



Select Committee on International Relations

Corrected oral evidence: Nuclear non-proliferation treaty and nuclear disarmament

Wednesday 19 December 2018

11.45 am

Watch the meeting

Members present: Lord Howell of Guildford (The Chairman); Baroness Anelay of St Johns; Baroness Coussins; Lord Grocott; Lord Hannay of Chiswick; Baroness Hilton of Eggardon; Lord Jopling; Lord Reid of Cardowan; Lord Wood of Anfield.

Evidence Session No. 3

Heard in Public

Questions 27 - 34

Witnesses

I: Ms Shatabhisha Shetty, Deputy Director, European Leadership Network; Mr Paul Ingram, Executive Director, British American Security Information Council.

USE OF THE TRANSCRIPT

1. This is an uncorrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Ms Shatabhisha Shetty and Mr Paul Ingram.

Q27 The Chairman: Ms Shetty and Mr Ingram, thank you very much indeed for coming before us this morning. We are very anxious for you to share your wisdom. I must make a formal statement that this is a public, videoed session. A transcript will come afterwards, if you wish to change it. I think you were in the room when we heard the earlier session, so you can see where our interest lies.

Let me begin with a general question to both of you about the overall strategy. There is a feeling that things are going backwards rather than forwards, with the withdrawal of the US from the JCPOA deal,¹ its approach to the INF treaty² and what is or is not happening in the Korean peninsula, as well as whether new conditions are emerging that are not as favourable to our progress on arms control as they were 15 or 20 years ago. Could we have your assessment of the prospects and why those challenges, or even their roots, have come up?

Ms Shatabhisha Shetty: Good morning. Thank you for inviting me to speak to the Committee. This is an extremely important and valuable inquiry and I am honoured to be a part of it.

I will open with a brief note. We are at a unique and important inflection point in the nuclear non-proliferation and disarmament regime. The year 2020 will mark 75 years since nuclear weapons were first used, 50 years since the entry into force of the nuclear Non-Proliferation Treaty and 25 years since that treaty was extended indefinitely. More countries have ratified the NPT than any other arms control and disarmament agreement. It has nearly universal adherence, yet the likelihood of nuclear weapons use is higher today than it has been for some time.

As you pointed out, the strategic environment is extremely challenging and the non-proliferation disarmament regime is under unprecedented pressure. Polarisation and division in the regime has deepened. Relations with Russia are the worst for years. Nuclear arms control is in a precarious state. The Iran deal could collapse, with proliferation consequences for the region. The Ban Treaty has also come into existence. We should not be complacent and assume that the NPT will be immune to these forces of disruptive change.

The Chairman: I must ask you to speak up a shade, because the acoustics are terrible in this room.

Ms Shatabhisha Shetty: Of course. I would argue that if we do not succeed in preventing a failed Review Conference in 2020, we will have the first back-to-back failure of two such conference. That could lead to the undermining of the treaty's legitimacy, support and effectiveness and the weakening of the treaty, with uncertain political consequences. I

¹ The Joint Comprehensive Plan of Action (the Iran nuclear deal).

² The Intermediate-Range Nuclear Forces Treaty.

would argue that the UK must play its part in defending and strengthening the multilateral rules-based order by demonstrating, through actions and not just words, that the health and sustainability of the NPT matters.

With respect to current UK activity on issues such as the JCPOA and the DPRK, in terms of preventing the collapse of the Iran nuclear deal, the UK, together with France and Germany, has worked hard to try to change the US position—to little end, it must be said. It continues with its efforts to preserve the deal. It has consistently maintained that the JCPOA is important for British and international security, as well as stability in the Middle East. The UK has worked hard over the past few months to support the deal. In its statement to this year's NPT preparatory conference, it stated that, 'we expect all parties to continue to implement the deal in full'. That could be interpreted as a direct plea to the US.

