



Select Committee on International Relations and Defence

Uncorrected oral evidence: The 2020 Nuclear Non-Proliferation Treaty Review Conference

Wednesday 26 February 2020

10.40 am

Watch the meeting

Members present: Baroness Anelay of St Johns (The Chair); Lord Alton of Liverpool; Baroness Blackstone; Baroness Fall; Lord Grocott; Lord Hannay of Chiswick; Baroness Helic; Lord Mendelsohn; Lord Purvis of Tweed; Baroness Rawlings; Lord Reid of Cardowan; Baroness Smith of Newnham.

Evidence Session No. 1

Heard in Public

Questions 1 - 11

Witnesses

[I:](#) Samantha Job, Director, Defence and International Security, Foreign and Commonwealth Office; Sarah Price, Head, Counter Proliferation and Arms Control Centre; James Franklin, Nuclear Policy Deputy Director, Defence Nuclear Organisation, Ministry of Defence.

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Examination of witnesses

Samantha Job, Sarah Price and James Franklin.

Q1 **The Chair:** Good morning and welcome to the first public session of the Select Committee on International Relations and Defence. Our inquiry today may be short but it is extremely important because we are looking at the forthcoming Review Conference on the non-proliferation treaty on nuclear weapons, which takes place this spring.

It is my pleasure to welcome three of the senior officials who will be involved closely in the preparations for that RevCon: Samantha Job, Director of Defence and International Security at the Foreign and Commonwealth Office; Sarah Price, Head of the Counter Proliferation and Arms Control Centre; and James Franklin, Nuclear Policy Deputy Director, Defence Nuclear Organisation, Ministry of Defence. I remind you that, as ever with select committees, this session is televised and on the record and there will be a transcript.

Thank you for joining us to contribute your expertise on this vital subject. Our objective is to follow up our initial major inquiry on 'Rising nuclear risk, disarmament and the Nuclear Non-Proliferation Treaty, because of the timeliness of doing just that. I shall ask the opening question, which is fairly broad, and then turn to my colleagues to ask more specific, detailed questions.

With no further ado, what are the outcomes of the recent P5 meeting in London, and what work have the P5 committed to undertake?

Samantha Job: I want to share with the Committee our commitment to the NPT process and the Review Conference this year. Since the Committee's report was published in April 2019,¹ we have tried to continue our engagement with you. Obviously, there was a full House of Lords debate. Most recently, Baroness Goldie in the Ministry of Defence invited some Members of the House of Lords to a Peers' breakfast on that.

We are very conscious that one of our priorities is to keep the conversation going with Parliament and those beyond it who have an interest in the subject. Most recently, that took the form of the London conference of the P5 process in support of the NPT. As part of that process, we were very pleased to host the President-Designate of the Review Conference and members of the NPT bureau. That was the first time the NPT bureau had been invited to a P5 meeting. We held an engagement with civil society. Lord Hannay was part of that; we were very pleased to see him.

The Government hosted what was the ninth P5 conference on 12 and 13 February. The UK initiated the P5 process back in 2009, and we are very pleased to be chairing the process in the year running up to the Review Conference itself. We found it an important opportunity for demonstrating confidence in the NPT from the P5. The P5 reaffirmed their

commitment to the treaty; they stated their intention to work for a successful outcome at the Review Conference through their own national initiatives as well as the P5 process.

All P5 countries sent strong delegations led by senior officials. The sessions were broken up into the P5 on their own, P5 with the bureau and P5 with civil society. We think the public-facing part of that P5 event was more than had been done in the past, and that was a conscious choice by the Government to be as transparent and open in our engagement as we could.

I would like to share with the Committee the P5 conclusions of concrete actions for further work, which we agreed as five. There was a Chair's Summary of the event, which I am going to draw from, but we could also share that with you, perhaps after the session. The first area we talked about was nuclear doctrine and policy, which has been one of the strands of conversation between experts for some time. The group agreed that those discussions will continue and that there will be a side event at the Review Conference to present findings. That is quite significant in relation to some of the other issues that we might talk about today about transparency and trying to demystify and reduce risk.

