

# STRENGTHENING THE NPT REGIME: PRIORITIES FOR THE FUTURE

WORKSHOP REPORT

JULY 2022



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The project described in this report is sponsored by the Norwegian Ministry of Foreign Affairs.

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# Strengthening the NPT Regime: Priorities for the Future

## Workshop Report

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*June 29-30, 2022*

*InterContinental Pondok Indah Hotel*

*Jakarta, Indonesia*

On June 29-30, 2022, the Nuclear Threat Initiative (NTI), in partnership with the Asia-Pacific Leadership Network for Nuclear Non-Proliferation and Disarmament (APLN), convened a workshop in Jakarta, Indonesia to discuss priority issues for strengthening the Nuclear Non-Proliferation Treaty (NPT) in advance of the tenth NPT Review Conference (RevCon). The meeting brought together 32 participants from 15 countries<sup>1</sup> across the Asia-Pacific region, including senior officials, next-generation professionals, and experts from governments, regional organizations, and think tanks.

The purpose of the workshop was to discuss Asia-Pacific perspectives on the Nuclear Non-Proliferation Treaty regime and the upcoming NPT RevCon and to identify challenges and highlight opportunities for Asia-Pacific nations to advance the NPT's goals. The meeting also aimed to discuss strategy and tactics to achieve a successful outcome at the RevCon, including by identifying actions countries can take to strengthen nuclear risk reduction, increase transparency, improve fissile material management, and expand the uses of nuclear technology for peaceful purposes.

The agenda encouraged workshop participants to share their perspectives on issues including:

1. The health of the Nuclear Non-Proliferation Treaty regime
2. Perceptions of nuclear risks
3. Non-proliferation challenges
4. Proposals to advance nuclear disarmament
5. Steps to strengthen nuclear safety, security, and the peaceful uses of nuclear energy
6. Actions to enhance global nuclear transparency

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<sup>1</sup> Participants from Australia, Brunei Darussalam, Cambodia, China, Indonesia, Japan, Laos PDR, Malaysia, Myanmar (Burma), New Zealand, Philippines, Republic of Korea (South Korea), Thailand, and Vietnam attended the meeting, along with experts from NTI, a U.S.-based non-governmental organization.

The workshop also sought to elevate the voices of next generation experts from diverse backgrounds across the Asia-Pacific region. The NextGen session on day two stimulated discussion of the impact of new technologies on the nuclear non-proliferation regime and the importance of improving public education on nuclear non-proliferation and disarmament challenges and opportunities.

The following is a summary of key takeaways that emerged from the discussions.

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## **1. State of play of the NPT regime from an Asia-Pacific perspective**

Participants surveyed the key political and strategic developments that form the backdrop for the 2022 NPT RevCon. They reviewed the major challenges facing the non-proliferation regime, some of which go beyond the NPT itself but have a powerful impact on nuclear non-proliferation and the NPT. For instance, the ongoing war in Ukraine has undermined confidence in the international rules-based order, including the security assurances that underpin the nuclear non-proliferation regime. Relations among the nuclear weapon states (NWS) have worsened and are now characterized by direct and implied nuclear threats that would have seemed implausible at the time of the last RevCon in 2015. Globally, nuclear arsenals are being expanded and modernized, and new disruptive technologies – including dual-capable weapons systems – are proliferating in an increasingly unregulated international environment.

In the Asia-Pacific, nuclear arsenals are growing. At the same time, conventional arms-racing dynamics are intensifying, including among the non-nuclear weapon states (NNWS). Interest in NATO-style nuclear sharing arrangements is growing in Japan and calls for an indigenous nuclear capability are becoming more prominent in the Republic of Korea (ROK). The Democratic People's Republic of Korea (DPRK) remains defiantly outside the NPT, nearly 20 years after withdrawing, and diplomatic efforts to halt its expanding nuclear and missile programs have stalled. The submarine deal announced in September 2021 between Australia, the United Kingdom, and the United States (AUKUS) has raised proliferation concerns among some countries in the region. Territorial and maritime disputes in the Asia-Pacific continue to be contentious and threaten regional instability and conflict.