In recent public statements and speeches, the UK has consistently reiterated its support for the deal and called on Iran to refrain from ballistic missile launches, which defy UN Security Council Resolutions 22 and 31, and called for Iran to cease its destabilising activities in the region. The UK has participated in a number of diplomatic and political efforts to preserve the deal, including participating in the JCPOA's joint commission to continue talks and try to preserve the deal and craft a supplemental agreement to address President Trump's calls for stricter measures. That happened earlier in the year before he announced his withdrawal. Thereafter, the Foreign Secretary at the time, Boris Johnson, met the EU high representative and Foreign Ministers from France, Germany and Iran to discuss future co-ordinated work after the US announced its withdrawal.

Subsequent meetings of the JCPOA's joint commission took place, including a ministerial meeting in July, which the UK's Minister, Alistair Burt, attended. At that meeting, it was agreed that the UK would replace the US as a co-chair of the JCPOA's Iraq working group with China. In August, a joint statement was issued with the French and German Foreign Ministers, indicating their determination to preserve the deal. In September, the EU, the UK, Germany and France also announced the creation of a special purpose vehicle to ensure that Iran continues to receive the economic benefits from sanctions agreed as part of the deal. The UK has been working hard to try to preserve the deal. It has been effective in engaging with its European and EU partners, but only time will tell whether these efforts will be effective in ensuring that Iran remains party to the deal.

On North Korea, the UK has maintained a consistent line, calling for the complete verifiable and irreversible denuclearisation of North Korea. Until that happens, sanctions will not be lifted. It has also expressed support for improved north-south Korean bilateral ties and efforts to reduce border tensions. The UK is particularly active in preventing North Korea from evading sanctions. It supports the work of the Sanctions Committee, established by UN Resolution 1718 and the UN panel of

experts, which produces regular reports for the Security Council on the status of sanctions and enforcement.

Most significantly, after nearly five years of absence from the Asia-Pacific region, the UK sent three Royal Navy ships—HMS Albion, HMS Sutherland and HMS Argyll—to the Pacific earlier this year in support of UN sanctions on North Korean shipping. They have helped to monitor illegal high-seas fuel transfers, when smugglers transfer petroleum from commercial tankers to North Korean ships. That has provided a near-continuous UK Navy presence in the Asia-Pacific region this year alone. In recent months, along with the US and the UN, the UK has blacklisted dozens of these vessels.

Aside from these efforts in supporting sanctions against the DPRK, the broader North Korean denuclearisation and diplomacy effort is led primarily by the United States, with limited input from the UK.

On diplomacy with the North Korean regime, the UK is not as important a partner to the Trump Administration as, say, the South Koreans and the Chinese; nor should it be, frankly, given its other priorities.

I know that I have talked a lot, but I will say something brief about arms control issues. As you know, President Trump is threatening to terminate the INF agreement over Russia's violation. In addition, there is no agreement between the US and Russia on extending the new US-Russia START—the Strategic Arms Reduction Treaty.

On the INF, the UK should be looking at ways to salvage the agreement, acting with the rest of NATO, particularly European NATO. It has adopted a very tough line on Russia, but that is understandable, given Russia's destabilising behaviour and actions, including the chemical poisoning attack in Salisbury. The Defence Secretary, Gavin Williamson, has attempted to bridge the political divisions between the US and NATO/Europe by making the UK's support for the US very clear, yet also stating the UK's desire to see 'this treaty continue to stand'.

Although we are still in the period before the US formally submits its notice of withdrawal, the UK can play a constructive role, using its diplomatic heft in Washington to try to delay the US in abrogating the treaty and push for more time to bring Russia into compliance. It could work with officials in Moscow to encourage the Russians to do more to comply and work with NATO allies and Russia to suggest some transparency measures on both sides, which might address some of the concerns on both sides.

Even with those efforts, if the treaty collapses, the UK should work to try to mitigate some of the damage, including by trying to maintain alliance cohesion, particularly with the European actors.

