EUROPEAN LEADERSHIP NETWORK

Protecting the Nuclear Non-Proliferation Treaty in turbulent times

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These commentaries have been published as part of the ELN's project Protecting the Non-Proliferation Treaty. The project seeks to preserve the multilateral nuclear non-proliferation regime and prevent further erosion of the nuclear taboo and the Nuclear Non-proliferation Treaty (NPT). Bringing together an intergenerational, pan-regional Network of experts, it works to identify pathways to success in the eleventh review cycle, taking a holistic approach to the NPT and its three pillars.

The online versions of these and other commentaries, which often contain links to additional sources and relevant background information, can be found by scanning the QR code below or following this link: https://europeanleadershipnetwork.org/publications/commentaries/.

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Saving the non-proliferation regime today for the benefit of tomorrow's international security order

Adam Kobieracki

These remarks were delivered on 16th August at the ELN launch event for our new project, "Reinforcing the multilateral nuclear regime in times of duress".[1] Given that the NPT Review Conference (RevCon) ended without an agreement on a consensus outcome document, Kobieracki's comment that "diplomatic success should not be measured by the number and volume of documents agreed and adopted" proved timely. His analysis focuses more on concrete steps that need to be taken to reinforce and implement the NPT system.

A functional NPT regime is not only one of the international security pillars today, it will also be one of the indispensable elements for the future international security order. In August, the ELN launched a new project on the sidelines of the tenth Non-Proliferation Treaty Review Conference intended to assist in keeping the NPT functional. The importance of the project is threefold.

First, given the current deep international security crisis caused by the Russian war of aggression against Ukraine, and the overall geopolitical earthquake this has caused, every effort is needed and welcome to maintain multilateral co-operative mechanisms. The NPT is one of them.

Second, today the NPT can't be left solely in the hands of diplomats nor in the hands of only politicians. It will require a more ambitious and non-routine approach than diplomats are likely to offer, while at the same time should not be sacrificed or compromised by political leaders for the sake of 'more urgent' political objectives.

Third, the ELN has managed to combine three pillars – a practical approach, a success-oriented attitude, and an educational effort – into one project. It is thus ambitious, realistic, and promising.

The importance of the NPT at this moment is fundamental in that if it is not saved today, it would be virtually impossible to rebuild it in years to come due to the lack of confidence and the many divergent - and quite often mutually contradictory - perspectives among states, both nuclear and non-nuclear. Saving the NPT does not mean leaving it as it is, or not modernising it. Quite the contrary, the NPT regime needs adjustments in order for it to be flexible enough to survive in this current climate. The ELN project should help to identify such adjustments.

The project envisages three workstreams – working on practical and relevant initiatives, finding pathways to diplomatic success, and preparing a new generation of arms controllers. The right balance will have to be kept between these both ambitious and realistic approaches. Neither grand scenarios nor pure language corrections to existing documents will necessarily be helpful. The project should allow the expert community and young generation leaders to introduce their views and ideas into the political and diplomatic negotiation process.

Saving the NPT does not mean leaving it as it is.

Looking at pathways to diplomatic success, this will require first an understanding of how to define success nowadays. I believe success should be understood as the NPT regime's survival as a functional instrument until a time of future international security regime negotiation, if and when this is possible. It is also worth remembering that diplomatic success should not be measured by the number and volume of documents agreed and adopted. It is not the time for bad compromises or hiding issues behind elegant phrases.

What we need is to educate and train a new generation of arms controllers. Future arms control, starting with nuclear arms control, will be different from what we knew in the past. This is due to new weapon technologies, new verification instruments, new geopolitics, an enormous lack of trust among states, breaches of international law, and the principle "pacta sund servanda" ("agreements must be kept"). From this perspective, retired arms controllers may only be of limited assistance to the new generation. They can share their experience and knowledge on how to conduct arms control as a negotiation process in general – for example, they may pass fundamental principles and rules of the game to younger colleagues – but it will be up to the new generation to fill the process with substance.

Future arms control will be heavily affected by the fate of New START, or more broadly, by the outcome (if any) of strategic dialogue between the US and Russia. Today we simply don't know whether the New START agreement would involve more nuclear states than just the two mentioned, include more than just strategic nuclear weapons, and whether it would be achievable at all. The new generation of arms controllers should follow those issues closely.

The multilateral non-proliferation regime is an essential condition of – even in relative terms – a safe, secure, and predictable world. Some experts believe that new efforts in nuclear arms control led by the P5 States (the US, the UK, France, Russia, and China) may constitute, at some point, one of three negotiating platforms intended to rebuild the security regime. The other two will be Russia–Ukraine peace talks and discussions on the new European security order. For the P5, meaningful cooperation – in the form of a functional NPT regime – will be a key factor in a future international security order.

31 August 2022

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Diplomatic success should not be measured by the number and volume of documents agreed and adopted.

How to enhance the eleventh NPT review cycle and ensure a diplomatic space for continuity and coordination

Michael Biontino

This commentary is the summary of a paper produced by the ELN, as part of our "Protecting the Non-Proliferation Treaty" project.

States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) set the framework for the next review cycle in their decision NPT/CONF.2020/DEC.2 at the 2022 Review Conference. In particular, by establishing a working group on further strengthening the review process of the Treaty, they gave a clear signal that substantial changes are required to set the NPT on a positive track after two review conferences that ended without an agreed final document.

Indeed, given the present stress on multilateralism and the nuclear arms control, disarmament and non-proliferation architecture, including the demise of arms control arrangements, disquieting trends in nuclear rhetoric and a perceived lowered threshold for the use of nuclear weapons (e.g. non-strategic nuclear weapons), as well as persistent risks of nuclear proliferation crises and proliferation dynamics, such a positive signal can only underline the continued relevance and viability of the NPT.

The discussion at the working group can draw on a considerable number of contributions by states parties, civil society, research centres and academia. It is therefore hoped that the working group in its proceedings and outcome will reflect the need for enhanced inclusivity in all its aspects, including the equal, full and effective participation and leadership of both women and men and further integration of gendered perspectives in the implementation of the Treaty.

Measures that would improve the effectiveness, efficiency, transparency, accountability, coordination, and continuity of the review process of the Treaty, as reflected in the tasking of the working group, are by their nature interrelated and interdependent and should be addressed incrementally and pragmatically to lead to concrete and tangible results.

In our analysis, it seems appropriate for the working group to concentrate on its deliberations on incremental and pragmatic reforms on:

- Adequate governance structures, particularly in the creation of a "Bureau".
- Streamlining procedures and mechanisms concerning the role and proceedings of the Preparatory Committees and the proceedings of Review Conferences.
- Promotion of the full implementation of the Treaty, in particular reporting requirements on non-proliferation and disarmament obligations.
- Creating adequate institutional support.

Bureau

In order to allow for a greater degree of continuity and cohesion throughout the entire review cycle in terms of procedure and substance, a Bureau should be established at the beginning of the review cycle. The Bureau would consist of the President of the Review Conference and the chairs of the Preparatory Committees.

The Bureau should be tasked to elaborate a programme of work for the entire review cycle for decision at the first Preparatory Committee. The Bureau would, at the same time, amongst other things, receive and deliberate on complaints, for example, about non-compliance; act as a clearing house for information and reports; respond to significant cases affecting the integrity of the NPT and represent the Treaty in general.

Role of the Preparatory Committees

To avoid repetitive discussions at each Preparatory Committee, alternatives should be considered, e.g. by assigning at the outset of the review cycle focal areas for each of the Preparatory Committee, including but not limited to the three pillars of the NPT (i.e. peaceful uses, non-proliferation and disarmament). Thus, the Preparatory Committees could be enabled to concentrate on these focal areas, the proceedings possibly reflected in the form of a "rolling text" under the Chair's responsibility. In parallel, Preparatory Committees should be in a position to respond to time-critical developments relative to the implementation of the NPT.

Proceedings at the Preparatory Committees

Given time constraints at Preparatory Committees, it seems appropriate to limit the time allocated to formal exchanges at the General Debate, or to eliminate the General Debate altogether, and to structure the Cluster debates more informally, in particular by organising interactive topical discussions on reports submitted by states parties, and by the inclusion of a broad range of stakeholders.

Proceedings at the Review Conference

Most high-level statements are delivered within the first few days of the general debate, and much of what is said is subsequently only repeated during main committees. Therefore, time limits could be placed on general statements delivered in the main committees. This more efficient use of time would allow for a greater substantive discussion of issues earlier on in the main committees.

The present structure of the three main committees, presided over by the chairs of the Preparatory Committees, has withstood the test of time. The Bureau should coordinate the work of the committees so that the substantive responsibility for preparing the report regarding each specific issue is undertaken in only one committee.

Since 2000 the President has taken over the drafting of decisions and final documents of the Review Conference. The President could more efficiently delegate these functions to a drafting committee.

Reporting

In order to assess the implementation across the three pillars of the Treaty, reporting on Treaty obligations is a key element, particularly regarding Article VI. However, in the past reports varied widely in terms of structure and detail. So that future reports are more comparable amongst themselves, a unified reporting template

should be established. For Nuclear Weapons States, in particular concerning commitments under Art. VI, such reports should have a backwards-looking aspect, describing achievements in terms of nuclear disarmament and arms control and concrete plans for future undertakings. These reports should be examined in well-structured, dedicated and interactive sessions of the Preparatory Committees and the Review Conference, respectively, with the inclusion of a broad range of relevant states parties and non-state parties.

Institutional Support

In the past, the preparation and conduct of meetings throughout the review cycle has been ably assisted by the United Office for Disarmament Affairs. However, the creation of a small, dedicated implementation support unit should be considered in order to:

- Respond specifically to the administrative and logistical needs of the chairs.
- Assist and facilitate Treaty meetings and intersessional work.
- Provide advice, background documentation and analysis.
- Analyse and consolidate documents submitted to the Preparatory Committees and the Review Conference.
- Assist the chairs in preparing recommendations and decision-making.
- Promote continuity between and within review cycles and facilitate more informed planning and preparation for the review conferences.
- Coordinate with states parties, non-governmental entities and United Nations agencies.

By taking steps in such direction, NPT states parties would pave the way for more meaningful discussions in this Review Cycle and set the tone for a better outcome of the 11th NPT Review Conference in 2026. In these times of growing polarisation, these moves would represent a significant achievement and an indication that NPT members are willing to turn the tide on arms control, disarmament and nonproliferation.

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By taking steps in such direction, NPT states parties would pave the way for more meaningful discussions in this Review Cycle and set the tone for a better outcome of the 11th NPT Review Conference in 2026.

