits to Iran. In addition, other countries have utilised oil waivers given by the US government to continue oil imports, although they are not enough to stabilise Iran's economy.
17. As Tehran's economic patience wanes, it may try to exploit gaps in the JCPOA to pressure the international community to take a more meaningful stand in support of the agreement, or worse, position itself to make an actual exit. However, nuclear brinkmanship would be unwise for Iranian, regional, and global security. While some in Iran argue for a "less-for-less" approach (i.e. reduced restrictions on the nuclear program because of the lack of economic benefits), the international community must firmly hold that implementing the JCPOA and upholding UN Security Council Resolution 2231 (which backs the JCPOA) are binary choices. With Iranian parliamentary and American presidential elections not too far away, the situation remains highly unpredictable as there is a balanced split in Iran on whether or not to muddle through the pressure and continue abiding by the JCPOA.

The Democratic People's Republic of Korea

18. The extent to which current counter-proliferation strategies towards the Democratic People's Republic of Korea (DPRK) have been successful is in doubt. Over the past year, two tracks of engagement have emerged, with the Republic of Korea (ROK) focusing on rapprochement with the DPRK, while the US approach has varied from pressure to diplomatic engagement. The ROK has stressed long-term peace and prosperity at the heart of its engagement, principally focused on weaving the social fabrics of the two countries back together and de-escalating tensions on the border. Meanwhile, after months of charged rhetoric, the United States has offered symbolic gestures like peace summits, the first of which occurred after the ROK and DPRK signed the "Panmunjom Declaration for Peace, Prosperity and Unification of the Korean Peninsula". However, this has meant foregoing a real time-bound plan, eliciting criticism from some that US President Donald Trump has contributed to a peace process but perhaps at the expense of a denuclearisation process.
19. Overall, these approaches have resulted in no tangible disarmament measures, and even the word "denuclearisation" continues to lack a shared definition. Some believe that this is because actual progress on that front cannot be possible without an "incubation" period during which the aforesaid rapprochement and symbolic gestures occur, including a potential end-of-war declaration between the United States and DPRK. At the same time, others believe this is naive as it allows for the DPRK to gain political advantages all whilst never intending to give up all its nuclear weapons. In effect, the latter camp highlights what seems like the DPRK's "front-loading" of the process in its favour and strongly advise against any grand bargaining. If a peace treaty is a step or concession in the dialogue, they believe it must be coupled with tangible steps that reduces tensions by reforming regional security architectures.
20. In this vein, steps, such as the DPRK's freeze of nuclear and long-range missile testing and the suspension of certain US-ROK military exercises have formed a tenuous baseline for progress. One possible way forward is an incremental, step-by-

step approach, rather than a grand bargain agreement. By looking at certain parts of the nuclear weapons production process and the facilities related to them, bite-sized agreements could slowly increase the scope and reach of verification whilst allowing the DPRK to feel comfortable as it holds onto some of its capabilities. However, there is a widespread understanding that the costs of losing sight of the overall goal of complete, verifiable, and irreversible denuclearisation (CVID) are high, and this approach should not be misunderstood as acceptance of a nuclear DPRK.

21. The aforementioned varied approaches must begin to converge into an integrated approach that better links peace to denuclearisation in a way that is reminiscent of the action-for-action model. With this in mind, granting waivers and exemptions, such as lifting certain joint venture bans, could allow for limited cooperative projects between North and South Korea. In addition, the United States should not be opposed to the partial lifting of sanctions if met with a reasonable offer from the DPRK, and it would be wise to include the ability to “snap back” the sanctions if need be.
22. In order to get this process started, it will likely be necessary to pre-orchestrate “first moves”, allowing both countries to get over the current stalemate without losing face. Early concessions should be reversible in the short term; for instance, phasing out US-ROK drills based on the speed of follow-through by the DPRK would have potentially allowed for more flexibility than simply suspending them. In addition, codifying an agreement on the end of the DPRK’s nuclear testing programme could have ensured the verifiable closure of the Punggye-ri nuclear test site, which many experts believe could be re-opened in a short amount of time. It could have also been leveraged to raise the profile of the CTBT, especially because the necessary monitoring technology and expertise exist under no other organisational framework. If agreeable with the DPRK and approved by CTBT member states, independent test site characterisation and further monitoring can still be done to build confidence.
23. Regardless of what strategy is adopted going forward, the international community will have to consider how to socialise North Korea to a verification process. Verified actions on jointly agreed steps can sustain peace and reduce tension in a way that balances maintaining readiness. In view of this, countries should be strategic on where they ask for physical inspections and where they can supply such confidence through external methods, for example the monitoring of uranium mines through satellite imagery. Rapid progress on denuclearisation should be the goal, but comprehensive denuclearisation must not begin to become out of sight and out of mind.

