

II. Multilateral nuclear arms control, disarmament and non-proliferation treaties and initiatives

VLADISLAV CHERNAVSKIKH

There are three main multilateral nuclear arms control, disarmament and non-proliferation treaties: the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty, NPT), the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW). Nuclear arms control is also discussed in a regional context in the United Nations Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction. This section reviews the developments that took place in 2023 in these four frameworks. It looks in turn at the Russian Federation's withdrawal of its ratification of the CTBT and concerns about the future of the norm against nuclear testing, the preparations for the next NPT Review Conference, the annual session of the Middle East conference, and the second Meeting of States Parties (2MSP) of the TPNW. Nuclear arms control involving China, Russia and the United States is described in section I, while developments related to multilateral nuclear diplomacy with Iran are covered in section III.

Developments related to the Comprehensive Nuclear-Test-Ban Treaty

The Comprehensive Nuclear-Test-Ban Treaty would prohibit its states parties from conducting 'any nuclear weapon test explosion or any other nuclear explosion' anywhere in the world.¹ While the CTBT is not yet in force, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) is working to establish the CTBT verification regime. When completed, this will consist of an International Monitoring System (IMS) with 321 seismic, hydroacoustic, infrasound and radionuclide monitoring stations and 16 laboratories around the globe; and an International Data Centre (IDC) to process and analyse the data registered at the monitoring stations and transmit it to member states. By 31 December 2023, 306 of these 337 facilities had been certified as operational.²

During 2023 the treaty was ratified by Solomon Islands and Sri Lanka and signed by Somalia, taking total ratifications to 177 and the number of states signatories to 187 by the end of the year.³ However, to enter into force the

¹ CTBT, Article 1(1). For a summary and other details of the CTBT see annex A, section I, in this volume.

² CTBTO, 'Station profiles', [n.d.].

³ For a full list of states that have signed or ratified the CTBT see annex A, section I, in this volume.

CTBT must be ratified by the 44 states named in its Annex 2, which had nuclear power or research reactors when the treaty opened for signature. Eight of these 44 states—China, Egypt, Iran, Israel and the USA (which have signed the treaty, but not ratified it), and India, North Korea and Pakistan (which have not signed the treaty)—have never ratified the CTBT. In a setback to efforts to bring the treaty into force, another of the 44 states, Russia, which had ratified the treaty in 2000, revoked that ratification in November 2023.

Russia's revocation of CTBT ratification

In February 2023, when Russian President Vladimir Putin announced that Russia would suspend its membership of the Russian–US 2010 New Strategic Arms Reduction Treaty (New START; see section I), he claimed that the USA was considering a return to explosive nuclear testing because it was developing ‘innovative nuclear weapons’.⁴ He was possibly referring to the W93 nuclear warhead intended for deployment on US ballistic missile submarines by 2040.⁵ President Putin then instructed Rosatom, the state nuclear energy corporation, and the Russian Ministry of Defence to ‘make everything ready for Russia to conduct nuclear tests’ (see below), but underlined that Russia ‘will not be the first to proceed’ and will only test if the USA does so first.⁶

Russia has been voicing concerns about possible US nuclear test since at least 2018, when the US Nuclear Posture Review established that the administration of President Donald J. Trump ‘will not seek’ US ratification of the CTBT.⁷ These concerns were amplified in 2020 by media reports that senior US officials had discussed the option of conducting a ‘demonstration’ nuclear explosion.⁸ Despite the 2022 Nuclear Posture Review declaring that the administration of US President Joe Biden was now ‘committed to working to achieve its entry into force’, Russia continued to assert that the USA was taking no real steps to facilitate the entry into force of the CTBT.⁹

On 5 October 2023 President Putin stated that he was not ready to say whether Russia needed to carry out nuclear tests in connection with the development of its own new strategic nuclear systems. However, he strongly

⁴ Putin, V., Russian president, Presidential address to Federal Assembly, 21 Feb. 2023.

⁵ Starchak, M., ‘Russia’s withdrawal from the Nuclear Test Ban Treaty is an own goal’, Carnegie Endowment for International Peace, 24 Oct. 2023. On this and other developments in the US nuclear forces see chapter 7, section I, in this volume.

⁶ Putin (note 4).

⁷ US Department of Defense (DOD), *Nuclear Posture Review 2018* (DOD: Washington, DC, Feb. 2018), p. 63; and Russian Ministry of Foreign Affairs, ‘Russia’s assessment of the US Department of State’s report on adherence to and compliance with arms control, nonproliferation, and disarmament agreements and commitments’, 4 Apr. 2018.

⁸ Erästö, T., Kile, S. N. and Fedchenko, V., ‘Multilateral nuclear arms control, disarmament and non-proliferation treaties and initiatives’, *SIPRI Yearbook 2021*, pp. 438–43.