The Chairman: We will come back to these questions. You raised a lot of questions yourself, so perhaps before we proceed with our questions I could ask Mr Ingram to give his overall assessment of where we are and

where the step-by-step is going to take us.

Mr Paul Ingram: Thank you for inviting me to give evidence. I believe that the debate in this country has served the interests of the citizens of this country and of the world very poorly, because we have been rather parochial and focused on Trident.

I strongly welcome the approach that this Committee is taking, and I hope it can also have some impact on the way the debate is handled outside this room. The prospects for 2019 are a source of a great deal of concern for those of us who look at them. There is frustration in the international community and there are moves away from the multilateralist approach by key actors. It is fair to say that, across the parties, Governments from the UK have recognised the interests of the UK as being in multilateral approaches and in the strength of global governance, not just in the UN but in a number of other institutions.

With those institutions now under threat, it is more important than ever that the UK stand strongly on the side of multilateralism rather than unilateral moves. This is very important when it comes to relationships and communications with our friends across the water in Washington. There is far from universal support in the Washington debate for withdrawing from treaties, and we need to be a critical friend rather than simply accepting those trends. Shata has just described to you a number of areas where the UK has been acting constructively to demonstrate that multilateralism is important.

This agenda shows a lot of opportunity for UK leadership, as well as threat to the institutions. In some respects the UK is demonstrating that leadership. For example, we are seeing a lot of work on processes for the verification of the dismantlement of nuclear warheads, which is nowhere near the place that we are actually at. It demonstrates a long-term vision towards a world without nuclear weapons, which is a very positive thing, but I think we could do a lot more in that area. I am very keen that we explore that later.

In the short term, it is important that Britain considers ways in which it can show its strengths more constructively. For example, it has a policy of credible minimum deterrence, and we could talk about how other nuclear-weapons states should adopt similar sorts of postures. We also need to think about how we can improve our position and put proposals to the other nuclear-armed states to show a bit of leg in the right direction.

I disagree with what Sarah Price said earlier about the Non-Proliferation Treaty. It is called non-proliferation because it is both vertical and horizontal, as any international relations student will tell you. Vertical non-proliferation is essentially disarmament, so this is both a disarmament and a non-proliferation treaty. I do not think we can see one as more important than the other. If we show no sign of demonstrating good will on disarmament, what moral, legal or any other

basis do we have to convince other states that they need to engage seriously in non-proliferation measures?

Q28 Lord Hannay of Chiswick: I want to ask you both about the INF treaty. Do your organisations basically share the NATO view that Russia is not in compliance with the INF treaty? It would be helpful to have your view on that. Obviously you do not have the same technical resources as the Government, but do you think they have made a convincing case for saying that the Russians are not in compliance?

Secondly, what do you think is driving the American position? Is the issue of China not being constrained in any way by the INF treaty a main driver of US policy? If so, is there any future in looking at the INF as more of a regional treaty rather than a total ban by the US and Russia on the possession of those weapons?

Ms Shatabhisha Shetty: On the question of whether the intelligence on Russian compliance is accurate, we do not have access to that information. Over the past couple of years there has been significant pushback, or concern, from the European allies about the INF potentially falling away due to the US allegations. Allies were calling for more information and pleading with the US to continue to uphold its arms control agreements. You can see from more recent statements from NATO that there is now alliance consensus on this point, which seems to indicate that the US has shared intelligence within the NATO alliance that in my view seems to point to the fact that Russia is not in compliance with the treaty.

On what precipitated America's actions, I would say that it has been trying to encourage the Russians to come back into compliance with the treaty for five years now. It is not an unreasonable position to want another party to a treaty to comply with it, so the rationale is understandable, but the treaty is valuable because it is still a means to constrain the two largest nuclear-weapons powers. Both parties could do more to try to ensure that the treaty is sustained: Russia has raised a number of points of concern regarding NATO's ballistic missile defence deployments, and both sides could offer inspections. However, we have a limited amount of time; we could see the US withdrawing at the end of February, so more effort must be undertaken to ensure that the concerns are addressed.

