

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

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Youth, disarmament and non-proliferation Recommendations from early-career experts to the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

**Working paper submitted by the Republic of Korea, the British
American Security Information Council and the United Nations
Office for Disarmament Affairs**

Introduction

1. In October 2019, the Permanent Representative of the Republic of Korea to the United Nations, Cho Tae-yul, introduced the then draft United Nations General Assembly resolution on youth, disarmament and non-proliferation to the First Committee of the General Assembly, noting that the resolution forms part of the contribution of the Republic of Korea to championing action 38 of the Secretary-General's disarmament agenda. In his remarks, the Permanent Representative affirmed that empowering youth in the *Agenda for Disarmament*¹ and non-proliferation is meaningful not merely for creating diversity in the sector, but for “nurturing young experts who will lead our collective efforts in the future” and creating “positive momentum for disarmament discussions that have been polarized and remained at a standstill for quite some time”.² The Assembly reaffirmed the important and positive contribution that young people can make in sustaining peace and security through its unanimous support of its biennial resolution on youth, disarmament and non-proliferation, adopted on 12 December 2019 (resolution 74/64) and on 6 December 2021 (resolution 76/45).

2. The British American Security Information Council, the United Nations Office for Disarmament Affairs (UNODA) and the Ministry of Foreign Affairs of the Republic of Korea saw this as an opportunity for significant and meaningful engagement of young and early career researchers around the world with the Treaty

¹ United Nations, Office for Disarmament Affairs, *Securing our Common Future: an Agenda for Disarmament* (2018).

² Statement by the Permanent Representative of the Republic of Korea to the United Nations, Cho Tae-yul, to the First Committee of the seventy-fourth session of the United Nations General Assembly, 11 October 2019. Available at <https://front.un-arm.org/wp-content/uploads/2019/10/statement-by-republic-of-korea-gd-oct-11-19.pdf>.



on the Non-Proliferation of Nuclear Weapons process, through the Council's Emerging Voices Network. The present working paper is the direct outcome of a series of events co-organized by the Council, UNODA and the Ministry of Foreign Affairs. Immediately following a plenary event facilitating discussion and engagement among youth and senior leaders on the Non-Proliferation Treaty, four youth working groups focused on developing recommendations to advance the Treaty's three pillars, as well as equity, inclusion and diversity among its stakeholders.

3. These recommendations were then presented directly by youth leaders to senior leaders, including: the President-Designate of the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Gustavo Zlauvinen; the Executive Secretary of the Comprehensive Nuclear-Test-Ban Treaty Organization, Robert Floyd; the Director General of the International Atomic Energy Agency (IAEA), Rafael Grossi; the Director and Deputy to the High Representative for Disarmament Affairs at the United Nations, Thomas Markram; and the External Relations Officer, IAEA, Nuno Luzio. After receiving feedback from these senior leaders, the four working groups now present their recommendations to Treaty Member States below.

I. Non-proliferation

4. The members of the working group on non-proliferation were: Naomi Egel (working group Chair), Abdul Moiz Khan, Musa Carew, Nomsa Ndongwe, Rahuldeep Singh, Vincent Lavenac, Patricia Jaworek, Daniela Cordero, Kseniia Pirnavskaia, Miyuki Horiguchi and Molly McGinty.

5. The scope and scale of proliferation risks continues to increase with innovation and technological growth in nuclear, and international, security. Nuclear non-proliferation remains central to the future of the Non-Proliferation Treaty and the future of international peace and security more broadly. At the same time, changes in the international landscape provide both challenges and opportunities for advancing nuclear non-proliferation. Approaches to non-proliferation must continue to evolve to keep pace with these changes. This section of the working paper provides recommendations from youth and early career experts on non-proliferation within the Treaty framework.

Gaps in the Non-Proliferation Treaty framework

6. Emerging technologies (e.g., additive manufacturing, 3D printing, artificial intelligence) have the potential to facilitate nuclear proliferation. However, the specific proliferation risks posed by a variety of emerging technologies are largely unknown. At the same time, some emerging technologies may contribute to preventing proliferation.