⁹ US Department of Defense (DOD), *2022 Nuclear Posture Review* (DOD: Washington, DC, 2018), p. 18; and 2026 NPT Review Conference, Preparatory committee, Statement by Russia, 7 Aug. 2023.

implied that it could instead consider revoking ratification of the CTBT as a ‘tit-for-tat response’ to the USA’s failure to ratify the treaty.¹⁰ A few days after these remarks, a draft bill on revocation of the ratification of the CTBT was introduced in the Russian Federal Assembly and swiftly passed both chambers before being signed by Putin on 2 November.¹¹

According to the Russian government, the withdrawal of the ratification was intended to address ‘an imbalance between Russia and the United States regarding the scope of obligations under the treaty’.¹² However, before the treaty enters into force—and it can only enter into force if both Russia and the USA ratify—CTBT state signatories and ratifying states are equally ‘obligated . . . to refrain from acts that would defeat the treaty’s object and purpose, including nuclear testing’.¹³ CTBT state signatories also share most rights and obligations with ratifying states, including membership of the CTBTO Preparatory Commission, financial dues, the ability to host IMS stations, and access to verification data.

In its official notification of the decision to withdraw the instrument of ratification, Russia confirmed that it would continue to be a signatory to the CTBT and to participate in the work of the CTBTO.¹⁴ Accordingly, on the domestic level, Russia has only revoked Article 1 of its national legislation on the CTBT, which contained the provision on the treaty’s ratification.¹⁵ Provisions contained in the rest of the document and in other decrees that assign governmental responsibilities in implementing the treaty were retained.¹⁶ Thus, in practical terms, Russia’s de-ratification by itself is unlikely to have a significant impact on the functioning of the CTBTO or the treaty’s verification regime.

As noted by the CTBTO executive secretary, Robert Floyd, Russia plays an important role in the work of the organization, including by hosting the second largest segment of the IMS—31 monitoring stations and 1 radio-nuclide laboratory.¹⁷ The segment was officially completed in December 2023 with the installation and certification of an auxiliary seismic station

¹⁰ Putin, V., Russian president, Speech at Valdai International Discussion Club meeting, 5 Oct. 2023. On developments in Russian nuclear forces see chapter 7, section II, in this volume.

¹¹ Russian Federal Law no. 508-ФЗ ‘On amendments to the Federal Law “On ratification of the Comprehensive Nuclear Test Ban Treaty”’, signed into law 2 Nov. 2023 (in Russian).

¹² President of Russia, ‘Law revoking the ratification of the Comprehensive Nuclear-Test-Ban Treaty’, 2 Nov. 2023.

¹³ Koplou, D. A., ‘Russia, the CTBT, and International Law’, *Arms Control Today*, vol. 53, no. 9 (Nov. 2023).

¹⁴ United Nations, Secretary-General, ‘Comprehensive Nuclear-Test-Ban Treaty, New York, 10 September 1996—Russian Federation: Withdrawal of the instrument of ratification’, C.N.463.2023.TREATIES-XXVI.4, 8 Nov. 2023.

¹⁵ Russian Federal Law no. 72-ФЗ ‘On the Comprehensive Nuclear-Test-Ban Treaty’, signed into law 27 May 2000 (in Russian).

¹⁶ Chalmers, H., ‘Commentary on de-ratification of the CTBT by Russia’, Verification Research, Training and Information Centre (VERTIC), 20 Oct. 2023.

¹⁷ Floyd, R., CTBTO executive secretary, Statement, 6 Oct. 2023.

at Yuzhno-Sakhalinsk.¹⁸ Russian officials have reiterated that the country intends to uphold its moratorium on nuclear testing and remains committed to the treaty, including the operation of all IMS monitoring facilities on its territory and the sharing of their data with states parties.¹⁹

In 2019 concerns had been raised by some experts and media outlets that Russia may have deliberately halted data transmission from IMS monitoring facilities on its territory following an explosion at the Nenoksa missile test site.²⁰ Russia stated that data transmission stopped because of technical problems, but also pointed out that the transfer of data from IMS stations is voluntary until the CTBT comes into force and that states parties have the right to prevent disclosure of confidential information and data ‘not related to the treaty’.²¹

Concerns about nuclear test site activity

Russia’s decision to revoke its ratification of the CTBT was preceded by reports of substantially increased activity and construction at the nuclear test sites in China, Russia and the USA.²² These activities may be intended to provide support for subcritical nuclear experiments—which are permitted under the CTBT—or may constitute attempts to maintain readiness to resume nuclear explosive testing should such a political decision be taken.