The second concrete decision was that the experts should continue and deepen their dialogue on strategic risk reduction up to the Review Conference and beyond. It is important to us that the P5 process is not seen as finishing with the Review Conference but that it continues.

We endorsed progress on the nuclear glossary. For those of you who do not follow this very closely, that is literally a glossary of terms relevant to the nuclear debate, and we can speak to that in more detail. Essentially, it is very important that when using certain terms the P5 understand what everyone else understands by the same terms. We have committed to publish a selection of those before the Review Conference.

We announced our intention to host a P5 side event focusing on peaceful uses at the Review Conference. I may come back to that. One of our objectives for the Review Conference this year is to engage in conversations across all three pillars of the NPT and, up to a point, do some engagement that brings to the fore the concrete achievements and contributions that the 'peaceful uses' pillar of the treaty brings to a huge number of states: it is medical, scientific and relevant to climate. There is a large number not only in energy but in other parts of technology. We want to draw attention to some of that. There will be a P5 event on that, and we will be doing engagement on that strand nationally.

All of the P5 agreed to publish national implementation reports to the NPT based on the 2013 [common reporting framework] format. We have already published ours in draft. We have done some consultation, which we can talk about, and our final version will be reported and published before the Review Conference.

The P5 reiterated their readiness to continue to work on some of the tricky issues, including the Fissile Material Cut-Off Treaty, which I know has been of interest to this Committee, and, in the context of our engagement with other parts of the world, a nuclear weapons-free zone in south-east Asia. That is one of the parts of the world where it has not completely happened yet.

That is a slightly hurried track through the conclusions that we reached. For us, the engagement was important because we were able to bring people together around those concrete activities. It was not just about talking; it was about agreeing outcomes before the Review Conference and a continued process on the other side.

The Chair: Sarah, would you care to add to that?

Sarah Price: No, that covers it.

The Chair: May I follow up with a further broader question? I believe you said in opening that you wanted to keep conversation with Parliament going on matters such as this. As you will understand, there is some concern in Parliament about the fact that it appears that information was given in the Pentagon about our plans to renew the Trident warhead before Parliament was aware of that. I realise that Ben Wallace, the Secretary of State for Defence, yesterday issued a Written Statement. He said that we are replacing the nuclear warhead in response to future threat and the security environment. The safety of this country will be at the forefront of the minds of all colleagues here.

Perhaps James from the MoD might be able to comment on the sequence of events. It appears that the cat was let out of the bag before Parliament was even made aware. After the cat appeared to be let out of the bag, the MoD statement at that point was merely, "As previously stated in the 2015 defence review, we can confirm that we are working towards replacing the warhead". It now appears, by all reports, that a decision has been made. Is that right? Has a decision been made, or are we really waiting? Have we made no commitments to the US on this?

James Franklin: It is important to look at the context of the US announcement in that process. The US approached Congress to ask it for a decision on its warhead. In effect, the US has not itself taken a decision yet on whether it will proceed with its warhead. It says there is a plan in place to do that and it is now approaching Congress to go through that process.

As we stated back in 2019, in the update to Parliament then, there has been an ongoing programme where we have been working with the US to look at options around different warheads, which links back to the 2015 SDSR² statement and the 2016 vote in Parliament on the successor programme. That made a very clear commitment for us to continue with a credible and viable nuclear deterrent, which includes a warhead as part

² Strategic Defence and Security Review

of that process. We look at this as an evolutionary step-by-step process we have gone through to get us to that point.

As to the precise timing, there was always going to be an alignment challenge between exactly when Congress and Parliament were engaged in that process, but the way we sequenced the timing for publication of our Written Ministerial Statement was to do that now once we knew where the US was finally going to position itself. That has just led us to do that. I do not think there has been any kind of mis-engagement with Parliament in that process.

