





# NATIONAL MODEL UNITED NATIONS

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[www.nmun.org](http://www.nmun.org) • [info@nmun.org](mailto:info@nmun.org) • 612.353.5649

Dear Delegates,

Welcome to the 2021 National Model United Nations New York Conference (NMUN•NY)! We are pleased to introduce you to our committee, the Nuclear Non-Proliferation Treaty Review Conference (NPT Review Conference). This year's staff is: Directors Adam Wolf (Conference A) and Eileen Austin (Conference B), and Assistant Directors Olivia Sophia Alphons (Conference A) and Nada Nassereddin (Conference B). Adam currently works as a Communications Officer at The HALO Trust, the world's largest humanitarian landmine clearance NGO. He first attended his first NMUN conference as a delegate in 2012, and is now serving his fourth year on staff. Eileen graduated from SUNY Oneonta in 2014 with a Bachelor of Science in Political Science and a Bachelor of Arts in International Studies and is currently pursuing her Master of Science degree in Accounting. She lives in New York and works as a corporate accountant for Danone North America. Olivia is a master's student in Peace and Conflict Studies at the University of Magdeburg. She participated in her first NMUN conference in 2016. Nada graduated from the American University of Sharjah in 2019 with a Bachelor of Arts in International Studies and is currently pursuing a Master in Public Policy at the University of Central Florida. She lives between Florida and Palestine and works at the A.M. Qattan Foundation in Ramallah.

The topics under discussion for the Nuclear Non-Proliferation Treaty Review Conference are:

- I. Peaceful Uses of Nuclear Energy
- II. Strengthening Measures towards General and Complete Nuclear Disarmament

The NPT Review Conference plays a unique role within the United Nations, as an opportunity for Member States to discuss disarmament, non-proliferation, and peaceful uses of nuclear technology. Its near-universal membership allows the Conference to promote consensus on key international issues related to both development and peace and security. This consensus usually leads to an outcome document, which consists of a summary of the work program discussed at the conference as well as a list of recommendations for action for the Member States and various international and civil society organizations. It is intended to strengthen the implementation of the NPT.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State's policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation for the Conference, each delegation will submit a Position Paper by 11:59 p.m. (Eastern) on 1 March 2021 in accordance with the guidelines in the [Position Paper Guide](#) and the [NMUN•NY Position Papers](#) website.

Two resources, available to download from the [NMUN website](#), that serve as essential instruments in preparing for the Conference and as a reference during committee sessions are the:

1. [NMUN Delegate Preparation Guide](#) - explains each step in the delegate process, from pre-Conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions. Delegates should not start discussion on the topics with other members of their committee until the first committee session.
2. [NMUN Rules of Procedure](#) - include the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the Conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the Conference itself, please contact the Under-Secretaries-General for the Peace and Security Department, Natalie Keller (Conference A) and Estefani Morales (Conference B), at [usg.ps@nmun.org](mailto:usg.ps@nmun.org).

We wish you all the best in your preparations and look forward to seeing you at the Conference!

Sincerely,

**Conference A**

Adam Wolf, *Director*

Olivia Sophia Alphons, *Assistant Director*

**Conference B**

Eileen Austin, *Director*

Nada Nassereddin, *Assistant Director*

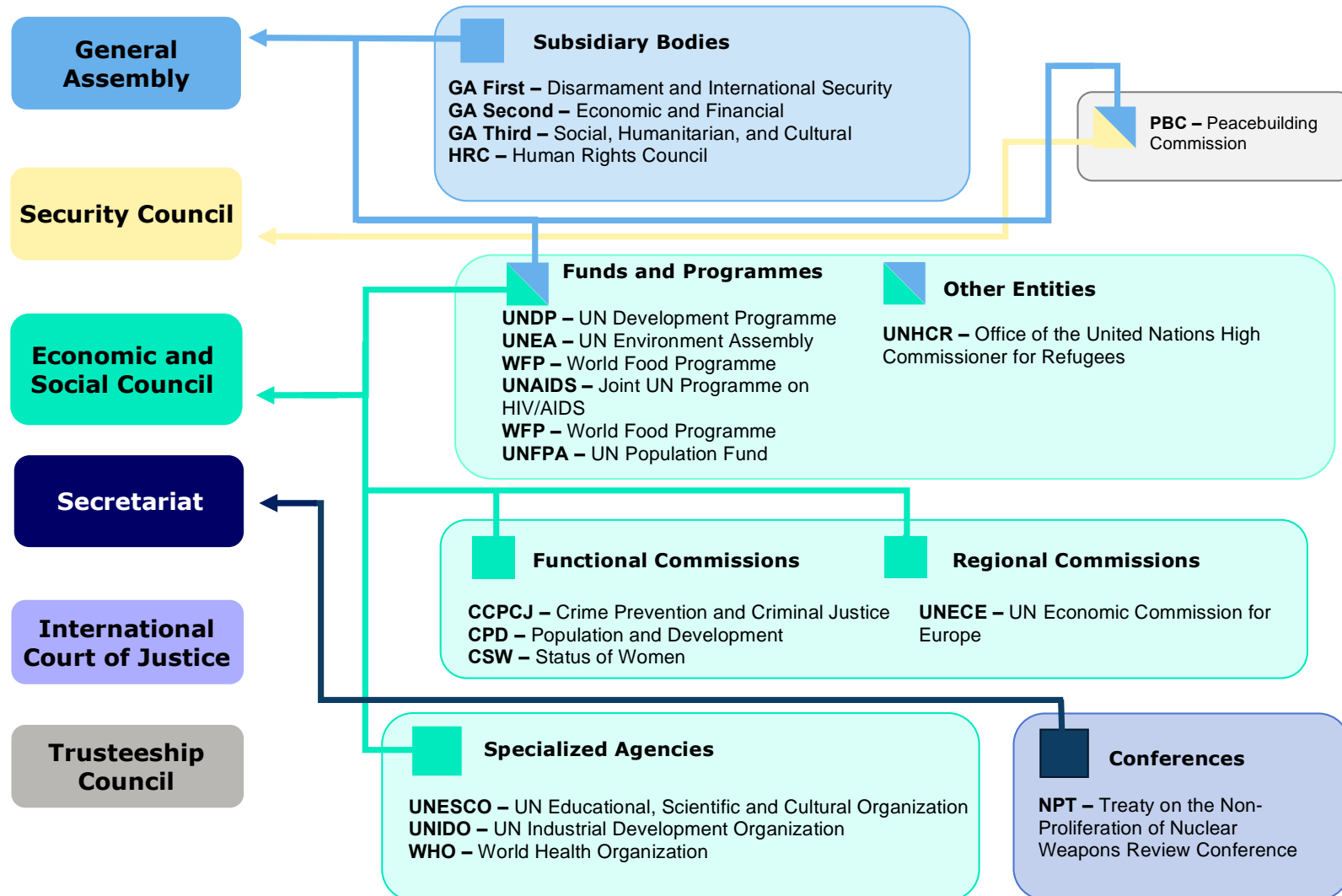


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## United Nations System at NMUN•NY

This diagram illustrates the UN system simulated at NMUN•NY and demonstrates the reportage and relationships between entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee's position, purpose, and powers within the UN system.



## Committee Overview

### Introduction

The *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT), which entered into force in 1970, is considered to be the cornerstone of the international nuclear non-proliferation regime.<sup>1</sup> In addition to preventing further spread of nuclear weapons and weapons technology, the treaty was designed to achieve the goal of nuclear disarmament and general and complete disarmament, and to foster the peaceful uses of nuclear energy.<sup>2</sup> The adoption of the treaty was preceded by several attempts to regulate the development and use of nuclear material.<sup>3</sup> The first proposal for international regulation of nuclear material was made by the United States in 1946.<sup>4</sup> That proposal, known as the Baruch Plan, was presented to the United Nations (UN) and suggested that the United States turn over its nuclear material, including weapons, to a new UN body, and that no countries would be allowed to possess nuclear weapons.<sup>5</sup> However, the plan failed due to opposition from the Soviet Union.<sup>6</sup> In 1953, United States President Dwight Eisenhower proposed the establishment of a treaty to control nuclear activities, which resulted in the negotiation of the Statute of the International Atomic Energy Agency (IAEA), creating an international organization for the purpose of inspecting nuclear facilities and providing technical assistance to states seeking to use nuclear energy.<sup>7</sup> Following the Cuban Missile Crisis of 1962, the United States and the Soviet Union began negotiations on nuclear weapons testing, followed by further negotiations on the draft text of the NPT, ultimately agreeing on the final text in 1968.<sup>8</sup> The NPT opened for signature in the same year, with the United States, the Soviet Union, and the United Kingdom acting as depositaries, and it formally entered into force two years later in 1970.<sup>9</sup>

To discuss the implementation of the three pillars of disarmament, non-proliferation, and peaceful uses of nuclear energy, the first Review Conference of the Parties to the Treaty (RevCon) took place in 1975 in Geneva, Switzerland.<sup>10</sup> Despite disagreements regarding the lack of a concrete timeline for nuclear disarmament, the States parties adopted a Final Declaration by consensus, which set the precedent for working to achieve this type of result at all future RevCons in the spirit of diplomacy.<sup>11</sup> The Final Declaration declared a “strong common interest in averting the further proliferation of nuclear weapons” and recommended greater attention and support to be given to the IAEA safeguards regime.<sup>12</sup> This document provided the foundation for recommendations made at future RevCons.<sup>13</sup> Since the first meeting, the NPT RevCon was held every five years, with all States parties to the NPT invited to discuss the implementation of the treaty.<sup>14</sup> Article X of the NPT stated that 20 years after the treaty enters into force, a conference would be held to decide if the treaty would continue for a fixed number of years, or if it should remain in force indefinitely.<sup>15</sup> The 1995 Review Conference was thus significant as States parties decided that the NPT would be extended indefinitely.<sup>16</sup>

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<sup>1</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons*.

<sup>2</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2345 (XXII))*, 1968.

<sup>3</sup> Bunn & Rhinelander, *Looking Back: The Nuclear Nonproliferation Treaty Then and Now*, 2008.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, Art. 8.

<sup>11</sup> Reaching Critical Will, *History of the NPT 1975-1995*, 2014.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Reaching Critical Will, *Nuclear Non-Proliferation Treaty*, 2014.

<sup>15</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, Art. 10.

<sup>16</sup> Reaching Critical Will, *History of the NPT 1975-1995*, 2014.

Since the 1995 outcome, the body of States parties adopted final outcomes by consensus in the 2000 and 2010 RevCons, but failed to do so in 2005 and notably in 2015.<sup>17</sup> In 2015, negotiations fell apart because of surrounding issues related to disarmament commitments and how to progress on a Middle East Zone free of Weapons of Mass Destruction.<sup>18</sup> Many analysts believe the 2020 RevCon will be crucial in setting the tone for the nuclear control regime, and that failure to adopt another outcome document could present an unprecedented lag in negotiations.<sup>19</sup> The 2020 RevCon was originally scheduled to begin on 27 April 2020, but has been delayed until 2021 due to the COVID-19 pandemic.<sup>20</sup>

### **Governance, Structure, and Membership**

The Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) serves as the primary forum for discussion of issues related to nuclear weapons and technology, including disarmament, non-proliferation, nuclear energy, and the establishment of Nuclear-Weapons-Free Zones (NWFZ).<sup>21</sup> With a total of 189 United Nations (UN) Member States and two Observer States having acceded to the NPT, the forum is near universal and attracts participation from civil society and other non-governmental organizations.<sup>22</sup> India, Israel, Pakistan, and South Sudan are the only states that have never acceded to the treaty, and the Democratic People's Republic of Korea (DPRK) acceded to it but withdrew in 2003.<sup>23</sup> These states do not participate in the RevCons.<sup>24</sup>

Every RevCon is preceded by three two-week Preparatory Committee meetings, which outline the body of work to be discussed at the respective RevCon through generating statements and working papers, and addressing administrative matters such as the budget or the selection of the RevCon president.<sup>25</sup> The current President-Designate is Gustavo Zlauvinen, who was appointed by Argentina to replace Rafael Mariano Grossi.<sup>26</sup> Grossi was originally elected by States Parties at the 2019 NPT Preparatory Committee.<sup>27</sup> Grossi was appointed as the next Director-General of the International Atomic Energy Agency (IAEA) after the death of Yukiya Amano, the previous Director-General, and thus had to abdicate his spot as President-Elect.<sup>28</sup> The Preparatory Committee is also responsible for beginning the process of assessing the implementation of the NPT.<sup>29</sup> To this end, the Preparatory Committee serves as a forum for States parties to share their individual progress reports, outlining the steps they have taken to fulfill their treaty obligations.<sup>30</sup> At the RevCon, negotiations typically center around the same key issues discussed at the Preparatory Committee meetings.<sup>31</sup>

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<sup>17</sup> Reaching Critical Will, *Nuclear Non-Proliferation Treaty*.

<sup>18</sup> Cronberg & van der Meer, *Working Towards a Successful NPT 2020 Review Conference*, 2017.

<sup>19</sup> Cronberg & van der Meer, *Working Towards a Successful NPT 2020 Review Conference*, 2017.