The 2023 annual report on treaty compliance by the US Department of State repeated concerns and claims made in previous reports. It expressed ‘concerns’ that China may be conducting activities not consistent with its moratorium on nuclear weapon testing when judged against the zero-yield standard.²³ According to this standard, all nuclear explosions that produce a self-sustaining, supercritical chain reaction with any yield exceeding zero are prohibited by the CTBT. This standard, as advocated by the USA, is not explicitly codified in the text of the CTBT and there is no formal internationally agreed definition of what it constitutes. The report also asserted that Russia has conducted ‘supercritical nuclear weapons tests’.²⁴ Both China and Russia have previously denied these allegations, which have not been substantiated by publicly available evidence.²⁵

¹⁸ CTBTO, ‘Russia’s last Global Monitoring System station is installed, sending data’, 14 Dec 2023.

¹⁹ ‘Moratorium on nuclear tests remains—Russian MFA’, TASS, 10 Oct. 2023.

²⁰ Erästö, T. and Kile, S. N., ‘Multilateral nuclear arms control, disarmament and non-proliferation treaties and initiatives’, *SIPRI Yearbook 2020*, p. 429.

²¹ Erästö and Kile (note 20), p. 430.

²² Lewis, J., ‘Nuclear test sites are too damn busy’, *Arms Control Wonk*, 23 Sep. 2023; and Broad, W. J., Buckley, C. and Corum, J., ‘China quietly rebuilds secretive base for nuclear tests’, *New York Times*, 20 Dec. 2023.

²³ US Department of State, *Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments* (Department of State: Washington, DC, Apr. 2023), pp. 17–18.

²⁴ US Department of State (note 23), p. 17.

²⁵ Erästö et al. (note 8).

Russia in turn claimed that the USA is carrying out preparations that would enable it to conduct a nuclear test at its Nevada National Security Site.²⁶ In June 2023 the US National Nuclear Security Administration (NNSA) announced that it was open to hosting international observers at the Nevada facility, as well as working with China and Russia to develop a regime for reciprocal observation of each other's subcritical experiments to confirm that they are 'consistent with the CTBT'.²⁷ NNSA officials publicly claimed that China and Russia did not respond to US proposals for 'mutual and reciprocal actions' to increase transparency of nuclear test sites.²⁸ Sergey Ryabkov, the Russian deputy foreign minister, denied that Russia had received 'any invitations' from the USA. He further stated that, regardless of whether the USA issues any proposals, there cannot be 'business as usual' with the USA on arms control issues given its 'fundamentally hostile policy towards Russia'.²⁹

While a return to explosive nuclear testing by any of the three states currently seems unlikely, recent uncertainty surrounding the CTBT contributes to the lack of trust between its signatories and may eventually weaken the international norm against nuclear testing.³⁰

The first session of the preparatory committee for the 2026 Review Conference of the Non-Proliferation Treaty

The states parties to the Treaty on the Non-Proliferation of Nuclear Weapons generally meet every five years in a conference to review the operation of the treaty.³¹ However, due to the Covid-19 pandemic, the 10th Review Conference was postponed from April–May 2020 to August 2022. To address this delay, states parties agreed to temporarily shorten the current review cycle from its customary five-year span to four years and to hold the next review conference in 2026.³² As agreed in 1995, review conferences are preceded by meetings of a preparatory committee, which considers procedural and substantive issues and makes recommendations for the upcoming review conference. The preparatory committee for the 2026 Review Conference

²⁶ 'Senior Russian diplomat points to recent US preparations for nuclear tests in Nevada', TASS, 10 Oct. 2023.

²⁷ Hruby J., NNSA administrator, Remarks at the CTBT: Science and Technology 2023 conference, 19 June 2023.

²⁸ Tirone, J., 'US offers nuclear-test inspections to ease Russia, China tension', Bloomberg, 28 Sep. 2023.

²⁹ Chernenko, E., [Russia and the USA are following uncharted paths], *Kommersant*, 2 Oct. 2023 (in Russian, author translation).

³⁰ Sood, R. et al., 'Unpacking Russia's de-ratification of the CTBT', Asia-Pacific Leadership Network, 31 Oct. 2023.

³¹ For a summary and other details of the NPT see annex A, section I, in this volume.

³² 10th NPT Review Conference, 'Decision on the next review cycle', NPT/CONF.2020/DEC.2, 26 Aug. 2022. See also Wan, W., 'The 10th Review Conference of the Non-Proliferation Treaty', *SIPRI Yearbook 2023*, pp. 349–59.

held its first session in Vienna from 31 July to 11 August 2023. A session of a working group on strengthening the review process was also held on 24–28 July. Both meetings were chaired by Ambassador Jarmo Viinanen of Finland.