7. Irresponsible behaviour by great Powers, including modernization of nuclear arsenals and undermining of negative security assurances (most notably through the invasion of Ukraine by the Russian Federation), impairs efforts to promote non-proliferation.

8. Despite non-proliferation and disarmament both being core components of the Non-Proliferation Treaty, they are often treated as separate issues and the link between the two is often not fully appreciated. For example, in a world with complete and irreversible disarmament, non-proliferation safeguards and monitoring to detect any nuclear testing would likely still be needed. The work of the Comprehensive Nuclear-Test-Ban Treaty Organization is an excellent example of this link between advancing non-proliferation and advancing disarmament. More broadly, addressing both horizontal and vertical proliferation is essential to promoting non-proliferation.

9. There remains a gap in gender and youth participation in decision-making regarding non-proliferation. More broadly, participation in non-proliferation decision-making remains narrow in scope and does not reflect the diversity of stakeholders affected and concerned by nuclear proliferation. This working group recognizes that, as is the case in many treaties written with a specific security environment in mind, the Non-Proliferation Treaty may not have initially been designed to address the gaps described above. Indeed, predicting these and any future hindrances to non-proliferation within the Treaty framework is extremely difficult. Given the historical importance and prevalence of the Treaty, there may be inertia with regard to addressing these policy gaps. Although the Treaty remains the core of the non-proliferation regime, it is important to recognize the contributions of other international institutions and agreements in advancing nuclear non-proliferation. The Treaty framework benefits from efforts to address proliferation through other institutions and agreements.

Recommendations

10. **Recommendation 1.** Bring in a wider array of stakeholders as decision makers in existing non-proliferation institutions:

(a) Encourage States parties' delegations to the Review Conference (as well as other non-proliferation decision-making bodies) to formally include civil society members as experts on their national delegations (as some delegations already do).

(b) Highlight and support the essential work of grass-roots movements and youth networks in building support for non-proliferation among a multitude of different stakeholders, as well as their potential to bring a wide range of ideas on advancing non-proliferation into the Treaty process.

(c) Identify ongoing non-proliferation initiatives in existing organizations that are underresourced, both in finances and diplomatic attention (e.g., the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)). Elevate the centrality of these organizations and initiatives and increase funding for their work in implementing the Treaty's non-proliferation objectives.

11. **Recommendation 2.** Seek to anticipate the proliferation risks posed by emerging technologies:

IAEA should examine the specific proliferation risks posed by specific emerging technologies that remain unregulated or insufficiently regulated by existing institutions, as well as the degree to which these emerging technologies of concern pose nuclear proliferation risks. At the same time, IAEA should also examine how specific emerging technologies could contribute to advancing and enhancing non-proliferation, especially with regard to safeguards. It is important not to assume that new technologies pose only risks and dangers. The history of the Comprehensive Nuclear-Test-Ban Treaty Organization exemplifies the contribution that emerging technologies can make to advancing non-proliferation and disarmament.

12. **Recommendation 3.** Enhance negative security assurances:

Recognizing the nexus between non-proliferation and disarmament; nuclear-weapon States, non-nuclear-weapon States and civil society should initiate track 1.5 dialogues on how to maintain the credibility of existing negative security assurances, both in light of current challenges and in the future. Negative security assurances are important commitments, but their effectiveness depends on their credibility, and their credibility has come under serious scrutiny. The actors should also discuss how to reach additional negative security assurances, both regionally and globally.

II. Disarmament

13. The members of the working group on disarmament were: Christelle Barakat (working group Chair), Océane Van Geluwe, Rebecca Pantani, Jeremy Faust, Declan Penrose, Anita Sangha, Grecia Moya Sedano Camacho, Shane Ward, Abdirahim Mohamed, Juan Sebastian Huertas Olea and Leila Laing.