Against this bleak background, participants emphasized that it is more important than ever to strengthen the NPT regime. Prospects for achieving a consensus final document at the RevCon are uncertain, however, and it might be necessary to adjust expectations of what constitutes success, especially given P5 tensions. While some participants remain hopeful that the 2022 NPT RevCon can reach agreement on a consensus final document despite these challenges, others would be content with any outcome that reaffirms common ground (including the need to keep disarmament alive) and helps rebuild trust. Still others acknowledged that, even if the meeting is acrimonious and fails to reach even a low bar of success, it is vital that delegations agree to a plan of action for the 2025 review cycle.

These different expectations reflect the fact that Asia-Pacific states do not have homogeneous views on NPT-related issues. Three of the region's nuclear-armed states are not party to the Treaty. The region has negotiated nuclear-weapon-free-zones (NWFZs) in the South Pacific and Southeast Asia, though the latter's protocol related to negative security assurances has yet to be signed by any NWS. Furthermore, some states in the region rely on extended deterrence, while others forswear nuclear weapons altogether. The diversity in how Asia-Pacific countries perceive their security environment is often reflected in their political interactions at NPT RevCons.

Asia-Pacific states are also divided in terms of their positions on the Treaty on the Prohibition of Nuclear Weapons (TPNW). Nine Association of Southeast Asian Nations (ASEAN) states have signed the TPNW – of those, five have ratified it. Some states in the region view the TPNW as complementary to the goals and spirit of the NPT; others believe the Treaty risks undermining the NPT; and still others think that if progress on disarmament remains elusive in the NPT context, the TPNW could provide a credible “Plan B.”

Despite their diverse perspectives, most Asia-Pacific states continue to affirm their interest in advancing the global non-proliferation and disarmament agenda. Critically, the DPRK nuclear weapons program is seen as a major regional non-proliferation challenge that needs to be prioritized. Participants noted that tackling the DPRK nuclear challenge and resuming negotiations on denuclearization requires cooperation among the region's great powers and cannot be adequately addressed through the NPT review process alone. They lamented the current lack of global and regional leadership on the issue, as well as the DPRK's reluctance to re-engage in negotiations.

Participants noted that preparations for the postponed 2020 RevCon have so far tended to be most actively led by Western states. They agreed that Asia-Pacific countries should more openly voice their concerns about the issues that affect the region's security and stability. Doing so would make it more likely that Asia-Pacific priorities – such as the need for peaceful dialogue, establishment of and commitment to NWFZs, nuclear risk reduction measures, transparency measures, norms against nuclear testing, disarmament commitments, and the TPNW – are given due attention at the RevCon.

Participants also discussed steps Asia-Pacific countries can take to bolster the NPT and improve the prospects for a constructive tenth RevCon, including:

- Ensuring that the preservation of the NPT is treated as the highest priority;
- Striving to achieve at least a minimum consensus outcome;
- Calling on the U.S. and China to engage in serious strategic dialogue;
- Taking steps to restore unity among NNWS;
- Showing a willingness to harmonize non-proliferation efforts;
- Maximizing opportunities to restore/reinforce faith in the multilateral system;
- Resolving outstanding issues on the Treaty of Bangkok protocol; and
- Encouraging working channels between the NPT and TPNW and promoting strategic empathy between supporters of both treaties.

## 2. Asia-Pacific perceptions of nuclear risk

Participants noted recent events that are influencing perceptions of nuclear risk among states in the Asia-Pacific:

- The January 2022 P5 joint statement on reducing nuclear risks and affirming the Reagan-Gorbachev statement that “a nuclear war cannot be won and must not be fought”;
- The war in Ukraine and President Putin’s announcement regarding placing Russian nuclear weapons on an increased state of alert;
- Growing U.S.-China strategic competition;
- The alarming number of ballistic missile tests recently conducted by the DPRK and reports of preparations for another nuclear test;
- Ongoing challenges in the negotiations to return Iran and the United States to the JCPOA;
- The AUKUS deal; and
- The UK’s decision in 2021 to increase the cap on its nuclear weapons stockpile.

Overall, participants expressed a heightened sense of nuclear dangers. This has been reflected in official statements, such as the ASEAN joint statement on missile testing on the Korean Peninsula on June 10, which called for ASEAN to play a more effective role in Korean denuclearization efforts.