<sup>20</sup> UN Review Conference of the Parties to the NPT, *2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, 2020.

<sup>21</sup> Reaching Critical Will, *Nuclear Non-Proliferation Treaty*.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons*, 2020.

<sup>25</sup> Miller & Scheinman, *Israel, India, and Pakistan: Engaging the Non-NPT States in the Nonproliferation Regime*, 2003.

<sup>26</sup> UN Preparatory Committee for the 2020 Review Conference of the Parties to the NPT, *Final Report of the Preparatory Committee for the 2020 Review Conference of the Parties to the NPT (NPT/CONF.2020/1)*, 2019, p. 7.

<sup>27</sup> Ibid.

<sup>28</sup> Kimball, D., & G. Webb, *Argentine Selected to Lead IAEA*, 2020.

<sup>29</sup> UNODA, *2019 Preparatory Committee for the 2020 Nuclear Non-Proliferation Treaty Review Conference - Background Information*.

<sup>30</sup> Collina et al., *Stage Set for 2015 NPT Review Conference*, 2014.

<sup>31</sup> Reaching Critical Will, *History of the NPT 1975-1995*, 2014.

Regional groups and organizations are also relevant within the NPT RevCon and typically serve as large negotiation blocs.<sup>32</sup> One prominent example is the New Agenda Coalition, consisting of Mexico, Brazil, South Africa, Ireland, Egypt, and New Zealand, which serves as a negotiating bloc and leadership group that calls for nuclear weapon states to begin good-faith negotiations to reduce their nuclear weapons stockpiles.<sup>33</sup> Another group that is active within the NPT process is the Non-Aligned Movement (NAM), a regional group of 120 Member States that identify themselves as not being aligned to a major power.<sup>34</sup> Similar to the New Agenda Coalition, NAM advocates for an agenda where nuclear armed states commit to disarming their stockpiles, which has been viewed as a neglected issue by some Member States throughout the NPT review process.<sup>35</sup> Because the final document is adopted by consensus, the success of the RevCon hinges on the ability of the States parties to compromise.<sup>36</sup>

### ***Mandate, Functions, and Powers***

The RevCon was established by article VIII of the NPT, which states that conferences of the States parties will be held every five years “in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized.”<sup>37</sup> Every RevCon aims to produce a final outcome document, which outlines the current state of NPT implementation and lists action items for the following five years.<sup>38</sup> However, a consensus is not always reached, meaning that an outcome document is not always produced.<sup>39</sup> When there is an outcome document, it is sent to the Secretary-General of the UN and the Director General of the IAEA.<sup>40</sup> Nevertheless, the final outcome documents are not legally binding and are therefore not always fully implemented.<sup>41</sup> These recommended actions typically focus on the three pillars of the NPT but often address also other policy areas and concrete issues such as regional cooperation or the denuclearization of the Middle East.<sup>42</sup> The NPT places no restrictions on the issues to be addressed in the outcome document or the types of recommendations made, and future RevCons therefore have the option to act on other issue areas, such as assistance in researching nuclear applications for medicine and agriculture.<sup>43</sup>

The RevCon does not have an operations arm and relies upon the States parties, the IAEA, the UN Office for Disarmament Affairs (UNODA), and other UN agencies to carry out the actions listed in its outcome documents.<sup>44</sup> Although the RevCon is a separate entity from the UN and the IAEA, due to the similar membership of the three entities and the more regular meeting schedules and increased operational capacity of the UN and the IAEA, the RevCon works very closely with the other two organizations to implement its outcome documents.<sup>45</sup> The IAEA is invited to attend the RevCon meetings, primarily because it is the organization statutorily responsible for monitoring many aspects of NPT implementation through its safeguards system and owing to its focus on the peaceful uses of nuclear technology.<sup>46</sup> As the primary UN body that aims to support the use of atomic energy for peaceful purposes, the IAEA works closely with the RevCon to ensure that the NPT is utilized to reduce the use of nuclear energy for

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<sup>32</sup> Johnson, *Politics and Protection: Why the 2005 NPT Review Conference Failed*, 2005.

<sup>33</sup> Nuclear Threat Initiative, *New Agenda Coalition*, 2020.

<sup>34</sup> Nuclear Threat Initiative, *Non-Aligned Movement*, 2018.

<sup>35</sup> Johnson, *Politics and Protection: Why the 2005 NPT Review Conference Failed*, 2005.

<sup>36</sup> Mukhatzhanova, *Rough Seas Ahead: Issues for the 2015 NPT Review Conference*, 2014.

<sup>37</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, Art. 8.

<sup>38</sup> Reaching Critical Will, *Nuclear Non-Proliferation Treaty*, 2014.

<sup>39</sup> Ibid.

<sup>40</sup> IAEA, *Key Roles*, 2014.

<sup>41</sup> Reaching Critical Will, *Nuclear Non-Proliferation Treaty*, 2014.

<sup>42</sup> Reaching Critical Will, *2014 NPT Preparatory Committee Briefing Book*, 2014.

<sup>43</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968, Art. 8.

<sup>44</sup> Choubey, *Understanding the 2010 NPT Review Conference*, *Carnegie Endowment for International Peace*, 2010.

<sup>45</sup> IAEA, *Key Roles*, 2014.

<sup>46</sup> Ibid.; Reaching Critical Will, *2014 NPT Preparatory Committee Briefing Book*, 2014.



weapons creation.<sup>47</sup> The States parties also work closely with UNODA, particularly with its Weapons of Mass Destruction branch, which provides both substantive and administrative support.<sup>48</sup> UNODA utilizes the NPT to promote global disarmament and eliminate weapons of mass destruction.<sup>49</sup> Several intergovernmental and non-governmental organizations focused on nuclear disarmament and technology also help spread information about the NPT and assist with its implementation worldwide.<sup>50</sup>

### **Recent Sessions and Current Priorities**

Due to the global COVID-19 pandemic, the 2020 RevCon has been postponed.<sup>51</sup> While an exact time and date has yet to be established, the body decided it shall be held no later than April of 2021.<sup>52</sup> On 21 April 2020, President-Designate Gustavo Zlauvinen delivered a message to States parties stating the 4-29 of January 2021 would be the only timeframe to meet the requirements of States parties.<sup>53</sup> He indicated that given the circumstances of the pandemic, any confirmed meeting dates remain tenuous but would move forward in seeking an agreement to hold the RevCon during those proposed dates in January of 2021.<sup>54</sup>

The meetings of the Preparatory Committees also established the priorities for the delayed 2020 RevCon, resulting in several national reports and working papers to prepare for the upcoming RevCon.<sup>55</sup> Despite the delay in the RevCon, these priorities remain highly relevant to what can be substantively discussed by the States parties.<sup>56</sup>

The third Preparatory Committee to the 2020 Review Conference, which took place from 29 April to 10 May 2019 at UN Headquarters in New York, produced a final report that decided there would be three Main Committees at the RevCon, with States parties allowed to participate in all three.<sup>57</sup> Main Committee I, to be chaired by Syed Md Hasrin Syed Hussin of Malaysia, will discuss non-proliferation, disarmament, and security assurances.<sup>58</sup> Main Committee II, to be presided by Poland's permanent representative to the UN Office and international organizations in Vienna, Adam Bugajski, will deal with non-proliferation, safeguards, and NWFZ.<sup>59</sup> Main Committee III, to be chaired by Henk Cor Van der Kwast of the Netherlands, will discuss peaceful nuclear technology and other aspects of the treaty.<sup>60</sup> The three Main Committees reflect the three pillars of the NPT, with Main Committee I discussing primarily disarmament, Main Committee II non-proliferation, and Main Committee III the peaceful uses of nuclear energy.<sup>61</sup> With the 2020 RevCon being delayed due to the COVID-19 pandemic, it remains to be seen if the committee leadership will be altered for when the conference is rescheduled.<sup>62</sup>

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<sup>47</sup> UN Conference on the Statute of the IAEA, *The Statute of the IAEA*, 1956, Art. III; UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

<sup>48</sup> Nuclear Threat Initiative, *United Nations Office of Disarmament Affairs*, 2014.

<sup>49</sup> UNODA, *Vision*.

<sup>50</sup> Nuclear Threat Initiative, *United Nations Office of Disarmament Affairs*, 2014.

<sup>51</sup> UN Review Conference of the Parties to the NPT, *2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, 2020.

<sup>52</sup> *Ibid.*

<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*

<sup>55</sup> UN Preparatory Committee for the 2020 Review Conference of the Parties to the NPT, *Final Report of the Preparatory Committee for the 2020 Review Conference of the Parties to the NPT (NPT/CONF.2020/1)*, 2019.

<sup>56</sup> *Ibid.*

<sup>57</sup> *Ibid.*, p. 34.

<sup>58</sup> *Ibid.*, p. 45.

<sup>59</sup> *Ibid.*, p. 45.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*



Another relevant point of discussion will be the Treaty on the Prohibition of Nuclear Weapons (TPNW).<sup>63</sup> Through General Assembly resolution 71/258, the UN decided to convene a conference to discuss a treaty to prohibit nuclear weapons and encouraged Member States to attend.<sup>64</sup> The TPNW was adopted by the conference on 7 July 2017 and opened for signature in September of that year.<sup>65</sup> On 24 October 2020, the requisite 50 ratifications was reached and the TPNW is set to enter into force on 22 January 2021.<sup>66</sup> Though the TPNW contradicts the NPT in prohibiting the use of nuclear weapons while the NPT allows the permanent five members of the Security Council to retain them, it has become a point of discussion in the preparatory committees, especially in relation to meeting nuclear disarmament commitments and achieving a world free of nuclear weapons.<sup>67</sup>

In terms of country-specific negotiations, the case of Iran and the Joint Comprehensive Plan of Action can be referenced as an ongoing example of current diplomatic engagements to bring UN Member States into compliance with the NPT.<sup>68</sup> However, in 2018, the United States withdrew its support of the JCPOA, and as a result, agreements made by the participating parties have weakened.<sup>69</sup> While these negotiations now face challenges, it is important to highlight this example as it offers insight into how other UN organs, such as the Security Council, play a role within this committee.<sup>70</sup>

In addition to recent discussions and negotiations, the UN system has identified the Sustainable Development Goals (SDG) and the 2030 agenda as a crucial topic within peaceful uses of nuclear energy.<sup>71</sup> SDG 16 on peace, justice, and strong institutions already plays a strong cross-cutting role within the global nuclear control regime.<sup>72</sup> One such example is how the verification and transparency process to ensure peaceful uses of nuclear technology can reinforce target 16.6 in developing effective, accountable, and transparent institutions.<sup>73</sup> Moreover, peaceful nuclear energy is often linked to having strong development benefits.<sup>74</sup> This can include improved healthcare, which is linked to SDG 3 on achieving good health and well-being, and agricultural output, linked nuclear energy to SDG 2 on zero hunger.<sup>75</sup> Lastly, if nuclear energy is managed properly, it can be regarded as a clean source of energy and help Member States meet SDG 7 on affordable and clean power.<sup>76</sup> In June of 2020, the NPT Review Conference also held a webinar on the role of peaceful nuclear technology within the SDGs.<sup>77</sup>

With the delay in the 2020 Review Conference, several discussion resources and webinars are being provided by conference leadership to help spur and continue discussion around key themes.<sup>78</sup> In July of 2020, a webinar was held regarding how IAEA safeguards are applicable in the 21<sup>st</sup> century.<sup>79</sup> In the

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<sup>63</sup> Women's International League for Peace and Freedom, *2020 NPT Briefing Book*, 2020.

<sup>64</sup> UN General Assembly, *Taking Forward Multilateral Nuclear Disarmament Negotiations (A/RES/71/258)*, 2017.

<sup>65</sup> UNODA, *Treaty on the Prohibition of Nuclear Weapons*.

<sup>66</sup> Ibid.

<sup>67</sup> Women's International League for Peace and Freedom, *2020 NPT Briefing Book*, 2020.

<sup>68</sup> UN Security Council, *Joint Comprehensive Plan of Action (JCPOA) on the Islamic Republic of Iran's Nuclear Programme (S/RES/2231 (2015))*, 2015

<sup>69</sup> Laub, What is the Status of the Iran Nuclear Agreement? *Council on Foreign Relations*, 2020.

<sup>70</sup> Ibid.

<sup>71</sup> UN DGC, *Nuclear Energy Could Hold Key to Sustainable Development Gains, Delegates Tell General Assembly, as It Considers International Atomic Energy Agency Report (GA/11972)*, 2017.

<sup>72</sup> UNODA, *Securing Our Common Future: An Agenda for Disarmament*, 2018.

<sup>73</sup> Ibid.

<sup>74</sup> IAEA, *Sustainable Development Goals (SDGs)*, 2020.

<sup>75</sup> Ibid.

<sup>76</sup> IAEA, *Nuclear Power for Sustainable Development*, 2017.

<sup>77</sup> UN, Review Conference of the Parties to the NPT, *The Tenth NPT Review Conference – Peaceful Applications of Nuclear Technology and the Sustainable Development Goals*, 2020.

<sup>78</sup> UN, Review Conference of the Parties to the NPT, *What is the NPT?*, 2020.