The CTBT and Fissile Materials Cut Off Treaties

24. The CTBT and the NPT have always been mutually reinforcing, as the preamble to the NPT contains the explicit determination to discontinue all nuclear weapons test explosions. In addition, the CTBT has also played a defining role in the NPT review process, as pushing for the conclusion of a CTBT was one of the three key decisions that allowed for the indefinite extension of the NPT in 1995 and was the first of the thirteen practical steps for disarmament agreed to by NPT States Parties in 2000. In turn, the CTBT’s institutionalisation of the global norm against nuclear testing has supported NPT resilience, and the linkage between the two should be underscored at any opportunity. In an era of largely disappointing news on non-proliferation and disarmament, the CTBT and its verification regime have offered positive news in the past few years, but room for growth remains. The benefits of the Treaty have not been limited to monitoring for potential nuclear test explosions but also a wide variety of scientific and civil benefits, including contributions to disaster risk reduction through earthquake monitoring and subsequent tsunami early warning and to sustainable development through data sharing for climate science.
25. Despite the CTBT’s lacking entry-into-force, which will require the eight remaining Annex 2 states to ratify (China, Egypt, Iran, Israel and the United States who have

already signed, and the DPRK, India, and Pakistan who have not), the Treaty continues to move forward and showcase its relevance. While critics of the Treaty have often focused on a narrative of stagnation, the facts hardly point to this being the case. The CTBT is supported by the vast majority of the international community, with Thailand ratifying and Tuvalu signing in 2018 bringing the end-of-year total to 184 States Signatories (of which 167 have ratified). In particular, Thailand's ratification completed the Association of Southeast Asian Nations (ASEAN)'s commitment to the Treaty, and more states plan to deposit their instruments of ratification in the new year.

26. In addition to progress towards universalisation, the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO)'s International Monitoring System has now reached over 90% completion which is well past the threshold that negotiators were hoping for before the Treaty's entry-into-force. In turn, it is clear that states can no longer confidently test nuclear weapons without the CTBTO being alerted. Since the 2015 NPT RevCon, successive nuclear tests by the DPRK have raised the profile of the Treaty as the CTBTO has provided reliable, timely information to not just neighbouring states but the entire international community. However, what is often forgotten is that in the process of the verification regime working de facto, the CTBT has seemingly become a victim of its own success, as it is often taken for granted.
27. The CTBT is in need of an international campaign of support. Luckily, the DPRK's freeze in nuclear testing means that there is currently a global moratorium in place that should be capitalised on. Given the DPRK's stated desire to join the international ban, progress on the CTBT even from the most unlikely states just a year ago is achievable and should not be disregarded. Any further breakthroughs in CTBT ratifications would profoundly contribute to success at the 2020 NPT RevCon and beyond. In addition, states should refrain from simply stating their support for the Treaty and calling upon the eight remaining Annex 2 states to ratify, as this strategy has not yielded many results amongst that grouping. Instead, they should think more creatively about what incentive structures can be tailored to any and all remaining non-ratifying states, leading with the thought that the CTBT should be able to unite parties with differing viewpoints, including those with humanitarian and security-based logics.
28. In addition to the CTBT, the idea of an FMCT also has strong linkages with the NPT as another inescapable part of non-proliferation and disarmament, and in turn, enjoys overwhelming support from the international community. For this reason, it was the third of the thirteen practical steps for disarmament agreed to by NPT States Parties in 2000. Although the FMCT has not entered into any official negotiation process due to deadlock in the Conference on Disarmament (CD), there has been positive progress since the 2015 NPT RevCon. In 2016, a High-Level Fissile Material Cut-Off Treaty Expert Preparatory Group was mandated by a UN General Assembly resolution. The FMCT preparatory group was made up of a diverse body of 25 states, including all P5 members. After a series of meetings in 2017 and 2018, the group's final consensus report was released by the UN Secretary-General, laying out a structure of options for what the Treaty text could look like. In turn, this meant that the authors did not try to narrow the range of options for future negotiators, but outlined how to address a variety of issues, definitions, and the general scope of the Treaty.
29. For example, the report outlines how there is not a binary choice between having stocks and no stocks, but instead a rich array of options for categories of stocks. This, as well as other central insights of the report on legal and institutional issues such as verification, will help shape any FMCT negotiation – a process that should begin without delay. Alas, the product is not likely to be taken up by the CD anytime soon. However, perhaps unlocking the door to negotiations can be taking up the report in substance and not in name.