The working group on further strengthening the NPT review process

The 10th NPT Review Conference established a working group on further strengthening the review process with a mandate to discuss and make recommendations to the preparatory committee on measures that would ‘improve the effectiveness, efficiency, transparency, accountability, coordination and continuity of the review process of the Treaty’.³³ Deliberations in the working group, which was open to all states parties, reportedly demonstrated a ‘broad convergence of views . . . on ways to improve the review process’.³⁴ However, the participants ultimately failed to reach consensus and the chair issued draft recommendations under his own authority as a working paper.³⁵

A large part of the discussions focused on ways to enhance transparency and accountability on nuclear disarmament.³⁶ Suggestions were made to modify the framework and format for reporting by the five nuclear weapon states (NWS)—China, France, Russia, the United Kingdom and the United States—on the implementation of their disarmament commitments under the NPT and to dedicate time in future review process meetings for discussions of such reports.³⁷ As reflected in the chair’s working paper, the NWS were encouraged to adopt a standard reporting template.³⁸ This would provide their national reports with a more consistent structure and level of detail than the current reporting framework. It would also include specific information on their nuclear arsenals and any disarmament and risk-reduction measures undertaken. The appropriate frequency and scope of such reporting, as well as the desirability of involving civil society in the discussion, became the subject of debate.³⁹ France, the UK and the USA supported the calls for dedicated discussions of national reports in the review process and displayed some

³³ 10th NPT Review Conference, NPT/CONF.2020/DEC.2 (note 32).

³⁴ Vienna Center for Disarmament and Non-Proliferation, ‘The 2023 NPT preparatory committee and the working group: What transpired and what comes next?’, 17 Oct. 2023.

³⁵ 2026 NPT Review Conference, Preparatory committee, Working Group on Further Strengthening the Review Process of the NPT, ‘Recommendations to the preparatory committee that would improve the effectiveness, efficiency, transparency, accountability, coordination and continuity of the review process of the Treaty’, Working paper submitted by the chair, NPT/CONF.2026/PC.I/WP.34, 3 Aug. 2023.

³⁶ Potter, W. C., ‘Behind the scenes: How not to negotiate an enhanced NPT review process’, *Arms Control Today*, vol. 53, no. 8 (Oct. 2023). See also European Leadership Network, ‘An overview of state parties’ proposals submitted to the working group on further strengthening the NPT review process’, July 2023.

³⁷ Vienna Center for Disarmament and Non-Proliferation (note 34). On the NPT definition of a NWS as only those 5 states that had manufactured and exploded a nuclear explosive device prior to 1 Jan. 1967 see NPT (note 31), Article IX(3); and annex A, section I, in this volume.

³⁸ 2026 NPT Review Conference, NPT/CONF.2026/PC.I/WP.34 (note 35), recommendation 16.

³⁹ Potter (note 36).

willingness to further consider increased transparency measures. China and Russia were sharply critical.⁴⁰ Russia stated that each NWS should have the right to set its own limits on reporting transparency. China asserted that it would not support the ‘nuclear transparency agenda’ and suggested that the reporting format should be subject to voluntary consultation among the five NWS.⁴¹

Other suggestions reflected in the chair’s working paper mainly included procedural measures designed to streamline the review process. Among these was instituting a practice by which the chairs of the first two sessions of the preparatory committee would prepare reports identifying areas of convergence and recommending areas for focused discussion in subsequent sessions.⁴²

The first session of the preparatory committee

In many ways, discussions at the preparatory committee continued or repeated the debates of the 10th Review Conference—they were largely dominated by issues related to the lack of progress on nuclear disarmament against the backdrop of international tensions manifested by the Russia–Ukraine war.⁴³

In this context, delegations expressed deep concerns over the resurgence of nuclear threats and the heightened risk of nuclear weapon use.⁴⁴ Many states parties directly singled out Russia for its ‘reckless nuclear rhetoric’.⁴⁵ Delegations also expressed support for New START and voiced concerns about Russia’s suspension of its implementation (see section I). The Russian delegation restated the justification for the suspension, while the US delegation in turn urged Russia to ‘return to compliance’ with New START and reiterated that it was ready to ‘engage in bilateral arms control discussions’ with Russia and China.⁴⁶

In recent years, non-nuclear weapon states (NNWS), especially supporters of the Treaty on the Prohibition of Nuclear Weapons, have been increasingly

⁴⁰ Potter (note 36).

⁴¹ 2026 NPT Review Conference, Preparatory committee, Working Group on Further Strengthening the Review Process of the NPT, Statement by China, 24 July 2023.