On China, I believe that when President Trump made the announcement he mentioned China as a possible reason for the US not needing to abide by the INF any longer. China is a concern. This has been highlighted in its national defence strategy and national security strategy in more recent months. However, when it comes to multilateralising the treaty, it is very unlikely that China would agree to do that in the near term because of its capabilities, which mostly fall under the INF terms. In any case, the US does not need ground-launched cruise missiles in order to protect itself against the Chinese; it has advanced and strong air and sea capabilities.

Mr Paul Ingram: On non-compliance, I am not privy to the evidence so cannot come to a received view. The evidence in the public domain suggests that there is some level of non-compliance, as Shata says, but one then has to ask to whose benefit and to whose cost. The assessment that I have seen from people who study INF issues much more closely than I do is that the non-compliance that Russia has demonstrated does not significantly affect the balance of forces within Europe and their impact.

Those of us who spend a lot of our time assessing these things and trying to understand policy shifts try to see logic in them. This is one area where there is just not a great deal of logic. As far as I can see, ideology is driving this decision. I do not think it is China. As Shata says, if American nuclear weapons systems are needed to balance out Chinese INF, they will be sea or air-based. They are not limited by the treaty; they do not need to leave the treaty to balance China out.

If this is about the compliance of Russia, it seems rather strange to leave the treaty on the basis of principle, because the American response to any imbalance in INF is to deploy air and sea systems. I cannot see the European allies agreeing to those things.

I was looking at some more conspiratorial reasoning for this, such as the Americans wanting to put pressure on their European allies to step up their attacks on Russia. However, that is far too logical. In the end, the only explanation is that a small number of individuals in the White House want America to leave treaties, in direct conflict with this country's interests.

Q29 Lord Reid of Cardowan: I return to a question I asked the previous witness—I think you were both here at that time—about the increasing rate of technological advance, particularly in cyber and software in infrastructures, including nuclear weapons systems, and whether the vulnerabilities or opportunities afforded by that undermine either the NPT or disarmament moves.

You may recall that I got the answer, which I am sure is right, that we are doing all we possibly can to make those systems secure. I am sure that everybody else with nuclear weapons is doing the same. I do not think it is too silly to speculate that they are also exploring ways to identify the access vulnerabilities in other people's systems while making their own systems secure.

I admit to misgivings about the whole thing. People constantly come back and say, 'It's all right, all these systems are air-gapped'. Of course, as a specialist on Iran, you will know that this is what the Iranians thought about their nuclear facilities at Isfahan—that they were air-gapped and no one could get into them. In fact, on at least two occasions, one of which was the infamous Stuxnet virus, people managed to get beyond the air gap.

I am not entirely confident in assurances, but I would be interested in your view on that subject and its implications for wider disarmament and

the stability of those agreements, not least because if there are intervention opportunities they will not be confined to the present nuclear states. Any number of people who do not have nuclear weapons would be able to intervene.

Mr Paul Ingram: Thank you, Lord Reid, for raising this issue. It is a problem for the treaties and strategic stability, even without the treaties. This is not just about cyber; it is about disruptive technology across the piste. Ballistic missile defence has been developed, which undermines the confidence of first or second-strike capabilities; it disrupts the stability of deterrence postures. We have Prompt Global Strike, which the Russians are very concerned about. We have the development of artificial intelligence, cyber technologies, drone warfare and other autonomous systems, all of which combine to create a great deal of uncertainty in those systems upon which we depend on certainty for the delivery of a deterrence capability.

Last year, I published a report on vulnerabilities with a cybersecurity expert. It was directed at UK Trident but is relevant to all nuclear weapons systems. The American General Accounting Office and other organisations have published very scary reports outlining the threat of such systems. This is something that all of us, wherever we sit on the spectrum of opinion, need to be concerned about, because it demonstrates a trend towards instability and uncertainty. When building these treaties and relying on strategic systems for our defences, we must be very careful that these do not turn into liabilities.

