2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Recommendations for consideration by the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Joint working paper submitted by the members of the Non-Proliferation and Disarmament Initiative (Australia, Canada, Chile, Germany, Japan, Mexico, Netherlands, Nigeria, Philippines, Poland, Turkey and United Arab Emirates)

1. As expressed in the ministerial statement issued in Nagoya, Japan, on 23 November 2019, the Non-Proliferation and Disarmament Initiative is committed to actively contributing to the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. To this end, the Initiative has submitted working papers for the meetings of the current Non-Proliferation Treaty review cycle on transparency, the Comprehensive Nuclear-Test-Ban Treaty, a fissile material cutoff treaty, de-alerting, the Democratic People's Republic of Korea, disarmament and non-proliferation education, safeguards, the peaceful uses of nuclear energy, withdrawal from the Non-Proliferation Treaty and strengthening the Non-Proliferation Treaty review process.

2. The recommendations below are largely based on those working papers.

3. A diversity of views and geographical regions are represented within the Initiative. The recommendations in the present paper reflect the common commitment of the members of the Non-Proliferation and Disarmament Initiative to the Non-Proliferation Treaty, which is the cornerstone of the global nuclear non-proliferation and disarmament regime and the basis for cooperation in the peaceful uses of nuclear energy and technology. The Initiative considers the three pillars of the Treaty to be interdependent and mutually reinforcing. The recommendations are aimed at contributing to forward-looking, balanced and substantive outcomes to the tenth Review Conference.

Recommendations

4. Emphasizing that commitments and agreements made by States parties during previous review conferences remain valid and that efforts of States parties should build upon those commitments and agreements, the Non-Proliferation and Disarmament Initiative makes the following recommendations.





Pillar I. Disarmament

1. Implementation of article VI of the Non-Proliferation Treaty

5. The Conference attach particular importance to the implementation of article VI of the Non-Proliferation Treaty. In this regard, the implementation of action 5 of the 2010 action plan could contribute towards accelerated concrete progress on nuclear disarmament in a way that promotes international stability, peace and undiminished and increased security

6. In line with existing commitments, as reflected in the Final Document of the 2000 Review Conference and the 2010 action plan, the Conference call upon nuclear-weapon States, inter alia, to:

- Discuss, rapidly agree and implement concrete measures of progress and targets to ensure further reductions in the global stockpile of all types of nuclear weapons, regardless of their type or location, leading to their total elimination and the achievement and maintenance of a world free of nuclear weapons;
- Reaffirm, with concrete actions, the undertaking not to increase nuclear weapon arsenals;
- Discuss and agree how to implement and devise tangible measures to reduce the risks posed by nuclear weapons with a view to their total elimination;
- Engage in activities which increase confidence and transparency;
- Review their nuclear doctrines with the aim of increasing predictability, crisis stability and avoidance of miscalculations. The review should emphasize concrete steps to further reduce the operational status, role and significance of nuclear weapons and be made publicly available in order to facilitate dialogue with non-nuclear-weapon States;
- Support efforts and initiatives that promote the participation of civil society, including research centres and academia, in raising public awareness on the urgency and importance of nuclear non-proliferation and disarmament;

7. The nuclear-weapon States are called upon to report on the above to the Non-Proliferation Treaty Preparatory Committee in 2024. The 2025 Review Conference will take stock and consider the next steps for the full implementation of article VI of the Treaty;

8. In addition, the Conference welcome the extension of the new Strategic Arms Reduction Treaty (New START Treaty) and encourage continued dialogue among nuclear-weapon States aimed at the expansion of such arrangements to contribute to strategic stability. The Conference also welcome the statements made by some permanent members of the Security Council on the principle that a nuclear war cannot be won and should not be fought, and encourage a joint Permanent Five statement on such issue.