The Chair: Would your answer be yes or no? Has a commitment been made to the US?

James Franklin: The Government have made the decision to replace their warhead. Absolutely.

The Chair: The Committee will be grateful for that clarity but may wish to look at those issues further in another capacity. They are not core to our inquiry but they are certainly core to discussions at RevCon itself.

Q2

Lord Hannay of Chiswick: I declare an interest as co-chair of two all-party groups, one on the UN and one on global security and non-proliferation. Can I say how much I welcome the way the P5 meeting earlier this month was handled? In my own notes on it, I said that it was extraordinarily well choreographed. Of course that has both an upside and a downside, but it was very worth while and very well handled and interesting.

Could I ask about what you said about strategic risk reduction and the future work that is going to be done in the P5 talking about that? Presumably, the fact that the P5 now recognise that it is an important issue that needs discussion rather overtakes any suggestion that risk has not risen in recent years. We could have an endless semantic discussion about that, but it would be pretty meaningless if the P5 were all agreed that they were going to talk about risk reduction, so perhaps you could confirm that the Government, along with the other four governments, see that as something that needs to be addressed now in the context we are living through.

Perhaps you could say something about strategic risk reduction and a word about how the P5 will handle the discussion of doctrines, which seems to me to lead to some extremely sensitive but very important points, such as members of the P5 having a no first-use provision. I think the Chinese say they do that. I do not think anyone else does, although some might believe they ought to. Nuclear doctrines will be quite a difficult one to handle.

Samantha Job: I will speak in general terms about the strategic risk reduction issues in the P5 work that you raised, and then I will ask James, who has been engaged in the doctrines conversation, to give you a flavour of that. The situation we find ourselves in internationally is undeniably increasingly uncertain. There are nuclear possessor states

that will not be with us in April and May in the Non-Proliferation Treaty, and some of them are in parts of the world that are not hugely stable. We are also in a conversation within the P5, essentially with each other, around these issues.

It might be useful to set out the four themes we are pursuing in the strategic risk reduction context. An underlying principle is that part of what we are trying to do is reduce the risk of misunderstanding, miscalculation and the unintended consequences of not understanding each other. The first strand for us is about building trust and confidence. Increasing dialogue in itself takes you part of the way towards that.

The second strand is building understanding and reducing the risk of miscalculation. That is where things such as the glossary conversation and the doctrines conversation help you build an understanding of what people mean when they use certain words, so that you do not over or under-interpret what they might say.

The third strand is reducing the risk of inadvertent escalation, which again could be a consequence of miscalculation.

Finally, there is safety and security, which the Government have been committed to for a very long time. We will continue that work regardless of the international situation, because whoever is a possessor or nuclear weapon state needs to be acutely conscious of their safety and security measures.

It is fair to say that the doctrines work has been more productive than one might have expected it to be because P5 members have engaged in a real, substantive conversation about what they mean. I will let James add to that.

James Franklin: To pick up the strategic risk reduction work, from a UK point of view we see this as an important dynamic in what we are trying to achieve now as we go into the Review Conference. Part of the importance of that is understanding the concept. I was in New York in October for the first committee. Risk reduction was the buzzword at the time; everyone was bandying it around. There is a bit of work to define the scope of risk reduction work and what we can achieve, and just how difficult that is going to be.

In your remarks, Lord Hannay, you picked up on the doctrines conversation in particular, but it is about getting down into that understanding and the laborious work involved in the process. The glossary work, which we touched on earlier, is another really important part of strategic risk reduction, even if the public perception of that work and where it comes out at the end doesn't seem significant. It probably seems like quite a short document, but the painstaking man hours that have gone into it to get down to that level of detail and understanding are really important.

With the glossary work, what is important is not necessarily what is in the publication; it is what is not in the publication, and the conversation we have had around words where we could not agree a definition. While publicly that may be perceived as disappointing, internally it breathed into that understanding. Samantha touched on the piece about how we build on that and avoid misunderstanding. There are some key points where you understand and you just see two simple things. It is very, very difficult.