⁴² 2026 NPT Review Conference, NPT/CONF.2026/PC.I/WP.34 (note 35), recommendation 13. The first such report was issued (see below) as 2026 NPT Review Conference, Preparatory committee, Reflections by the chair of the 1st session on potential areas for focused discussion at the 2nd session, NPT/CONF.2026/PC.I/WP.38, 11 Aug. 2023.

⁴³ Vienna Center for Disarmament and Non-Proliferation (note 34). On the war see chapter 1, chapter 2, section I, and chapter 10, sections II and III, in this volume.

⁴⁴ 2026 NPT Review Conference, Preparatory committee, Statement by Mexico on behalf of the New Agenda Coalition, 31 July 2023; and 2026 NPT Review Conference, Preparatory committee, Statement by Burkina Faso on behalf of the African Group, 31 July 2023.

⁴⁵ E.g. 2026 NPT Review Conference, Preparatory committee, Statement by Norway, 31 July 2023; and 2026 NPT Review Conference, Preparatory committee, Statement by Ireland, 1 Aug. 2023.

⁴⁶ 2026 NPT Review Conference, Preparatory committee, Statement by the United States, 3 Aug. 2023.

critical of the concept of nuclear deterrence in the security policies of NWS—that is, justifying the retention of nuclear weapons in order to deter conventional or nuclear attack by another state.⁴⁷ Thus, statements by a number of delegations deemed increased emphasis on nuclear deterrence to be detrimental to both disarmament and non-proliferation and a source of inherent existential risk.⁴⁸ All the NWS and several US allies have implicitly defended their deterrence practices by arguing that nuclear disarmament cannot be addressed in isolation from the international security and military-strategic context.⁴⁹ This sentiment was widely opposed by NNWS, which argued that fulfilment of NPT obligations is unconditional.⁵⁰

Many states parties also broadly condemned the concept of nuclear sharing—whereby an NWS stations its nuclear weapons in the territory of an ally and, in the event of war, permits the host state to use them.⁵¹ Russia's claimed deployment of its non-strategic nuclear weapons in Belarus in 2023 garnered sharp criticism from the USA and its allies in the North Atlantic Treaty Organization (NATO).⁵² At the same time, they restated their view of NATO nuclear-sharing arrangements as being fully consistent with the NPT.⁵³ Seemingly in an attempt to avoid criticizing Russia, China modified its usual rhetoric—rather than condemning nuclear sharing in general, it instead called specifically for the withdrawal of nuclear weapons 'deployed overseas'.⁵⁴

The chair's factual summary and recommendations

Since 2000, chairs of the preparatory committee sessions have been expected to prepare a factual summary of the proceedings for inclusion in the report of the session.⁵⁵ When no consensus can be reached on the language of the summary, the usual practice is for the chair to issue it separately in the form

⁴⁷ Erästö, T. and Cronberg, T., 'Opposing trends: The renewed salience of nuclear weapons and nuclear abolitionism', SIPRI Insights on Peace and Security no. 2018/5, Sep. 2018, p. 6.

⁴⁸ E.g. 2026 NPT Review Conference, Preparatory committee, Statement by South Africa, 3 Aug. 2023; and 2026 NPT Review Conference, Preparatory committee, Statement by Austria, 31 July 2023.

⁴⁹ E.g. 2026 NPT Review Conference, Preparatory committee, Statement by Russia, 3 Aug. 2023; and 2026 NPT Review Conference, Preparatory committee, Statement by Poland, 1 Aug. 2023.

⁵⁰ E.g. 2026 NPT Review Conference, Preparatory committee, Statement on behalf of the New Agenda Coalition (note 44); and 2026 NPT Review Conference, Preparatory committee, Statement by the Philippines, 3 Aug. 2023.

⁵¹ E.g. 2026 NPT Review Conference, Preparatory committee, Statement by Indonesia on behalf of the Non-Aligned Movement, 4 Aug. 2023.

⁵² On Russian nuclear forces and the claimed deployment in Belarus see chapter 7, section II, in this volume.

⁵³ E.g. 2026 NPT Review Conference, Preparatory committee, Statement by Estonia, Latvia and Lithuania, 31 July 2023. On US nuclear forces and nuclear sharing see chapter 7, section I, in this volume.

⁵⁴ 2026 NPT Review Conference, Preparatory committee, Statement by China, 31 July 2023.