2. Transparency

9. The Conference welcome the Non-Proliferation Treaty implementation reports submitted by States parties and reiterate that the principle of transparency, together with those of irreversibility and verifiability, is indispensable for nuclear disarmament and underpins the other two principles;

10. The Conference stress that increased transparency, through the enhancement of the reporting mechanism, the submission of national implementation reports and the discussion of those reports, helps to build confidence and trust and establishes common ground that can facilitate nuclear disarmament, including through further reductions in nuclear weapons towards their total elimination;

11. The Conference emphasize that transparency is important in reviewing the comprehensive implementation of the Non-Proliferation Treaty. In the absence of a specific accountability mechanism for nuclear disarmament obligations under the Treaty, robust reporting can provide greater transparency and accountability within the Treaty review process;

12. The Conference resolve that all States parties report during a Non-Proliferation Treaty review cycle with accurate, up-to-date and complete information on their fulfilment of obligations and commitments under the Treaty. Nuclear-weapon States and those with significant peaceful nuclear capabilities should report at least twice in a Treaty review cycle. The Conference notes, in this regard, that standardized reporting templates have been developed by various States parties for broader use;

13. The Conference further call upon nuclear-weapon States to improve the transparency of information related to their nuclear weapons, without prejudice to the national security of those States. This information includes the number, type and status of nuclear warheads, the number and types of delivery vehicles, the amount of fissile material produced for military purposes, measures taken for risk reduction and measures taken to reduce the role and significance of nuclear weapons;

14. The Conference agree that future preparatory committees and review conferences, starting with the 2025 review cycle, will allocate time to discuss the reports by all States parties and that at least one preparatory committee session in the review cycle will allocate time specifically to discuss the reports of nuclear-weapon States;

15. The Conference also encourage nuclear-weapon States to use all available opportunities and channels to further explain and share information regarding topics covered in their respective reports;

16. The Conference call upon nuclear-weapon States to continue efforts to agree on a standard reporting form in accordance with action 21 of the 2010 action plan. This reporting form would build on the "common framework" developed by nuclear-weapon States and take into account various reporting aids developed by States parties.

3. Fissile material cut-off treaty

17. The Conference acknowledge that the long-awaited commencement of negotiations on a fissile material cut-off treaty could make a substantial and concrete contribution towards nuclear non-proliferation in all its aspects, the implementation of article VI of the Non-Proliferation Treaty and, ultimately, a nuclear-weapon-free world. The Conference confirm that the early commencement of fissile material cut-off treaty negotiations is a shared priority for all States parties to the Treaty and, more generally, for the international community;

18. The Conference recognize the work that has been undertaken with the aim of facilitating future negotiations on a fissile material cut-off treaty, including the consensus report of the high-level fissile material cut-off treaty expert preparatory group released in July 2018 and efforts within the Conference on Disarmament;

19. The Conference reiterate the calls to the Conference on Disarmament to start negotiations on a fissile material cut-off treaty without delay or preconditions, and call upon States parties to undertake further work to facilitate the successful conclusion of such a treaty, either in advance of or in parallel to negotiations.

4. Comprehensive Nuclear-Test-Ban Treaty

20. The Conference call for the prompt entry into force of the Comprehensive Nuclear-Test-Ban Treaty, and urge all States that have yet to ratify the Treaty to do so without delay, particularly the remaining eight States listed in its annex 2;

21. The Conference reiterate that ratification by nuclear-weapon States that have yet to do so would provide further impetus towards the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and strengthen confidence;

22. The Conference also reiterate that nuclear-weapon States have a particular responsibility to encourage ratification of the Comprehensive Nuclear-Test-Ban Treaty, and call upon them to take actions in this regard;

23. The Conference resolve that all States parties uphold and maintain a moratorium on nuclear-weapon test explosions and any other nuclear explosions, pending the entry into force of the Treaty, as well as refrain from acts that would defeat the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty;

24. The Conference encourage all States parties to assist the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in its work in preparing for the entry into force of the Treaty. This includes the early completion, provisional operation and maintenance of the International Monitoring System, which serves as an effective, reliable, participatory and non-discriminatory element of the global verification and compliance regime of the Treaty.

