

## The challenges of the 10<sup>th</sup> NPT Review Conference

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The tenth Review Conference (REVCON) of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), that was to be held from 27 April to 22 May 2020, has been postponed to a later date, unknown at this stage. This strategic brief focuses on the key issues of this meeting, which marks the fiftieth anniversary of the Treaty.

The tenth Review Conference (RevCon) of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which marks the 50<sup>th</sup> anniversary of its entry into force and the 25<sup>th</sup> of its indefinite extension, was to be held from 27 April to 22 May 2020. However, due to the Covid-19 pandemic, it was “postponed to a later date, as soon as circumstances permit, but no later than April 2021” as the President of the RevCon Ambassador Gustavo Zlauvinen (Argentina) explained in [a letter dated 27 March](#) to the States parties he had consulted before. At this point, an option could be to hold the meeting from January 4 to 29, 2021 but it needs to be [confirmed](#)<sup>1</sup>. Even though the RevCon may not be seriously and adversely affected by the timing, delaying it constitutes nevertheless a change that G. Zlauvinen would like to see as an “[opportunity](#)”.

This brief will focus on the challenges the tenth RevCon faces, considering that it will take place later than initially planned.

The NPT is a lively Treaty. States parties meet on a regular basis through the process which provides for five-year conferences and preparatory committees in the previous three years. Contrary to what some commentators may sometimes wrongly write, the RevCon does not aim at leading to a renegotiation of the Treaty, but [at considering the implementation of its provisions](#). By the end of the meeting, States participants should reach a consensus agreement on a review and

on recommendations. If they achieve this goal, they will praise the RevCon as a success. Otherwise, they will regret a failure, although a final document is not indicative of the quality of the discussions that took place during these four weeks.

Expectations appear to have become more modest over the years due to the shared belief that a new “failure”, after that of 2015, would be harmful to the NPT. Several experts argued that States parties should be ready to adopt a “[plan B](#)” in the course of the meeting [to reach substantive and concrete results, even if not by consensus](#). It could take the form of separate resolutions or decisions as well as stand-alone voluntary commitments made by groups of States as it was suggested by [two U.S. experts](#).

Why is it difficult for NPT member states to reach a consensus? Ambassador Syed Md Hasrin Syed Hussin (Malaysia), President of the 2019 PrepCom, concluded in [his report](#) that “there remain many more points of convergence in the views of States parties than there are divergences”. [Still, some of the latter have become structural, especially since the 1995 NPT indefinite extension](#).

Among those who were opposed to this prospect were the Middle East States who finally supported the decision to extend the Treaty as their main concern was addressed through [a resolution](#) on a zone free of nuclear weapons and other weapons of mass destruction in the region, including a pledge to pursue this goal. Diplomatic efforts on this issue have intensified since 2010. Following a 2018 [decision](#) of the UN General

1. The review conference would therefore be held after the US presidential election but before a new administration has taken office, if there is a new one. That could impact the work of the US delegation.

Assembly, an **annual conference** has been launched that “shall aim at elaborating a legally binding treaty” establishing such a zone. The second session, scheduled to take place in November 2020, will thus happen before the NPT RevCon. That could significantly affect the way this crucial agenda item is addressed.

Then comes the **nuclear disarmament** issue, which has always been a divisive subject within the review process. The NPT, originally designed to prevent the emergence of new nuclear weapons possessors, draws a distinction between states having already carried out a test at the time of negotiations, designated as nuclear weapons States (NWS), and non-nuclear weapons States (NNWS). It does not compel the first to eliminate their arsenals and join the second category. Still, some NNWS, in particular those belonging to the non-aligned movement, are not inclined to accept as permanent this **situation they characterize as discriminatory**. Hence, they put **pressure on NWS and ask them to renounce to their weapons** in the near future. Others NNWS, without adopting such a political angle, also consider that NWS must take disarmament measures but they promote a **progressive approach, aiming at tangible results**. As a whole, NWS are striving to provide satisfaction and, for some, to show more transparency, but not at the expense of their security or that of their allies. In fact, some reduced their arsenals but all continue to rely on their deterrent.

In this context, one can easily imagine why the campaign that led to the conclusion of the Treaty on the Prohibition of Nuclear Weapons (TPNW) in 2017 promptly gained support. This antinuclear movement now pursues its actions intended to delegitimize nuclear weapons and to stigmatize their owners. On the legal front, it hunts for the fifty ratifications needed for the entry into force of the TPNW. Thus, in addition to usual antagonisms, there is a risk of polarization on the disarmament theme that could impede progress on concrete matters, such as banning the production of fissile material for nuclear weapons, transparency, verification or risk reduction.

Furthermore, the **disintegration of the arms control architecture** increases expectations regarding the follow-up to its latter vestige, **the New START Treaty, which will expire on February 5, 2021**. Moscow and Washington should agree, at least, on an extension of the Treaty, but nothing is taken for granted at this stage. The absence of such a decision would be more damaging for the NPT RevCon if it was to be held in January 2021, only a few weeks before the New START deadline. It would send an adverse signal regarding the disarmament pillar and

burden the credibility of the U.S. initiative on **Creating an environment for nuclear disarmament (CEND)**.

Another challenge of the RevCon will be to ensure a **more balanced treatment of the three NPT pillars**. If the current emphasis on the disarmament pillar is confirmed, it could be detrimental to the other two, **namely nonproliferation and peaceful uses of nuclear energy**. Even if these questions are dealt with elsewhere, it is essential that States Parties continue **to collectively promote the nonproliferation norm** and seek to strengthen its implementation while allowing cooperation in civilian nuclear applications. North Korea’s abandonment of its military program will not be negotiated in this arena but States parties should use the NPT forum to restate their commitment towards this objective. Likewise, they must reaffirm their support to the Vienna agreement (Joint Comprehensive Plan of Action, 2015), especially in the context of the U.S. withdrawal. It remains also critical to promote the most advanced standard of guarantees from the International Atomic Energy Agency, the combination of a comprehensive safeguard agreement and an additional protocol as it is still not universally implemented.

Beyond these political dynamics and technical files, the challenge of this tenth RevCon will be to confirm the relevance of the Treaty and to prevent a disaffection of some members States who could, in the longer run, decide to withdraw from it. The preservation of the non-proliferation norm is at stake and the recent disappearance of major arms control treaties has demonstrated that what seems to be permanent may eventually vanish. The NPT is a non-proliferation treaty which remains necessary. It was also designed to contribute to the cessation of the arms race and to the prevention of nuclear war. It seems that these two objectives might return on the agenda. ■

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