I do not have a silver bullet or any answers, but we need to pay a great deal of attention to the problem. I have no doubt that the very clever people in the Ministry of Defence are thinking about this and working through it. The challenge is that there are no definite, clear and confident answers to cybersecurity. It is always vulnerable, and those vulnerabilities are getting deeper and stronger every year. The Dreadnought systems are still 15 to 20 years away from deployment, which is a long time in the development of these technologies. For example, the mobile phone in your pocket has a new generation every nine months. We can only dream of the anti-submarine technologies that Dreadnought will face in 15 years. It is very concerning for us all.

The Chairman: That is very interesting. Ms Shetty, do you have any comments on that?

Ms Shatabhisha Shetty: I will add one thing and try to be brief. I am not an expert in emerging technologies, but others have argued that their use could destabilise the balance of power between states and that nuclear weapons could be vulnerable to cyberthreats. Beyza Unal from Chatham House has argued that the digital components in nuclear weapons systems are vulnerable to cyberattacks, including the nuclear command control and communication systems. She also makes the case that the hardware in nuclear systems, including computer chips, could be hacked in the design phase and back doors could be introduced and used by malicious activists.

I am not suggesting that this is necessarily the case with the UK's nuclear system, but it is something to consider. It is important that you ask this question so that more people look into the effect of emerging technologies in nuclear systems and how we can work to try to mitigate any dangerous effects in the future.

Q30 **The Chairman:** We had before us Dr Christopher Ford, the Assistant Secretary of the Bureau of International Security in Washington. He talked to us about the development of a new conditions discourse, as he described it, which he said was a new initiative that might accelerate the slow progress on the NPT in preparation for RevCon. Do you have any comments on that? Have you heard about it? Is it important? Mr Ingram is nodding.

Mr Paul Ingram: I spoke to Chris at great length about it last week. It is not a new idea; it is just a new package. It is a very positive and constructive contribution, in my opinion. In 2009, in advance of the 2010 RevCon, the UK Government published a report called *The Road to 2010*, which contained a number of proposals in this area that I hope the US Government will pick up and run with.

The important thing is that this should not be seen as an 'instead of' or an alternative. It is a realistic, pragmatic response to those who say, 'Nuclear disarmament tomorrow!' However, it is not an answer. We need to create conditions to assist nuclear disarmament, but we can take plenty of steps even if those conditions are not in play. We need to see it as a parallel initiative. I hope that the British Government and others will co-operate very closely with Chris and his colleagues at the State Department to explore how those conditions can better be brought about.

Ms Shatabhisha Shetty: I support Paul's point. I believe the initiative is called Creating the Conditions for Nuclear Disarmament, which is positive in and of itself. It shows some willingness on the part of the US, at least in rhetorical terms, to look at efforts to find ways in which disarmament can be brought about. The step-by-step process—this is what the P5 states have endorsed in the past and, including the UK, continue to promote as the best way to achieve disarmament—envisages measures taken in tandem with an improving security environment.

To me, this seems complementary to the CCND approach proposed by Christopher Ford. His remarks to the Wilton Park conference and, I believe, to the Committee about how to take this initiative forward with the CCND working groups are positive, and I hope the UK will participate fully in the working groups and put forward proposals on how to engage other countries constructively, not just nuclear-weapons states but non-nuclear-weapons states, on how to improve the deteriorating security environment.

Q31 **Baroness Hilton of Eggardon:** You have covered a great deal of what I was going to ask about, which is development in our governance policy. Do you think we are engaging sufficiently energetically with the P5 and the other unacknowledged nuclear-weapons states—which I always see

as rather a matter of hypocrisy—such as Israel? Are we being sufficiently energetic in liaising with the other nuclear powers?

Ms Shatabhisha Shetty: I will talk about the P5 first, and then move on to the other nuclear-weapons powers.