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The NPT: the cornerstone or headstone of the global non-proliferation regime?

Olamide Samuel

The NPT has been a cornerstone upon which the rest of the global non-proliferation architecture has been developed. The emergence of the TPNW, and the near-global acceptance of safeguards, can be traced to Articles VI and III of the NPT.

Without a doubt, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has cemented its place as the cornerstone of the global non-proliferation regime. Referring to the NPT as the cornerstone is one of the few things that NATO[1] and ICAN[2] agree on, albeit for different reasons. The Former UN Secretary-General, the late Kofi Annan, even went further to hail[3] the NPT as a "true cornerstone of global security", as has every UN Secretary-General after him. It is obvious that the NPT is of great significance to global security, but the notion of a 'cornerstone' is a rather specific characterisation that the NPT enjoys.[4] This specificity begs the question: what really is a cornerstone?

As a contemporary expression, the cornerstone of something refers to a basic feature on which a particular thing depends. So when the US State Department[5] refers to the NPT as "the cornerstone of the nuclear non-proliferation regime and the basis for international cooperation to prevent the spread of nuclear weapons", 'cornerstone' can be understood within the context of contemporary usage.

In masonry[6], a cornerstone is traditionally the first stone laid for a structure, which orients a building in a specific direction. After a cornerstone was laid, the rest of the building could be structured around it. This is a tradition that has existed for millennia, with variations in ancient Mesopotamian, Egyptian, and Greek cultures.

The NPT has been a cornerstone upon which the rest of the global non-proliferation architecture has been developed. The emergence of the Treaty on the Prohibition of Nuclear Weapons (TPNW), and the near-global acceptance of safeguards, can be traced to Articles VI and III of the NPT.[7] And the NPT's three pillars have provided some stability, even as the torrents of great power adversity have threatened to erode the facade[8] of security through deterrence.

Yet, at the same time, the NPT marks the site where illustrious dreams lay buried. The 13 practical steps[9] on non-proliferation and disarmament, crafted in the 2000 RevCon, remain mostly unfulfilled alongside the 64-point action plan[10] forged a decade later. Now, the idea of consensus outcomes emerging from any NPT RevCons increasingly appears to be the next casualty as we return to the cornerstone once more to bury another illustrious dream.

A cornerstone's significance is judged by its ability to eventually support and orient a building in a specific direction. But, a cornerstone without a building, a stone that primarily signifies the burial place of entities, is a headstone. It is, therefore, interesting that in the 1700s the word headstone evolved[11] out of the frequent use of 'cornerstone', to refer to a burial site.

The 2022 RevCon produced a glimmer of hope when the decision[12] was taken to have discussions on further strengthening the review process. Thanks to the decades-long efforts of numerous non-governmental organisations and certain states, some state parties now recognise that the NPT's striking feature is its institutional deficit. The Working Group[13] established to discuss further strengthening the review process of the NPT is a result of this long-overdue recognition.

During his lifetime, Jayantha Dhanapala, President of the 1995 Review and Extension Conference, opined[14] that "the NPT would

indeed benefit from the establishment of some permanent institutional infrastructure to deal with both routine and important issues that arise between the various five-year Review Conferences".

In the years that followed, numerous proposals have been put forward to erect some form of institutional structure around the NPT. Some proposals have been quite ambitious, calling for the establishment of a General Conference[15], Executive Council[16], or Secretariat[17]. Doubts have been cast[18] regarding the feasibility of the more ambitious plans due to problems that could arise if these plans overlap with existing functions of the IAEA, the Security Council, and the First Committee of the UN General Assembly.

However, there are now proposals[19] which are comparatively more measured. Most call for the formalisation[20] of a bureau to allow for greater continuity across review cycles. Some call for the establishment[21] of a Treaty Support Unit (TSU) to substantively, administratively, and logistically facilitate NPT meetings, and aid treaty work in the intersessional periods.

The particularly tumultuous international security environment today requires that we strive to replicate the ambition and craftsmanship of the finest diplomatic qualities demonstrated by our predecessors. With this in mind, I strongly suggest that we collectively work towards realising these recent proposals - they are feasible and truly are in our collective interest. We have a unique opportunity to protect the NPT as the cornerstone of the global nuclear non-proliferation regime, a cornerstone that Jayantha fought so hard to preserve in 1995.

25 July 2023

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Pillar I: Is disarmament doomed to stay the unfulfilled obligation of the NPT?

Maren Vieluf

In many ways, the NPT is a success story: It has been a highly effective instrument in preventing and delegitimising nuclear proliferation (pillar 2) and establishing and controlling peaceful uses of nuclear energy (pillar 3). However, the disarmament pillar (pillar 1) is discernibly lagging behind the other two. This endangers the overall success of the NPT as its three pillars, although separate, remain interdependent and interlinked.

This known disbalance[1] between the pillars was most recently laid bare at the 10th NPT RevCon in August 2022. Adding to an already deteriorating international security environment and the fundamentally polarised perspectives on the feasibility of disarmament, the unjustified Russian war of aggression against Ukraine that began in February 2022 has exasperated the challenges that the NPT regime is facing. Although the disarmament pillar had made little progress even before the war, Russian rhetoric[2], behaviour[3], and actions[4] over the last year have undermined the norms underlying and strengthening the NPT regime. As the progress in this pillar is stagnating, disarmament needs special attention in this review cycle until the 11th RevCon in 2026.

Considering the significant and highly dangerous increase in the risk of (un-)intended nuclear weapons use[5], it's paramount not to lose sight of disarmament and the goal of a world without nuclear weapons. Building up nuclear arsenals cannot be the solution, and the case for nuclear disarmament[6] is stronger than the one for (re-)armament and deterrence. The world does not want a global nuclear arms race. Progress on nuclear risk reduction and transparency measures should be vital to shaping the global security environment into one that will allow nuclear disarmament as envisioned in the NPT. Not only as an end in itself but also as an interim success[7] and stepping stone towards fulfilling disarmament obligations. Risk reduction is where the NPT member states can and should make progress now.

Disarmament in the NPT regime

The NPT's grand bargain includes and hinges on all pillars: non-nuclear weapon states (NNWS) enjoy the benefits of peaceful uses while promising not to develop or acquire nuclear weapons themselves, while the five nuclear weapon states (NWS) – who are also the five permanent members of the UN Security Council (the P5) – support the NNWS in these endeavours. At the same time, all member states – with a special focus on the NWS – are obliged "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control" (Art. VI of the NPT).[8]

After the indefinite extension of the NPT in 1995, both the 2000 and 2010 Final Documents formally strengthened the commitments to disarmament and were aimed at underpinning the Art. 6 obligations with concrete measures. Despite this, the number of nuclear weapons in the world has not been reduced through the NPT mechanisms, nor has there been a decline in their role in the defence and security strategies of NWS. Nuclear weapons have yet to be delegitimised as envisioned. Instead, the status quo of

Although the disarmament pillar had made little progress before the war, Russian rhetoric, behaviour, and actions over the last year have undermined the norms underlying and strengthening the NPT regime.

a two-tier split between NWS and NNWS is being solidified as NWS are not fulfilling their Article VI obligations. They are not only keeping their arsenals but are even modernising and expanding them[9] due to either ingenuity and/or an unwillingness to deliver on their promises. With states at odds on the "urgency, method, sequencing, and relationship with other strategic issues"[10] of this disarmament obligation, the disarmament pillar hinges on the willingness of the NWS and, as a result, lies idle.

Complicating matters further, there is also a numerical divide within the P5 states that hinders joint measures. As the United States and Russia possess more than 90 percent of the world's nuclear weapons, they are responsible for leading the way enshrined in agreements among NPT states parties. Reductions in the arsenals of these two actors are mainly associated with unilateral cost-benefit calculations and evaluations of what is necessary and sufficient for defence purposes.

The lack of implementation of and commitment to Article VI obligations endangers the NPT as it challenges overall compliance and erodes hard-won nuclear norms. The UN Treaty on the Prohibition of Nuclear Weapons (TPNW) reflects the dissatisfaction of many NNWS. While there can be no disarmament without the nuclear weapon states, there is no visible progress on disarmament with or by them. The TPNW, therefore, allows NPT member states to enrich the dialogue on nuclear weapons with a perspective that is often overlooked: the humanitarian consequences of any nuclear weapons use and the cost of nuclear deterrence—something the world is currently confronted with in the war in Ukraine.

Risk reduction as a priority

The 2022 NPT RevCon solidified these differences and the lack of agreed-upon concrete steps for working towards nuclear disarmament. It is, therefore, now time to infuse this pillar with fresh impulses and ideas and revisit and revive ideas already out there, with risk reduction being the most urgent. Risk reduction is the key to keeping the disarmament pillar alive. Not only short- but also medium- and long-term measures are needed. Reducing and eliminating nuclear risks is a common interest. Still, the first and critical hurdle to overcome is the willingness to kick-start the discussion on risks, risk reduction, and risk reduction measures, mainly amongst the P5 but also in the wider context of both the NPT and potentially with other nuclear-armed states who aren't yet members of the NPT.

The 'subjectivity' of nuclear risk and the different interpretations of definition and scope have hindered finding a common understanding of risks – which would be the foundation of any risk reduction steps. Risk reduction is also misused to ensure the credibility of deterrence and not as a tool for arms control and disarmament. Nuclear deterrence is dependent on the credible threat of nuclear weapons use and often paired with strategic ambiguity of nuclear use scenarios, while risk reduction measures often aim at reducing ambiguities. While NPT states parties tend to agree that risk reduction is neither a precondition nor a substitute for nuclear disarmament, there is an observable mismatch between words and actions.

It is now time to infuse this pillar with fresh impulses and ideas and revisit and revive ideas already out there, with risk reduction being the most urgent.

The war in Ukraine and the nuclear threats by Russian officials have a variety of implications for any risk reduction endeavours and the NPT review process as a forum for progress. The risk of nuclear weapons use has not been this high in decades, and Russia uses nuclear threats to push through its imperialist agenda. The invasion shows that a P5 member state, an 'accepted' NWS entrusted with safeguarding peace and security via the UN Security Council, can disrespect and break international law, treaties, and norms. The ink was not yet dry on both the P5 working paper[11] on strategic risk reduction from December 2021 and the P5 reiteration[12] of the Reagan-Gorbachev-Formula that "a nuclear war cannot be won and must never be fought" from January 2022, when Russia invaded Ukraine.