<sup>79</sup> UN, Review Conference of the Parties to the NPT, *The Tenth NPT Review Conference – the IAEA Safeguards in the 21 Century*, 2020.

same month, a webinar was held on the role of Youth in the NPT Review Process.<sup>80</sup> During the webinar, President-Designate Zlauvinen emphasized that the elimination of nuclear weapons will “regretfully be an issue inherited” by a younger generation.<sup>81</sup> Thus, the UN system has made it a point of emphasis to include a youth perspective into the current NPT process.<sup>82</sup> It is hard to gauge at this point what the States parties will plan, but a recent webinar by the UNODA seems to indicate opening up the RevCon to broader participation.<sup>83</sup>

### **Conclusion**

The NPT RevCon is the international body charged with bringing together all the States parties to the NPT to discuss its implementation and future actions.<sup>84</sup> Unfortunately, due to the Coronavirus pandemic, the 2020 RevCon was delayed until no later than April 2021.<sup>85</sup> The rescheduled conference will still however consider many important issues outlined in the preparatory meetings, including nuclear disarmament and the peaceful uses of nuclear technology.<sup>86</sup> An outcome document from this conference has the potential to significantly shape the international nuclear control regime and implementation of the NPT in the following five years.<sup>87</sup> Despite ongoing contention on certain topics, such as the pace of disarmament, past successes and commitment for future frameworks give the international community hope of seeing a robust outcome during the next RevCon.<sup>88</sup>

### **Annotated Bibliography**

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*The NPT itself is the foundational document that has largely structured and influenced the current global nuclear weapons control regime. Each article outlines key actions and information, such as verifying peaceful uses of nuclear energy, that has shaped many of the key bodies, laws, and instruments relevant today. Understanding the NPT, its pillars, and its provisions is crucial in knowing how the UN and the international community address issues related to nuclear energy and technology.*

United Nations, Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2019). *Final Report of the Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2020/1)*. Retrieved 19 August 2019 from: <https://undocs.org/NPT/CONF.2020/1>

*The Final Report of the Preparatory Committee for the 2020 Review Conference provides one of the most holistic overviews of information that is pertinent to the interests of States parties. It not only provides a substantive overview of themes discussed at meetings, but also outlines every document that was approved within the preparatory process. This is not only an effective source of information to understand the general substantive priorities*

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<sup>80</sup> UN, Review Conference of the Parties to the NPT, *Tenth NPT Review Conference: Youth and the NPT*, 2020.

<sup>81</sup> UN DGC, *2020 Statement by President Designate Gustavo Zlauvinen to Attendees of the Webinar on the Tenth Review Conference: Youth and the NPT*, 2020.

<sup>82</sup> UN, Review Conference of the Parties to the NPT, *Tenth NPT Review Conference: Youth and the NPT, Webinar – July 16, 2020*.

<sup>83</sup> Ibid.

<sup>84</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons*.

<sup>85</sup> Kimball, *NPT Review Conference Postponed*, 2020.

<sup>86</sup> UN Preparatory Committee for the 2020 Review Conference of the Parties to the NPT, *Final Report of the Preparatory Committee for the 2020 Review Conference of the Parties to the NPT (NPT/CONF.2020/1)*, 2019.

<sup>87</sup> Altaf, *NPT Review Conference 2020: Prospects and Challenges*, *Foreign Policy News*, 2018.

<sup>88</sup> Ibid.

of States parties, but also a strong retainer of all information relevant to the 2020 RevCon.

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*The NPT Briefing Book published by Reaching Critical Will, a programme of the Women's International League for Peace and Freedom, is one of the most comprehensive sources on the NPT process from a civil society perspective. In this document, delegates will find an overview of the current state of the NPT process and perspectives from disarmament activists and civil society of how the state of the nuclear control regime is progressing. Examples include outlines of which countries have and have not met commitments in areas of disarmament and article implementation. It also provides a list of policy recommendations in key areas related to the NPT.*

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## I. Peaceful Uses of Nuclear Energy

### **Introduction**

In the early 20<sup>th</sup> century, nuclear energy was discovered through nuclear fission, which refers to the splitting of atoms.<sup>89</sup> On the one hand, this discovery enabled the creation of a dangerous weapon, the nuclear bomb, but on the other hand, it also served as a new resource for improving people's lives by introducing a cost-friendly method of generating electricity.<sup>90</sup> Nuclear energy has long been associated with feelings of concerns regarding safety and waste; still, it has been safely employed as one of the key alternative energy sources in several nations.<sup>91</sup> Currently, civil nuclear technologies belong to more diverse fields than just power generation.<sup>92</sup> There is indeed a lengthy list of existing non-power applications that include, among others, climate, health, water, food safety, and space exploration.<sup>93</sup>

The risks of proliferation and the tensions during the Cold War led to the signing of the *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)* in 1968, constituting a major milestone for the maintenance of international security and designed to put an end to the nuclear arms race.<sup>94</sup> Under article IV of the NPT, all States parties are entitled "to develop research, produce, and use nuclear energy for peaceful purposes."<sup>95</sup> Yet this can only be done under the premise of safeguarding measures undertaken by the International Atomic Energy Agency (IAEA).<sup>96</sup> According to a study by Jonas and Braunstein from 2018, even though a global rationale on how to separate the harmful uses of nuclear materials from the peaceful ones does not exist, some key rules defining which states can legitimately run their nuclear reactors have evolved.<sup>97</sup> If a state is a signatory to the NPT and it endorses verification schemes, it is manifestly willing to be transparent about its nuclear activities and can prove their peacefulness.<sup>98</sup> Whereas a nuclear site, which has not accepted a control mechanism and enriches uranium to high levels, is perceived as precarious in terms of proliferation and thus cannot be justified under article IV.<sup>99</sup> However, as scholars have pointed out, this division is not always clear because states might seem to comply with article IV and, at the same time, covertly develop weapons in an undeclared facility.<sup>100</sup>

States parties do agree that progress in nuclear cooperation needs to be made since the issues on which nuclear energy can have a beneficial impact are of universal concern.<sup>101</sup> For example, in the fight against global warming, nuclear energy constitutes a valuable alternative for electricity production as it generates less CO<sub>2</sub> emissions than traditional fossil fuels.<sup>102</sup> This background guide will mainly discuss matters of safety standards and cooperation in the nuclear field internationally and regionally as well as present different examples concerned with nuclear energy and its peaceful purposes.<sup>103</sup>

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<sup>89</sup> World Nuclear Association, *Outline History of Nuclear Energy*, 2019.

<sup>90</sup> Ibid.

<sup>91</sup> IAEA, *IAEA Annual Report 2018*, 2018.

<sup>92</sup> World Nuclear Association, *The Many Uses of Nuclear Technologies*, 2017.

<sup>93</sup> Ibid.

<sup>94</sup> Atomic Heritage Foundation, *Nuclear Non-Proliferation Treaty (NPT)*, 2016.

<sup>95</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. IV.

<sup>96</sup> Ibid.

<sup>97</sup> Jonas & Braunstein, *What's Intent Got to Do with It? Interpreting "Peaceful Purpose" in Article IV.1 of the NPT*, 2018.

<sup>98</sup> Arms Control Association, *Section 3: Understanding the JCPOA*, 2015.

<sup>99</sup> Carnegie Endowment for International Peace, *Toward a Nuclear Firewall: Bridging the NPT's Three Pillars*, 2017.

<sup>100</sup> Jonas & Braunstein, *What's Intent Got to Do with It? Interpreting "Peaceful Purpose" in Article IV.1 of the NPT*, 2018.

<sup>101</sup> Atlantic Council, *Session 1: The Global Future of the Peaceful Use of Nuclear Energy*, 2017.

<sup>102</sup> IAEA, *Nuclear Power in a Clean Energy System*, 2019.

<sup>103</sup> UN ECOSOC, *Concept Note – The Role of Nuclear Energy in Sustainable Development: Entry Pathways (ECE/ENERGY/GE.3/2019/6)*, 2019.



## ***International and Regional Framework***

### *Peaceful Uses of Nuclear Energy*

Under article IV of the NPT, all States parties are granted the inalienable right to peacefully use nuclear energy.<sup>104</sup> However, this right has to be exercised in accordance with articles I and II of the NPT, which prohibit the proliferation of nuclear weapons and other nuclear explosive devices to other states.<sup>105</sup> Article III sets forth limitations and restrictions on the acquisition and development of nuclear technology, while making clear that these safeguards should not be utilized to prevent states from developing nuclear energy for peaceful uses.<sup>106</sup> The NPT further calls upon those States parties which are capable of acquiring nuclear facilities and materials to share their scientific knowledge about peaceful nuclear applications and to devise bilateral, regional, or international agreements, so that all States parties can profit from the advantages of nuclear energy.<sup>107</sup>

In addition, at the time the NPT was drafted and adopted, the possibility of employing nuclear energy for peaceful nuclear explosions (PNEs) was included in article V.<sup>108</sup> PNEs are nuclear explosions conducted with necessary provisions for civil works and non-military purposes.<sup>109</sup> PNEs can be used for the production of electricity, spacecraft propulsion, or construction of ports and canals, and were hence believed to be a practical means for infrastructure development.<sup>110</sup> Nevertheless, debates concerning the prohibition of such atomic detonations, in particular due to the radiation emitted from splitting atoms, have resulted in the *Comprehensive Nuclear-Test-Ban Treaty* (CTBT), adopted by the United Nations (UN) General Assembly in its resolution 50/245 in 1996.<sup>111</sup> Since the CTBT has not yet entered into force, nuclear test explosions, whether they are taking place under peaceful or military intentions, are not prohibited and continue to pose a threat to security and people's health.<sup>112</sup> On 24 October 2020, the Treaty on the Prohibition of Nuclear Weapons, which "includes a comprehensive set of prohibitions on participating in any nuclear weapon activities" reached its 50th ratification and will therefore enter into force on 22 January 2021.<sup>113</sup>

While the aforementioned frameworks govern the general and fundamental boundaries of peaceful nuclear energy usage, there are also some regional and multilateral frameworks, which have been set up to supervise the rules of civil purposes and cooperation in specific parts of the world.<sup>114</sup> The *Regional Cooperative Agreement* (RCA), for example, which was updated in 2017, was the first intergovernmental agreement signed in 1972 under the auspices of IAEA, which provides Asian countries with a framework for research, development, and training related to nuclear science and technology.<sup>115</sup> The Cooperative Agreement for Arab States in Asia for Research, Development and Training related to Nuclear Science Technology (ARASIA) also advanced the peaceful use of nuclear energy by using nuclear and isotopic

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<sup>104</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. IV.

<sup>105</sup> *Ibid.*, Art. I-II.

<sup>106</sup> *Ibid.*, Art. III.

<sup>107</sup> Nuclear Energy Institute, *The Advantages of Nuclear Energy*, 2019; UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. IV.

<sup>108</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. V.

<sup>109</sup> Spinrad, *Possibilities for Peaceful Nuclear Explosives*, 1969.

<sup>110</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. V; World Nuclear Association, *Peaceful Nuclear Explosions*, 2018.

<sup>111</sup> Kimball, *Revitalizing Diplomatic Efforts to Advance CTBT Entry into Force*, 2018; UN General Assembly, *Comprehensive Nuclear-Test-Ban Treaty (A/RES/50/245)*, 1996; World Nuclear Association, *Peaceful Nuclear Explosions*, 2018.

<sup>112</sup> Kimball, *Revitalizing Diplomatic Efforts to Advance CTBT Entry into Force*, 2018, p. 1.

<sup>113</sup> UNODA, *Treaty on the prohibition of nuclear weapons*.

<sup>114</sup> IAEA, *Regional/Cooperative Agreements*, 2019.

<sup>115</sup> Regional Cooperative Agreement, *About Us – Our History*, 2017; IAEA, *The Text of the Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (INFCIRC/919)*, 2017, Art. IX.

techniques to improve crop yields on salt-affected soils.<sup>116</sup> Similar regional conventions include the *African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology* (AFRA) (1990) and the *Regional Cooperation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean* (ARCAL) (1984).<sup>117</sup>

### *Nuclear Safety*

Similar to the peaceful uses, the NPT is also the primary framework to govern the safe use of nuclear energy.<sup>118</sup> In order for states to exercise their right under article IV, technical assistance must be prioritized to allow states to advance nuclear energy, while adhering to safety standards.<sup>119</sup> In 1961, the IAEA introduced *The Agency's Safeguards* to set the first practical guidelines for the safe running of nuclear facilities.<sup>120</sup> Such safeguards enable the IAEA to inspect and verify the peacefulness of a state's nuclear activities by collecting nuclear material samples at the sites, installing surveillance cameras, or taking satellite images of the area.<sup>121</sup> States that sign a country-specific *Comprehensive Safeguards Agreement* (CSA) with the IAEA can furthermore endorse an *Additional Protocol* to the CSA, which strengthens the IAEA's control measures by granting the Agency more frequent access to the reactors.<sup>122</sup>

In 1994, the IAEA adopted the *Convention on Nuclear Safety*, which stipulated in more detail the safety standards related to the choice of the location of a reactor, its construction, and its operation.<sup>123</sup> When generating nuclear energy, states encounter challenges regarding the safe running and general operation of the power plants.<sup>124</sup> As a result, the IAEA adopted the *Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management* in 1997, which legally binds States parties that produce atomic energy to store their spent fuels in a way that inhibits calamities and protects surrounding areas from deadly radiation.<sup>125</sup> However, existing storage solutions still lack long-term evaluation of their effectiveness, presenting an issue regarding the future of nuclear sites.<sup>126</sup>

### **Role of the International System**

The first body to formally recognize the importance of an exclusively peaceful usage of nuclear energy was the General Assembly through its first resolution 1(I) in 1946.<sup>127</sup> This resolution was a precursor to the NPT, stating that the newly installed UN Atomic Energy Commission should strengthen exchanges between Member States related to scientific progress on civil nuclear technologies and control existing atomic energy programs.<sup>128</sup> Thirty years later, the General Assembly considered the IAEA's *Annual Report for 1976* and adopted in the aftermath of its debates resolution 32/50 on the "Peaceful Use of Nuclear Energy for Economic and Social Development," preparing the ground for the development and installation of nuclear applications that are specifically designed for helping achieve the Sustainable

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<sup>116</sup> IAEA, *Nuclear Techniques Support Crop Production on Salt-affected Soils in Middle East*, 2020.