14. For three years now, the Doomsday clock has been set at 100 seconds to midnight, less than two minutes away from a nuclear disaster. Having entered into force in 1970, the Non-Proliferation Treaty inspired the creation of more modern treaties for nuclear disarmament to avert such disasters; however, the Treaty itself has lagged behind. Stuck in the past yet holding value for the present and the future, multiple gaps reduce its efficacy. Some of these gaps are described below, along with recommendations for strengthening disarmament within the context of the Treaty.

Gaps in the Non-Proliferation Treaty framework

15. *Transparency.* There is a problem with transparency in nuclear-weapon States as the extent of their nuclear stockpiles is not known exactly. Knowing how many warheads have been deployed and undeployed is also important. There needs to be more progress on the dismantling of excess warheads in addition to declaring stacks of fissile materials and placing them under IAEA safeguards. However, sharing this information may be considered a security risk by some countries. A declaration or a non-binding statement of intent might help with this vagueness, but only to the extent that countries buy into it.

16. *The modernization of weapons.* Modernization may cause frustration for non-nuclear Non-Proliferation Treaty States: it may increase the capacity of pre-existing weapons, thus indirectly increasing their ability to cause harm. Addressing growing and changing forms of warheads and methods of modernization is difficult within the current framework.

17. *Environmental reparations and assistance to victims.* Many non-nuclear-weapon States do not have the expertise or the funds to remediate environmental damages and assist victims of nuclear weapons use. This is why collaboration between nuclear and non-nuclear States is needed on these elements. This is in line with the Non-Proliferation Treaty's stipulation that nuclear and non-nuclear States should collaborate, but it takes it further beyond collaboration on the peaceful uses of nuclear energy.

18. *Article VI and accountability.* We need to find or develop ways to hold the P5 accountable to the pursuit of disarmament in good faith. More clarity is also needed about what good faith means.

19. *Two-tiered hierarchy.* To some non-nuclear States, the nuclear-weapon States seem to hold all the power. This is dangerous as it may weaken or de-incentivize commitments to collaborate within the framework of the Non-Proliferation Treaty. It may also discourage States from continuing meaningful engagement within the Treaty, as they may feel that their contributions do not hold weight compared with those of nuclear States.

20. *Reducing the risk of the escalation of rhetoric.* An example of escalating rhetoric is that the Russian Federation "broke" normative rules and openly spoke about the use of nuclear weapons. The Non-Proliferation Treaty clearly prohibits both the use of nuclear weapons and the threat of using nuclear weapons. The Union of Soviet Socialist Republics (USSR), whose seat has been absorbed by the Russian Federation, was one of the Depositary Governments of the Treaty – making this an even graver occurrence.

21. *The Non-Proliferation Treaty and the Treaty on the Prohibition of Nuclear Weapons.* The relationship between the two treaties needs to be handled with care given the fact that the Treaty on the Prohibition of Nuclear Weapons has now entered into force and given the attitude of some nuclear-weapon States to the Treaty on the Prohibition of Nuclear Weapons.

Recommendations

22. **Recommendation 1.** Addressing modernization. States are not being held accountable for modernizing their weapons. This is partially due to the lack of definition when it comes to accountability, modernization and increase of warheads. Additional clarity around strictly capping the number of weapons and modernized weapons is needed. A clear sliding scale of accountability measures should be negotiated, developed and specified, proportional to infractions. Multi-track diplomacy, particularly track II diplomacy and negotiations, will be prominent, to ensure that States buy into this and do not withdraw from the Non-Proliferation Treaty. In addition to its current role and tasks pertaining to the Treaty, IAEA should be further asked to implement this sliding scale of accountability measures and to investigate related infractions. The Treaty currently lists IAEA as a body investigating the peaceful uses of nuclear energy; it does not clearly spell out the IAEA role in case of infractions or when it comes to accountability. Budget considerations must be kept in mind for the aforementioned points, notably the allocation of more budget for IAEA to carry out these added tasks. Modernization must be discussed in light of arguments presented to back the need for modernization, notably in relation to the maintenance, safety and effectiveness of weaponry.