As Sarah pointed out in her session earlier today, the UK has been leading in the P5 process efforts, which is a dialogue that was established around the time of the 2010 Review Conference, bringing together the five nuclear-weapons states to discuss confidence-building measures and ways in which disarmament could come about. I believe they have had seven conferences over the past several years. As you know, China has taken the chairmanship, and the UK will be leading the process next year.

I believe that more could be done within the P5 process itself to examine countries' doctrines and postures and find ways in which the non-nuclear-weapons states could be engaged more meaningfully in this process. They have undertaken efforts through the P5 process to engage with other non-nuclear-weapon-state groupings, particularly the Non-Proliferation Disarmament Initiative in 2015, and invited civil society and non-nuclear-weapons states to side meetings after they have met. However, I believe that more could be done.

With regard to engaging with the other nuclear-arms states that are not party to the NPT, the UK consistently calls for the universalisation of the NPT. It is a perennial problem. There are forums, such as the Conference on Disarmament, which, if they were able to function effectively, could be a way in which these countries could be brought into discussions to join the NPT, for example. I do not believe that they will join the NPT any time soon, but that does not mean that we should not continue to try.

Mr Paul Ingram: I believe that a proposer of the P5 process whom Shata knows very well, Lord Browne, calls the P5 a 'cabal', because in his perspective its purpose was to have exactly the sort of conversations that Shata was talking about, but that more often than not it appears from the outside to be circling the wagons and trying to come up with a joint response to any attacks on the status of nuclear-weapons states. I do not know; that is just a comment.

I think the UK could do a great deal more but, as Sarah Price said, it is encouraging that the P5 process looks as if it is starting again. We have got over the hiccup of the last couple of years. There is plenty to be done on the agenda. We could be encouraging our colleagues in the nuclear-weapons states to show some progressive moves—for example, in providing stronger negative security assurances to non-nuclear-weapons states, or acknowledging the responsibilities that nuclear-armed states have.

We could go to India and Pakistan. I was in Pakistan a few weeks ago, talking to people there about the responsibilities that they have towards the international community, and they were quite open to these sorts of conversations. We have a particular relationship with Pakistan and India

in historical terms, which I think gives us an ability to have these open conversations outside the NPT. I have lots of other proposals that will probably come in answer to other questions.

Q32 Lord Jopling: I must begin by declaring an interest as a member of the British delegation to the NATO Parliamentary Assembly.

I would like to turn to the Treaty on the Prohibition of Nuclear Weapons; for ease, we could call it the Ban Treaty. What is your view about the Government's approach to this? First, were this Government and the other nuclear states wise in refusing to sign it? If you do not think they were wise, please tell us why.

Secondly, were the nuclear states wise in not taking part in the conference that led to the treaty in June last year? Would we not have been better to have sat in there and made objections, rather than sitting outside?

Mr Paul Ingram: I will kick off on that one. I do not think that the UK is in a position to sign the Ban Treaty while it possesses nuclear weapons and still retains its policy of nuclear deterrence. I prefer to sit in the realm of the possible rather than the ideological. Nevertheless, we could have participated, particularly in the humanitarian dimensions conferences that preceded the negotiations. We participated in Vienna and could have participated in Norway and Mexico. These were opportunities to demonstrate good will and to treat non-nuclear-weapons states' concerns seriously; we could have turned up to these things and put our case. Strictly speaking, the Ban Treaty does not conflict with the Non-Proliferation Treaty, but we could have argued our case in the room, were we to have been of the opinion that it did.

The model here is perhaps the Dutch, who are hardly an anti-nuclear state, being a member of NATO and—I can say this, being non-government—a host of NATO's nuclear weapons. They sat in the treaty negotiations and put their case, and they were the one state to vote against. Dutch officials who I have talked to since then say that they are the one state in the world opposed to the Treaty that does not have to prove in customary international law where it sits on this treaty, because they were present to vote against it.