<sup>117</sup> IAEA, *Regional/Cooperative Agreements*, 2019.

<sup>118</sup> 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document (NPT/CONF.2010/50.Vol.I)*, 2010, pp. 14-17; UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968.

<sup>119</sup> 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document (NPT/CONF.2010/50.Vol.I)*, 2010, pp. 14-17.

<sup>120</sup> IAEA, *The Agency's Safeguards (INFCIRC/26)*, 1961.

<sup>121</sup> *Ibid.*

<sup>122</sup> IAEA, *Additional Protocol*, 2019; IAEA, *IAEA Safeguards Overview*, 2019.

<sup>123</sup> IAEA, *Convention on Nuclear Safety (INFCIRC/449)*, 1994.

<sup>124</sup> IAEA, *Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (INFCIRC/546)*, 1997.

<sup>125</sup> *Ibid.*

<sup>126</sup> IAEA, *Speech by Former IAEA Director General Yukiya Amano on the Challenges in Nuclear Verification at the Center for Strategic and International Studies on 5 April 2019, in Washington*, 2019.

<sup>127</sup> UN General Assembly, *Establishment of a Commission to Deal with the Problem Raised by the Discovery of Atomic Energy (A/RES/1(I))*, 1946, Art. V.

<sup>128</sup> *Ibid.*

Development Goals (SDGs).<sup>129</sup> The SDGs, which were adopted in 2015 by the General Assembly resolution 70/1 as part of the *2030 Agenda for Sustainable Development*, are 17 fields of action that target specific issues of global prosperity, and how peaceful uses of nuclear energy can contribute to many of the SDGs' focal areas.<sup>130</sup>

Nuclear energy for peaceful purposes constitutes one of the cornerstones of the NPT.<sup>131</sup> Article VIII of the NPT describes the review process undertaken by the parties to the treaty in order to evaluate the treaty's implementation and make recommendations on how to further strengthen compliance with the NPT's provisions.<sup>132</sup> In accordance with this provision, the Review Conference (RevCon) assesses the status quo, the benefits, and the risks of peaceful nuclear applications every five years.<sup>133</sup> To ensure non-discriminatory availability of nuclear energy to all states and thereby fulfill the obligations under articles IV.2 and V, over the years, several principles have emerged, including safeguarding mechanisms and a donation-based system to fund transnational projects in peaceful nuclear research.<sup>134</sup> On March 2020, the NPT marked 50 years since it entered into force, and 25 years of its indefinite extension in 1995.<sup>135</sup> Due to the global coronavirus pandemic (COVID-19), State parties elected to postpone the 2020 NPT Review Conference with the aim to convene it as soon as circumstances permit to ensure international cooperation on peaceful uses of nuclear energy and for progress on nuclear disarmament.<sup>136</sup>

The leading actor in the nuclear policy field on a governmental level is the IAEA, which was established in 1957 and works not only for the promotion of peaceful uses of nuclear technology, but also for nuclear safety and non-proliferation.<sup>137</sup> In 2002, the IAEA's board of governors issued an evaluation of the 1997 *Technical Co-operation Strategy*, which forecasted that the emphasis would shift towards developing nuclear technologies for achieving the objectives of sustainable development.<sup>138</sup> One of the major instruments to gather support in the form of extrabudgetary contributions and promote research and cooperation in the nuclear field is the *IAEA's Peaceful Uses Initiative (PUI)*, which was launched in 2010.<sup>139</sup> Moreover, in 2011, the Agency issued the *IAEA Action Plan on Nuclear Safety*, which defined several guidelines across the nuclear field and provided recommendations on how to strengthen emergency response capacities to natural disasters and other catastrophes.<sup>140</sup>

Within the UN system, there are other bodies besides the IAEA that work towards implementing article IV of the NPT, including the Food and Agriculture Organization (FAO), the UN Development Programme

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<sup>129</sup> UN General Assembly, *Peaceful Use of Nuclear Energy for Economic and Social Development (A/RES/32/50)*, 1977.

<sup>130</sup> UN DESA, *Sustainable Development Goals*; UN General Assembly, *Transforming our World: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

<sup>131</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. IV.

<sup>132</sup> *Ibid.*, Art. VIII; UNODA, *Background Information*.

<sup>133</sup> Franceschini, *The NPT Review Process and Strengthening the Treaty: Peaceful Uses*, 2012, p. 3; UNODA, *Vision*.

<sup>134</sup> IAEA, *IAEA Safeguards Overview*, 2019; UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. IV-V.

<sup>135</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*.

<sup>136</sup> UNODA, *Documentation for the NPT Review Conference*, 2020.

<sup>137</sup> IAEA, *IAEA Bulletin*, 2019; IAEA, *Statute*, 1989, Art. II; IAEA, *The "Atoms for Peace" Agency*, 2019.

<sup>138</sup> IAEA, *Policy Basis of the Technical Cooperation Program*, 2019; IAEA, *Technical Co-Operation Strategy (GOV/INF/824)*, 1997.

<sup>139</sup> IAEA, *PUI Stories - 2017 Edition*, 2017; IAEA, *What is the Peaceful Uses Initiative (PUI)*, 2019.

<sup>139</sup> IAEA, *What is the Peaceful Uses Initiative (PUI)*, 2019.

<sup>139</sup> *Ibid.*

<sup>139</sup> *Ibid.*

<sup>139</sup> *Ibid.*

<sup>140</sup> IAEA, *IAEA Action Plan on Nuclear Safety*, 2011.

(UNDP), the UN Environment Programme (UNEP), and the World Health Organization (WHO).<sup>141</sup> Furthermore, the NPT Review Conference collaborates with the UN Office for Disarmament Affairs (UNODA) in order to communicate and coordinate their actions related to the NPT.<sup>142</sup> Apart from these UN entities, there are some transnational alliances dealing with the peaceful uses of nuclear energy either separately or jointly.<sup>143</sup> One contemporary international partnership is the *International Framework for Nuclear Energy Cooperation (IFNEC)*, which provides its participants with a forum to discuss the benefits of a peaceful and safe usage of nuclear energy.<sup>144</sup> For instance, in 2018, the IFNEC conducted a workshop to address the challenges faced with nuclear generators and the safety procedures required with employing nuclear power programs in different countries.<sup>145</sup> On a regional level, examples include the Rosatom State Nuclear Energy Corporation, Russia's biggest company for nuclear power and the European Atomic Energy Community, established by the Euratom Treaty in 1957.<sup>146</sup> In February 2019, the European Union (EU) and IAEA agreed to further support research projects and the development of peaceful nuclear applications.<sup>147</sup>

In addition, several non-governmental and civil society organizations deal with the peaceful usage of nuclear energy and work towards fostering cooperation and safety within the nuclear power industry on a more practical level.<sup>148</sup> For example, the World Association of Nuclear Operators (WANO) works to establish the highest possible standards of safety in the nuclear industry and the Women in Nuclear Global strives to strengthen the role of female professionals in various fields of nuclear energy.<sup>149</sup>

### ***Nuclear Energy and the Sustainable Development Goals***

As nuclear energy can contribute to many of the SDGs' focal areas, the Non-Proliferation and Disarmament Initiative (NPDI), a convocation of state ministers, submitted a working paper at the third Preparatory Committee for the 2020 RevCon in April 2019, which underlined the importance of promoting the benefits of atomic energy, such as its carbon-free character and the low costs of applications that can use nuclear power.<sup>150</sup> Some of the SDGs are particularly suited to be accomplished by employing diverse nuclear-related techniques in order to do research on, for example, the cleanliness of water, targeted by SDG 6 (water and sanitation for all), or the preservation of land and plants, tackled by SDG 15 (sustainable use of ecosystems), or addressing climate change, targeted by SDG 13 (climate action).<sup>151</sup> The 2019 NPDI working paper also emphasized that it is necessary to consider nuclear energy as an

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<sup>141</sup> FAO, *Seven Examples of Nuclear Technology Improving Food and Agriculture*, 2017; IAEA, *United Nations System*, 2019.

<sup>142</sup> UNODA, *Vision*.

<sup>143</sup> World Nuclear Association, *Cooperation in Nuclear Power*, 2019.

<sup>144</sup> International Framework for Nuclear Energy Cooperation, *History*.

<sup>145</sup> International Framework for Nuclear Energy Cooperation, *IFNEC IDWG Report- Workshop on New Challenges Facing Nuclear Generators*, 2018.

<sup>146</sup> European Parliament, *European Atomic Energy Community (Euratom) – Structures and Tools*, 2017; ROSATOM, *ROSATOM*.

<sup>147</sup> European Commission, *EU and IAEA Review Progress and Agree on Priorities in Nuclear Cooperation at Annual Meeting*, 2019.

<sup>148</sup> World Nuclear Association, *Cooperation in Nuclear Power*, 2019.

<sup>149</sup> Women in Nuclear, *Welcome to Women in Nuclear Global*, 2019; World Association of Nuclear Operators, *Compass 2018-2022: Guiding the World's Nuclear Operators on Their Path to Excellence*, 2017.

<sup>150</sup> Nuclear Energy Institute, *The Advantages of Nuclear Energy*, 2019; Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Promotion of the Peaceful Use of Nuclear Technology: A Tool to Achieve the Sustainable Development Goals (NPT/CONF.2020/PC.III/WP.22)*, 2019.

<sup>151</sup> IAEA, *Atoms for Peace and Development: How the IAEA Supports the Sustainable Development Goals*, 2015; Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Promotion of the Peaceful Use of Nuclear Technology: A Tool to Achieve the Sustainable Development Goals (NPT/CONF.2020/PC.III/WP.22)*, 2019.

integral part of a state's development strategy and that barriers accessing it need to be reduced.<sup>152</sup> According to the Power Reactor Information System (PRIS), there are currently 450 nuclear power reactors active around the world and additional 52 reactors are being built.<sup>153</sup> Yet, African and Latin American countries lag behind in establishing a nuclear energy infrastructure and have on average only three reactors per region, while other parts of the world have five times more facilities at their disposal.<sup>154</sup> For nuclear energy applications to contribute to the SDGs in less developed provinces, these countries need to receive support for initiating a peaceful nuclear program in the first place.<sup>155</sup> Hence, stronger initiatives that support entering the nuclear market safely would make a significant step towards achieving SDG 7 (ensure access to affordable, reliable, sustainable and modern energy for all).<sup>156</sup>

The performance of nuclear power amidst the COVID-19 pandemic further demonstrates the ongoing contributions and future potential of peaceful uses of nuclear energy.<sup>157</sup> Economic and social restrictions during COVID-19 led to a decline in demand for electricity in many countries.<sup>158</sup> Low-carbon electricity, including nuclear power generation, proved to be resilient and reliant compared to the relatively high operating costs of electricity from fossil fuels.<sup>159</sup> The nuclear industry implemented measures to protect workers from COVID-19 and to ensure continued operation of reactors. Measures include reducing the number of staff on site and securing supplies of food, beds, and other essentials to workers on-site to minimize their contact with others.<sup>160</sup> Many nuclear companies also did not enforce any shutdowns of plants, further contributing to the implementation of SDG 7.<sup>161</sup> This led to a greater reliance on nuclear energy during COVID-19, where for example, the share of nuclear generation in the Republic of Korea rose by almost 9 percent during the pandemic.<sup>162</sup> Similarly, in the United Kingdom, nuclear energy almost eliminated coal generation for a period of two months during COVID-19.<sup>163</sup>

To help limit the spread of diseases and contribute to SDG 3 (good health and well-being), nuclear-derived techniques are utilized to rapidly and efficiently identify diseases.<sup>164</sup> For instance, the diagnostic nuclear-derived technique, known as real time reverse transcription–polymerase chain reaction (real time RT-PCR) is an important tool that can help detect and identify COVID-19 within hours.<sup>165</sup> The IAEA also provided diagnostic kits, equipment, and training in nuclear-derived detection techniques to countries requiring assistance in tackling COVID-19.<sup>166</sup>

### **Safety and Cooperation in Nuclear Energy Usage**

After the devastating consequences of the reactor accident in Chernobyl, Ukraine in 1986 and again in the aftermath of the catastrophe in Fukushima, Japan in 2011, the international community started to focus on tailoring methods to improve the safe operation of nuclear power plants.<sup>167</sup> One concern relates

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<sup>152</sup> Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Promotion of the Peaceful Use of Nuclear Technology: A Tool to Achieve the Sustainable Development Goals (NPT/CONF.2020/PC.III/WP.22)*, 2019, p. 2.