The Treaty on the Prohibition of Nuclear Weapons

30. The Humanitarian Impacts of Nuclear Weapons (HINW) initiative and the negotiation of the Treaty on the Prohibition of Nuclear Weapons (TPNW) have exposed deep rifts between differing approaches to nuclear disarmament. Throughout the TPNW negotiation process, and especially since the Treaty was opened for signature in 2017, the international community has been divided over the appropriate framework for conceptualising the risk of nuclear weapons and the best method for achieving nuclear disarmament. The HINW initiative sought to lean on a large body of humanitarian and environmental law to make the case for nuclear disarmament, ultimately resulting in the negotiation of the TPNW. However, it is worth noting that the TPNW is not the only possible conclusion of the humanitarian initiative and that, in some cases, the polarisation spawned by the Treaty has stifled continued discussion of nuclear risk and consequence management. For example, since the Treaty's negotiation, there have been no further HINW conferences. While some states have accepted the humanitarian impacts framework, others continue to consider nuclear weapons solely through security paradigms. These states tend to promote a conditions-based approach to nuclear disarmament and vehemently oppose the TPNW, relegating it to a list of political non-starters.
31. Despite the significant mistrust between TPNW supporters and opponents, the Treaty is unlikely to have an overwhelmingly negative impact on the remainder of the 2020 NPT RevCon cycle. While some of the non-governmental organisations involved in TPNW advocacy have become seemingly less open to bridge-building, many TPNW supporters continue to call for progress on disarmament within the NPT framework as the former is in support of the latter. Since the states that support the TPNW recognise that the NPT is too valuable to fall victim to polarisation, there has been some rhetorical divergence on how to advocate for the ban treaty which may be mistaken for a substantive divergence on support for the TPNW.
32. Looking towards and ultimately beyond the 2020 NPT RevCon, TPNW proponents and opponents need to seek common ground and re-establish good will. Practical steps that reaffirm the salience of the NPT and ensure that the TPNW will not undermine the NPT could go a long way. For example, countries could demonstrate their commitment to disarmament by reaffirming their commitment to past agreements, such as the 64 action points outlined after the 2010 NPT RevCon, with or without caveats. Similarly, TPNW States Parties meetings could be scheduled so they do not conflict with NPT meetings, and TPNW States Parties could refrain from passing any legislation that might undermine the centrality of the NPT. Finally, the security community, and more specifically the P5, could embrace and participate in the humanitarian impacts dialogue through the prism of risk reduction and consequence management even if they do not accept the TPNW. All in all, the frustration and sense of urgency which gave rise to the TPNW will be difficult to ignore and should be contended with.

Conclusions and recommendations

After the failure to reach a consensus at the 2015 NPT RevCon, states are carefully considering how to approach the 2020 NPT RevCon. While some experts advise that success can come in other forms than a consensus document, it is politically untenable for some states to accept the first back-to-back failure in the history of the Treaty. With that in mind, states will have to carefully navigate the review process to avoid setting under-ambitious goals or sacrificing content to simply reach a consensus. In turn, states and civil society advocates can take the following steps to help prepare for a successful review conference:

- The 2020 NPT RevCon marks 50 years since the Treaty entered into force and 25 years since its indefinite extension. The international community should take advantage of this anniversary to reflect on the successes of the treaty and to

chart a course for the next 50 years of the Treaty's successful implementation.

- States and civil society advocates should remind the world how the NPT is delivering on a day-to-day basis, highlighting the diverse portfolio of peaceful uses it offers in areas such as health and nutrition, food and agriculture, and more.
- The international community should think creatively in order to fashion parameters for success at the 2020 NPT RevCon that will result in action-oriented plans with well-defined terms, time-lines, and mechanisms for reporting and further accountability.
- States should reaffirm their commitment to past agreements, with or without caveats. For example, leaders could recommit to the 64 action points from the 2010 NPT RevCon, but attach benchmarks and/or deadlines to certain elements. States and/or regional blocs should also feel welcome to focus on a specific set of priorities and share the considerations that led to those priorities being made.
- There should be opportunities to supplement these commitments with additional confidence building measures reminiscent of the “gift baskets”, established as part of the Nuclear Security Summit process which ended in 2016.
- Leaders should also recommit to the principle that nuclear war cannot be won and should never be fought, perhaps at a high-level ministerial meeting that could be convened before the 2020 NPT RevCon that focuses on the Treaty's historical, yet day-to-day successes across the world.
- The regional consultation process before the 2020 NPT RevCon should be used to build camaraderie and identify how to make progress, especially on “low hanging fruit” – i.e. issues that are not inflammatory enough to prevent progress, but that are substantive enough that progress on them would be widely considered a win.
- Disarmament verification has proven to be less polarizing than other issues, and is a key deliverable that can be brought to the table at the RevCon, and countries could agree to increase their commitment to and participation in multilateral discussions on the topic.
- While the results of the 2020 NPT RevCon will have little bearing on the CTBT or FMCT, as both are inescapable parts of non-proliferation and disarmament, positive progress on either treaty could have a profoundly positive impact on the NPT review process.
- States should work to creatively build the CTBT into incentive structures, for not only the eight non-ratifying Annex 2 states but also all others needed for Treaty universalisation. The diplomatic opening with the DPRK should include the CTBT in the short-term by (1) utilizing the CTBTO's expertise and technology to cost effectively, transparently verify the closure of the Punggye-ri nuclear test site and (2) urging the DPRK to at least sign the Treaty to match the United States and China.
- States should work to further the results of the High Level FMCT Expert Preparatory Group by raising issues from their report in substance and not in name. Although this is short of beginning negotiations, it may provide a jump-start for confidence building that can pair well with increased discussions outside of the CD.