5. Nuclear risk reduction

25. The Conference recognize that efforts towards nuclear risk reduction, as an interim measure pending the total elimination of nuclear weapons, should contribute to preserving and promoting international peace and security and to building the trust and confidence conducive to cooperation. Risk reduction does not legitimize the continued existence of nuclear weapons nor does it provide a substitute for tangible progress in fulfilling nuclear disarmament obligations under the Treaty. The Conference emphasize that nuclear risk reduction should complement and be coupled with sustained efforts towards nuclear disarmament;

26. The Conference welcome the work on nuclear risk reduction by international bodies, such as the Disarmament Commission, the efforts of the Conference on Disarmament and institutions such as the United Nations Institute for Disarmament Research.

27. The Conference, in addition, acknowledge the increased attention given to nuclear risk reduction during the current Non-Proliferation Treaty review cycle, as expressed by the work of think tanks, academics and States parties and their groups, such as the Non-Proliferation and Disarmament Initiative, the Creating an Environment for Nuclear Disarmament initiative and the Stockholm Initiative on Nuclear Disarmament stepping stones;

28. The Conference encourage further work in this area towards the elaboration of practical nuclear risk reduction measures, recognizing, inter alia, the relevance of the following:

- Sustained efforts to enhance transparency on nuclear arsenals;
- Pursuit of early conflict prevention and resolution in relation to nuclear threats;
- Intensified dialogue, both among nuclear-weapon States and between nuclearweapon States and non-nuclear-weapon States, on risk perceptions, nuclear doctrines, and forces postures;

- Declaratory restraint and efforts to reduce perceived ambiguity and entanglement between nuclear and conventional weapons;
- Negative security assurances;
- De-alerting and reductions in the operational status of nuclear weapons systems;
- Notification and data exchange agreements;
- Minimizing vulnerabilities related to potentially disruptive new technologies and cybercapacities;
- Enhanced military-to-military contacts and the establishment of crisis-proof communication lines and risk-reduction centres;
- Prevention of unintended or accidental use;
- Further investigation of operational uncertainties, pathways to nuclear use, sharing of best practices and de-escalation pathways.

6. Nuclear disarmament verification

29. The Conference emphasize the importance of nuclear disarmament verification as an effective step towards the implementation of article VI of the Non-Proliferation Treaty, reflecting that such verification is essential to ensure full compliance and to build the trust and confidence between parties to nuclear arms control and disarmament agreements. Nuclear disarmament verification further enables States to take appropriate and timely action in case of non-compliance. The Conference reaffirm that nuclear disarmament verification is essential for nuclear disarmament.

30. The Conference welcome the work undertaken by the Group of Governmental Experts established under General Assembly resolution 71/67 to consider the role of verification in advancing nuclear disarmament, and the adoption by the Assembly of resolution 74/50, by which it established a group of governmental experts to further consider nuclear disarmament verification issues;

31. The Conference further note the contributions of activities and initiatives on this matter, such as those carried out in the framework of the International Partnership for Nuclear Disarmament Verification;

32. Therefore, on the basis of commitments made by the States parties in the Final Document of the 2000 Review Conference and in the 2010 Review Conference action plan, the Conference encourage further conceptual and practical work on nuclear disarmament verification. In this regard, the Conference highlight the importance of maximum inclusivity, of partnerships between nuclear-armed States and non-nuclear-weapon States in nuclear disarmament verification and of capacity-building and confidence-building measures, including transparency.

7. Humanitarian impact of nuclear weapons

33. The Conference reiterate its deep concern about the catastrophic humanitarian consequences of any use of nuclear weapons. It affirm, in view of such consequences, that it is in the interest of all States that nuclear weapons never be used again and that the recognition of the catastrophic humanitarian impact of nuclear weapons underpins our efforts to achieve nuclear disarmament, as stipulated in the preamble of the Treaty;

34. The Conference stress the significance of spreading awareness of the humanitarian impact of nuclear weapons across borders and generations through such efforts as disarmament and non-proliferation education and the translation of the

testimonies of the *hibakusha* (those who have suffered the use of nuclear weapons) into multiple languages;

35. The Conference emphasize that the discussion on this issue must be inclusive and universal and reaffirm the importance of further deepening our understanding of the humanitarian consequences of nuclear weapons using fact-based scientific studies;

36. The Conference be mindful that no national or international response capacity exists that would adequately respond to the human suffering and humanitarian harm that would result from a nuclear weapon explosion in a populated area, and that such capacity most likely will never exist;

37. The Conference invite the world's political leaders, young people and others to visit and have interactions with communities that have been affected by nuclear weapons, including Hiroshima and Nagasaki, to personally witness the humanitarian consequences of nuclear weapons.