<sup>153</sup> IAEA, *Nuclear Power Reactors in the World*, 2019.

<sup>154</sup> *Ibid.*

<sup>155</sup> Dyck, IAEA Meeting Discusses Nuclear Power Options in Latin America, *International Atomic Energy Agency*, 2015.

<sup>156</sup> IAEA, *Atoms for Peace and Development: How the IAEA Supports the Sustainable Development Goals*, 2015.

<sup>157</sup> World Nuclear Association, *COVID-19 Coronavirus and Nuclear Energy*, 2020.

<sup>158</sup> IAEA, *COVID-19 and Low Carbon Electricity: Lessons for the Future*, 2020.

<sup>159</sup> *Ibid.*

<sup>160</sup> World Nuclear Association, *COVID-19 Coronavirus and Nuclear Energy*, 2020.

<sup>161</sup> *Ibid.*

<sup>162</sup> IAEA, *COVID-19 and Low Carbon Electricity: Lessons for the Future*, 2020.

<sup>163</sup> *Ibid.*

<sup>164</sup> IAEA, *Atoms for Peace and Development: How the IAEA Supports the Sustainable Development Goals*, 2015.

<sup>165</sup> IAEA, *IAEA to support countries in the Detection of the Novel Coronavirus*, 2020.

<sup>166</sup> *Ibid.*

<sup>167</sup> World Nuclear Association, *Safety of Nuclear Power Reactors*, 2019.



to the ongoing structural shift within the nuclear industry.<sup>168</sup> As WANO pointed out, there has been a significant decrease in nuclear production in the geographically Western part of the world, while states in the East as well as on the African continent are increasingly signaling their aspirations to participate in the “nuclear revival.”<sup>169</sup> The construction of new nuclear sites in Asia and Africa provides the chance to install facilities that adhere to more up-to-date safety standards.<sup>170</sup> Overall, to combat nuclear inequality, cooperation between developed and developing parts of the world is needed to provide financial aid for a safe and high-quality nuclear infrastructure, for installing strong guidelines defining the limits of peaceful uses of nuclear energy, and for transferring expertise on matters of waste storage.<sup>171</sup>

Other challenges regarding the safety of nuclear energy usage include the continued amassing of waste material in all nuclear reactors and the increasing number of new nuclear sites in the global South-East.<sup>172</sup> This impedes the IAEA’s work, since more facilities require more inspections, which in turn puts high pressure on the Agency’s financial and human resources.<sup>173</sup> Furthermore, questions of how to improve international cooperation in the nuclear field arise regularly, as most recently discussed at the 2019 Preparatory Committee.<sup>174</sup> It was suggested to use intergovernmental agreements as a strategic umbrella for the development of a more precise and versatile framework.<sup>175</sup> The responsible working group recommended that such a new framework should not only deal with the advocacy for nuclear energy programs in times of growing energy needs, but much more with “the beneficial, sustainable, safe, and secure use of nuclear technologies.”<sup>176</sup> More recently, nuclear energy employees have been recognized as among the essential workers that are maintaining important infrastructure amidst COVID-19.<sup>177</sup> The nuclear industry has taken action to keep employees safe and to reduce the transmission of the virus by reducing the number of staff on-site and implementing social distancing measures, while ensuring the continued safe operation of reactors.<sup>178</sup>

### **Case Study: Iran and the Joint Comprehensive Plan of Action**

Despite the numerous advantages of nuclear energy, the risk of proliferation and unofficial development of dual-use materials remains high.<sup>179</sup> The prolonged international negotiations following in the aftermath of the revelation of Iran’s undeclared atomic facilities in 2002 illustrate this problem.<sup>180</sup> During the 13 years of discussions, Iran emphasized repeatedly its right to possess a peaceful nuclear program according to article IV of the NPT.<sup>181</sup> Iran explained its need for nuclear enrichment with the usage of radioisotopes for cancer treatment.<sup>182</sup> Nevertheless, Iran failed to comply with the IAEA’s safeguard

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<sup>168</sup> World Association of Nuclear Operators, *Compass 2018-2022: Guiding the World’s Nuclear Operators on Their Path to Excellence*, 2017, p. 5.

<sup>169</sup> Carlson, *Strengthening Governance for Peaceful Uses of Nuclear Energy in Asia Pacific*, 2015, p. 1; World Association of Nuclear Operators, *Compass 2018-2022: Guiding the World’s Nuclear Operators on Their Path to Excellence*, 2017, p. 5.

<sup>170</sup> World Association of Nuclear Operators, *Compass 2018-2022: Guiding the World’s Nuclear Operators on Their Path to Excellence*, 2017, p. 5.

<sup>171</sup> Alger & Trevor, *Strengthening Global Nuclear Governance*, 2010.

<sup>172</sup> IAEA, *Speech by Former IAEA Director General Yukiya Amano on the Challenges in Nuclear Verification at the Center for Strategic and International Studies on 5 April 2019, in Washington*, 2019.

<sup>173</sup> *Ibid.*

<sup>174</sup> Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Framework for Peaceful Nuclear Cooperation (NPT/CONF.2020/PC.III/WP.7/Rev.1)*, 2019.

<sup>175</sup> *Ibid.*

<sup>176</sup> *Ibid.*, p. 2.

<sup>177</sup> World Nuclear Association, *COVID-19 Coronavirus and Nuclear Energy, 2020*.

<sup>178</sup> *Ibid.*

<sup>179</sup> Miller & Sagan, *Nuclear Power Without Nuclear Proliferation?*, 2009, p. 13.

<sup>180</sup> Crisis Group, *The Iran Nuclear Deal: A Timeline*, 2019.

<sup>181</sup> *Ibid.*

<sup>182</sup> Nuclear Threat Initiative, *Iran*, 2019.

agreements.<sup>183</sup> As there were claims that Iran was conducting reprocessing activities at non-official nuclear facilities, questions over whether Iran was planning to build missiles or weapons arose on the other side of the negotiation table, where the P5+1, consisting of France, the United Kingdom, the United States, China, and Russia plus Germany, and the EU, sat.<sup>184</sup> The P5+1 responded by implementing strict sanctions against Iran, which included putting a ban on delivering technology to Iran that were claimed to be used for the reactors and freezing the bank accounts of several Iranians and Iranian organizations that were thought to be involved in Iran's nuclear program.<sup>185</sup> After many years of struggling to achieve a compromise, through diplomacy and mediation, the conclusion of the JCPOA was possible in 2015.<sup>186</sup> The agreement prohibits Iran from enriching uranium at higher levels, thus decreasing the probability of installing a weapons development program, and yet preserves Iran's peaceful nuclear energy production.<sup>187</sup> Furthermore, by signing this deal, Iran agreed to extended safeguarding measures conducted by the IAEA in order to better monitor the country's nuclear activities.<sup>188</sup>

In the case of Iran, the work of the JCPOA reiterated the cornerstones of the NPT through demanding the exclusively peaceful purposes of Iran's nuclear program.<sup>189</sup> The signing of this agreement served also as an affirmation of the red line of the initially discussed ambivalent understanding of peaceful uses and emphasized that any production of highly enriched uranium is not included in the right under article IV.<sup>190</sup> After the closure of the deal, Iran abided by the rules set out in the JCPOA for some years and could hence exercise its right to use nuclear energy for peaceful purposes, such as through enriching uranium on low levels to generate fuel for electricity and medical applications.<sup>191</sup> However, a report by the IAEA on Iran's safeguard agreements published on June 2020 showed that Iran has denied the IAEA access to two nuclear locations and has not engaged in substantive discussions to clarify questions related to possible undeclared nuclear material and nuclear-related activities in Iran.<sup>192</sup> Hence, the IAEA Board of Governors in its resolution 2020/34, called on Iran to fully cooperate with the Agency without any further delay because such cooperation is essential for the IAEA to reach the conclusion that all nuclear material in Iran remains in peaceful activities.<sup>193</sup>

## **Conclusion**

The peaceful uses of nuclear energy have a lot to offer when it comes to ensuring global sustainable development.<sup>194</sup> COVID-19 alone is a great demonstration of how nuclear energy can be used in a safe and peaceful manner, even during a crisis.<sup>195</sup> But at the same time, as incidents such as the IAEA's revelation of Iran's stockpile of highly enriched uranium showed, the dangers of a hidden production of heavy weapons or risks of radiation due to fuel reactor accidents will remain.<sup>196</sup> In addition to higher financial contributions to the PUI and other nuclear research projects, better implementation of safeguards agreements, stricter safety requirements for newly-built nuclear sites, educating people, and raising public awareness about the diversity and advantages of nuclear applications will be among the

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<sup>183</sup> Davenport, *Timeline of Nuclear Diplomacy with Iran*, 2019.

<sup>184</sup> Laub, *What is the Status of the Iran Nuclear Agreement?*, 2019.

<sup>185</sup> Davenport, *Timeline of Nuclear Diplomacy with Iran*, 2019; Nuclear Threat Initiative, *Iran*, 2019.

<sup>186</sup> Crisis Group, *The Iran Nuclear Deal: A Timeline*, 2019.

<sup>187</sup> Arms Control Association, *Section 3: Understanding the JCPOA*, 2015.

<sup>188</sup> Ibid.; UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*, 1968, Art. IV.

<sup>189</sup> European External Action Service, *Joint Comprehensive Plan of Action*, 2015, Art. A.

<sup>190</sup> Laub, *What is the Status of the Iran Nuclear Agreement?*, 2019.

<sup>191</sup> Ibid.

<sup>192</sup> IAEA, *NPT safeguards agreement with the Islamic Republic of Iran (GOV/2020/30)*, 2020.

<sup>193</sup> Ibid.

<sup>194</sup> UN ECOSOC, *Concept Note – The Role of Nuclear Energy in Sustainable Development: Entry Pathways (ECE/ENERGY/GE.3/2019/6)*, 2019.

<sup>195</sup> World Nuclear Association, *COVID-19 Coronavirus and Nuclear Energy*, 2020.

<sup>196</sup> Ferguson, Proliferation Risks of Nuclear Power Programs, *Nuclear Threat Initiative*, 2007.



major tasks for the international community to fulfill henceforth.<sup>197</sup> Moreover, innovative and sustainable solutions concerning the disposal of nuclear waste are needed if peaceful uses of nuclear energy shall play a great role in the future.<sup>198</sup> In conclusion, prejudices about the atom and collective knowledge gaps need to be tackled for everyone to understand that nuclear energy is “a valuable, even an irreplaceable, part of the solution to the greatest energy threat in the history of humankind.”<sup>199</sup>

### **Further Research**

When delegates research this topic, they should ask themselves what the RevCon needs to discuss and negotiate in order to further implement the third pillar of the NPT. The following questions can guide delegates when they begin reading and researching about the peaceful uses of nuclear energy: Where does the right to have a peaceful nuclear program start and where does it end? How can the public and political awareness of the usefulness of nuclear energy for achieving the SDGs be increased? Which civil nuclear applications have recently been innovated but lack financial support? How can the ongoing geographical change of nuclear power generation from Western locations to the East be supported and safeguarded at the same time? How can nuclear technology be further utilized globally to combat the ongoing COVID-19 pandemic?