From a longer-term perspective, perceptions of nuclear risk in the Asia-Pacific stem from evolving security dynamics between the region’s great powers and middle powers. Nuclear tensions and escalation risks have been present on the Korean Peninsula and in South Asia for more than two decades, but participants noted that the dramatic and long-term deterioration of U.S.-China relations is having a more significant, region-wide impact, including by spurring a new arms race involving the rapid proliferation of sophisticated missile systems and new and disruptive military technologies. Adding non-strategic and low-yield nuclear weapon systems into this dangerous mix would significantly increase nuclear risks.

A number of participants expressed serious concerns about the proliferation implications of the AUKUS deal, arguing that it could set an unhelpful precedent in relation to NNWS that wish to pursue similar capabilities. However, it was noted that more information is needed about the AUKUS partnership before its consequences for the nuclear non-proliferation regime can be accurately appraised, especially since no decisions have yet been taken on key issues, including the type of nuclear fuel that will power the proposed submarines and the specific safeguards and monitoring procedures that will be established through the IAEA. Nonetheless, anxiety over the implications of the agreement for the NPT and the IAEA safeguards regime is evident among some of the region’s experts and practitioners.

The DPRK nuclear program is one of the toughest challenges facing the region and the NPT. Its growing nuclear and missile capabilities are perceived as a direct and imminent threat by South Korea and Japan. Some experts in the region are concerned that Russia’s invasion of

Ukraine may lead the DPRK to further resist denuclearization. Nonetheless, participants argued that negotiations remain the best option to address the DPRK nuclear challenge.

Given the current geopolitical environment, most Asia-Pacific countries place great value on the deliberations at the NPT RevCon, hoping for a clear consensus to effectively strengthen and implement the treaty. Participants noted that it is important to bridge the current gap between the NPT and the TPNW and focus on the humanitarian consequences of nuclear weapons, environmental dangers, and climate change.

Participants discussed near-term steps that need to be taken to improve strategic stability in the region and build toward a long-term solution to address the North Korean threat:

- The growing security dilemmas in the Asia-Pacific cannot be resolved by taking steps that unintentionally increase nuclear risks. Instead, the threat posed by the presence and proliferation of nuclear weapons needs to be tackled by reducing the salience of nuclear weapons and implementing disarmament commitments.
- Major powers including the U.S. and China must demonstrate greater leadership in resolving the nuclear issue on the Korean Peninsula and incentivizing key regional players to cooperate.
- Meaningful dialogue and diplomacy, in addition to sanctions, are required to address the DPRK's growing nuclear and missile programs.

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### 3. Non-proliferation issues in the Asia-Pacific

Some participants noted concern about rising pro-nuclear sentiment in the Asia-Pacific, particularly in Japan and the ROK. This is reflected in calls for nuclear sharing arrangements with the U.S. and debates over whether these countries should pursue nuclear weapons programs for their security. Participants also examined the dangers of nuclear breakout in the Asia-Pacific in the context of Article 10 of the NPT, and how states should respond to prevent further proliferation and withdrawals from the Treaty. North Korea's withdrawal from the NPT has been very damaging to the nuclear non-proliferation regime, and participants agreed that any further nuclear proliferation in the Asia-Pacific region would be a threat to regional stability and international peace and security.

Participants noted that the Treaty of Bangkok is a vital insurance against NPT-breakout in Southeast Asia. One participant urged the P5 to resume dialogue with ASEAN to sign and ratify the Bangkok Treaty protocol without further delay; another noted that the delays relate to divisions within ASEAN. Multiple participants agreed that breaking the deadlock over the Bangkok Treaty's protocol would strengthen security in the region.

Participants debated whether the Fissile Materials Cut-Off Treaty (FMCT) – negotiation of which remains stalled in the Conference on Disarmament – should cover existing stockpiles. It was noted that verifying a universal moratorium on future fissile material production will pose major challenges.

Besides the NPT and the IAEA, the UN Security Council and P5 process are important forums for addressing the risk of NPT breakout. However, participants noted that P5 dialogue has halted following Russia's invasion of Ukraine, which could further threaten the chances of success of the RevCon.