⁵⁵ Hernández, G. I. R., Huang, J. K. and Kimball, D., 'NPT meeting underscores chronic divisions', *Arms Control Today*, vol. 53, no. 9 (Sep. 2023).

of a working paper under his or her own authority.⁵⁶ In 2023 a significant number of states parties opposed the language of the chair's draft summary for various reasons. It was thus expected that it would be issued as a working paper and, as is usual, included in the list of documents in the final report of the session.⁵⁷ However, the Iranian delegation opposed the inclusion of the document in the report, regardless of the format. According to Iran, the summary negatively singled it out and presented a biased Western view of its nuclear programme. As a result, the chair removed the factual summary from the list of documents.⁵⁸

The chair's separate draft recommendations, which were similarly criticized by several states parties, were nevertheless issued as a working paper and listed among the documents of the session.⁵⁹ The chair recommended several areas for focused discussion at the second session of the preparatory committee. These included enhanced standard reporting by the NWS, the role of nuclear weapons in military doctrines, the humanitarian consequences of nuclear weapon use, and progress towards provision of negative security assurances by the NWS to the NNWS.

The second preparatory committee meeting is scheduled to take place from 22 July to 2 August 2024 in Geneva, to be chaired by Ambassador Akan Rakhmetullin of Kazakhstan. However, the unprecedented failure of the first preparatory meeting to agree on the issuing of a factual summary in any format does not bode well for the rest of the preparatory meetings or for the 2026 NPT Review Conference itself.

The fourth session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction

In 2018 the United Nations General Assembly decided to annually convene a conference on the establishment of a zone free of nuclear weapons and other weapons of mass destruction (WMD) in the Middle East. While this process builds upon efforts undertaken since 1995 as part of the NPT review process, it is independent of the NPT and led by the UN.⁶⁰ The fourth session of the conference took place in New York on 13–17 November 2023. It was attended

⁵⁶ Potter (note 36).

⁵⁷ Varella, L., 'Report on the draft report of the PrepCom', *NPT News in Review*, 11 Aug. 2023, pp. 13–14.

⁵⁸ Potter (note 36); and 2026 NPT Review Conference, Preparatory committee, Report of the first session, NPT/CONF.2026/PC.I/6, 11 Aug. 2023, section II.C. The draft summary was issued to the delegates as a conference room paper. 2026 NPT Review Conference, Preparatory committee, Draft factual summary, NPT/CONF.2026/PC.I/CRP.3, 10 Aug. 2023.

⁵⁹ 2026 NPT Review Conference, NPT/CONF.2026/PC.I/WP.38 (note 42).

⁶⁰ Erästäö, T. and Fedchenko, V., 'Multilateral nuclear arms control, disarmament and non-proliferation treaties and initiatives', *SIPRI Yearbook 2022*, pp. 464–65.

by 23 states—the 22 members of the League of Arab States and Iran.⁶¹ It was observed by China, France, Russia and the UK as well as relevant international organizations, including the International Atomic Energy Agency (IAEA). As in previous years, neither Israel—the only nuclear-armed state in the region—nor the USA attended the meeting despite being invited.

The discussions at the fourth session reflected the unfolding geopolitical crisis in the region, with most attending states referencing the Israel– Hamas war and the humanitarian crisis in Gaza in their remarks.⁶² In particular, the participating delegations condemned ‘nuclear threats made by high-ranking Israeli officials’, including a statement threatening to use nuclear weapons on Gaza made on 5 November.⁶³ The delegations further urged Israel to join the NPT and participate in the conference.

Engaging Israel would be critical for the success of efforts to establish a WMD-free zone in the Middle East. However, involving Israel in the process has proven difficult, as this would mean unambiguous recognition of its status as a nuclear-armed state and commitment to the goal of nuclear disarmament. However, the annual conference continues to serve as an important forum for discussion and as a regional confidence-building mechanism. In 2023 the thematic debate sessions allowed states to exchange views on peaceful uses of nuclear, biological and chemical technologies, on regional technical cooperation, and on the scope and mechanisms of nuclear verification under a future treaty.⁶⁴

The fifth session of the conference is scheduled to take place on 18–22 November 2024 in New York. In the meantime, the conference’s working committee will address nuclear verification, among other topics.⁶⁵

The second Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons

The 2017 Treaty on the Prohibition of Nuclear Weapons is the first multilateral treaty to comprehensively ban nuclear weapons, including their

⁶¹ United Nations, Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, Report of 4th session, A/CONF.236/2023/4, 20 Nov. 2023, para. 2. For a list of members of the Arab League see annex B, section II, in this volume.

⁶² E.g. Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, Statement by the United Kingdom, 13 Nov. 2023; and Statement by Iran, 13 Nov. 2023. On the Israel– Hamas war see chapter 1, chapter 2, section I, and chapter 10, section II, in this volume.

⁶³ United Nations, A/CONF.236/2023/4 (note 61), para. 14; and Lederer, E. M., ‘China, Iran, Arab nations condemn Israeli minister’s statement about dropping a nuclear bomb on Gaza’, AP, 14 Nov. 2023.

⁶⁴ United Nations, A/CONF.236/2023/4 (note 61), paras 23–43.