8. Disarmament and non-proliferation education

38. The Conference underscore the importance of disarmament and non-proliferation education as a useful and effective means to advance the goals of the Treaty in support of achieving a world without nuclear weapons. The Conference recognize that it is vital to seek the most effective ways to raise public awareness of disarmament and non-proliferation among all people, regardless of age, gender and nationality;

39. The Conference consider that disarmament and non-proliferation education should be apolitical and aim to foster and nurture critical thinking, skills and knowledge that would enable people to engage actively in the advancement of nuclear disarmament and non-proliferation;

40. The Conference acknowledge that disarmament and non-proliferation education require collective efforts that include all parts of society, including educational institutions, academia, think tanks and research institutes, the scientific community and centres of excellence, as well as all levels of government, international organizations, civil society, the private sector and the media;

41. The Conference call upon States parties to take concrete measures to promote nuclear disarmament and non-proliferation education, including promoting and facilitating meaningful dialogue and redoubling efforts to implement the relevant recommendations contained in the report of the Secretary-General (A/57/124), as called for in action 22 of the 2010 Review Conference action plan, and bearing in mind developments in information technology and in advancing gender equality;

42. The Conference encourage regular exchanges on this issue, including the sharing of good practices, and invite States parties to share such experiences.

Pillar II. Nuclear non-proliferation

9. Safeguards

43. The Initiative recommends that:

44. The Conference recognize the essential role of the International Atomic Energy Agency (IAEA) in verifying the non-diversion of declared nuclear material, as well as the absence of undeclared nuclear material and activities, and consider the IAEA comprehensive safeguards agreement, in combination with an additional protocol, to be the current international verification standard under article III of the Non-Proliferation Treaty;

45. The Conference welcome the fact that 175 States have brought into force comprehensive safeguards agreements with IAEA, that, since May 1997, the IAEA Board of Governors has approved additional protocols (see INFCIRC/540 (Corrected)) to the comprehensive safeguards agreements for 152 States and that additional protocols are currently being implemented in 136 States. The Conference further welcome the increasing number of additional protocols in force, as these contribute to global nuclear non-proliferation objectives and strengthen the effectiveness and efficiency of IAEA safeguards;

46. The Conference note that IAEA provides increased assurances regarding both the non-diversion of nuclear material placed under safeguards and the absence of undeclared nuclear material and activities for States with both a comprehensive safeguards agreement and an additional protocol in force. The Conference urge remaining States that have not yet amended their small quantities protocol to accelerate efforts in this respect or to apply the comprehensive safeguards agreement in full;

47. The Conference, bearing in mind the importance to non-proliferation and disarmament of universalizing the safeguards regime, urge States that have not yet done so to conclude and ratify both a comprehensive safeguards agreement and an additional protocol without delay and to implement them provisionally pending their entry into force;

48. The Conference emphasize that the safeguards system provided under article III of the Non-Proliferation Treaty should evolve when necessary to maintain its effectiveness as a tool for the prevention of diversion of nuclear energy from peaceful uses;

49. The Conference further emphasize that only the combination of a comprehensive safeguards agreement and an additional protocol is adequate for effectively implementing safeguards and therefore achieving the objective set out under article III of the Non-Proliferation Treaty;

50. The Conference call upon States parties to discuss ways in which they can support IAEA efforts to increase the number of additional protocols in force, for example, through outreach and by providing assistance or engaging in capacity-building activities, where possible. States parties should consider how regional structures and organizations can play a role in this regard;

51. The Conference welcome the continued evolution of both effective and efficient safeguards and support progress made by IAEA to effectively develop and implement State-level safeguards approaches;

52. The Conference emphasize that, while using nuclear material for peaceful purposes, States parties are required to comply with their non-proliferation obligations under article III of the Non-Proliferation Treaty to prevent the diversion of nuclear material from peaceful uses to nuclear weapons or other nuclear explosive devices.