23. **Recommendation 2.** Explicitly calling for irreversibility in nuclear disarmament. Production and development of nuclear weapons should be halted immediately, accompanied by applying legal systems and launching multi-track negotiations for disarmament. Engaging with impacted communities such as hibakusha should specifically be encouraged, stressing irreversibility and prioritizing humanitarian disarmament.

24. **Recommendation 3.** Addressing universality through encouraging nuclear armed States to sign and ratify the Non-Proliferation Treaty. There cannot be an advancement in disarmament as long as United Nations Member States, especially nuclear armed States, remain outside the Treaty, as this may challenge and contradict multilateral global disarmament. Through encouraging non-Treaty States, particularly non-Treaty nuclear-armed States, to sign the Treaty, the Treaty's role as a common space for conversation and negotiation is strengthened further. Positive incentives in the form of monetary and technical assistance for enhancing the implementation of sustainable development, special trading statuses and help with the peaceful utilization of nuclear energy can be linked to the elaboration and implementation of a step-by-step disarmament plan that would eventually lead non-Treaty States to safely dispose of their nuclear weapons and sign or ratify the Treaty. This is important as no State can join the Treaty without disposing of its nuclear weapons first. Moreover, since targeted sanctions have done very little to move disarmament forward, a more positive approach tied to incentives might generate better results. Additionally, nuclear-weapon States must make clearer commitments to disarmament, including non-Treaty nuclear-armed States, as the onus has largely been on non-nuclear States to fulfil their non-proliferation obligations. Confidence-building measures should likewise be developed between nuclear and non-nuclear States.

25. **Recommendation 4.** Addressing interpretive flexibility in article X language. Lack of clarity in the language of the Non-Proliferation Treaty, particularly in specific

articles, leads to difficulty in universal implementation of the Treaty. This may also serve as a justification for States for partial implementations based on their perceptions or interpretations of the text. Most critically, article X makes it relatively easy for States to withdraw from the Treaty; multi-track diplomacy is needed to reach an agreement around clearer language that would strengthen article X. Simultaneously, multi-track diplomacy would help member States reach an agreed-upon formula based on State interests and trade-offs that would make it difficult for State parties to withdraw from the Treaty.

26. **Recommendation 5.** Increasing the productivity of preparatory committees through the inclusion of civil society organizations. So far, preparatory committees have existed only once a year in three out of four years before the five-year review conference. It would be difficult to make these committees' work continuous owing to budget constraints and considerations. Nevertheless, preparatory committees' work and the preparatory phase for the review conference could be more productive, with increased inclusion of civil society organizations, including youth delegates. Indeed, civil society organizations have talent, expertise and know-how that can scale up readiness and efficacy and make the review process more responsive in addressing nuclear and geopolitical concerns.

27. **Recommendation 6.** Drafting and incorporating optional protocols and annexes to the Non-Proliferation Treaty to reflect an action-oriented approach in line with evolving times and needs. Amending the Treaty is problematic, particularly as the Treaty becomes closer to universality. The Treaty's amendment poses risks of further watering down its language or having States withdraw from it or backtrack on their commitments. Drafting and incorporating optional protocols and annexes might therefore be a more suitable compromise. These annexes or optional protocols would clearly spell out agreed-upon plans of action, assistance and collaboration between nuclear and non-nuclear States to remedy environmental damages resulting from unintended nuclear weapons use and testing, assist victims and specify a process of investigation. Furthermore, a committee of experts appointed by the United Nations should develop a combined agreed-upon comprehensive and step-by-step process for disarmament to be approved by States and annexed to the Treaty. Previous disarmament action plans have favoured either a comprehensive approach or a step-by-step approach to disarmament. These would be supplemented with regular reviews of each step's implementation. This could simultaneously activate nuclear States within the Treaty while reducing the gap between nuclear States and non-nuclear States.