We could have been in the same position. I think it shows unfortunate signalling, which has been picked up by a certain grouping within the international community, of a level of arrogance and a commitment to possessing nuclear weapons indefinitely, which in the eyes of some within the international community undermines our claim—a claim that is important and which we need to be signalling much more clearly—that we are in favour of non-proliferation, both vertical and horizontal.

A little more humility by turning up to these events and voting in a way that was consistent with our policies would have demonstrated our Article 6 commitment to engage.

Lord Jopling: Do you think we should have stayed in and vetoed it?

Mr Paul Ingram: We could not have vetoed it; we could have voted against it. We would then have been in the same position as the Dutch, having voted against it. We would not have to be making regular statements attacking the Ban Treaty; we could simply have said, 'This is not a treaty that applies to us'. There is now, nevertheless, an opportunity to see the Ban Treaty as an incomplete global nuclear-weapons-free zone covering the territories of states that have ratified the Treaty. If we saw the Treaty in those terms, it would not be in conflict with the NPT or with our own policies.

Q33 **Lord Hannay of Chiswick:** Do you not think that some of the criticism of the Ban Treaty as simply polarising the difference between non-nuclear and nuclear states is pretty justified? You only have to look at the statement that the P5 issued in October, in which they devoted three paragraphs to firing off shot and shell at the Ban Treaty but none to saying what they themselves were going to do together in future. Surely that is a demonstration of the fact that this has been thoroughly unhelpful, and the way it has been pushed by the non-nuclear-weapons states is not leading anywhere.

Mr Paul Ingram: I will give Shata a bit of space, but before doing so I will just answer that directly, because I think Lord Hannay is directing that question of me. I am not in favour of the Ban Treaty—I believe it has polarised the issue—but I think we have misplayed our reaction.

Let me be clear about that: I think the threat that the Ban Treaty poses to stability is as much our fault as it is of those who negotiated it. At this point in time, which is more important than looking back and saying what we could have done, every time we criticise it we give more oxygen to the idea that this is polarising. So we are creating the polarisation by attacking the Ban Treaty.

Instead, we need to acknowledge the frustration that lies behind the Ban Treaty and then get on with what we need to be getting on with, which is a progressive step-by-step approach to disarmament. I shall now give some space to Shata. I have taken up too much.

Ms Shatabhisha Shetty: I support what Paul just said. I would suggest that the UK opposes the treaty but does so in a more constructive and respectful manner. The treaty came about because of deep frustration from the non-nuclear-weapons states about the slow and lagging pace of disarmament from nuclear-weapons states, so they need to do more by offering something meaningful.

The current approach to the Ban Treaty is repetitive public criticism to stop the development of a norm that binds all states through international customary law. That is because the development and application of international customary law requires consistent and neo-uniform practice by all states and their belief that this practice is accepted as law. States that consistently and openly object to it from the beginning would not be bound by it, and that is the rationale for why the

UK is doing what it is doing, but the Ban Treaty is part of the disarmament landscape now.

The UK can legitimately express its concerns about the treaty, but to try to halt the deepening polarisation it has to help to foster a more positive atmosphere in the run-up to the 2020 Review Conference and, as you point out, choose to adopt a less confrontational tone in public statements with other nuclear-weapons states.

Q34 **Baroness Anelay of St Johns:** Ms Shetty, I would like to take you back to your opening aspiration: that we should be trying to avoid having back-to-back failures at the 2015 and 2020 RevCons. How would you and Mr Ingram define success in 2020, bearing in mind Mr Ingram's preference for being in the realm of the possible rather than the ideological? What does success look like to you? In other words, what are you saying to the Government—that this could be a success?

Ms Shatabhisha Shetty: I believe that we lack political will, vision and leadership from the UK and the other P5 states. They need to do more and work harder to revitalise the NPT regime, because the NPT is one of the last few remaining functioning pillars of the multilateral security order. This is a real opportunity for the UK to be a leader in disarmament and non-proliferation in the absence, frankly, of US leadership. It could work to try to improve efforts to assess and act to block pathways to nuclear weapons use through accident or miscalculation or even by non-state actors.