⁶⁵ United Nations, A/CONF.236/2023/4 (note 61), para. 20.

development, deployment, possession, use and threat of use.⁶⁶ It entered into force on 22 January 2021.⁶⁷ In 2023 Sri Lanka acceded to the treaty, bringing the number of states parties to 69. With Bahamas and Djibouti also signing the TPNW, the number of states that have signed but not yet ratified rose to 28. However, none of the nine nuclear-armed states have signed or acceded to the treaty.

The second Meeting of States Parties was held on 27 November–1 December 2023 in New York, presided over by Ambassador Juan Ramón de la Fuente of Mexico. It was attended by 59 states parties and 35 observer states, including four countries—Australia, Belgium, Germany and Norway—that have extended nuclear deterrence arrangements with the United States.⁶⁸ Notably, Finland, the Netherlands and Sweden, which had participated as observers in 1MSP, in June 2022, did not take part in 2MSP. Finland joined NATO in April 2023, and Sweden applied for membership in May 2022, while the Netherlands is a NATO member that hosts US nuclear weapons.

Reports on intersessional progress on the TPNW

As part of its review of progress under the Vienna Action Plan adopted by 1MSP, 2MSP considered reports and preliminary findings from a number of intersessional processes.⁶⁹ These were three informal working groups; the focal point on gender issues; the informal facilitators on the complementarity of the TPNW with the existing non-proliferation and disarmament regime; and the Scientific Advisory Group.

The three intersessional working groups were established to facilitate progress on actions related to (a) nuclear disarmament (under Article 4 of the TPNW); (b) victim assistance and environmental remediation (Article 6) and international cooperation and assistance (Article 7); and (c) universalization of the treaty (Article 12). In addition to states parties, the working group meetings were open to outside experts and civil society. The working group on Article 4 investigated technical aspects, concrete steps and deadlines relevant for the verification pathways for a nuclear-armed state to join the TPNW. There are two such pathways: either for the state to first eliminate its arsenal and then join the treaty or to eliminate its arsenal after joining. The working group also recommended that the states parties take an ‘incremental approach’ to designation of an international authority or authorities to

⁶⁶ For a summary and other details of the TPNW, including lists of the parties and signatories see annex A, section I, in this volume.

⁶⁷ TPNW (note 66), Article 8. On the negotiation and entry into force see Kile, S. N., ‘Treaty on the Prohibition of Nuclear Weapons’, *SIPRI Yearbook 2018*; Erästö, T., ‘Treaty on the Prohibition of Nuclear Weapons’, *SIPRI Yearbook 2019*; Erästö et al. (note 8); and Erästö and Fedchenko (note 60).

⁶⁸ 2nd TPNW Meeting of States Parties, List of participants, TPNW/MSP/2023/INF/5, 15 Dec. 2023.

⁶⁹ 1st TPNW Meeting of States Parties, Vienna Action Plan, annex II of TPNW/MSP/2022/6, 21 July 2022.

negotiate, report on and verify disarmament under the TPNW. It argued that the treaty gives flexibility and adaptability in deciding how to operationalize the disarmament obligations. The report concluded that more research on this and other related issues will be needed in the next intersessional period.⁷⁰ The working group on articles 6 and 7 presented guidelines and a format for voluntary national reporting on the implementation of these articles.⁷¹ These were later provisionally adopted by 2MSP.⁷²

A report by the focal point on gender presented findings on gendered aspects of the effects of ionizing radiation. It called for further research into how other disarmament-related treaties have integrated gender-sensitive guidelines and gender perspectives relating to victim assistance. While the report received widespread support from states parties, some delegations criticized it for using ‘undefined language on gender’ and stressed that in their view gender is binary.⁷³

The report from the informal facilitators presented an overview of technical and legal complementarity of the TPNW with existing disarmament-oriented frameworks based on similar or shared objectives, obligations and approaches—these include the NPT, the CTBTO, the IAEA and nuclear weapon-free zone treaties.⁷⁴ It called on states parties to further identify and explore other aspects of complementarity, including in regard to gender, environmental considerations, victim assistance, human rights and other related issues.

The international Scientific Advisory Group was established to provide scientific and technical advice on treaty implementation.⁷⁵ Its report provided scientific assessments and a comprehensive overview of existing research on methods for the verification of nuclear disarmament, the humanitarian consequences of nuclear weapon use and nuclear weapon risks.⁷⁶ The report also recommended that the UN General Assembly mandate a global scientific study on the climatic, environmental, physical and social effects of nuclear

⁷⁰ 2nd TPNW Meeting of States Parties, Informal working group on the implementation of Article 4, Report of the of the co-chairs, TPNW/MSP/2023/7, 26 Oct. 2023.