Risk reduction is understood as the management of risks associated with nuclear weapons and, more specifically, the prevention of nuclear conflict and any nuclear weapons use. The facets of use, either doctrinal, rhetorical, escalatory, accidental, unauthorised, or inadvertent, have received significant attention in the past decade but have earned a new urgency. To step back from the brink of nuclear escalation, Russia must stop using the inherent risks of nuclear weapons to support its war of aggression. The NPT member states need to find implementable, ambitious but achievable, holistic, interlocking, mutually reinforcing, adaptive, tangible, and sustainable tools and measures to reduce the risks of nuclear weapons use. These hinge on the political will of all states and need to be mutually beneficial while enabling verification measures to be trusted tools.

The NPT risk reduction agenda

Dialogue is the first step toward risk reduction. The NPT Preparatory Committee meetings (PrepComs) leading up to the next RevCon and the P5 workflow are essential in this regard. Other initiatives, such as the 22 Stepping Stones[13] formulated by the Stockholm Initiative and the US-led working group on Creating the Environment for Nuclear Disarmament[14] (CEND) – especially subgroup three on risk reduction[15] – will be needed to create a feasible but ambitious risk reduction agenda to help build an avenue to reducing risks, as well as arms control and disarmament. Initiatives and suggestions by NNWS, as well as civil society and academia, are important building blocks of a common strategy to reduce nuclear risks.

This agenda should include dialogue on risks, misperceptions, and misunderstandings to build a common understanding of risks and measures to reduce them in the first place. Confidence-building and transparency measures, crisis prevention, and management tools, including hotlines and risk reduction centres, are known and effective measures to expand. Further measures of de-alerting and de-targeting, as well as refraining from launch on warning[16] (LOW) policies by the US and Russia (allowing instant retaliatory nuclear strikes in case of detection of a missile strike), should also be explored. Statements and declarations on nuclear policy and limits on certain weapons that could lower the nuclear threshold should also be included.

Existing tools and measures should be revisited and audited to deal with the ambiguity of treaty obligations, norms, and declaratory

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policies. The relationship between conventional risks and those risks arising from new tech needs to be explored. Unilaterally, NWS can do a lot to reduce risks and positively inspire others, including no-first-use or sole-purpose statements that would need to be reflected in a declaratory policy and force structure adaptations.

A step-by-step approach to disarmament is the only feasible way to reduce nuclear weapons, but it needs mutual reassurance, trust, coordination, and fulfilment of these steps. Due to growing geopolitical tensions, concrete risks of nuclear escalation in the war against Ukraine, and a re-commitment to armament and deterrence, this seems unlikely today – which makes it more critical than ever. Waiting for the right security environment instead of creating it and the lack of commitment to maintaining existing, and building new, risk reduction measures also have a hand in the perceived increase in risks. NWS must step up and work tirelessly on risk reduction to fulfil their NPT commitments.

5 April 2023

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Expanding the UN General Assembly's role in managing disarmament and non-proliferation challenges

Konstantin Larionov

Article VIII(3) of the Nuclear Weapon Non-Proliferation Treaty (NPT) requires States Parties to review the Treaty's implementation and assess if implementation is satisfactory. The Review Process – centred on periodic meetings of the Treaty's parties – aims to determine whether the Treaty is functioning as expected. Despite this, a majority of NPT non-nuclear-weapon parties (or NNWS) argue that nuclear-weapon states' (NWS) fulfilment of their obligations remains inadequate.[1]

Throughout the Treaty-mandated Review Conferences (RevCons) held in 1995, 2000, and 2010, significant disarmament commitments were reached, including the decision on "Principles and Objectives for Nuclear Non-Proliferation and Nuclear Disarmament,"[2] the 13 "practical steps,"[3] and the 64-item Action Plan[4], respectively. However, their implementation has faced significant challenges, with many of their provisions remaining far from realised.[5] In response, the vast majority[6] of NPT States Parties have mobilised to break an entrenched deadlock on the platform of nuclear disarmament.

Humanitarian Initiative: Playing by different rules

Based on the Humanitarian Initiative – a group of states driven by the idea of accelerating nuclear disarmament due to the catastrophic humanitarian consequences of any use of nuclear weapons (hereafter referred to as "ban supporters") – turned to the UN General Assembly (UNGA) First Committee for initiating negotiations that fell short of reaching consensus within the NPT forum.

Through a UNGA-mandated process, ban supporters managed to establish an open-ended working group (OEWG), follow its recommendation for a negotiating body (United Nations Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons), and adopt the treaty text that this body produced (Treaty on the Prohibition of Nuclear Weapons – TPNW). The TPNW was eventually adopted by the clear majority of UN Member States.[7]

Learning from the UNGA

The Humanitarian Initiative's triumphant journey has shed light on the operational methods and practices of the NPT Review Process, necessitating either essential reforms or filling in gaps externally:

Consensus rule and outcome document

The shift of advocates for humanitarian disarmament to the UNGA reflects a well-established and enduring pattern of circumvention.

In 2013, a similar group of states leveraged their majority in the UNGA to achieve the adoption of the Arms Trade Treaty (ATT),[8] which established common standards for the international transfer of conventional weapons. This achievement followed two consensus-based UN conferences that failed to reach an agreement. The ATT proponents shared a common perspective that prioritised human security[9] over the traditional state-centred security approach. These states were able to secure provisions that forbade the export of conventional weapons in violation of arms

embargoes or for use in acts of genocide, crimes against humanity, war crimes, or terrorism.

As evident, the UNGA stands out due to its non-consensus decision-making process – it allows for adopting resolutions by a majority vote. This differs from the practices followed in the Conference on Disarmament and the NPT meetings.

Established in 1975, the NPT rules of procedure "call for every effort to be made to reach agreement on substantive matters by means of consensus."[10] This means that decisions are typically reached through consensus, even though the possibility of resorting to voting formally exists.

However, lacking alternative decision rules[11], such as the "unanimity minus one" model, numerous RevCons have failed to adopt a consensus final document or substantive decisions due to the opposition of either a single State Party or a minority group of delegations.

The NPT's reliance on consensus tradition is further complicated by its practice of producing an all-encompassing final document meant to reflect every discussed issue: if a State Party objects to a single wording, it halts progress on the entire text.

Unless the NPT opts to reconfigure[12] the report's structure – for example, by reflecting individual recommendations and proposals that have garnered consensus support or segmenting the report into distinct sections – the most advantageous format continues to mirror that employed in the UNGA. This approach ensures an equitable opportunity for resolutions to succeed through voting and diminishes the likelihood of proposed wordings being diluted or entirely left out.

Addressing the evolving nature of security risks through a coordinated response

Throughout the UNGA First Committee negotiating process, ban supporters achieved formal recognition for the moral position that the use of nuclear weapons is incompatible with concepts of humanity, as well as the norm to stigmatise nuclear weapons and a nuclear deterrence-based notion of security.

While the International Court of Justice (ICJ) did not definitively determine[13] the legality of the threat or use of nuclear weapons for defensive purposes, the Humanitarian Initiative has further solidified the customary rejection of such actions. The ELN's Protecting the Non-Proliferation Treaty[14] project has also suggested that the UNGA could seek a new Advisory Opinion from the ICJ on the legality of nuclear threats, considering post-1996 developments.

Presently, these reverberations extend beyond the General Assembly, evident in the G20 leaders' declaration from last year that unequivocally condemned[15] the use or threat of use of nuclear weapons as "inadmissible."

Within the UN system, these norms now have the potential to extend to discussions on various doctrinal measures, including refraining from first use or eliminating launch-on-warning policies.

The UNGA stands out due to its non-consensus decision-making process – it allows for adopting resolutions by a majority vote.

Regrettably, these crucial intersections are rarely addressed within the NPT Review Process platform, resulting in nuclear disarmament commitments existing in isolation from other pressing global issues.[16] Given the UNGA's broad political mandate and capacity to rally a much broader range of coordinated efforts across the UN system, utilising its wealth of expertise in these specific areas could hold the promise of becoming focal points for General Assembly resolutions. This, in turn, could open pathways for potential new multilateral agreements.

While there is no assurance that these agreements will definitively bring about change among nuclear-armed states, the General Assembly's authority, as the most inclusive body in the UN, can shed light on critical issues and exert pressure on those responsible for problematic actions.

Institutional capacity and responsiveness

By convening annually, the UNGA exhibits greater responsiveness to immediate challenges and maintains more frequent activity than the NPT community. In contrast, RevCons occur once every five years and lack a continuous institutional presence.

Currently, preparatory committees find themselves unable to bridge this void between RevCons. As Paul Meyer rightly pointed out[17], the annual PrepCom meetings "have been content with taking a few, basic procedural steps and have put off any decisions on substance to the review conferences themselves."

Even worse, due to the disagreement[18] on the documents to be included in the latest PrepCom's procedural report, the reflections (or recommendations, as presented by the Chair), whether related to procedural or substantive aspects, were not formally endorsed for consideration in the next 2024 PrepCom session. This development deals a significant blow to the principles[19] of "coordination" and "continuity" crucial for ensuring the effective consolidation of all agreed proposals into final recommendations for the 2026 NPT RevCon.

Without annual NPT meetings authorised to adopt substantive decisions or a mechanism for arranging early emergency meetings, the UNGA remains the only platform capable of swiftly laying the groundwork for broader legal frameworks in non-proliferation and disarmament-related matters. Moreover, it holds sufficient authority[20] to address immediate threats of non-compliance in situations where the UN Security Council (UNSC) has not intervened or has proven ineffective. Unlike the UNSC, which is endowed with enforcement powers, General Assembly resolutions can act preventively by urging a country to restore compliance. This way, North Korea's violation of its IAEA Safeguards Agreement and its NPT obligations established a precedent for the UNGA's involvement.[21] Additionally, the 2022 landmark resolution[22] now empowers the UNGA to hold the five permanent UNSC members accountable for their use of the veto.

The UNGA remains the only platform capable of swiftly laying the groundwork for broader legal frameworks in non-proliferation and disarmament-related matters.

For a considerable period, efforts to address institutional gaps within the NPT through proposals for a standing bureau[23] or a support unit[24] have not been included in the final document. The NPT working group on Strengthening the Review Process, established[25] after the 2022 NPT RevCon to readjust the review

cycle, failed to adopt draft recommendations despite several promising proposals.

In this context, an alternative method for restructuring the procedural development of the NPT could be to bolster accountability through the UNGA institutional apparatus. Although the NPT calls for regular reporting from States Parties, it is deficient in the oversight capacity needed to receive, process and formulate responses to these reports. Yet, the transition of this responsibility to the UNGA's jurisdiction is likely to face resistance, particularly from nuclear-weapon States Parties who may be hesitant about ceding control over the Review Process.