III. Peaceful uses

28. The members of the working group on peaceful uses were: Ian Fleming-Zhou (working group Chair), Muhammed Ali Alkis, Mikhail Kupriyanov, Jorge Valderrábano, Elia Duran-Smith, Ghazal Ozairi, Zain Hussain, Florencia de los Angeles Renteria del Toro and Aishwarya Anand.

29. The strategic objectives of the Non-Proliferation Treaty in terms of assisting member States in the use of nuclear technology safely and securely should extend to both peacetime and wartime. The Treaty does not, however, explicitly go further to define how it would protect States that use nuclear energy and nuclear energy facilities during an armed conflict. It should be noted that the Geneva Conventions have the provisions, but this should not prevent the Treaty from also having the same provisions, considering that it is a treaty that explicitly encourages peaceful use of nuclear energy. The protections of the use of nuclear energy should not be left out to be covered by other treaties. While the Treaty promotes cooperation in the field of nuclear technology, further action is required to bestow more safeguards on nuclear energy facilities in times of conflict. Peaceful use should not end up creating further

security threats to a State's nuclear security or impede routine operation of nuclear power plants. Thus, the purpose of this section of the working paper is to bring awareness to the gaps that are impeding the progression and reliability of nuclear energy.

Gaps in the Non-Proliferation Treaty framework

30. The Non-Proliferation Treaty framework does not establish measures for when a nuclear power plant becomes the target of an armed conflict and is used as a weapon. For instance, IAEA officials have expressed concerns that nuclear safety protocols at Zaporizhzhia and Chernobyl nuclear power plants have been violated as the plants have become pawns during the war in Ukraine. The ongoing military action makes it difficult for IAEA staff to visit the sites in order to assess their safety. The Treaty should be able to remain relevant in both peacetime and wartime so that it is able to respond to shifting priorities of member States. These could include unforeseen emergency circumstances, for instance war, conflict and natural disasters that could impact nuclear energy plants.

31. The Treaty also needs to explicitly state the role of IAEA in terms of the response when a nuclear power plant becomes vulnerable as a result of conflict. The nonresponse or lack of a demarcated role for IAEA could be catastrophic and threaten every principle of nuclear safety. Thus, the role of IAEA during an ongoing conflict should be to maintain and make sure that both parties to the conflict respect the physical integrity of the plant.

32. The Treaty does not address the viability or reliability of nuclear energy during an armed conflict. As evidenced in Ukraine, a nuclear power plant is vulnerable to being captured by hostile forces and being used as leverage. While nuclear energy is usually reliable and uninterrupted, it becomes highly unreliable and dangerous during a conflict. Some assurances and continuation of use of energy should be guaranteed during an armed conflict. Failure to have access to the plant or energy directly translates to a violation of the right to benefit from nuclear energy peacefully.

33. There are clear barriers to change within the Non-Proliferation Treaty: the Treaty, particularly article VIII, paragraph 3, provides for a review of the operation of the Treaty every five years; however, none of the review meetings have addressed the security and safety of nuclear power plants during an armed conflict. It is important for the discussion on the security and protection of nuclear power plants during armed conflict to be addressed by the Treaty. The discussion will not help strengthen the use of nuclear energy for peaceful purposes, but it would help foster confidence in the Treaty's umbrella protection of nuclear power plants during armed conflict. The 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons ended without the adoption of a substantive consensus outcome. Therefore, the lack of consensus could affect the adoption of new upgrades that address the current political climate to the Treaty.

Recommendations

34. **Recommendation 1.** There should be strong security protocols in place that protect nuclear energy facilities from being weaponized by conflicting parties in tandem with those that are in the Geneva Conventions. It would be beneficial for the Non-Proliferation Treaty also to cover the security protocols on nuclear power plants, considering that it is one of the main treaties on nuclear matters. Peaceful use of nuclear energy should be siloed from geopolitical issues. Under the current Treaty review process, Review Conferences can make recommendations to update statutes to verify and certify preservation of facilities in terms of security, safety and

application of peaceful uses. This could mean a ban or prohibition on attacking nuclear power plants or their weaponization.