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*In 2010, the NPT RevCon issued this document as their final outcome. Besides to the actual review, it contains a 64-point action plan with recommendations for further implementation of the NPT. This action plan is expected to be discussed and promoted at the 2020 RevCon. As the 2015 RevCon ended without a final document, this one is the most updated resource in terms of the committee’s work itself. It is especially useful because the review focused in that year more on the issue of peaceful uses than on non-proliferation and disarmament. Therefore, this document will enable delegates to get an idea of the status of the implementation of the NPT and to identify which aspects of peaceful nuclear energy usage are still underdeveloped.*

International Atomic Energy Agency. (2017). *PUI Stories - 2017 Edition*. Retrieved 20 July 2020 from: [https://www.iaea.org/sites/default/files/puibrochure\\_2017edition.pdf](https://www.iaea.org/sites/default/files/puibrochure_2017edition.pdf)

*This brochure shows the impact of the IAEA’s work on cooperation in the nuclear energy field by illustrating eight examples of concrete initiatives, financed through the Peaceful Uses Initiative. Similar to the bulletin issued by IAEA, this document gives delegates an idea about what technically and practically happens when the international community talks about peaceful uses of nuclear energy. It is especially helpful because it informs the reader about the states that receive support and specifies which agencies or organizations are providing such support. Moreover, delegates can learn what kind of nuclear policy and research areas lack financial and human resources.*

International Atomic Energy Agency. (2020). *COVID-19 and Low Carbon Electricity: Lessons for the Future*. Retrieved 19 July 2020 from: <https://www.iaea.org/newscenter/news/covid-19-and-low-carbon-electricity-lessons-for-the-future>

*This article published by the IAEA Department of Nuclear Energy provides a comprehensive overview of low-carbon electricity and its performance during the COVID-19 pandemic. More specifically, it focuses on nuclear power generation and how it proved*

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<sup>197</sup> IAEA, *Speech by Former IAEA Director General Yukiya Amano on the Challenges in Nuclear Verification at the Center for Strategic and International Studies on 5 April 2019, in Washington, 2019.*

<sup>198</sup> Amano, *The Importance of Safe, Secure and Sustainable Spent Fuel Management, 2019.*

<sup>199</sup> Rhodes, *Why Nuclear Power Must Be Part of the Energy Solution, Yale Environment 360, 2018.*

*to be resilient and adaptable to the changed market conditions amidst the pandemic. This article also highlights the relationship between nuclear energy and SDG7 and it emphasizes the importance of maintaining and extending the operation of nuclear plants worldwide. Delegates will find this source useful as they explore the impact of COVID-19 on the share of nuclear generation as opposed to other electricity sources.*

International Atomic Energy Agency. (2020). *IAEA Bulletin*. Retrieved 19 September 2020 from: <https://www.iaea.org/publications/magazines/bulletin>

*This document is a regularly updated IAEA publication with regards to the Agency's work in the fields of peaceful uses of nuclear technology and nuclear safety. Published quarterly, it offers scholarly articles, research findings, and impact stories of funded projects. Each edition is addressing a specific theme within the broad range of nuclear energy usage. In addition, the format is very compact, easy to read, and small info boxes provide delegates with a quick overview of the technical aspects regarding a certain use. When researching about both subtopics, this resource is a helpful tool for delegates to find out what appliances have been invented and what perspectives exist as of now.*

International Atomic Energy Agency. (2020). *IAEA to Support Countries in the Detection of Novel Coronavirus*. Retrieved 17 July 2020 from: <https://www.iaea.org/newscenter/pressreleases/iaea-to-support-countries-in-the-detection-of-novel-coronavirus>

*At the beginning of the COVID-19 pandemic, the IAEA used nuclear technology to assist countries in tackling the virus. This article demonstrates how the IAEA's Peaceful Uses Initiative contributed to international efforts to deal with the outbreak, as well as on the outbreaks of Ebola and Zika. It also shows the result of the use of nuclear energy in achieving SDG 3. Delegates will find this a useful resource because it emphasizes on the ongoing contributions of nuclear technology, especially in the field of health and combatting diseases.*

International Atomic Energy Agency. (2020). *NPT safeguards agreement with the Islamic Republic of Iran (GOV/20/34)*. Retrieved 20 August 2020 from: <https://www.iaea.org/sites/default/files/20/06/gov2020-34.pdf>

*This resolution adopted by the Board of Governors of IAEA on June 2020 addresses the NPT safeguard agreement with Iran. It calls for Iran to provide credible assurance of the absence of undeclared nuclear material at certain locations in Iran after a report published by the IAEA showed that Iran violated its NPT safeguard obligation. The resolution shows the need for cooperation to ensure that all nuclear material in Iran is for peaceful use. This source is useful for delegates because it showcases the latest updates between Iran and JCPOA.*

Jonas, D., & A. Braunstein. (2018). What's Intent Got to Do with It? Interpreting "Peaceful Purpose" in Article IV.1 of the NPT. *Emory International Law Review*, 32 (3): 351-376. Retrieved 18 September 2020 from: <http://law.emory.edu/eilr/documents/volumes/32/3/jonas-braunstein.pdf>

*This article explores the interpretation of the NPT's article IV and sheds light on the definitional ambiguity of its provisions. In a very detailed manner, the authors de-cluster several perspectives and inform about what can certainly be excluded as a peaceful purpose or why it might be a rather vague peaceful usage. As a resource, the article stimulates thinking "outside of the box," and delegates can get a highly analytical and differentiated viewpoint on interpreting article IV by reading this document. It allows them to challenge others' perspectives, go behind a standardized research on substantive matters related to sustainability or cooperation, and develop an understanding for the bigger global controversy regarding the topic. This will be helpful since negotiating requires knowing about other stakeholders' stances too.*

World Association of Nuclear Operators. (2017). *Compass 2018-2022: Guiding the World's Nuclear Operators on Their Path to Excellence*. Retrieved 17 September 2020 from: <https://www.wano.info/getmedia/9c0e7b67-ad54-4bf5-9855-a000f9233449/Compass-2018-2022.pdf.aspx>

*By analyzing the status quo of WANO's focus areas dealing with the operation of nuclear power plants and the challenges lying ahead until 2022, this document gives a detailed insight into what needs to be done in terms of nuclear reactor safety. It reviews four main action fields that are related to the standards of a high performance of the world's existing nuclear reactors, a professional workforce, an increased effectiveness of WANO, and superior guidelines for new units and industry entrants. Furthermore, it provides recommendations to itself as an association as well as to its members on how to improve critical aspects, such as building highly qualified personnel in the nuclear field or providing greater support to new actors entering the nuclear market. Since the safety of nuclear power plants and an overall strengthening of the nuclear market are vital in order to support the SDGs, delegates can use this resource to understand what kind of difficulties the industry is facing on a practical level and prepare for their exchange with those civil society representatives working on a non-governmental level in the nuclear sphere.*

United Nations, Economic and Social Council. (2019). *Concept Note – The Role of Nuclear Energy in Sustainable Development: Entry Pathways (ECE/ENERGY/GE.3/2019/6)*. Retrieved 17 September 2020 from: <http://undocs.org/ECE/ENERGY/GE.3/2019/6>

*This outline document illustrates the scope of a suggested report titled “The Role of Nuclear Energy in Sustainable Development: Entry Pathways.” It was written by the Expert Group on Resource Management within the Committee on Sustainable Energy of the Economic Commission for Europe and addresses very concisely aspects that need to be considered if nuclear energy is to be deployed for the achievement of the 2030 Agenda. Since the whole report is planned to be published at the end of 2019, delegates can follow up on this resource and use it as a very up-to-date expert document to learn about the linkages between the SDGs and nuclear energy.*

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## II. Strengthening Measures Towards General and Complete Nuclear Disarmament

*“A world free of nuclear weapons would be a global public good of the highest order.”*<sup>200</sup>

### **Introduction**

Globally, nuclear weapons and their proliferation pose a great danger to international peace and security.<sup>201</sup> Aware of this threat after the bombings of Hiroshima and Nagasaki in 1945, the United Nations (UN) General Assembly adopted its very first resolution 1(I) in 1946, calling for the controlled use of nuclear energy and the elimination of nuclear weapons.<sup>202</sup> Since the Cold War period, the number of global nuclear weapons has declined considerably from around 70,300 in 1986 to an estimated 13,410 in early 2020.<sup>203</sup> Yet, approximately 9,320 warheads are still in military stockpiles, around 3,720 are ready for operation, and 1,800 are on “high alert” meaning that they are immediately deployable.<sup>204</sup>

As of today, nine UN Member States are known to possess nuclear weapons and another thirty own the technological ability to produce them.<sup>205</sup> Within the regime of the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT), a nuclear weapon state (NWS) is defined as a state “which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.”<sup>206</sup> While acknowledging the importance of nuclear disarmament, NWS “continue to modernize their nuclear arsenals, enhancing in ways that may give them new military capacities.”<sup>207</sup> This continuously poses a challenge for the international nuclear non-proliferation regime and thus, great importance is attached to disarmament in order to prevent further spreading of nuclear weapons.<sup>208</sup> Adopted in 1968, the NPT is considered a “landmark international treaty” within the international nuclear regime.<sup>209</sup> It underlines the significance to end the nuclear arms race and agrees to “general and complete disarmament under strict and effective international control” in Article VI.<sup>210</sup> Over the years, a number of legal instruments followed the NPT in order to strengthen the nuclear disarmament regime.<sup>211</sup>

While the process of nuclear disarmament refers to eliminating nuclear weapons or committing to not producing them, nuclear non-proliferation is the effort of reducing the spread of nuclear weapons and their technology, as well as reducing existing stockpiles.<sup>212</sup> According to the UN, nuclear weapons are facing international stigmatization since the international community has been promoting a strong norm against their use.<sup>213</sup> Yet, in the 2018 document *Securing our Common Future – An Agenda on Disarmament*, UN Secretary-General António Guterres emphasized that nuclear weapons “pose a continuing threat to the world” and humanity, putting nuclear disarmament and non-proliferation “at the center of the work of the United Nations.”<sup>214</sup> Although the risk of a global nuclear war has declined, the

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<sup>200</sup> UN, Office of the Secretary-General, *Secretary-General’s Address to the East-West Institute Entitled “The United Nations and Security in a Nuclear-Weapon-Free World”*, 2008.

<sup>201</sup> UNODA, *Nuclear Weapons*.

<sup>202</sup> UN General Assembly, *Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy (A/RES/1(I))*, 1946, p. 9.

<sup>203</sup> Kristensen & Korda, *Status of World Nuclear Forces*, *Federation of American Scientists*, 2020.

<sup>204</sup> *Ibid.*

<sup>205</sup> CFR, *The Global Nuclear Nonproliferation Regime*, 2012.

<sup>206</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

<sup>207</sup> UNODA, *Securing Our Common Future - An Agenda for Disarmament*, 2018, p. 17.

<sup>208</sup> Kristensen & Korda, *Status of World Nuclear Forces*. *Federation of American Scientists*, 2019; NTI, *2018 Annual Report*, 2018, p. 9; UNODA, *Nuclear Weapons*.

<sup>209</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*.

<sup>210</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

<sup>211</sup> UN, *International Day for the Total Elimination of Nuclear Weapons 26 September*.

<sup>212</sup> VERTIC, *The IAEA and Nuclear Disarmament Verification: A Primer*, 2015, p. 8; NTI, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT) Overview*, 2020.

<sup>213</sup> UNRIC, *The UN has Been Instrumental in the Development of a Norm for Nuclear Non-Proliferation*, 2017.

<sup>214</sup> UNODA, *Securing Our Common Future - An Agenda for Disarmament*, 2018, pp. 7-10.

risk of regional instability and tensions in terms of nuclear proliferation increases.<sup>215</sup> Consequently, the establishment of Nuclear-Weapon-Free Zones (NWFZ), regions comprising of several countries, which undertake not to possess, acquire, manufacture, or test nuclear weapons, gain importance.<sup>216</sup> In order to realize global nuclear disarmament and non-proliferation, the international community largely focuses on implementing the NPT's disarmament pillar (III).<sup>217</sup> This achievement does to a large extent depend on the determination of the Member States to comply with the legal regime of nuclear weapons treaties.<sup>218</sup>

### ***International and Regional Framework***

A large number of multilateral treaties have been established to prevent nuclear testing and proliferation, and promote global nuclear disarmament.<sup>219</sup> One of the longest standing documents is the NPT, which intends to halt the spread of nuclear weapons, foster the aim of general and complete nuclear disarmament, and further the peaceful use of nuclear energy.<sup>220</sup> In order to achieve global non-proliferation, NPT Articles I and II highlight that States parties to the Treaty should not “transfer”, “receive” or “manufacture” nuclear weapons.<sup>221</sup> Acknowledging the necessity of nuclear disarmament, Article VI emphasizes the obligation of States parties to achieve the “cessation of the nuclear arms race at an early date.”<sup>222</sup>

Two other essential treaties in the international nuclear disarmament regime are the *Comprehensive Nuclear-Test-Ban Treaty* (CTBT) (1996) and the *Treaty on the Prohibition of Nuclear Weapons* (TPNW) (2017).<sup>223</sup> The CTBT aims at legally banning global nuclear testing, thereby furthering the norm against it.<sup>224</sup> Although being supported by the international community, the CTBT has not yet entered into force, since not all of the states required by the Treaty have signed it.<sup>225</sup> The TPNW is the most recent and also the first multilateral legally binding treaty in the sphere of international nuclear disarmament, advanced mainly by non-nuclear weapons states (NNWS).<sup>226</sup> It prioritizes the strengthening and redefining of disarmament, thus reaffirming the NPT's so far unimplemented disarmament pillar: Article VI.<sup>227</sup> Increasing stigmatization and delegitimization of nuclear weapons was primarily connected to the humanitarian effects of nuclear weapons and resulted in the adoption of the TPNW in 2017.<sup>228</sup> It signifies an “important step” for the growing legal framework prohibiting the use of nuclear weapons and, as of 24 October 2020, has been ratified by the minimum 50 needed states for the Treaty to enter into force.<sup>229</sup>

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<sup>215</sup> NTI, *2018 Annual Report*, 2018, p. 9.

<sup>216</sup> UN DGC, *2010 NPT Review Conference Action Plan*, 2010, p. 2; ACA, *Nuclear-Weapon-Free Zones (NWFZ) at a Glance*, 2017.

<sup>217</sup> Erästö, *The NPT and the TPNW: Compatible or Conflicting Nuclear Weapons Treaties?*, *Stockholm International Peace Research Institute*, 2019.

<sup>218</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

<sup>219</sup> UNODA, *Nuclear Weapons*.

<sup>220</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*.