Implications for the NPT

Much like the credibility crisis that affected the Humanitarian Initiative over disarmament commitments, dissatisfaction has been steadily increasing among Arab states due to the insufficient progress in implementing the 1995 Middle East resolution. While the NPT Review Process played a significant role in initiating discussions on a WMDFZ in the Middle East, the indefinite postponement of the 2012 conference[26] and the failure of the 2015 NPT RevCon to adopt a final document have fueled the coalition's determination to press for progress outside the NPT framework. Ultimately, under the League of Arab States' project, the UNGA passed a resolution[27] on 22 December 2018 to convene a Conference with the aim of launching on its own terms the negotiation process for a legally binding WMDFZ in the Middle East agreement.

The effectiveness[28] of addressing demands for a legally binding instrument to prohibit nuclear weapons and a WMDFZ in the Middle East within the UNGA-mandated process became apparent when it helped alleviate some of the pressure typically associated with these issues during the NPT meetings. During the 2022 NPT RevCon, both ban supporters and Arab states demonstrated an encouraging willingness to compromise to preserve the integrity of the Treaty, even though the draft final document[29] was significantly weakened on all three pillars.

The effectiveness of addressing demands for a legally binding instrument to prohibit nuclear weapons and a WMDFZ in the Middle East within the UNGA-mandated process became apparent when it helped alleviate some of the pressure typically associated with these issues during the NPT meetings.

Contrary to some apprehensions, this shift has not caused a separation between the States Parties to the NPT into those "inside" and "outside" the Review Process. Both the Humanitarian Initiative and the League of Arab States made deliberate efforts to ensure that progress achieved outside the NPT was duly recognised by the 2022 NPT RevCon.

A more pessimistic view suggests that due to the persistently unfavourable environment within the NPT Review Process towards the disarmament provisions promoted by the Humanitarian Initiative, backed by various Non-Aligned States Parties and the New Agenda Coalition, the expected transition of the "critical mass" of NNWS (ban supporters account for an unprecedented 83% of the NPT States Parties) towards the UNGA may pose risks to the legitimacy of the NPT platform.

While the prospect of a mass exodus of States Parties from the Treaty under Article X is improbable, the NNWS might show reduced interest in engaging in discussions within the

NPT. Eventually, this might evolve into a "Who can RSVP last?" contest, where States Parties hurriedly assemble smaller national delegations comprising diplomats in less senior positions. In the grand scheme of things, this might result in diminished institutional memory[30] among political leaders and diplomatic officials of the NPT Review Process and its major achievements, encompassing those endorsed in 1995, 2000, and 2010.

Key issues to address in the UNGA

The NPT's attractiveness to states and its image as the cornerstone of the global non-proliferation regime will fade unless there are concerted efforts to bridge the divide between promises and actual implementation. Repeated after each unsuccessful Conference, it may sound like a cliché, but the next few years of the review cycle leading to the 2026 NPT RevCon will prove pivotal in determining whether the Review Process remains stable or succumbs to significant challenges.

The General Assembly can serve as a UN channel to mitigate discrepancies within the NPT, without undermining its widely recognised reputation. This approach would aid in developing modalities and formulating policy recommendations for crucial non-proliferation and disarmament commitments, which had been hindered for decades within the NPT:

- Should the NPT States Parties not succeed in advancing the step-by-step disarmament process, such as establishing subsidiary bodies under the NPT to address longstanding agreed objectives of the Treaty (e.g., negotiating a Fissile Material Cut-Off Treaty – FMCT), these states might also choose to discuss the modalities of fissile material production ban negotiations in the UNGA First Committee. The UNGA could then adopt a resolution to authorise these negotiations under its auspices.

- In relation to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), one potential approach[31] is to consider the implementation of provisional application as a means to circumvent the requirements of Article XIV and Annex 2 temporarily. Taking such action could significantly mitigate the present risks posed by a small group of states obstructing the CTBT's entry into force.

  In practice, a special conference involving ratified CTBT states and signatory states (as observers) could help with negotiating a protocol on provisional application. It could subsequently secure endorsement through a majority vote in the UNGA.

  It is unlikely that the General Assembly's endorsement will force the remaining eight States listed in the CTBT's Annex 2 to ratify the treaty. However, reinforcing the legal validity of the norm against nuclear testing would accelerate, rather than diminish, the motivations for reluctant states to do so.

  This is evident from the cases of Argentina and Brazil, which had advanced nuclear programs but were not initially part of the Nuclear-Weapon-Free Zone in Latin America and the Caribbean, established by the Treaty of Tlatelolco. Over time, the norm against nuclear weapons prompted[32] these two states to dismantle their nuclear capabilities and join the treaty.

The NPT's attractiveness to states and its image as the cornerstone of the global non-proliferation regime will fade unless there are concerted efforts to bridge the divide between promises and actual implementation.

Otherwise, if the long-standing agreed goals, such as FMCT and the CTBT, continue to be merely ritualistic calls without substantial action, the commitment of States Parties to these goals may wane.

- Calls for the reduction of nuclear forces and reliance on nuclear weapons in security doctrines are also at risk of losing much of their relevance as the comprehensive TPNW process for the total elimination of nuclear weapons gains traction.

  Initially, the draft final document[33] of the 2022 NPT RevCon prominently featured a number of nuclear risk reduction measures. However, as the delegation of Russia blocked approval for the final document, the proposed language on risk reduction did not receive formal recognition.

  If these proposals are not implemented as a result of the eleventh review cycle, the view that risk reduction distracts from and is not conducive to the ultimate goal of nuclear disarmament is likely to gain more sympathy from non-nuclear-weapon States Parties.

  At the same time, shifting these matters to the UN forum would address criticisms that risk reduction talks excessively occupy the Review Conference's time. An essential first step in this process is establishing a Group of Governmental Experts, which can be appointed by the Secretary-General following the General Assembly endorsement, alongside an OEWG capable of negotiating specific documents or, at the very least, facilitating open discussions among Member States. Negotiations with a similar scope are underway within the P5 framework. Still, they lack inclusivity as they only involve the five States – officially recognised as possessing nuclear weapons by the NPT, and are conducted at an expert rather than a ministerial level.

The NPT plays an unassailable role as the symbol of international efforts to curb nuclear proliferation. At the same time, it stands as just one element among a larger set of arrangements that together form the global non-proliferation regime. Why close the old door and open a new one when you have the option to forge a corridor that connects the best of both worlds?

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Reforming the 'London Club': How transparency and outreach can benefit the Nuclear Suppliers Group

Louis Reitmann

The Nuclear Suppliers Group (NSG) are 48 states that have committed to following a set of rules, known as the NSG Guidelines, when exporting nuclear and dual-use items. Their ambition to prevent the proliferation of nuclear weapons was born from India's first nuclear weapon test in 1974. With its first meeting taking place in London, the Group earned the nickname 'the London Club'.

Today, the NSG is facing challenges in ensuring the peaceful nature of nuclear trade. Ahead of the NSG Plenary in Buenos Aires starting on 10 July 2023, Participating Governments should consider how enhancing the Group's transparency and outreach to third countries can help them address these challenges.

Universalising nuclear export controls

Many states outside of the NSG have the capability to export items and technology that could be used in a nuclear weapons programme. However, admitting additional states to the NSG complicates decision-making by consensus. In recent years, amending the Guidelines and control lists has become difficult[1] with rising tensions between some Participating Governments.

Moreover, most states outside the NSG are smaller, non-exporting countries. Their role in the transhipment of sensitive items makes them key players in nuclear trade, as illustrated by the Khan network, which reportedly[2] used over 30 shipping points to divert items and technology to nuclear weapons programmes in Libya and North Korea. However, most of these states have neither the resources for nor the interest in becoming Participating Governments.

Therefore, universalising nuclear export controls must be achieved by expanding voluntary adherence to the Guidelines, not the number of Participating Governments.

Long-standing image problem

Ongoing efforts to undermine confidence in export controls acutely challenge the NSG's legitimacy: UN General Assembly Resolution 76/234[3], launched by China and supported by Russia, claims a dichotomy between export controls and development that is easily disproved. For example, in 2020[4], denied exports made up only 0.03% of total exports from the EU Member States, all of which participate in the NSG.

Beijing and Moscow use such disinformation to weaken international acceptance of Western controls in response to China's military-civil fusion strategy and Russia's invasion of Ukraine. Despite the untenability of these claims, they are harmful to the NSG because of its long-standing image problem. It has historically been perceived as a closed group of industrialised countries by the Global South. Common misperceptions include that the Guidelines give preferential treatment to Participating Governments, or that export denials have discriminatory motives.

A weaker standing with developing countries, many of which have yet to adopt or implement effective nuclear export controls, threatens the NSG's goal of universal adherence to the Guidelines

Universalising nuclear export controls must be achieved by expanding voluntary adherence to the Guidelines.

at a time when many developing countries are planning to expand their use of nuclear technologies.

Looking towards transparency and outreach

Previous proposals to make the NSG more open and engaging have been met with both staunch and unsubstantiated resistance from a handful of states. Some may argue that because of the frosty relations between the West and Russia, which prevented the adoption of a Plenary statement in 2022, any measures beyond business as usual must be postponed to preserve the regime. In fact, the opposite is true. In the face of harmful disinformation, inaction on transparency and stakeholder engagement is not a solution but only adds to the problem.

Ahead of the NSG Plenary in July 2023, Participating Governments should consider the following options for enhancing transparency and outreach. All would help improve relations with third countries and facilitate adherence to the Guidelines at minimal downside risk. Resistance, especially from China and Russia, should be expected. However, several measures can be implemented by coalitions of states, without consensus. If championed by influential states, they may become de facto Group-wide.

Listing third countries that adhere to the Guidelines

Announcements of states' adherence are published individually in the IAEA's INFCIRC series but cannot be found easily. Searches in the INFCIRC online archive[5] produce incomplete results.

Publishing a complete list on the NSG website would provide a fuller picture of the global adoption of nuclear export controls. It would also make it easier for states considering adhering to the Guidelines to consult with partner countries that already do so. Especially those with reservations about the NSG may be more responsive to hearing about their peers' experiences. To support this, Participating Governments could facilitate exchanges or peer-to-peer training between states adhering to and not yet adhering to the Guidelines.

Upgrading communications materials

The NSG has created some useful resources, including a website, video, and brochure, but it should deliver its messages in a more accessible, engaging, and tailored way.

For example, the NSG's annual publication INFCIRC/539 is 12 pages long and includes a chronology of its development, using big paragraphs and clunky language. It doesn't present the information most relevant for third countries in a digestible format, nor does it signal interest in engaging with stakeholders. The occasional updates to INFCIRC/539[6] are minimal, so stakeholders have no incentive to read future revisions.