A successful result, hopefully, would be a consensus document. That is an arbitrary litmus test of a successful Review Conference, but it would point to at least a shared view that the NPT was worth adhering to and sustaining, and the UK and other nuclear-weapons states could do more regarding their responsibilities to leaders in that direction. I would still make the point that the top priority now should be avoiding the use of nuclear weapons.

That can be done by building mutual trust and mutual confidence between the nuclear-weapons states and through the P5 process, for example. Through that process, the UK could encourage the other nuclear-weapons states to do more on transparency measures, on possession and on numbers and deployments, and possibly share that with non-nuclear-weapons states. The UK could also do more to push the other nuclear-weapons states over reassurance and restraint—for example, a declaration by the P5 and indeed other nuclear-weapons states that nuclear war cannot be won and should never be fought.

Lastly, I believe that Under-Secretary-General Izumi Nakamitsu suggested that at the 2020 Review Conference there might be the possibility of a high-level conference with a ministerial presence. If that is the case, I would strongly suggest that our country's Foreign Secretary attend and demonstrate the UK's commitment to the NPT and its sustainability.

Baroness Anelay of St Johns: Are you saying that success is not simply the most difficult thing to achieve, which is an agreed form of words? As you know, language is fought over for weeks at a RevCon. Are you saying that even if that failed, there are other processes that we could go through that would reflect a success for the RevCon even if there was no agreed text?

Ms Shatabhisha Shetty: I agree. I believe that the NPT review conference process should be reformed in some way. As I mentioned earlier, the arbitrary measure of success of an agreed consensus statement does not necessarily reflect the health of the regime. If other measures, initiatives and processes are happening that reinforce the NPT, I think that is indicative of its health rather than of its demise.

Mr Paul Ingram: My measure of success is twofold. The first is that there is an atmosphere, a sense, among the majority of the international community that this is a treaty that is working, is dynamic and has a future. That requires a great deal of confidence that nuclear weapons are not leaking to other states. North Korea aside, we are actually in quite a healthy position at the moment in that regard, so let us see the light as well as the dark.

The second aspect is that there was a sense that the nuclear-weapons states were treating their responsibilities under the treaty seriously, which requires strong signalling that nuclear weapons are not with us for ever, and that they and the non-nuclear-weapons states are ready to live up to their responsibilities under the treaty and to each other's security. That requires a recommitment to the concept of multilateralism and to international responsibility.

That can be expressed both in grand terms, in the way I have just expressed it, but also by looking at some improvements to the commitments that nuclear-weapons states have already given. I mentioned negative security assurances earlier. There are so many exceptions there that non-nuclear-weapons states are feeling a great deal of grievance on that issue.

That could be addressed relatively easily within our existing doctrines, if we were ready to do so. We should be thinking about declarations of sole purpose; the only reason for nuclear weapons is to deter the use of nuclear weapons. We should be looking at freezes on numbers, which we ought to be able to sign up to quite easily, and we should be proposing that to other nuclear-armed states. We should be looking at stronger advocacy for credible minimum deterrents. By our own definition, we have a minimum deterrent, and we should be talking to both the Americans and the Russians about them moving their policy in that sort of direction.

We could be more confident—I think this is what I would like to leave you with—about where we are at and where we need to go as a state. That requires us to take a step back and rediscover the sense that we are committed to responsible global governance and understanding that we

sit in an open economy, more than most, and rely on international stability. That requires a certain level of sacrifice in terms of our own unrestrained capabilities. That sacrifice would be to our own benefit and to the benefit of global security.

The Chairman: That is an ambitious note on which to end our discussions today. Thank you both for sharing your considerable volume of knowledge with us. We will now push ahead with our inquiries. In the meantime, I am most grateful to you for being with us today.