10. Nuclear safety

53. The Conference reaffirm that the use of nuclear technology must be accompanied, at all its stages, by commitments to and ongoing implementation of the highest standards of safety, as well as effective safeguards consistent with the national legislation and respective international obligations of States;

54. The Conference emphasize the importance of the development, implementation and continuous improvement of appropriate legal and regulatory infrastructure as well

as efforts and investments in education, training and human resource development to strengthen nuclear safety;

55. The Conference underline the central role of IAEA in enhancing global nuclear safety, encourage all States parties to become party to the Convention on Nuclear Safety and to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and urge contracting parties to fulfil their obligations under the Convention and the Joint Convention.

11. Negative security assurances and nuclear-weapon-free zones

Negative security assurances

56. The Conference recognize that reaffirming and strengthening negative security assurances would help to improve the overall security environment and strengthen confidence in the non-proliferation regime;

57. The Conference also recognize that the only absolute guarantee against the use or threat of use of nuclear weapons is their total elimination. Negative security assurances are not to be seen as ends in themselves but as interim steps towards the shared goal of a world without nuclear weapons;

58. The Conference take note of the relevant work undertaken by the Conference on Disarmament. The Conference, in accordance with the commitments made by States parties in previous review conferences, note that various aspects of negative security assurances merit further consideration, recognizing the legitimate interests of non-nuclear-weapons States in receiving unequivocal and legally binding security assurances.

Nuclear-weapon-free zones

59. The Conference reaffirm the conviction that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament and non-proliferation;

60. The Conference encourage nuclear-weapon States to take all measures necessary to bring into force the pending protocols to the nuclear-weapon-free zone treaties;

61. The Conference call upon all nuclear-weapon States to review any reservations or interpretative declarations made to the nuclear-weapon-free zone treaties and their protocols contrary to the object and purpose of such treaties, with an aim to their withdrawal;

62. The Conference note the conference process on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction and encourage countries of the Middle East to continue dialogue in this regard, as agreed in the 1995 resolution on the Middle East and at the 2010 Review Conference;

63. The Conference support efforts to enhance the institutionalization, cooperation and consultations among the existing nuclear-weapon-free zones, including Mongolia.

12. Democratic People's Republic of Korea

64. The Conference reaffirm the commitment of the States parties to the international community's goal of the complete, verifiable and irreversible dismantlement of all weapons of mass destruction and ballistic missiles of all ranges

of the Democratic People's Republic of Korea, as well as its related programmes and facilities, in accordance with Security Council resolutions;

65. The Conference call upon all members of the international community to fully implement relevant Security Council resolutions and strongly urge the Democratic People's Republic of Korea to return to compliance with its IAEA safeguards agreement and the Non-Proliferation Treaty.

Pillar III. Peaceful uses

13. Peaceful uses

66. The Conference reaffirm article IV of the Treaty, which stipulates that nothing in the Treaty shall be interpreted as affecting the inalienable right of all States parties to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II and III of the Treaty;

67. The Conference acknowledge the progress made on the peaceful uses and applications of nuclear technology and their potential to help to fulfil a wide variety of basic human development needs worldwide;

68. The Conference further acknowledge the role of peaceful uses and applications of nuclear technology in supporting States parties in the implementation of the 2030 Agenda for Sustainable Development and specific Sustainable Development Goals, including in the areas of human and animal health, nutrition, food and agriculture, water resource management, environment, industry, materials and energy;

69. The Conference encourage States parties to support the expansion of the benefits of the peaceful uses of nuclear technology to their fullest potential, including where possible or desirable through incorporation into national development plans;

70. The Conference acknowledge that IAEA has an important role in assisting States parties in the safe and secure application and uses of nuclear technology and in assisting States parties with climate change adaption and mitigation through the peaceful use of both power and non-power nuclear applications;