The NSG should produce materials that are more tailored to the interests of its audiences (third countries, industry, civil society). It already publishes language[7] that responds to common criticism and misinformation about the NSG, e.g. around transparency

or licensing decisions. However, buried in INFCIRC/539, this is ineffective.

Expanding outreach by the NSG Chair

The NSG should expand outreach to third countries by the NSG Chair. In particular, the Chair should convene events to provide information beyond what is available on the NSG website, e.g. about the experiences of third countries adhering to the Guidelines.

Occasions when relevant officials come together, such as the IAEA General Conference, are excellent opportunities for the Chair to conduct targeted outreach, meeting third countries to promote adherence, and nurture relations with adherents to the Guidelines. Safeguards universalisation efforts show[8] that outreach at General Conferences can trigger progress, especially where national delegations include ministers. The NSG should build on positive examples like the nuclear export controls-themed side events at the 9th and 10th NPT Review Conferences.

Offering resources on adherence to the Guidelines

As proposed in the 2015 Plenary statement[9], the Group should take a more accommodating and promotional approach to adherence. While the NSG website and INFCIRC/539 provide basic information about adherence, the Group could do more to encourage and facilitate it by:

- Providing a template for the letter which states have to send to the IAEA Director General for publication in the INFCIRC series if they decide to adhere to the Guidelines;
- Underlining the attractiveness of adherence for smaller, non-exporting states as a way to meet their obligations under UNSCR 1540;
- Giving detailed information about the requirements and implications of adherence, including legislative and administrative changes;
- Informing about available nuclear export control training and assistance.

These materials would help the NSG Chair to conduct more effective outreach. The IAEA uses similar materials to promote amendment and recissions of outdated Small Quantities Protocols, e.g. a template decision letter and implementation guide.[10]

Publishing an agenda and national statements at Plenary sessions

Publishing Plenary agendas and national statements would underline that nuclear export controls are a global public good, discussions to which all states should have some access. Offering insights into the NSG's priority issues and debates would help states adhering to the Guidelines better understand how the controls they implement and the regime at large are developing.

Crucially, this is a way for the NSG to more effectively dispel the narrative of being an opaque club of developed countries wanting

to restrict access to nuclear energy in the Global South. Publishing national statements would show that Participating Governments have no such intentions, that views within the NSG are diverse, and that facilitating the peaceful use of nuclear energy and technologies is a core objective for all participants, especially for G77 members within the NSG like Brazil, Argentina, and South Africa.

Publishing prepared statements without opening meetings to outsiders also preserves confidentiality, which the NSG says enables frank discussions among states.

Announcing when NSG bodies meet

Making the meeting dates of the Plenary, Consultative Group, Licensing and Enforcement Experts Meeting, and the Technical Experts Group available on the NSG website would allow stakeholders, including adherents and other third countries as well as experts, to provide Participating Governments with timely input for national proposals.

A starting point

Over the decades, the NSG has made a key contribution to global security. Now including members like China, South Africa, and Mexico, it has come a long way since the days of 'the London Club'. However, it has been neither ambitious nor effective in communicating this to an audience that, with globalised nuclear supply chains, is increasingly important to its success – non-nuclear suppliers in the Global South.

Considering how the NSG could do better on transparency and outreach is not about eroding the principles by which the Group works; it is about preserving its achievements to date and fulfilling its mission of universalising nuclear export controls. The above suggestions are a realistic, pragmatic starting point for this.

4 July 2023

The NSG has made a key contribution to global security, but it has been neither ambitious nor effective in communicating this to an audience that is increasingly important to its success – non-nuclear suppliers in the Global South.

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Pillar III: the quiet success story of the NPT RevCon

Olamide Samuel

With the eleventh Review Conference (RevCon) of the nuclear Non-Proliferation Treaty (NPT) slated for 2026, the first session of its Preparatory Committee will be held this year in Vienna. As the NPT cycle has been cut to four years instead of five due to pandemic-related delays, there is limited time for considered reflections on the 'failure' of the Tenth NPT RevCon to produce a final consensus document.

Given the prevailing international security environment, the near possibility of a 'successful' tenth RevCon was surprising. The Russian delegation's last-minute decision to block consensus was equally surprising and ultimately led to the conference's failure. Russia's actions were especially disappointing, considering that numerous delegations were prepared to set aside their misgivings about the final document and join the consensus. With the exception of Russia, the symbolic importance of adopting a 'middle-ground' outcome document on the 50th anniversary of the treaty was widely understood to be of paramount importance.

Understandably, reflections on the tenth RevCon have mainly focussed on assigning blame, whilst others have analysed what went wrong. While Russia rightfully deserves the lion-share of condemnation for the failure of the conference, beyond this, some degree of culpability lies with the nature of the review process itself. Important RevCon decisions have increasingly been reached during unofficial negotiations carried out by small groups of states. These negotiations have become so commonplace that RevCon participants even expect the conference president to facilitate (or at least 'bless') these proceedings. Such a dynamic invariably leads to opacity and the exclusion of some states and civil society.

Amongst the numerous shortcomings of such a dynamic, this RevCon suffered because Russian disengagement from the process was barely visible until the last moment. Increased transparency might have enabled states to identify Russian resentment before it was too late. Similarly, the reliance on the production of a single outcome document as a 'litmus test' of the treaty's viability is proving to be less realistic as the treaty limps on. In this regard, Bob Einhorn provided ample alternatives which require serious consideration. The reluctance of President Zlauvinen to put the outcome document to a vote, following Russia's blocking of a consensus, was the final nail in the coffin for the RevCon. In fairness to the President, he argued that a vote might invariably set a precedent that could eventually erode the consensus rule in future RevCons. These and many other shortcomings of the review process warrant sustained analysis and attention for the benefit of the upcoming review cycle.

However, the pessimism which underscores reflections of the tenth RevCon, should not obscure the remarkable successes that were also achieved in New York. Successes which, if adequately appreciated, might reinvigorate deflated delegations as they enter the next review cycle. To identify some of these successes, let me pose a slightly different question: "Had the RevCon not failed, would we have had a significant and valuable outcome document?"

From the perspective of the non-proliferation and disarmament pillars of the treaty, the simple answer is no. The outcome document reveals that very little progress was made in these pillars. The worsening international security context and the

fundamentally polarised perspectives on the feasibility of disarmament proved to be insurmountable challenges. As a result, the outcome document merely deflected from these issues by using language that either papered over current challenges or watered-down states' commitments in search of the lowest common denominators. In the end, the few paragraphs which sought to record the reality of the situation in Ukraine were identified by Russia as the reason for its walk-out.

But in sharp contrast with the non-proliferation and disarmament pillars, the outcome document reveals that a significant reinvigoration was taking place in the third pillar- where deliberations on peaceful uses of nuclear energy occurred. For context, pillar III deliberations usually result in the reassertion of the rights of states parties to full access to nuclear material, equipment, and technological information for peaceful purposes. These deliberations also usually reiterate longstanding calls to eliminate undue constraints to technology transfer. Throughout the past two review cycles, some influential NNWS' have cemented their resistance to additional non-proliferation obligations - even when such obligations are beneficial. This resistance has been based on a perceived prioritisation of the non-proliferation pillar over disarmament and peaceful uses, and it has hampered cooperation on many issues pending a rebalancing of the NPT's three pillars. This RevCon was no exception in this regard, as familiar positions endured.

Yet, unlike the first two pillars, pillar III deliberations in main committee III (MCIII) were largely reported to have been constructive, non-contentious, forward-looking, and ambitious. The outcome of these deliberations was a document that offered progressive solutions by identifying how the treaty plays a role in mitigating some of the most pressing human and environmental security issues of our time. The potential for peaceful uses to alleviate the negative impacts of climate change and accelerate the socio-economic development of the world's most vulnerable was robustly articulated. Given the significant global changes that have occurred since 2015, it would not have been possible to recycle old language from previous RevCons. As a result, delegates had to focus on developing new language that could describe the changed global context in light of 'newly' understood existential risks stemming from the climate emergency, and finding creative solutions to them.

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For the first time in the history of the RevCon, NPT states parties were called upon to cooperate with 'non-traditional partners', including development agencies, the private sector, and multilateral financial institutions, to support the implementation of the UNSG's sustainable development goals (SDGs). The SDGs have been a new development since the conclusion of the last RevCon in 2015, and their inclusion in the process should be seen as a positive development. The International Atomic Energy Agency (IAEA) was clearly identified as the preferred focal point through which many of these programmatic aspirations could be operationalised. As opposed to the widespread perception of the IAEA as just a 'watchdog', its numerous activities (such as the Peaceful Uses Initiative, the Renovation of the Nuclear Applications Laboratories, the Zoonotic Disease Integrated Action Project, and Rays of Hope—cancer care for all) were recognised as already catering

to improving human and animal health, developing agriculture, managing water resources, combating poverty, and meeting increased energy needs.

By extension, the NPT was recentred as the forum within which cooperation on peaceful uses could be coordinated. This was demonstrated by a working paper submitted by a group of 32 states (including the US and UK - who now understand the implications of falling behind China and Russia as facilitators of nuclear technology transfer to developing countries). Finally, Pillar III deliberations also stayed in touch with relevant developments in the UN Climate Change Conference (COP) process. In the past few years, the IAEA has run increasingly successful advocacy campaigns, marketing nuclear technologies as integral solutions to climate change. COP27 featured a dedicated nuclear pavilion for the first time, where the IAEA's Director General marketed nuclear as "part of the solution towards a decarbonised energy mix in the world". In this regard, MCIII encouraged the IAEA's continued sensitisation and advocacy campaigns for nuclear technologies at the COP conferences.

The progress made in pillar III was neither fortuitous nor peripheral. On the contrary, the peculiar success of this pillar was the result of long-term strategic planning leading up to the RevCon and could serve as a pragmatic example for states looking to strengthen the continuity between review cycles. Since the end of the 2015 RevCon, many parties recognised the need to leverage the peaceful uses pillar as a means of recentering the NPT as a beneficial endeavour for states - in developmental and socio-economic terms. The positive reception to the then RevCon President-Designate Rafael Grossi's regional consultations geared at leveraging pillar III to salvage the NPT demonstrates the importance of such a strategy. These consultations were continued by current RevCon President Gustavo Zlauvinen, who also understood that 'non-proliferation commitments enable peaceful uses, but it is the promise of the benefits under the third pillar that prop up the other two pillars'. Participants at the 2020 Wilton Park conference on NPT issues, mooted that peaceful uses could facilitate the momentum needed to counterbalance the glacial pace of progress made in the disarmament pillar. The result was an MCIII that lived up to its expectations and served as a crucial motivator for compromise.