35. **Recommendation 2.** There should be advocacy for the protection of nuclear energy plants as non-targets during armed conflicts akin to the protection of world heritage sites during armed insurrections. The safeguards mechanism is no longer sufficient, and additional control mechanisms must support the safety and security of the nuclear power plants (i.e., a satellite inspection of the zone of a nuclear power plant 24/7, 365 days a year). Protections awarded to these sites could use the language used in the Non-Proliferation Treaty on the protection of world heritage sites. Bans on attacking nuclear stations are part of the Geneva Conventions, but not of the Treaty and there would be added depth to the Treaty if it covered conduct on nuclear power plants during armed conflict.

36. **Recommendation 3.** Active IAEA involvement to ensure secure and safe use of nuclear energy during armed conflict for instance the right equipment to monitor radiation levels in a conflict zone. IAEA should be granted access to nuclear power plants to ensure the continued integrity, viability, safety and security of the plants. Therefore, member States should honour the peaceful use initiatives and cooperate with IAEA in order to ensure access to nuclear facilities during ongoing conflict situations.

37. **Recommendation 4.** Codifying the role of IAEA in cooperating with other organizations aimed at peaceful use of nuclear energy to create and solidify a clearly established relationship between all these organizations to make them more effective and impactful. The Treaty should encourage continued regional and international organization collaborations in implementing its mandates. For instance, there should be reassurances that the Parties to the conflict shall endeavour to avoid locating any military objectives in the vicinity of the works or installations mentioned in paragraph 1 of article 56 of the Protocol Additional to the Geneva Conventions of 12 August 1949 (Protocol I). States parties to the Treaty should codify this agreement and provide full support to IAEA in case of a military conflict or hostile situation in the zone of a nuclear power plant to inspect the plant and identify any potential damages to the plant's equipment.

38. **Recommendation 5.** The Non-Proliferation Treaty needs to explicitly address safety and security protocols, as well as the response to be followed if a power plant finds itself in the hands of a hostile party during an armed conflict. For instance, a no-fly zone over the nuclear power plant could be enforced or air defence systems could be implemented. It should be noted that the current Treaty framework does not have provisions for enforcement of a no-fly zone over a nuclear power plant during an armed conflict.

39. **Recommendation 6.** Protocol I to the Geneva Conventions deals only with the protection of nuclear electrical generating stations. This means that protection does not extend to research reactors, which constitute another large group of nuclear installations used for peaceful purposes. This is a deficiency of the Protocol, and there are several reasons why it is necessary to list the research reactors among the installations containing dangerous forces.

(a) A considerable number of research reactors operate within the framework of universities and research institutes, which are generally much nearer to inhabited areas than nuclear power plants.

(b) The need to protect research reactors is principally justified by the existence of 223 research reactors with a combined capacity of more than 3,000 MW in 53 countries throughout the globe. Most range up to 100 MW, compared with 3,000 MW (i.e., 1,000 MWe) for a typical power reactor.

IV. Equity, diversity and inclusion

40. The members of the working group on equality, diversity and inclusion were: Kirsten Mosey (working group Chair), Lisa Vickers, Sophia Poteet, Caitlin McLain, Choha Kim, Peter Rigg, Elin Bergner and Galina Salnikova.

41. Spanning all three pillars of the Non-Proliferation Treaty, equity, diversity and inclusion is necessary for current and future nuclear policy to meet varying and changing global security needs. The principles of equity, diversity and inclusion require more than just tokenism or increasing visibility of minorities and disadvantaged groups. They require specific policy aimed at addressing and tearing down barriers to access, increasing opportunities for more voices, and actually implementing the changes that codify those efforts into existing treaties, policies and systems. In the nuclear disarmament regime, equity, diversity and inclusion allow for a plethora of voices to engage with and transform the nuclear structure of the modern world. By bringing in differing perspectives and allowing for the ability to shape and change the discussion, nuclear disarmament stands a chance of being a trailblazer in how disarmament can create a safer, more equitable and sustainable world for all. The present section of the working paper discusses existing gaps and barriers, and then makes recommendations to improve and advance equity, diversity and inclusion within the Treaty framework.