<sup>221</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

<sup>222</sup> *Ibid.*

<sup>223</sup> UNODA, *Comprehensive Nuclear-Test-Ban Treaty (CTBT)*; UNODA, *Treaty on the Prohibition of Nuclear Weapons*.

<sup>224</sup> UNODA, *Securing Our Common Future - An Agenda for Disarmament*, 2018, p. 21.

<sup>225</sup> *Ibid.*, p. 22.

<sup>226</sup> UNRIC, *The UN has Been Instrumental in the Development of a Norm for Nuclear Non-Proliferation*, 2017; UN Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination, *Treaty on the Prohibition of Nuclear Weapons (A/CONF.229/2017/8)*, 2017; UN, *International Day for the Total Elimination of Nuclear Weapons 26 September*.

<sup>227</sup> Erästö, *The NPT and the TPNW: Compatible or Conflicting Nuclear Weapons Treaties?*, *Stockholm International Peace Research Institute*, 2019.

<sup>228</sup> Mitsuru, *Stigmatizing and Delegitimizing Nuclear Weapons*, 2018, p. 33.

<sup>229</sup> UNRIC, *The UN has Been Instrumental in the Development of a Norm for Nuclear Non-Proliferation*, 2017; UN Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination, *Treaty on the Prohibition of Nuclear Weapons (A/CONF.229/2017/8)*, 2017.

The Treaty prohibits the “deployment of nuclear weapons on national territory and the provision of assistance to any state on the conduct of prohibited activities” and emphasizes the importance of cooperation between NWS and the International Atomic Energy Agency (IAEA) to eliminate nuclear weapons.<sup>230</sup>

The General Assembly adopted a number of key foundational resolutions on the issue of global nuclear disarmament and non-proliferation of nuclear weapons.<sup>231</sup> In 1946, the body adopted its resolution 1(i) on the “Establishment of a committee to deal with the problems raised by the discovery of atomic energy.”<sup>232</sup> This resolution called for the elimination of all nuclear weapons, the creation of a commission to control the use of atomic materials, and identified nuclear disarmament “as a leading goal of the United Nations.”<sup>233</sup> In 1959, it unanimously adopted General Assembly resolution 14/1378 calling for complete nuclear disarmament to be added as a comprehensive goal of general UN disarmament goals under international control.<sup>234</sup> It was the first resolution sponsored by all Member States in the General Assembly.<sup>235</sup> General Assembly resolution 1653 (1961) on the “Prohibition of the use of nuclear and thermo-nuclear weapons” serves as a principle to prevent the use of nuclear weapons to avoid a negative impact on mankind and further the goal of disarmament.<sup>236</sup>

The establishment of a NWFZ is considered a successful approach in promoting frameworks diminishing nuclear weapons on a regional level and pursuing nuclear safety.<sup>237</sup> Currently, there are five treaties establishing regional NWFZs: the *Treaty of Tlatelolco* (1967) on establishing a NWFZ in Latin America and the Caribbean, the *Treaty of Rarotonga* (1985) for a South Pacific NWFZ, the *Treaty of Bangkok* (1995) to create a NWFZ in Southeast Asia, the *Treaty of Pelindaba* (1996) for a NWFZ in Africa, and the *Treaty of Semipalatinsk* (2006) for a Central Asian NWFZ.<sup>238</sup> Another essential regional framework is the 2015 *Joint Comprehensive Plan of Action* (JCPOA), a treaty that is considered successful in terms of maintaining the disarmament process of a potential nuclear weapon state.<sup>239</sup> Under the JCPOA, UN economic sanctions on the country are lifted while Iran’s nuclear program is overseen by the IAEA.<sup>240</sup>

### **Role of the International System**

The Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (RevCon) is held every five years and serves as a platform for the Parties to review the NPT in order to assess the progress of its implementation.<sup>241</sup> In a final document, every RevCon assesses the current implementation status of the NPT and outlines actions for the following five years.<sup>242</sup> The last Conference to file an outcome document was the 2010 RevCon.<sup>243</sup> Member States adopted the *2010 NPT Review Conference Action Plan*, which outlines 64 actions on the three pillars of the NPT: nuclear disarmament,

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<sup>230</sup> UN Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination, *Treaty on the Prohibition of Nuclear Weapons (A/CONF.229/2017/8)*, 2017.

<sup>231</sup> UN Library and Archives at Geneva, *Nuclear Weapons*.

<sup>232</sup> UN General Assembly, *Establishment of a Commission to Deal With the Problems Raised by the Discovery of Atomic Energy (A/RES/1(I))*, 1946.

<sup>233</sup> *Ibid.*, p. 9; UN, *International Day for the Total Elimination of Nuclear Weapons 26 September*.

<sup>234</sup> UN General Assembly, *General and Complete Disarmament (A/RES/14/1378)*, 1959, p. 3; UN, *International Day for the Total Elimination of Nuclear Weapons 26 September*.

<sup>235</sup> UN, *International Day for the Total Elimination of Nuclear Weapons 26 September*.

<sup>236</sup> UN General Assembly, *Declaration on the Prohibition of the use of Nuclear and Thermo-Nuclear Weapons (A/RES/1653 (XVI))*, 1961, pp. 4-5.

<sup>237</sup> UNODA, *Nuclear-Weapon-Free-Zones*.

<sup>238</sup> *Ibid.*

<sup>239</sup> Davenport, *Timeline of Nuclear Diplomacy with Iran*, 2020.

<sup>240</sup> *Ibid.*

<sup>241</sup> UNODA, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*.

<sup>242</sup> RCW, *Nuclear Non-Proliferation Treaty*, 2020.

<sup>243</sup> UN DGC, *2010 NPT Review Conference Action Plan*, 2010.

nuclear non-proliferation, and peaceful uses of nuclear energy.<sup>244</sup> The majority of these actions are subject to implementation by the NWS, such as ratifying the CTBT, committing to denuclearization and transparency for security concerns, and preventing the use of nuclear weapons.<sup>245</sup> The action plan aims to increase mutual responsibility and transparency among NWS and NNWS, which is why its implementation would go hand in hand with furthering the implementation of the NPT, especially disarmament pillar III.<sup>246</sup> However, in view of the upcoming 2021 NPT RevCon, the Action Plan is still awaiting implementation, which, according to former UN High Representative for Disarmament Affairs Sérgio Duarte, can be traced back to a lack of consensus amongst the States parties.<sup>247</sup> This is accompanied by an inconsistent signing and ratification of the NPT by all NWS, which has, according to Kate Hudson, General Secretary of the Campaign for Nuclear Disarmament, prevented the effectiveness of the Treaty and slowed down the process of realizing NPT Article VI.<sup>248</sup> For the 2021 RevCon, the 2019 PrepCom has recommended the States parties to fully implement the 2010 Action Plan in order to increase attention on nuclear disarmament.<sup>249</sup>

In terms of strengthening the NPT as an instrument of nuclear disarmament, the General Assembly adopted resolution 70/40 (2015), reaffirming NPT Article VI and calling on all NWS to further transparency on their nuclear disarmament efforts and undertake “total elimination of their nuclear arsenals” to reach global nuclear disarmament.<sup>250</sup> It further notes that states should seek bilateral and multilateral agreements to reduce global stockpiles, increase confidence, and establish new NWFZs.<sup>251</sup> In 2017, the General Assembly adopted resolution 72/31 on “Taking forward multilateral nuclear disarmament negotiations,” calling for unified signing and ratification of both the TPNW and CTBT.<sup>252</sup> It stresses the importance of the NPT for the elaboration of “effective legal measures” to strengthen the universal commitment to achieving general nuclear disarmament and non-proliferation.<sup>253</sup>

The United Nations Office on Disarmament Affairs (UNODA), established in 1998, is a key UN body focusing on disarmament measures, and works to address the humanitarian impact of weapons of mass destruction (WMD) by furthering dialogue, regional disarmament efforts, transparency-building among Member States, and providing information on UN disarmament efforts.<sup>254</sup> Its Weapons of Mass Destruction Branch fosters multilateral efforts towards general and complete nuclear disarmament in cooperation with the IAEA, the General Assembly, and the Conference of Disarmament (CD), through regional disarmament and monitoring activities.<sup>255</sup> The CD is the sole multilateral negotiation forum on topics related to arms control and disarmament.<sup>256</sup> In the field of nuclear disarmament, it aims, amongst other things, for the cessation of the nuclear arms race, the prevention of a nuclear war, and the promotion of transparency in disarmament programs.<sup>257</sup> The CD was also key in negotiating vital nuclear

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<sup>244</sup> Ibid.

<sup>245</sup> Mukhatzhanova, *Implementation of the Conclusions and Recommendations for Follow-on Actions Adopted at the 2010 NPT Review Conference*, 2013, p. 1; 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *2010 NPT Review Conference Action Plan*, 2010, pp. 1-4.

<sup>246</sup> UN DGC, *2010 NPT Review Conference Action Plan*, 2010.

<sup>247</sup> Duarte, *Unmet Promise: The Challenges Awaiting the 2020 NPT Review Conference*, *Arms Control Association*, 2018.

<sup>248</sup> Hudson, *50 Years of the NPT*, *Campaign for Nuclear Disarmament*, 2018.

<sup>249</sup> Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Report (NPT/CONF.2020/1)*, 2019, p. 5.

<sup>250</sup> UN General Assembly, *United Action With Renewed Determination Towards the Elimination of Nuclear Weapons (A/RES/70/40)*, 2015, pp. 3-5.

<sup>251</sup> Ibid.

<sup>252</sup> UN General Assembly, *Taking Forward Multilateral Nuclear Disarmament Negotiations (A/RES/72/31)*, 2017, pp. 3-4.

<sup>253</sup> Ibid.

<sup>254</sup> UNODA, *About Us*; NTI, *United Nations Office of Disarmament Affairs Background*, 2018.

<sup>255</sup> Ibid.

<sup>256</sup> UNOG, *An Introduction to the Conference*.

<sup>257</sup> Ibid.



instruments such as the NPT and the CTBT.<sup>258</sup> Although it conducts annual meetings, the commission remains at an impasse since the conclusion of the negotiations on the CTBT, as its members cannot agree on a work program for a *Fissile Material Cut-Off Treaty* (FMCT), which would prohibit the production of fissile material for nuclear weapons.<sup>259</sup> The reason for this is that two versions of the FMCT are proposed: one would require states possessing fissile material to report to the IAEA, the other would only prohibit the future production of fissile material.<sup>260</sup> The treaty would thus primarily impose constraints for NWS that possess fissile material while NNWS have already committed to not producing fissile material under the NPT.<sup>261</sup>

The IAEA, established in 1957, is the “world’s Atoms for Peace” organization with the aim to promote secure, safe and peaceful nuclear technologies, thus contributing to global “peace, health and prosperity.”<sup>262</sup> Under the NPT, the IAEA has the role of managing international safeguards to prevent the use of nuclear energy for other than peaceful purposes.<sup>263</sup> Considering that NPT Article VI reaffirms Member States’ rights to the research and development of nuclear energy for peaceful purposes only, the NPT endorses cooperation with the IAEA to apply the IAEA safeguards on peaceful nuclear activities.<sup>264</sup> Besides facilitating the access to peaceful nuclear technologies for its Member States, the IAEA’s Department of Nuclear Safety and Security provides them with safety standards, highlighting how they can ensure the secure installation, transport and use of radioactive material.<sup>265</sup> The IAEA and UNODA share close cooperation to strengthen the non-proliferation of WMD under UNODA’s Weapons of Mass Destruction Branch.<sup>266</sup>

The *New Agenda Coalition* (NAC) is an initiative existing in the framework of the NPT consisting of six NNWS, namely Egypt, Brazil, Ireland, South Africa, Ireland and New Zealand.<sup>267</sup> It has pushed for a TPNW within the NPT review cycle since 2014, as it would be “an effective measure to implement Article VI.”<sup>268</sup> Besides that, the NAC strives for the universalization of both the NPT and CTBT, aims at renegotiating a FMCT and developing a verification regime, and intends to address the procedural block of the CD.<sup>269</sup> Apart from state organizations, civil society organizations (CSOs) are also involved in international nuclear disarmament negotiations.<sup>270</sup> The International Campaign to Abolish Nuclear Weapons (ICAN) is a coalition of non-governmental organizations (NGOs) that works towards the universal adoption of the TPNW.<sup>271</sup> ICAN was instrumental in negotiating the TPNW and serves as a coordinator for civil society and like-minded governments focusing on the humanitarian impact of nuclear weapons as well as an advocate for survivors of nuclear catastrophes.<sup>272</sup> Reaching Critical Will, a program of the Women’s International League for Peace and Freedom, works towards promoting the “prohibition and elimination” of nuclear weapons and enhancing dialogue between governments and civil society to increase transparency.<sup>273</sup> In addition, Reaching Critical Will acts as a link between the UN and

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<sup>258</sup> Ibid.

<sup>259</sup> NTI, *Nuclear Disarmament Resource Collection*, 2018.

<sup>260</sup> NTI, *Proposed Fissile Material (Cut-Off) Treaty (FMCT)*, 2020.

<sup>261</sup> Ibid.

<sup>262</sup> IAEA, *History*, 2020.

<sup>263</sup> IAEA, *Key Roles*, 2020.