Without Russia's blocking of a consensus on a substantive outcome document, there was every chance that Pillar III's recentering of the NPT and IAEA would have been enshrined as an instructive outcome of the conference. Notwithstanding the general disappointment with the lacklustre non-proliferation and disarmament outcomes of the tenth RevCon, we should take stock of the successes recorded in the peaceful uses pillar as it could help us learn about future mechanisms for cooperation and success.

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Since the end of the 2015 RevCon, many parties recognised the need to leverage the peaceful uses pillar as a means of recentering the NPT as a beneficial endeavour for states – in developmental and socio-economic terms.

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Strengthening the nuclear order: Pragmatic international-ism amid Russia's war against Ukraine

Valeriia Hesse

Russia's war against Ukraine, with its explicit and implicit nuclear threats, has exposed the vulnerabilities of existing security instruments and raised concerns about the future of the global non-proliferation norm.

Russia's war against Ukraine, with its explicit and implicit nuclear threats, has exposed the vulnerabilities of existing security instruments and raised further concerns about the future of the global non-proliferation norm. Paradoxically, in 1994, Ukraine voluntarily agreed to transfer what would have been the world's third-largest nuclear arsenal to Russia.[1] In return, it received a promise from the three NPT depositary states Russia, the United Kingdom, and the United States, that its territorial integrity would remain inviolable. Regrettably, the events of 2022 served as a powerful yet dangerous message: international security instruments failed, security assurances failed, while nuclear deterrence works. To strengthen the nuclear order, and especially its non-proliferation norm, the international community should address several issues of high importance: reform veto power, condemn nuclear threats, adopt a convention on protecting nuclear installations against nuclear attacks, hold nuclear weapons states (NWS) accountable for non-compliance with security assurance obligations, and negotiate disarmament in good faith.

The failure of international instruments

The invasion of Ukraine has laid bare the limitations of international security instruments in countering aggression. The UN Security Council, hindered by Russia's veto power, struggled to mount an effective response.[2] Veto holders also happen to be the five official NWS. In this sense, the association between the possession of nuclear weapons and actors who have them being allowed to promote their own agenda, even if it is offensive, seems clear. Addressing this issue requires reforms that detach nuclear weapons from the UN power structure and reduce the disproportionate influence of nuclear-armed states within the Security Council.

Additionally, the Russian occupation of the Zaporizhzhia Nuclear Power Plant (ZNPP) has created unprecedented nuclear risks. In 2022, Russia obstructed agreement on key global documents[3] at events like the Non-Proliferation Treaty (NPT) Review Conference and IAEA General Conference (GC) to avoid references to its actions against Ukraine, even though these are not legally binding. The GC was not able to adopt a standalone resolution on armed attacks against nuclear installations (as was the case before), and its safety and security resolutions[4] became vague under Russian pressure. As Ukraine is a country with a well-established nuclear industry that faced military aggression, the lack of comprehensive, legally-binding international documents addressing attacks on nuclear facilities has become evident. Substantive discussions and actions at platforms like the Conference on Disarmament (CD) are necessary to negotiate a legally binding document, strengthen the framework surrounding nuclear installations, and ensure preparedness for similar challenges in the future.

The failure of security assurances

The invasion of Ukraine, despite the Budapest Memorandum, has also brought to the fore the failure of security assurances and their future credibility. This is a dangerous trend, provoking thoughts about the necessity of nuclear deterrence in nations facing powerful nuclear-capable adversaries. To address

these proliferation risks resulting from Russia's violation of previously given negative security assurances, mechanisms must be established within the NPT to hold nuclear-armed states accountable for non-compliance with their security assurance obligations. Currently, the only recourse available is referencing the UN Charter and the Security Council through the general principle of non-use of force. Unfortunately, this approach proves ineffective, primarily because of the veto power in the Security Council: it is evident that none of the NWS would willingly subject themselves to punishment.

The dooming success of deterrence

Moreover, the efficacy of nuclear deterrence has become evident during this war. In line with its nuclear doctrine, Russia's nuclear threats discouraged direct military involvement by powerful allies in support of Ukraine and paved the way to termination on terms favourable to Russia through compellence. Using nuclear weapons on the frontline lacks tactical military utility: Russia would not gain any advantage on the battlefield, and it would have dramatic consequences for Moscow. While it is difficult to prove that NATO powers refrained from direct military involvement solely due to Russian nuclear threats, it must be assumed that Russian nuclear threats significantly increased the potential costs of intervention. The most obvious effects of such threats are the lagging pace of weapons supplies to Ukraine and the limitations on their types.

The troubling implication is that nuclear deterrence can effectively cover unjustified aggression, potentially making nuclear weapons more appealing. To counter this dangerous message, there must be a resolute response assuring against any and all nuclear threats by nuclear-armed states that want to coerce non-nuclear actors, thereby constraining similar future attempts.

Risks of proliferation and the case for disarmament

Before January 1, 1967, Ukraine actively participated in the creation of Soviet nuclear weapons, including nuclear tests, making its subsequent disarmament in accordance with the NPT a noteworthy commitment. However, the war highlighted the influential role of nuclear weapons and the erosion of trust in security assurances, emphasising the delicate balance in preventing proliferation. The enduring strength of non-proliferation as a norm is primarily due to the consensus upheld by the international community. At the same time, in light of the deteriorating international security environment, NWS have increasingly underscored reliance on nuclear weapons, thereby contributing to the erosion of the non-proliferation norm. Given the re-emphasised association between power/security and nuclear weapons, it is not unthinkable that the consensus might disappear and the norm with it. The international community must be vigilant to potential proliferation risks, and nuclear-armed states must prioritise genuine disarmament efforts and negotiations in good faith to restore the credibility of the non-proliferation regime and prevent proliferation.

To prevent the total erosion of the non-proliferation norm, curb proliferation, and avert invasive conflicts driven by nuclear threats, the international community must pursue a realistic and pragmatic approach towards gradual nuclear arms reductions.

To prevent the total erosion of the non-proliferation norm, curb proliferation, and avert invasive conflicts driven by nuclear threats, the international community must pursue a realistic and pragmatic

approach towards gradual nuclear arms reductions. Unilateral disarmament is not an immediate solution, as it may lead to vulnerability. Instead, reciprocal and gradual disarmament efforts, along with practical steps towards disarmament and arms control, are essential. Recognising the Treaty on the Prohibition of Nuclear Weapons (TPNW) as complementary to the NPT will help enhance global security and curb proliferation. Therefore, disarmament is pragmatic, even if it seems to belong to a purely liberal institutionalist agenda at first glance. I would call it pragmatic internationalism: a system based on the deep understanding (and proper reasoning) that enhancing security and prosperity anywhere in the world is not just a noble goal but a security, economic, and environmental necessity.

Recommendations: Towards pragmatic internationalism

To avert the erosion of the non-proliferation norm and prevent nuclear proliferation, the international community should take the following steps:

1. **Reform veto power:** Reform the Security Council to detach nuclear weapons from the UN power structure, reducing the disproportionate influence of nuclear-armed states. This reform will ensure that decisions are made with the broader interest of global security in mind, rather than being held hostage by the interests of a nuclear-armed nation.

2. **Condemn nuclear threats:** This resolute condemnation, coupled with robust consequences for such actions, will reinforce the commitment to global peace and security, preventing potential aggressors from resorting to nuclear intimidation.

3. **Adopt a convention on protecting nuclear installations against nuclear attacks:** Facilitate substantive discussions at the Conference on Disarmament to establish comprehensive, legally-binding international documents addressing attacks on nuclear facilities.

4. **Hold NWS accountable for non-compliance with security assurance obligations:** Develop mechanisms within the NPT to hold nuclear-armed states accountable for non-compliance with their security assurance obligations. By creating a transparent and enforceable system, non-nuclear weapons states can have confidence in the commitments made by nuclear-armed nations, reducing the incentives for nuclear proliferation.

5. **Negotiate disarmament in good faith:** Encourage disarmament negotiations in good faith and recognise the TPNW as complementary to the NPT while implementing gradual steps to achieve disarmament through arms control. This approach acknowledges the concerns of nuclear-armed states while moving towards a world with reduced nuclear arsenals and increased global security.

Conclusion: Strengthening the nuclear order in the face of Russia's war against Ukraine

Russia's war against Ukraine has exposed critical flaws in the international nuclear realm, necessitating pragmatic and decisive actions. By reforming the veto power, condemning nuclear threats, strengthening the framework against attacks on nuclear installations, and promoting accountability for security assurance violations, the international community can build a stronger and more resilient nuclear order. Embracing pragmatic disarmament efforts, recognising the TPNW as complementary, and taking reciprocal steps towards disarmament will curb proliferation incentives. This path to pragmatic internationalism ensures that enhancing security and prosperity worldwide becomes a shared necessity, paving the way for a safer and more stable future.

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To avoid nuclear instability, a moratorium on integrating AI into nuclear decision-making is urgently needed: The NPT PrepCom can serve as a springboard

Alice Saltini

Amongst the gravest risks posed by the integration of AI are in nuclear command, control, and communication (NC3) systems.

TAIPEI 2029, Tensions have risen sharply between the US and China as the Taiwan war has drawn the US and its allies into the Pacific theatre. Both countries, having suffered immense losses in the initial months of the war, are at an impasse. For the previous four years, the US has depended on its advanced nuclear command, control, and communication (NC3) detection systems. These systems utilise a deep learning model regarded as the world's most advanced, trained on synthetic data. Its track record of perfect accuracy in detecting previous test launches has yet to falter. Suddenly, a warning flashes, detecting a barrage of JL-3 submarine-launched ballistic missiles. The threat level escalates drastically, and a human operator assesses the findings. Time constraints make additional verification impossible, and the decision to launch a counterattack is finally taken. However, the initial wave of detected SLBMs turns out to be a false alarm - a "hallucination". This rapid response was fueled by unwavering trust in the system's impeccable past performance. No one can pinpoint exactly what led the system to make the erroneous detection because of the black box nature of the deep learning model, though some attribute it to an unusual mix of a routine submarine surfacing drill and peculiar atmospheric conditions on that day.

This scenario underlines the chilling reality of the risks associated with integrating neural networks and deep learning models into NC3 systems. A nuclear exchange is not in the interest of any nation, and ensuring robust and reliable NC3 systems is critical in avoiding one. There is then an urgent need for a moratorium on the integration of neural networks into critical NC3 systems until the technology is fully explainable and the technological limitation with these models is solved.