The international community remains divided into different camps on several deeply polarised issues. Rebuilding trust and establishing goodwill will be paramount to resolving these key issues, as well as to ensuring a successful NPT RevCon in 2020. Trust-building is an ongoing process that must be engaged in well in advance of the conference. The recommendations listed below will help build trust on specific issues:

- As 2019 marks the tenth year of the P5 process in its current form, states should reflect upon the strengths and weaknesses of their current mechanisms for dialogue and implement changes to consolidate progress.
- The P5 should also continue to engage in strategic stability talks, potentially including European and/or non-NPT nuclear weapons states, to help reduce the ambiguity in their respective nuclear postures, especially amidst the unfortunate possibility of INF and New START collapse.
- The P5 and other proponents of a conditions-based approach to disarmament can create goodwill by embracing and participating in the humanitarian impacts dialogue through the prism of risk reduction and consequence management even if they do not accept the TPNW.
- TPNW proponents and opponents need to seek common ground, reaffirm the salience of the NPT, and ensure that it is not undermined as peripheral debates ensue. For example, TPNW meetings could be scheduled so as not to conflict with NPT meetings.
- States, especially G77 states that have benefited from nuclear sharing initiatives, should make clear that nuclear security is not antithetical to peaceful nuclear cooperation. Generally, nuclear security and sharing should be connected rather than siloed.
- While states should continue to support the International Partnership on Nuclear Disarmament Verification (IPNDV) and other groups making significant progress in developing technologies and processes for non-proliferation and disarmament verification, technology cannot replace trust. Thus, trust-building through more inclusive, multilateral political discussions must continue alongside technical work.

Bilateral arms control treaties between the United States and Russia have significantly contributed to disarmament over the past 50 years. However, the INF and New START are now in jeopardy, and prospects for future arms control agreements between the two countries seem bleak. Additionally, regional initiatives related to the Middle East, Iran and DPRK also need to be buttressed. The following recommendations offer potential solutions to the deteriorating arms control environment.

- The United States and Russia should attempt to work through INF compliance issues in the Special Verification Commission (SVC) and also work through issues related to New START without delay in the Bilateral Consultative Commission (BCC). In addition, the international community should begin expansive thinking on post-INF/New START arms control options.
- The entire international community should re-affirm its support for the JCPOA as the only viable solution to concerns about Iran's nuclear program. States should pursue pragmatic dialogue on peripheral issues, such as ballistic missiles, de-linking it from JCPOA-related conversations which should remain the priority.
- A high-level effort should be made at the 2019 NPT PrepCom to highlight the need for creative pathways to provide Iran with the benefits required to justify its continued compliance with the agreement. States could reaffirm principles outlined in Russia and China's joint statement on the JCPOA at the 2018 NPT PrepCom, especially on the need to protect the essential and independent roles of the IAEA and the JCPOA's Joint Commission.
- States should pre-orchestrate "first moves" when engaging in diplomacy with the DPRK to ensure that a peace process does not continue at the expense of a denuclearisation process. Verified actions on jointly agreed steps at a working level can sustain peace and reduce tension in a way that balances maintaining readiness, reminiscent of the action-for-action model.

- States should come to a consensus with the DPRK on the definition of “denuclearisation” and upon what timeline certain commitments can be pursued to that end, with caution to not “front load” the process with a grand bargain. In view of this, the need to responsibly, patiently socialise the DPRK to a verification process is key.
- States should continue to work towards the creation of a MEWMDFZ, striving to keep the agendas for new opportunities for dialogue, such as the first conference to be convened on the topic by the UN Secretary-General in November 2019, broad and inclusive.

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