71. The Conference encourage IAEA, its member States and development partners to work together to advance the recognition of nuclear science and technology as a tool for development within the development framework;

72. The Conference acknowledge the importance of communicating effectively and raising public awareness of the benefits of the peaceful uses of nuclear technology;

73. The Conference encourage IAEA and its member States to further promote those benefits and to share knowledge and technology in the field of peaceful uses of nuclear energy;

74. The Conference acknowledge the importance of bilateral, regional and multilateral cooperation in strengthening and enlarging the contribution of nuclear technology to peace, health and prosperity;

75. The Conference further acknowledge the need for all stakeholders to work together to bridge the gaps in nuclear science and technology among IAEA member States, taking into account and emphasizing the importance of the specific needs of developing countries, including those of least developed countries;

76. The Conference recognize that regions face different challenges that may be best addressed through regional cooperative arrangements, such as those among States parties in Asia and the Pacific, Arab States, Latin America and the Caribbean and Africa, which can be effective in providing assistance and facilitating technology

transfer, complementing and enhancing the technical cooperation activities of IAEA in individual countries and promoting South-South and triangular cooperation;

77. The Conference encourage States parties that have not yet done so to consider joining international legal instruments on civil liability for nuclear damage and adopting suitable national legislation in this regard.

14. Nuclear security

78. The Conference acknowledge achievements and remain committed to sustaining and strengthening the effective and comprehensive nuclear security of all nuclear and other radioactive material and facilities;

79. The Conference acknowledge existing and emerging nuclear security threats and States parties commit to addressing such threats;

80. The Conference reaffirm the importance of the physical protection of nuclear and other radioactive material, technology and facilities as a key element of nuclear security, and underline the need to take measures to identify and address new and evolving challenges and risks, including cyberattacks;

81. The Conference emphasize the central role of IAEA in strengthening nuclear security globally and facilitating and coordinating international cooperation in this regard;

82. The Conference encourage States parties to support the IAEA work in assisting countries in establishing and improving effective and sustainable national nuclear security regimes, including through guidance development, advisory services and capacity-building and, accordingly, its central role in facilitating and coordinating international cooperation to strengthen nuclear security, as well as its role in facilitating, as appropriate, regional activities;

83. The Conference welcome the fact that, since the previous Review Conference, several States parties have become parties to the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment, which entered into force in 2016. The Conference urge all parties to those conventions to fully and effectively implement their obligations thereunder and further encourage all States parties that have not yet done so to become parties to those conventions as soon as possible;

84. The Conference call upon all States parties to achieve and maintain the highest standard of nuclear security and welcome international and regional cooperation to enhance nuclear security, including through training and capacity-building opportunities, such as those provided by national and regional centres of excellence and Nuclear Security Training and Support Centres;

85. The Conference highlight the ministerial-level IAEA International Conference on Nuclear Security held in 2020 as a milestone event, for the sharing of knowledge and experience and promoting cooperation for and political commitment to nuclear security.

15. Strengthening the review process

86. The Conference reaffirm the purpose of the review process as set out in the relevant decisions of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the 2000 Review Conference;

87. The Conference acknowledge that the review process for the Treaty has generally served States parties well, and recognize that there is scope to improve the

overall effectiveness, transparency, inclusivity, efficiency and responsiveness of the review process;

88. The Conference emphasize that actions to strengthen the review process are no substitute for making progress on substantive outcomes and that the goal of reviewing the Non-Proliferation Treaty working methods should be to facilitate substantive, transparent and inclusive dialogue, thereby contributing to efficient work within review conferences and, ultimately, the effective implementation of the Treaty;

89. The Conference decide to establish a working group on further strengthening the review process of the Treaty, open to all States parties;

90. The Conference also decide that the working group will: meet in 2021¹ for two sessions of one week each in Geneva and New York, to discuss and, where appropriate, decide on improvements to the Non-Proliferation Treaty review process that would increase its effectiveness, efficiency, transparency and accountability throughout the review cycle; and operate according to the rules of procedure of the tenth Review Conference, which will be applied mutatis mutandis.

¹ Timing subject to change to account for circumstances at the time of adoption of the decision.