As deep learning based artificial intelligence (AI) is adopted, there is a growing eagerness in industries and governments to incorporate AI into various applications. Amongst the gravest risks posed by this integration are in NC3, where discussions are underway.[1] AI is a broad field, and a form of AI is already implemented in NC3 systems.[2] This AI is distinctly different from deep learning and relies on rule-based systems, which perform poorly in unpredictable scenarios. As part of their modernisation efforts[3], nuclear-armed nations are now investigating the potential advantages of integrating deep learning models into some NC3 systems.

Deep learning is loosely modelled by how neurons function in the brain, with artificial neurons transmitting signals to each other. In a deep neural network, these neurons are organised in layers and progressively extract higher-level features from an input, resulting in a prediction as the output. As they are trained on large datasets, they learn to identify patterns and a representation allows them to make predictions. These models are not given instructions to follow and don't operate on pre-programmed algorithmic principles.

Technical risks of AI integration into NC3

The integration of neural networks into NC3 poses a multitude of risks to global security due to the technological limitations of neural networks.

Interpretability

Interpretability relates to the 'black box' nature of AI and is a significant challenge with neural networks. As the model is trained, the way it processes the input changes by adjusting the weights across countless neurons. This makes it extremely challenging[4] to understand the internal mechanisms that guide the model towards the output. In a domain as sensitive as NC3, comprehensible and explainable results are essential to maintain credibility. The predictions made by the model are inscrutable, and the reasoning impossible to elucidate. If integrated into NC3, this would leave no accountability or method of verification for predictions and decisions.

Hallucinations

"Hallucinations" are a phenomenon where deep learning models confidently make unfounded assertions[5] that aren't supported by their training data. These hallucinations can also manifest in object detection models, where an AI might incorrectly mislabel a dog as a cat. In the context of NC3, an AI system might misinterpret[6] unfamiliar atmospheric phenomena as incoming missiles or misinterpret incoming missiles as a meteor. Alternatively, the model could erroneously assess threats and targets in a decision-support context.

Cyber security threats

Amongst cyber security threats, integrity attacks, including data poisoning and evasion techniques, pose a significant risk. In data poisoning, an adversary subtly modifies the training data, misleading the model into learning incorrect patterns. A single tampered data point can compromise[7] a system. Evasion attacks exploit inherent flaws in even the most robust models and could cause false identifications in an NC3 detection system. These vulnerabilities would provide untold opportunities for adversaries and non-state actors to develop methods to compromise NC3 systems.

Scarcity of real-word data

A model's reliability is directly linked to the quality of its training data, and even minor errors can have severe implications for the model's predictive capacity. The scarcity of real-world data for training prospective models is a significant concern. Any effort to create such a model would have to rely on a dataset built largely on synthetic data.[8] Imperfect data amplifies the risks associated with hallucinations and cybersecurity threats.

Why a moratorium is needed and how NPT meetings can facilitate dialogue

A moratorium, ideally by all nine nuclear-armed states (China, France, India, Israel, North Korea, Pakistan, Russia, the United Kingdom, and the United States), on the integration of neural networks into NC3 systems would be an important step to reduce the inherent risks and uncertainties involved. The nine states should uphold the moratorium until comprehensive exploration and

mitigation of these risks can be achieved and formal regulations are instituted.

Given the current global tensions, it is imperative for all nine nuclear powers to pursue this initiative. However, as some states are already reluctant to engage in nuclear arms control-related dialogues, this will be difficult. With this in mind, it is critical for at least the five nuclear weapon states (NWS) to start engaging in discussions aimed at establishing a moratorium.

Although achieving a moratorium from all nine countries is a challenge, the NPT provides an opportunity for initial discussions, particularly among the NWS. To pave the way for such a moratorium, NPT State Parties should build upon the common ground established in 2022 and reflected in a paragraph of the draft final document[9], which received no objections from any state party. This involves a commitment from NWS to enhance regular dialogue with both NWS and non-nuclear weapon states on the potential implications of emerging technologies. In preparation for the 2026 Review Conference, the NPT Preparatory Committee sessions can include focused discussions aimed at understanding the risks associated with integrating deep learning models into nuclear decision-making. These discussions should lead to the recognition by all NWS of the profound risks associated with incorporating neural networks into NC3 systems. It would also be prudent to involve external experts in the discussions to thoroughly evaluate potential risks.

The importance of human judgment, particularly in the context of critical decision-making, has also been emphasised by all NWS in several[10] unilateral statements.[11] These shared understandings can serve as a stepping stone towards a common recognition of the risks posed by neural networks, setting the stage for a moratorium. The 2023 NPT PrepCom thus presents an excellent opportunity to initiate this crucial dialogue.

Past implementations of moratoria offer a historical precedent for this strategy. In 1992, the US implemented[12] a moratorium on nuclear weapons tests which allowed for the reevaluation of existing practices and led to an increased focus on subcritical testing and computer simulations that didn't involve nuclear explosions. This, in turn, facilitated US support for the Comprehensive Nuclear-Test-Ban Treaty.

In preparation for the 2026 Review Conference, the NPT Preparatory Committee sessions can include focused discussions aimed at understanding the risks associated with integrating deep learning models into nuclear decision-making.

Informed by this precedent, the P5 states should agree upon a similar moratorium for incorporating neural networks into NC3 systems, with the understanding that the potential risks they pose to strategic stability and global security could be catastrophic. This moratorium could allow for a comprehensive review of the technology's maturity, capabilities, and drawbacks when integrated into nuclear decision-making frameworks. Such a pause would also create space for global dialogue about ethical standards, rules of engagement, and methods of control and verification for AI-integrated NC3 systems.

A likely hurdle to the enactment of a moratorium might be the perceived hindrance to technological advancement due to the potential benefits and advantages[13] that this technology generates over adversaries. However, these perceived advantages have led to a steady increase in the speed at which AI is being applied

across military functions, potentially posing the risk of premature deployment[14] of this technology without adequate consideration of its implications. As NWS pursue "AI supremacy", it is essential to remember the potentially disastrous consequences of unregulated neural network integration into nuclear systems and the need for a coordinated, global approach to this issue.

The primary purpose of such a moratorium is to ensure progress occurs in a manner that minimally impacts security and maximises societal benefit. Similar to the nuclear testing halt, a moratorium on integrating neural networks into NC3 systems is necessary to understand how and if potential risks can be managed. Therefore, the moratorium must remain in effect until a robust set of criteria for deploying neural networks into NC3 systems is established or until substantial improvements are made in the interpretability and reliability of these models.

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As NWS pursue "AI supremacy", it is essential to remember the potentially disastrous consequences of unregulated neural network integration into nuclear systems and the need for a coordinated, global approach to this issue.

The one-person monopoly of nuclear launches

Tarja Cronberg

The international discussion on nuclear weapons, during the war in Ukraine, has focused on one question: Will Putin use nuclear weapons? The thought that nuclear weapons might be used in the Ukraine war is no longer an abstract fear. A nuclear war may be closer than ever. In this new reality there is a risk seldom talked about, but which is built into our command and control systems: one person is able to decide the fate of the earth. The fundamental question for the nuclear order is not about whether or not Putin, or any other president or dictator, might rely on nuclear weapons as the last choice. The question to be posed is: Do we really want to maintain a nuclear order, where one person is formally able to decide the fate of us all?

Traditionally there has been a nuclear "taboo": nuclear weapons could be threatened but not used. They were only for deterrence, to prevent a nuclear attack, not to be used to win a war. The famous Reagan-Gorbachev statement[1] made clear that "a nuclear war cannot be won and must never be fought". There was also empirical evidence. The weapons have not been used after Hiroshima, although there were over 70,000 nuclear weapons during the Cold War. It is easy to argue that nuclear deterrence[2] has guaranteed peace and prosperity for more than 70 years. Nevertheless, there was always a small exception to this near-total trust in deterrence.

A worst-case scenario was based on a dictator in a country hostile to the US that secretly managed to access a nuclear capability.[3] In Western scenario thinking, a man of this kind, facing the loss of his power base and potentially even his life, might explode a nuclear weapon or at least some nuclear device. States like Iraq or North Korea were convincing illustrations. Personalistic dictators in hostile states were – and are – a risk group, in a world, where nuclear technology has become more easily available and the necessary know-how may be bought through both open and secret channels. The fear of crazy dictators or "mad mullahs" has also dominated the policies and efforts to prevent the spread of nuclear weapons.

Today we are moving to a new phase of this threat scenario. The focus is still on a no-future leader fearing not only his loss of power but also his life. But he is no longer necessarily imagined to be a leader of a hostile country with a clandestine nuclear program. Instead, the focus is shifting to a superpower leader currently waging a war and with thousands of known nuclear weapons on hair-trigger alert. The Russian war on Ukraine has re-exposed the world´s vulnerability to one person´s power in a nuclear weapon state. Experts on both nuclear weapons and Russian nuclear policies have produced article after article speculating on whether President Putin will in the end use a nuclear weapon[4] or not.[5]

Sound cost-benefit analyses indicate that Putin would only lose[6] by using nuclear weapons in an effort to pressure Ukraine to a negotiating table on Russian terms. Not only China[7] and India but also the Asian and African states, that today do not actively support Ukraine, could turn their back on Russia. Russia could become a pariah of the international community, much like North Korea. The problem is that we cannot fully trust these assessments. The true reality is that we cannot know.[8] The situation reflects the fundamental fallacy built into the nuclear order. In the end it is one person´s decision, and he may not be in a mentally sound state of mind.

The Russian war on Ukraine has re-exposed the world´s vulnerability to one person´s power in a nuclear weapon state.

The first step into this new future was already taken in the US during the Trump presidency. During the presidential campaign, Hilary Clinton posed the question, whether Trump could be trusted with nuclear weapons. In the US, it is solely the president who can order a launch of the nuclear arsenal. The result was a legislative initiative[9] that the president would only be able to do this if Congress had declared war on the targeted country. However, in Congress there was a bipartisan agreement that there should be no restrictions on the president's right to order a nuclear launch, and the initiative went nowhere. A former National Security Council staffer and Duke political science professor Peter Feaver noted in his Senate testimony[10] that such changes "could have unintended and dangerous consequences, perhaps leading adversaries and allies to question the United States' ability to respond quickly during a crisis."[11]

The situation leaves the world in a dangerous place. The Gaddafis and the Husseins could be destroyed by military interventions and regime change before any catastrophe occurred. This is not the case for the Trumps and the Putins. As leaders of the world´s superpowers there is no external power able to intervene, although there may have been plans to kill Putin. The nuclear superpower leaders are more or less democratically elected and their removal will take place according to the laws and politics of the superpower in question. Where does this leave us?