<sup>264</sup> UN General Assembly, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

<sup>265</sup> Mikhailova, *Strengthening International Standards for Nuclear Safety: IAEA Safety Publications Restructured. International Atomic Energy Agency*, 2019; IAEA, *Road to Disarmament: IAEA Safeguards: A Fundamental Pillar of the NPT Regime*, 2009, p. 8.

<sup>266</sup> UNODA, *UNODA Structure*.

<sup>267</sup> Hamel-Green, *The Nuclear Ban Treaty and 2018 Disarmament Forums: An Initial Impact Assessment*, 2018, p. 448.

<sup>268</sup> Ibid. 2018, p. 448.

<sup>269</sup> NTI, *New Agenda Coalition*, 2020.

<sup>270</sup> ICAN, *The Campaign*.

<sup>271</sup> Ibid.

<sup>272</sup> Ibid.

<sup>273</sup> RCW, *What we do*, 2020.

NGOs during disarmament negotiations by monitoring and reporting on their progress and facilitating access to the conferences for other CSOs.<sup>274</sup>

### ***Establishing a Nuclear-Weapons-Free Zone in the Middle East***

The General Assembly first called for the establishment of a NWFZ in the Middle East in 1974.<sup>275</sup> In 1995, the NPT RevCon called for a zone in the Middle East free of WMDs such as nuclear, chemical, and biological weapons, which is called a Weapons of Mass Destruction-Free Zone (WMDFZ).<sup>276</sup> In this zone, states shall not use, possess, test, acquire or manufacture any WMD.<sup>277</sup> The 1995 *NPT Review Conference Middle East Resolution* moreover specifically called for the creation of a NWFZ in the region and asked for the accession to the NPT by every state in the Middle East region as well as their full regional application of IAEA nuclear safeguards.<sup>278</sup> Until now, the majority of the Arab states have acceded to the NPT.<sup>279</sup> However, despite international and regional support as well as a vast amount of General Assembly resolutions on the topic, neither the full application nor the creation of the NWFZ has been accomplished so far.<sup>280</sup> The latter can particularly be traced back to missing consensus between Israel and the Arab states concerning the conditions for its establishment, such as a common understanding on how to define and face nuclear delivery systems.<sup>281</sup>

At the 2010 NPT RevCon, the States parties for the first time agreed on a five-step approach on how to implement the resolution, including a WMDFZ Facilitator and a conference in the Middle East in 2012 to discuss the issue with all parties affected.<sup>282</sup> Yet, due to missing consensus on a possible agenda, this conference was postponed indefinitely.<sup>283</sup> In 2004, the UN Institute for Disarmament Research stated that a WMDFZ in the Middle East is likely to “reduce tensions and conflicts in the region.”<sup>284</sup> And, just recently in 2017, the General Assembly adopted resolution 72/24 on “The Establishment of a NWFZ in the Region of the Middle East,” which again confirmed the overall support of Member States.<sup>285</sup> In 2018, the General Assembly First Committee decided to renew the intentions of the 2010 NPT RevCon and scheduled a conference on the establishment of a NWFZ in the Middle East from 18 to 22 November 2019 at the UN Headquarters in New York.<sup>286</sup> The conference’s aim was to elaborate “a legally binding treaty establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction.”<sup>287</sup> Two possible approaches related to the establishment of this zone were debated among the respective states: the first does not include Israel, as the region’s only NWS, in the establishment process.<sup>288</sup> This would mean that the Arab states would commit to arms control commitments within the NWFZ without Israel.<sup>289</sup> The

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<sup>274</sup> Ibid.; RCW, *Who we are*, 2020.

<sup>275</sup> ACA, *WMD-Free Middle East Proposal at a Glance*, 2018.

<sup>276</sup> Ibid.

<sup>277</sup> Ibid.

<sup>278</sup> FAS, *Middle East Nuclear-Weapon-Free Zone*, 2013.

<sup>279</sup> Erästö, *The Lack of Disarmament in the Middle East: A Thorn in the Side of the NPT*, 2019, p. 3.

<sup>280</sup> IAEA, *Introductory Statement to the Board of Governors by Cornel Feruta, IAEA Acting Director General on 9 September 2019, in Vienna*, 2019; ACA, *WMD-Free Middle East Proposal at a Glance*, 2018.

<sup>281</sup> ACA, *WMD-Free Middle East Proposal at a Glance*, 2018.

<sup>282</sup> Ibid.

<sup>283</sup> Vienna Center for Disarmament and Non-Proliferation, *Establishing a WMD-Free Zone in the Middle East: Current Status and Prospects*, 2019.

<sup>284</sup> Cserveny et al., *Building a Weapons of Mass Destruction Free Zone in the Middle East: Global Non-Proliferation Regimes and Regional Experiences*, 2004, p. 106.

<sup>285</sup> UN General Assembly, *Establishment of a Nuclear-Weapon-Free Zone in the Region of the Middle East (A/RES/72/24)*, 2017.

<sup>286</sup> Vienna Center for Disarmament and Non-Proliferation, *Establishing a WMD-Free Zone in the Middle East: Current Status and Prospects*, 2019.

<sup>287</sup> UN General Assembly, *Convening a Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction (A/C.1/73/L.22)*, 2018, p. 1.

<sup>288</sup> Erästö, *The Lack of Disarmament in the Middle East: A Thorn in the Side of the NPT*, 2019, p. 21.

<sup>289</sup> Ibid.



second approach aims to include the WMDFZ in a larger regional security framework, meaning that the JCPOA would also be brought into focus.<sup>290</sup> All Middle East states except Israel participated at the conference.<sup>291</sup> The outcome document of the conference reaffirms the need to negotiate a legally-binding instrument to establish a NWFZ and WMDFZ in the Middle East.<sup>292</sup> It also calls on all Middle East states to refrain from taking measures that could violate the objectives of the establishment.<sup>293</sup> The Conference will take place every 12 months until a NWFZ in the Middle East is achieved.<sup>294</sup> At present, the next conference is scheduled for November 2020.<sup>295</sup>

### **Conclusion**

While there have been successes in reducing the number of nuclear weapons, certain challenges to total nuclear disarmament remain.<sup>296</sup> The perceived lack of engagement and commitment of NWS in crucial international nuclear frameworks hampers mutual agreement on disarmament measures.<sup>297</sup> Therefore, the NPT review cycle is key in strengthening the NPT regime and establishing a NWFZ in the Middle East.<sup>298</sup> Fostering this NWFZ can enhance regional arms control mechanisms, contributing to regional stability, and ultimately global nuclear disarmament.<sup>299</sup> That is why, according to the NTI, the adoption of the *2010 NPT Review Conference Action Plan* remains vital.<sup>300</sup> At the upcoming 2021 NPT RevCon, the States parties to the review cycle will have to encounter the different recommendations made by the 2019 PrepCom, including the strengthening of NPT Article VI and the establishment of a NWFZ in the Middle East.<sup>301</sup>

### **Further Research**

Given the current challenges, delegates should consider the following questions when conducting more research on the topic: Which incentives can the international community use to encourage all states to access the NPT? How can transparency and collaboration among NWS and NNWS be enhanced? How can all states be encouraged to sign the TPNW? What measures can help to effectively implement the *2010 NPT Review Conference Action Plan*? How can NPT Article VI and thus NPT pillar three on nuclear disarmament effectively be implemented? What measures can be taken to strengthen the international disarmament regime? How can consensus on a Middle Eastern NWFZ be reached?

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*This article discusses the circumstances that led to the adoption of the NPT. Moreover, it critically elaborates the review process of the Treaty within the UN system and focuses on the challenges ahead for the upcoming NPT RevCon in 2020. Lastly, it gives an*

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<sup>290</sup> Ibid.

<sup>291</sup> RCW, *Conference on Nuclear- and WMD-Free Zone in the Middle East Adopts Political Declaration*, 2020.

<sup>292</sup> UNODA, *Political Declaration Adopted at the First Session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction*, 2020.

<sup>293</sup> Ibid.

<sup>294</sup> ACA, *WMD-Free Middle East Proposal at a Glance*, 2018.

<sup>295</sup> RCW, *Conference on Nuclear- and WMD-Free Zone in the Middle East Adopts Political Declaration*, 2020.

<sup>296</sup> CFR, *The Global Nuclear Nonproliferation Regime*, 2012.

<sup>297</sup> Hudson, *50 Years of the NPT, Campaign for Nuclear Disarmament*, 2018.

<sup>298</sup> Dunn, *Discussion Paper: Transparency-Options for Cooperative Engagement*, 2019, p. 1.

<sup>299</sup> Erästö, *The Lack of Disarmament in the Middle East: A Thorn in the Side of the NPT*, 2019, p. 21.

<sup>300</sup> Dunn, *Discussion Paper: Transparency-Options for Cooperative Engagement*, 2019, p. 1.

<sup>301</sup> Duarte, *Unmet Promise: The Challenges Awaiting the 2020 NPT Review Conference*, *Arms Control Association*, 2018.

*outlook to how the NPT, TPNW, and CTBT may interact within the legal nuclear framework. This article includes current issues of the nuclear disarmament regime the 2020 NPT RevCon will face and explains the significance of the Conference. Delegates will also find it useful to know under what conditions the NPT was implemented.*

Erästö, T. (2019). The NPT and the TPNW: Compatible or Conflicting Nuclear Weapons Treaties?. Stockholm International Peace Research Institute. Retrieved 11 August 2020 from: <https://www.sipri.org/commentary/blog/2019/npt-and-tpnw-compatible-or-conflicting-nuclear-weapons-treaties>

*This research article gives a comprehensive overview on the interplay between the NPT and the TPNW in the current regime of nuclear frameworks. It compares both treaties in terms of legal compatibility and impact on the current non-proliferation efforts. Delegates will find this article useful in order to understand how the TPNW complements the NPT's regime.*

Nuclear Threat Initiative. (2018). Nuclear Disarmament Resource Collection. Retrieved 11 August 2020 from: <https://www.nti.org/analysis/reports/nuclear-disarmament/>

*This article chronologically assesses the international nuclear disarmament regime. It provides in-depth information on important frameworks as well as bilateral and multilateral efforts towards disarmament pursued by Member States, CSOs and intergovernmental organizations. Delegates will find this article helpful in getting a full image of the international nuclear disarmament regime whilst being informed about current challenges.*

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2019). Final Report (NPT/CONF.2020/1). Retrieved 11 August 2020 from: <https://undocs.org/NPT/CONF.2020/1>

*This report outlines the 2019 PrepCom's recommendations made for the 2020 NPT RevCon. It stresses three issues of importance for the conference: the implementation of NPT Article VI, the application of IAEA safeguards in NWS and establishment of further NWFZ and promoting peaceful uses of nuclear energy. This report also gives basic facts for the 2020 RevCon such as a provisional agenda, financing, rules of procedure, and important outcome documents of previous PrepComs. It is important for delegates to know about this report and its content, as it is the most recent document in the NPT review regime and gives insightful information on the 2020 RevCon preparation process.*

Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. (2010). 2010 NPT Review Conference Action Plan. Retrieved 11 August 2020 from: <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2010/2010NPTActionPlan.pdf>

*The 2010 NPT Review Conference Action Plan contains actions underlining the importance of the full and soon implementation of the NPT by all states, especially Article VI on disarmament as well as the establishment of a NWFZ in the Middle East and compliance with IAEA safeguards. It reaffirms the States parties' commitment to the NPT and therefore to general nuclear disarmament. This action plan represents the last consensus document reached by a RevCon but has not been implemented so far. Delegates will find this action plan helpful in gaining an understanding of what is essential for the upcoming 2020 NPT RevCon.*

United Nations. (n.d.). International Day for the Total Elimination of Nuclear Weapons 26 September. Retrieved 11 August 2020 from: <https://www.un.org/en/observances/nuclear-weapons-elimination-day>

*This article gives an understandable timeline of essential steps the UN has taken to further nuclear disarmament and non-proliferation of nuclear weapons, such as the adoption of resolutions, the establishment of treaties or the framing of the topic in UN discourse. Moreover, the International Day for the Elimination of Nuclear Weapons serves as a platform for public awareness on the topic of nuclear disarmament and non-*

*proliferation and is therefore an important date to know about. Delegates will find this overview helpful as a first start for their research on the topic.*

United Nations, General Assembly, Fourteenth session. (1959). *General and Complete Disarmament (A/RES/14/1378)*. Adopted on the report of the First Committee. Retrieved 11 August 2020 from: [https://undocs.org/en/A/RES/1378\(XIV\)](https://undocs.org/en/A/RES/1378(XIV))

*This resolution was adopted during the Cold War and is one of the first calling for general and complete international nuclear disarmament. It builds the basis for future deliberations and negotiations for decreasing the number of nuclear weapons. It introduces nuclear disarmament as a comprehensive goal of general disarmament under international control. It is important for delegates to be familiar with this resolution, as it can serve as a great basis for discussion and when drafting working papers.*

United Nations, General Assembly, Twenty-second session. (1968). *Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII))*. Retrieved 11 August 2020 from: [https://undocs.org/A/RES/2373\(XXII\)](https://undocs.org/A/RES/2373(XXII))

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