Participants agreed that states in the Asia-Pacific should work together to combat nuclear proliferation. They made the following observations:

- Denuclearization of the Korean Peninsula remains a critical if long-term goal, and it will not be achieved unless multiple channels of communication are opened with the DPRK, including between ASEAN and the DPRK.
- The IAEA should urgently develop a set of safeguards to monitor and regulate the spread of nuclear propulsion technology.
- Access to nuclear technology for peaceful uses, security assurances, and tangible progress toward nuclear disarmament are the strongest incentives for NNWS to remain committed to the NPT.
- A transparency regime on fissile materials in nuclear-armed states would help reduce proliferation pressures in the Asia-Pacific.
- NPT coalitions like the Non-Proliferation and Disarmament Initiative (NPDI) and the Stockholm Initiative have played an important role in championing useful and achievable RevCon objectives.
- More bridge-building is needed between the NPT and TPNW proponents.
- The RevCon should address security challenges that go beyond the NPT, in an effort to uphold the international rules-based order in a non-discriminatory way. This would help restore confidence in multilateralism.

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## 4. Priority commitments and actions to strengthen Article VI of the NPT

Participants examined the role of nuclear arms control in the Asia-Pacific and discussed ways to sustain and re-energize nuclear disarmament in the region.

It was noted that nuclear weapons can create a false sense of security, partly because nuclear competition between nuclear-armed states can have spillover effects on the regional security landscape and new domains like cyber and space. Participants also noted that the Asia-Pacific region has many strategic flashpoints, including the South China Sea, the Korean Peninsula, Taiwan, India-Pakistan, and the Senkaku Islands, with few mechanisms in place for strategic stability discussions and risk reduction measures.

Recent P5 efforts (the January 2022 joint statement on preventing nuclear war, P5 cooperation framework, joint paper on strategic risk reduction, dedicated working group on nuclear policy exchange, discussions on the FMCT, and joint statement on peaceful uses of nuclear energy) have all been undermined by the war in Ukraine.

Participants debated the priority commitments and actions that NWS should take to uphold their disarmament commitments under Article VI of the NPT:

- Participants agreed that the NWS must take the lead on upholding their NPT commitments. As states with the largest nuclear arsenals, the U.S. and Russia must fulfil their primary and special responsibility for nuclear disarmament.
- The P5 must support their unilateral and joint statements with concrete actions. This can be achieved by formally reducing the role of nuclear weapons in security policies. Even modest unilateral reductions in arsenals can send signals in favor of disarmament.

Out-of-the-box thinking and leadership-level engagement are required if new and inclusive arms controls frameworks are to be created. The U.S. and China are currently talking past each other, a situation that many participants agreed needs to change urgently. A U.S.-China dialogue at the top levels of leadership on strategic and nuclear issues could be a genuine step toward increasing strategic stability in the region and globally.

Participants noted that the resumption of P5 nuclear dialogue would strengthen confidence building and crisis management. Participants again urged the P5 to sign the protocol to the Treaty of Bangkok in order to reduce nuclear risks in Southeast Asia. Some participants also urged the P5 to discuss a mutual no first use (NFU) agreement and/or postures consistent with NFU commitments.

Participants agreed that NNWS have a vital role to play in re-energizing the global disarmament agenda:

- The ASEAN Regional Forum is one of the few platforms that include diplomatic engagement with the DPRK, offering a potential pathway toward disarmament through dialogue in the Asia-Pacific.
- NNWS from the Asia-Pacific can re-energize the non-proliferation and disarmament agenda through collective actions and engagement with NWS – including, for example, by 1) collectively and unambiguously calling on NWS to fulfil commitments made at previous RevCons, and 2) appealing to NWS to negotiate a comprehensive and mutually binding multilateral agreement on negative security assurances.
- Asia-Pacific states should inject regional perspectives on nuclear risks and dangers, non-proliferation, and disarmament at multilateral forums.