As we look at broader strategic risk reduction, there is recognition that this is building and it is a slow process, but, as Samantha says, we have committed to doing it over the longer term. Doctrines are key to that process. I have been involved in P5 conversations for the past few years. We all say that we are going to have a more substantive conversation on doctrines, but what we were able to do in New York was to get into the detail of that. I chaired a meeting with experts, so we did it at that level of people. I brought with me my military planner, it was the same for each of the other P5 nations, and we went through in detail what we meant by those terms.

You drew out in your remarks no first use. Absolutely we challenged the Chinese on their position on first use. What did they mean? How did they really understand it? How would they hold to that position, particularly in recognition of our position on assured second strike? How would they see that? How did they think they could absorb a first strike and hold their position in an attack on their nuclear command and control?

We were able to get into a lot of detail in those conversations. It was a two-way process. We talked about ourselves and our own policy on ambiguity. The Russians were very keen to challenge us on that and what policies of first use meant for us. We challenged them on escalate to de-escalate. These are tricky conversations. It is a step-by-step process.

The key outcome of the P5 conference was not just that we agreed we would do this as part of the UK P5 process so that we could tick the box and say we had done it. It was a commitment in London to make this a continuing process. We have now committed that it will be an enduring part of the P5 conversations. Indeed, just the other day we produced a draft paper that set out the agenda and topics we will get to.

As I say, it is going to take time. In those conversations, there was a point at which, to be frank and open, the Russians made a statement and we had to challenge to the effect: "We appreciate what you are saying, but you will appreciate that we have different reference points to draw on here", but that is part of the process itself as we work through it. What we are doing now is developing what are the key topics we need to cover, and how are we going to do that? We will continue to do that and reinforce it with partners. To answer your question, we are starting to get into some of the difficult conversations. There is unquestionably a long, long way to go, but we are starting the process.

The important point agreed at the P5 conference was our commitment to run a side event at the main RevCon where we will sit down as the P5 and give a presentation on our doctrines, with an opportunity potentially for comments and questions. To the best of my knowledge, that is a first and is a big step forward in that process. If I seem to be overplaying it, it is because I think where we have got to is a significant step, certainly in my time working on this portfolio.

- Q3 **Lord Grocott:** It always slightly intrigues me that, although there is an obvious rationale for it, we have five countries that are permanent members talking about nuclear risk, nuclear reduction and related matters, but only five of the nine nuclear powers are there. Is talking about nuclear risk, weapons reduction and all the rest of it, with four nuclear powers not present, now regarded as something that is just an uncomfortable fact of life that we are not going to try to do anything about? It may be a perfectly rational way of looking at it, but it seems to me not that the elephant is in the room but that four elephants are not in the room. Does that form part of the discussion, or is it an uncomfortable issue that is ignored?

Samantha Job: The Government's commitment to reducing the number of countries in that category continues. Our commitment to non-proliferation and the treaty and getting new people to sign the treaty is undimmed. We continue to have bilateral conversations with some of the countries you are referring to, and in those we encourage them to sign the NPT. We have seen some conversations start in the multilateral space that provides a forum to which all of those countries can be invited.

I know that the Committee discussed last time the US initiative Creating the Environment for Nuclear Disarmament. That has now met twice. There were participants in the room from what I would call possessor states rather than Nuclear Weapon States. We consider that a step forward. I am going to ask Sarah to add to that because she was the senior official from the UK who went to it. We see opportunities to have some of those conversations that might not have been there a couple of years ago.

Sarah Price: At the first meeting of the CEND in Washington there were representatives from Pakistan, India and Israel. They all participated very actively; it was a very good two-way conversation. That less formal context was very productive for us in hearing from them and for them in being exposed to the opinions of nuclear weapon and non-nuclear weapon states.