⁷¹ 2nd TPNW Meeting of States Parties, Informal working group on victim assistance, environmental remediation, international cooperation and assistance, Report of the co-chairs, TPNW/MSP/2023/3, 16 Oct. 2023.

⁷² 2nd TPNW Meeting of States Parties, Report, TPNW/MSP/2023/14, 13 Dec. 2023, annex II, decisions 3.

⁷³ Varella, L., ‘Gender provisions’, *Nuclear Ban Daily*, 3 Dec. 2023, pp. 19–20.

⁷⁴ 2nd TPNW Meeting of States Parties, Report of the informal facilitators to further explore and articulate the possible areas of tangible cooperation between the TPNW and the NPT and other relevant nuclear disarmament and non-proliferation instruments, TPNW/MSP/2023/5, 17 Oct. 2023.

⁷⁵ Erästö, T., ‘The first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons’, *SIPRI Yearbook 2023*, pp. 360–67.

⁷⁶ 2nd TPNW Meeting of States Parties, Scientific Advisory Group, Report on the status and developments regarding nuclear weapons, nuclear weapon risks, the humanitarian consequences of nuclear weapons, nuclear disarmament and related issues, TPNW/MSP/2023/8, 27 Oct. 2023.

war, and it called for another study to comprehensively assess the radiological and environmental legacy of nuclear testing at the local and regional levels.⁷⁷

The 2MSP outcome documents

The 2MSP concluded with the state parties unanimously adopting two outcome documents: a joint political declaration and a package of decisions.

The joint declaration of 2MSP underscores that nuclear risks are rising due to the increasing role of nuclear weapons in military postures, coupled with ‘ongoing qualitative modernization of and quantitative increases in nuclear arsenals’.⁷⁸ It also rejects ‘attempts to normalize nuclear rhetoric and any notion of so-called “responsible” behaviour as far as nuclear weapons are concerned’. It points out that ‘renewed advocacy of . . . nuclear deterrence as a legitimate security doctrine give[s] false credence to the value of nuclear weapons for national security and dangerously increase[s] the risk of . . . nuclear proliferation’.

The final text also condemns ‘any placement of nuclear weapons on the territory of non-nuclear-armed States’ and calls on all countries to take decisive steps towards signing and ratifying the CTBT and supporting its entry into force.⁷⁹ States parties reportedly disagreed on whether the declaration should specifically criticize the USA for its nuclear-sharing arrangements and the fact that it has not ratified the CTBT, while some European states parties sought to only reference recent Russian actions on these two issues.⁸⁰ In the event, no single country is explicitly singled out in the text.

The package of decisions adopted by 2MSP extended the existing intersessional structure to the period before the next meeting.⁸¹ 2MSP also established a new intersessional consultative process on security concerns of states under the TPNW, coordinated by Austria.⁸² It will result in a report to 3MSP that will seek to ‘challenge the security paradigm based on nuclear deterrence by highlighting and promoting new scientific evidence about the humanitarian consequences and risks of nuclear weapons and juxtaposing this with the risks and assumptions that are inherent in nuclear deterrence’.

As noted above, the states parties also decided to adopt the recommended reporting format and guidelines for voluntary reporting on the implementation of Article 6 (victim assistance and environmental remediation) and Article 7 (international cooperation and assistance).⁸³ The intersessional working group will hold focused discussions on the feasibility and guide-

⁷⁷ 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/8 (note 76), paras 60, 67.

⁷⁸ 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/14 (note 72), annex I.

⁷⁹ 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/14 (note 72), annex I.

⁸⁰ Knight, M., ‘TPNW2MSP: Overview and key takeaways’, Federation of American Scientists, 8 Dec. 2023.

⁸¹ 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/14 (note 72), annex II, decision 1.

⁸² 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/14 (note 72), annex II, decision 5.

⁸³ 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/14 (note 72), annex II, decision 3.

lines for establishing an international trust fund for victim assistance and environmental remediation, with the aim of presenting a report to 3MSP.⁸⁴ 3MSP will take place on 3–7 March 2025 in New York with Ambassador Akan Rakhmetullin of Kazakhstan serving as its president.

In contrast to the recent meetings of the NPT review process, TPNW states parties demonstrated the ability to find consensus, set clear goals and make progress towards their implementation. The intersessional process structure proved to be effective in generating ideas and further discussion on such issues as gender, the humanitarian and environmental impacts of nuclear weapons, and victim assistance, which are not usually addressed thoroughly in other nuclear forums. Engaging nuclear-armed states and their allies remains the biggest challenge for the TPNW but, as the number of states parties grows, so will its influence on global perceptions of nuclear weapons and disarmament.

⁸⁴ 2nd TPNW Meeting of States Parties, TPNW/MSP/2023/14 (note 72), annex II, decision 4.