Gaps in the Non-Proliferation Treaty framework

42. While there have been steps taken to make the Non-Proliferation Treaty process more inclusive, gaps remain to be addressed. The specific areas within which policy gaps are identified by this working group follow below. For each of these, we list the potential to address them, as well as potential barriers to their implementation.

43. *Gender parity.* The Non-Proliferation Treaty recognizes the full and effective participation of women. Nonetheless, there are no specific mandates requiring delegations to have gender parity among their representatives. Specifically outlining these requirements can help to normalize the importance of gender parity. However, any requirements of parity within delegations would be optional as the Treaty will not be reopened, and any final documents that include suggestions are to be decided by consensus. Owing to the Treaty's extremely wide membership, not all States Parties may be in agreement on the role of women in nuclear disarmament. There are also differences in what States agree is the definition of gender and women, with some limiting access to LGBTQ+ individuals who may identify as non-binary or not present as female.

44. *Limited youth involvement.* Some Non-Proliferation Treaty States Parties already recognize the work being done by youth and mention the importance of their involvement in various statements. Once again, the Treaty has the ability to integrate broader perspectives as it has done with gender. Emphasizing the full and effective participation of youth at the Review Conference should be meaningful and yield results to avoid tokenism. It should be noted that adding young people to delegations would require more funding for their participation, which may already be difficult for smaller States. Further, non-binding resolutions or suggestions to the Treaty do not always make an impact, meaning that such efforts could result in tokenism rather than meaningful change, and this could further compound the socioeconomic disparities in the Treaty caused by financial barriers to entry to the field.

45. *Geographical and/or Global South barriers.* Within the current Non-Proliferation Treaty regime, there is equal status among all non-nuclear-weapon States in the Treaty, imbuing a sense of globality. Despite this fact, there is also a strong contingent of Global South States in the Non-Aligned Movement and New Agenda Coalition who are already vocal at the Review Conference about barriers to their participation,

namely difficulties acquiring visas to travel to the United States and the costs associated with doing so. Nullifying these difficulties is not as simple as it may seem. The United Nations cannot influence visa processes, and the sovereignty of each State allows them to undertake their own decisions regarding entry to foreign nationals. Suggestions have been made to consider a rotating Review Conference location to equalize the barriers to participation, yet the importance of the secretariat and its permanent location in New York City would make any attempts to move the Review Conference outside of the United States difficult.

46. *Testimony.* A number of side events at the Review Conference touch on the impact of nuclear weapons testing and use, and the effects of nuclear weapons are mentioned in a number of national and joint statements. While some States may protest the more official involvement of those impacted by nuclear weapons, it is not unprecedented for them to be present and engaged at the Review Conference (for example Hiroshima survivor Setsuko Thurlow at the tenth Review conference). Crucially, however, physically attending the Conference for those exposed to the effects of nuclear weapons may be quite difficult in terms of cost and physical ability, owing to disability or age. Further, any emphasis on “humanitarian disarmament”, which is often used as a blanket term to discuss the effects of nuclear weapons, has become subtly equated with the Treaty on the Prohibition of Nuclear Weapons, which may cause resistance from some Non-Proliferation Treaty States Parties who are critical of the Treaty on the Prohibition of Nuclear Weapons. There may also be resistance to expanding the voting process to allow, for instance, sovereign Indigenous nations to be involved in the Treaty in a more official capacity. Finally, there may be discomfort from nuclear-weapon States at hearing from those affected by the use and testing of nuclear weapons and accepting responsibility for their actions.