Leaders are only human. They have individual ups and downs. They may become ill, be under inhuman pressure politically, or fear their personal survival. Ex-president Nixon during the Watergate scandal is a case in point. The House Judiciary Committee approved three articles of impeachment against Nixon: obstruction of justice, abuse of power, and contempt of Congress. Once his complicity in the cover-up was made public, his political support completely eroded. Nixon resigned from office on August 9, 1974. During the investigations he is known to have been drinking and was often drunk at nights. Consequently, the responsibility for nuclear weapons was transferred by officials[12] to his foreign minister Kissinger.

For the nation to be able to transfer the power under critical circumstances would seem to be a good solution, if there is an approved legal mechanism for this. To establish such a legal, national mechanism is problematic, however, especially if mental problems of a leader are involved. This would require that the president´s situation be debated in public and that independent medical tests would be carried out, which – if openly published – would erode the trust and support not only for the leader but also for the superpower.

Nor is there any international solution to the problem. The Nuclear Non-Proliferation Treaty (NPT) is seen as the cornerstone of the nuclear order. While the NPT treaty text does not constrain rights of the nuclear weapon states in any way, there is an undefined expectation that the P5 will behave as responsible nuclear actors. The responsibility of Russia as a nuclear power was raised[13] at the NPT Review Conference in August by the US, France and Great Britain. However, as the NPT has no mechanism to deal with the responsibility of the nuclear states and their leaders, this did not lead to any action.

Without any solid management system to avoid a nuclear catastrophe, world survival is in the hands of the leaders of its superpowers. Although the decision- making process may involve consultations, the decision is ultimately, even in the case of Russia today, in the hands of one person. Today, given that the world is threatened by a nuclear war, there should be a serious discussion on how the risks of this "one-person nuclear command" could be avoided or at least minimised. The discussion could take at least three different directions.

A self-evident solution would be to abolish all nuclear weapons, as proposed by the states that have ratified the Treaty on the Prohibition of Nuclear Weapons entered into force since 2021. As none of the nuclear weapon states have signed or ratified the treaty, and on the contrary, the P5 have underlined that they do not ever intend to do this, prohibition is not an immediate solution. Nevertheless, the current command system is an obvious argument against nuclear weapons.

As indicated above, national solutions have been used in crisis situations. These have been, at least the known solutions in the US, both ad hoc and illegal. The current practice seems to be that trusted official take actions that are nowhere defined and take a personal responsibility for these measures. The examples from the US include General Milley, concerned about Trump's[14] serious mental decline in the aftermath of the election, and Secretary of Defence James Schlesinger, worried about Nixon´s unstable behaviour. Both reportedly instituted restrictions on the president´s ability to launch nuclear weapons. It is more difficult to know who might be able to play this role in the current Russian situation. As a nuclear threat concerns not only a single country but the whole world, the question has a clear international dimension.

In the aftermath of Hiroshima there were a number of radical governance proposals transferring the responsibility to international institutions. Oppenheimer, the main nuclear scientist, proposed that the UN should create an international atomic development agency[15] to control all fissile material. At the time, the scientist, Hans Morgenthau even proposed a world government in order to avoid the national control problems. In the past 70 years this discussion has died out. The institution that was established, the International Atomic Energy Agency, only evaluates non-compliance by non-nuclear states in relation to the NPT rules. The nuclear weapon states and their procedures are not subject to any guidelines or control.

Nevertheless, there is an urgent need for a stronger international institutional responsibility for the governance of national decisions on nuclear threats and use. Firstly, there is a need for an international transparency survey on how the nuclear weapon states have defined their first-or second strike launch responsibility. A second phase would seek to establish some international guidelines for national procedures in order to avoid ad hoc, illegal measures in a concrete crisis. So far we have been lucky, but "luck is not a strategy"[16] as was so ably pointed out by the Secretary-General of the United Nations at the 2022 NPT Review Conference.

11 January 2023

Without any solid management system to avoid a nuclear catastrophe, world survival is in the hands of the leaders of its superpowers.

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Be careful what you wish for: Russia wants to share nuclear weapons with Belarus

Katia Glod and Oliver Meier

President Vladimir Putin's 25 March announcement[1] that Belarus and Russia intend to replicate NATO's nuclear sharing arrangements is likely to turn into another miscalculation by the Kremlin. Based on the reactions to the move, it is unlikely that the Kremlin will achieve any of the goals it might be pursuing with the move.

NATO unmoved

If Moscow had hoped to increase fear and division among NATO allies by announcing that Russia would build a storage facility for tactical nuclear weapons in Belarus and deploy their nuclear-capable Iskander short-range missiles there, no such panic has been detected so far.

Ahead of the 5 April meeting of NATO Foreign Ministers, Secretary-General Jens Stoltenberg reiterated[2] the view that the Allies had "not seen any changes in Russia's nuclear posture that requires any changes in our posture" and dryly pointed out that "NATO Allies represent 50% of the world's military might".

The sober response can be explained by the fact that Russia's stationing of nuclear weapons in Belarus would not alter the strategic balance in Europe. The move did not come as a big surprise since Minsk had dropped Belarus' nuclear-free status from the constitution in a sham referendum last February.[3] Russia and Belarus had also begun certifying[4] Belarusian aircraft as a means of nuclear delivery so that Putin could announce on 25 March that ten such aircraft could carry Russian nuclear weapons.

Irritating Russia's partners

Moreover, Russia has yet to garner support from the international community following the announcement of its new policy of sharing nuclear weapons with Belarus. Putin tried (again) to point the finger at NATO by arguing "that the United States has been doing this for decades".[5] He may have been trying to appeal to the many non-aligned states and China. As members of the 1968 nuclear Nonproliferation Treaty (NPT), these countries have long been critical of NATO's nuclear sharing practices, under which the United States deploys nonstrategic nuclear weapons in Belgium, Germany, Italy, The Netherlands and Turkey.

But Putin's attempt to cite the NATO precedent did not resonate with some states that had previously shared Russia's criticism of NATO's nuclear sharing practices. At a 31 March UN Security Council meeting,[6] Brazil noted that "two wrongs do not make a right". Ecuador regretted Russia's "narrative and actions have continued to escalate global concerns."

More importantly, Putin's plan to share nuclear weapons with Aliaksandr Lukashenka, Belarus' authoritarian president, may also not go down well in Beijing. Just a few days before the Kremlin's nuclear sharing coup, Putin and Xi Jinping, in the joint communiqué of the 20-22 March (coming out of the Chinese leader's state visit to Russia), had repeated their mantra that "all nuclear-weapon states should refrain from deploying nuclear weapons abroad."[7] At the UN Security Council, the Chinese representative wryly cited this

The sober response (from NATO) can be explained by the fact that Russia's stationing of nuclear weapons in Belarus would not alter the strategic balance in Europe.

call for "the abolition of nuclear-sharing arrangements, as well as for the withdrawal of all such weapons deployed abroad" back to his Russian counterpart.

With friends like these...

Integrating Russian nonstrategic nuclear forces into Belarus would also be counterproductive to Russia's ambition to tie Belarus closer to itself. Nuclear weapons are a notoriously bad basis for enhancing security cooperation. It is not surprising that Aliaksandr Lukashenka waited for nearly a week before addressing the issue publicly.[8] Although Lukashenka has often expressed the wish to possess nuclear weapons,[9] it would have been one thing to refer to nuclear weapons as a deterrence against any hypothetical Western or domestic efforts to weaken his grip on power, and quite another to become hostage to increasingly unpredictable outcomes.

With strong anti-nuclear sentiment at home (over 80% of Belarusians oppose the deployment of Russian nuclear weapons to Belarus)[10] Lukashenka realises that placing Russian tactical nuclear weapons on Belarusian soil would run risks similar to those of sending Belarusian troops to fight in Ukraine. He could lose the remaining public support (currently around 30%)[11], which might trigger new public protests and encourage defections in the elites. Belarus' military facilities could also become a target for a conventional strike by Western allies if Russia were to use its tactical weapons stationed there against Ukraine.

From a Russian perspective, it must also be deeply worrying that the Belarusian president is apparently not a fan of the kind of nuclear sharing that Putin had painstakingly outlined by arguing that "we are not handing over" nuclear weapons to Belarus.[12] Yet, Lukashenka, in a State of the Nation address on 31 March, warned "Don't say we will just be looking after them, and these are not our weapons".[13] Rather, he argued that "These are our weapons and they will contribute to ensuring sovereignty and independence." He also went far beyond Putin's initiative by raising the spectre of Russia deploying intercontinental nuclear missiles in Belarus.

How to make the most of Russia's nuclear sharing policy

Against the background of these counterproductive effects of Vladimir Putin's intention to share nuclear weapons with Belarus, NATO states have every reason to stay calm and carry on. They should resist the temptation to react to Putin's announcement by rethinking the Alliance's current position that there is no need to deploy ground-based intermediate-range nuclear-capable missiles in Europe. Placing nonstrategic nuclear weapons in NATO countries bordering Russia - an idea that has excited the interest of Poland - would only increase the risks of a direct confrontation, including nuclear, while providing limited deterrence benefits.

Putin's plan to share nuclear weapons with Aliaksandr Lukashenka, Belarus' authoritarian president, may also not go down well in Beijing.

Allies should instead exploit the fact that Russia can no longer point fingers at NATO's nuclear sharing arrangement. They should also continue to signal a willingness to resume talks on strategic stability. The conversation about an arms control framework to replace the New START treaty had been burdened by several

imbalances of nuclear postures. Russia had wanted to address these imbalances by bringing such inequities into one "strategic equation". With Putin's announcement, one of these imbalances, namely that NATO is practising nuclear sharing while Russia was not, has evaporated.

NATO allies should attempt to use this Russian hypocrisy to decrease polarisation among the countries that are party to the NPT. As seen during the last NPT review conference of August 2022, many countries could unite in criticism of NATO's unique nuclear sharing arrangement. That front is likely to show cracks or may even break down altogether. NATO may speed up that process by heeding the calls of some critics to increase the transparency on its nuclear sharing arrangements. It could then call on Russia to follow suit, further accelerating the break-up of old fronts among NPT member states.

Russia's announcement to deploy nuclear weapons in Belarus is unlikely to change military calculations. If anything, countries supporting Ukraine in its defence against Russia's invasion will see Putin's move as a further indicator of the Kremlin's irresponsible policies. This creates political space to explore how the risky and damaging replication of NATO's nuclear sharing policies might be used to prepare the ground for reciprocal arms control and a more unified NPT membership.

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