Participants emphasized the importance of public opinion in re-energizing international efforts on nuclear disarmament:

- Public opinion is important to decision-making even in countries with highly centralized decision-making systems. In all countries with nuclear weapons, a strong collective message in favor of disarmament can encourage leaders to take disarmament seriously.
- In the Asia-Pacific, NGOs, think tanks and governments need to engage more widely with the general public to promote education on arms control and disarmament. Conducting detailed public opinion surveys is an important first step, while stressing the links between existential threats like nuclear weapons and

climate change and their impact on future generations can help stimulate interest among younger generations.

- The importance of continued efforts to engage the public on nuclear risks is evident in Japan, for example, where the survivors of the atomic bombings of 1945 (Hibakusha) are a dying generation, and organisations such as Peace Boat are working to sustain public consciousness and awareness about the lasting horrendous effects of nuclear use.

Efforts to revitalize the nuclear disarmament agenda cannot be blind to developments like the TPNW. Participants stressed that a concrete action plan is needed to harmonize the efforts of the NPT and the TPNW.

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## 5. Nuclear safety, security and the peaceful uses of nuclear energy

Participants discussed the lessons learned in the aftermath of the Fukushima accident, including:

- The importance of openness and transparent communication with the IAEA and international community to build trust and strengthen nuclear safety;
- The need for international cooperation to strengthen nuclear safety and emergency response;
- The value of setting higher standards for national regulation; and
- The need to ensure strong nuclear safety to support the global peaceful uses of nuclear technology.

Despite adverse public reaction to the expansion of nuclear energy following the Fukushima accident, some governments in Asia are still looking at nuclear energy for electricity generation. They consider nuclear power a viable, long-term carbon-free option and seek to improve public perception and acceptance of nuclear energy programs.

In the discussion on nuclear security, participants noted two major challenges to the implementation of UNSCR 1540 in the Asia-Pacific region: the proliferation of sophisticated and difficult to detect emergent technologies, and the multiple maritime pathways amongst Asia-Pacific nations. Overcoming these challenges requires greater capacity building within the 1540 framework in terms of domestic legislation, technical expertise, and financial assistance.

Despite UNSCR 1540 and other counter-terrorism efforts, the risk of WMD terrorism persists in the Asia-Pacific, and countries in the region must therefore enhance their overall preparedness and emergency response capacity.

The ongoing risk of a new and major nuclear incident involving Ukraine's nuclear power plants highlights the need for strengthening norms of conduct on how civil nuclear facilities should be safeguarded and treated during times of conflict. Some participants suggested that

the IAEA's resolution on the Protection of Nuclear Installations against Armed Attacks should be reaffirmed at the RevCon.

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## 6. Priority commitments and actions to enhance global nuclear transparency

Participants offered Asia-Pacific perspectives on nuclear transparency initiatives, and the relationship between these initiatives and the NPT.

New disruptive technologies are lowering the barriers for WMD use by states as well as non-state actors. In particular, missile technologies and space-based weapons systems can upend nuclear arms control, non-proliferation, and disarmament. These technologies and their transparency requirements should therefore be included in WMD-related discussions at NPT RevCons.

Transparency is a foundation for verifying disarmament. Participants noted, however, that it cannot be a substitute for nuclear disarmament. The absence of transparency about nuclear arsenals is a reason for concern among states in the Asia-Pacific. Transparency about doctrine and declaratory policy is necessary but insufficient. Participants were assured that the NPDI is pushing for greater transparency from the NWS as part of its accountability agenda, and the group is keen to see strong transparency-related outcomes at the 2022 RevCon. The current NPT reporting template is, however, insufficiently detailed, and the NPDI is calling on NWS to improve their reporting practices.

Some participants noted their belief that NFU policies and smaller nuclear arsenals would have a positive restraining effect and are complementary to transparency and nuclear risk reduction measures.

Participants suggested that NWS need to redouble efforts for nuclear transparency. Some of the urgent, near-term transparency and non-proliferation actions that would best support the disarmament process and could be advanced at future RevCons include:

- Publicly declaring nuclear stockpiles;
- Committing not to increase nuclear arsenals;
- Clarifying nuclear doctrines;
- Bringing the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force;
- Jointly declaring a moratorium on fissile material production as a step toward restarting negotiations on the FMCT; and
- Initiating and sustaining a U.S.-China dialogue on nuclear transparency and risk reduction.