47. *Civil society.* A number of civil society groups are accredited at the United Nations and have access to the majority of plenary discussions and side events. There is also a time in the plenary general debate set aside for civil society to give statements. Frequent calls to expand civil society’s involvement are well heeded, while acknowledging the legitimate barriers that they face in doing so. For example, it is at times difficult to get United Nations accreditation and travel to New York, especially for smaller and less established civil society organizations. Finally, although calls for more transparency are echoed by some States Parties, it is unlikely that all States Parties will feel comfortable opening up more processes and negotiations to official civil society involvement, given the importance of security.

48. *Binary gender language.* While the Non-Proliferation Treaty will not be reopened for textual changes, there is a precedent of allowing factual updates to the Treaty (i.e., changing the names of States, etc.). There is also a precedent in other forums (Conference on Disarmament, General Assembly) where official documents have been updated (or in the case of the Conference on Disarmament, attempts have been made to update) that either include genderless language (addressing the President rather than Mr. President, etc.) or include gender-sensitive language. However, working outside of the gender binary is not always well accepted by a number of States, which would see this as far too progressive or simply untrue, and many States see this as a waste of time or purposely block the resolutions in order to keep their positions in check.

49. *In-person barriers and/or lack of online access.* The COVID-19 pandemic has shown the limits of digital accessibility in United Nations forums. At the tenth Review Conference, some side events had online components, and the plenary is live streamed, allowing for a more accessible Review Conference than ever before. However, limits to online accessibility remain: streaming is largely passive and does not allow for the viewer at home to interact with speakers at the United Nations; some States Parties may have security concerns and may not want the events or discussions

to be recorded or streamed; and some States Parties feel it is important to keep the Review Conference entirely in person to give it credibility and respect as the cornerstone of nuclear disarmament.

Recommendations

50. Based on the opportunities for policy change and barriers to change discussed, this working group makes the following recommendations:

51. **Recommendation 1.** The Non-Proliferation Treaty final document should include a factual reference to the role of women and non-binary individuals and suggest that all delegations reach gender parity by the next Review Conference.

52. **Recommendation 2.** The Non-Proliferation Treaty final document should reaffirm the importance of youth involvement in the Treaty and set up an exploratory committee through the secretariat that will develop research and recommendations for including youth delegates at the next Review Conference. The secretariat should work closely with the UNODA #Youth4Disarmament programme to develop a delegate support programme and help explore funding support for smaller States to add a youth representative to their delegations.

53. **Recommendation 3.** The United Nations and States Parties should consider expanding access to the Non-Proliferation Treaty, including for small and developing States, delegates who are physically unable to travel and those who cannot afford the cost of a four-week conference in New York City. This may include online options for all side events and plenary events, and a process for expediting/supporting visa requests.

(a) The Non-Proliferation Treaty States Parties should task the secretariat with creating a recommendation report for how the Treaty can be more inclusive and accessible, with a focus on online participation being meaningful, streamlined and effective.

54. **Recommendation 4.** States parties to the Non-Proliferation Treaty should consider adding a plenary session dedicated to hearing from those affected by nuclear weapons use, testing and proliferation to be included in the next Review Conference and tried at the meetings of the next Preparatory Committee. This may encourage States Parties to include impacted persons in their national delegations. The Treaty would benefit from closer collaboration with the United Nations Declaration on the Rights of Indigenous Peoples as a significant portion of impacted persons are Indigenous.

55. **Recommendation 5.** States parties to the Non-Proliferation Treaty should consider widening its attendance by increasing collaboration with civil society members, including them in national delegations and promoting transparency on negotiations through online participation, open negotiation rooms or daily briefings that include key documents and national positions. The States Parties to the Treaty should task the secretariat with reporting the involvement and contributions of civil society at the present Review Conference to inform their participation at the next Review Conference.

56. **Recommendation 6.** The Non-Proliferation Treaty should adopt and endorse the United Nations guidelines on gender-inclusive language which are available for the six official United Nations languages.

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