- Q4 **Lord Reid of Cardowan:** You will know, as indicated at the beginning, that we are revisiting this subject, on which we issued a report in April last year. I want to ask about developments in a couple of areas since we did so. The first is the New Strategic Arms Reduction Treaty—New START. Can you give us an update on anything that has been happening, good or ill, over the past year?

The second thing is slightly more complicated: the Open Skies Treaty.

Since we issued the report around October last year, the American President has indicated that he and the Administration were considering withdrawing from the Open Skies Treaty. It is now our understanding from unofficial sources that they have decided to withdraw from that treaty. Could you confirm that is your understanding? It is also our understanding that they requested a meeting to sound out the UK position on open skies. Last year, when we interviewed witnesses, they indicated that the UK was supportive of renewing and continuing open skies. Can you confirm that is still the position of the UK Government?

Finally, is it true that a meeting is to be held this week on that subject between the UK and the US following the decision of the US Administration to withdraw? We all understand that Congress, in October last year, required the presidency to give us six months' notice. It is rather complicated because the treaty itself requires three months' notice of withdrawal. I do not know whether or not they are cumulative, but I would appreciate it if you could confirm, first, that our position is still support for open skies; secondly, that our knowledge of the American position is as I described it; and, thirdly, that there is a meeting in the near future.

Samantha Job: I shall break that down into various answers. The first is very clear. We are still fully supportive of the Open Skies Treaty. We see operational, technical and strategic communications benefits, so I can be very clear that the Government supports the Open Skies Treaty.

Lord Reid of Cardowan: Does that mean that, whatever happens at a meeting that may or may not take place in the near future, we will not be withdrawing?

Samantha Job: We have been having conversations with the United States system, as you might expect, ever since those comments were reported last year, and they continue. I am not sure which specific meeting you are referring to, but we have ongoing conversations across defence, foreign ministries and the centre of the US system as well. That has been a live debate.

We discuss open skies actively with our allies and partners who are part of the treaty, not just the US but all the other countries involved, and that conversation will continue. It is very active right now and includes looking at where we think implementation of the treaty could be strengthened, which I understand was one of the concerns expressed on the other side of the Atlantic. That is an active area of engagement where we are trying both to strengthen the treaty and, as far as we are concerned, keep it going.

Lord Reid of Cardowan: I am all for conversations, but is it your understanding that, rather than just considering withdrawing, the American Administration have now decided to withdraw?

Samantha Job: No, that is not my understanding. My understanding is that the process of consideration is ongoing.

Lord Hannay of Chiswick: And on New START?

Samantha Job: New START is another area where we talk regularly to the US system; it is also an area where we have placed on record that we see value in the treaty, particularly the transparency measures in it: information, confidence building and all of that. We absolutely see value in New START, but we can also see that it does not cover everything. It does not cover some of the missiles and technologies that Russia has announced it is going to have, so we can also see the merits in starting to frame what the next conversation will be to try to capture some of that new and evolving technology. What we cannot see yet is exactly how that will play out.

Q5 **Lord Mendelsohn:** I want to address a couple of questions around Iran, which was an original signatory to the Non-Proliferation Treaty. It was in 2018, addressing the threat of American withdrawal from the JCPOA,³ that the Iranians first suggested that they might withdraw from the NPT. That passed, but last month they reissued the same suggestion that they may withdraw in light of the EU3's start of the dispute resolution procedure, with the potential for it to go to the Security Council.

I want to get some sense from you about the impact their withdrawal would have on the regime. How seriously do you take such a threat in the context of where Iran is and the Iranians' belief that there is an inherent hypocrisy, in that they would be subject to the re-imposition of UN sanctions, having not been the people to undermine an international treaty, and the suggestion that they may put in a conditional notice to frame the debate fairly soon? A conditional notice would be them scaling very carefully to make sure that they have some sort of freedom of movement on the issue. What impact might that have on future discussions, and how are the Government responding to that particular challenge, making sure that the different aspects of policy are being addressed and balanced well?

Samantha Job: The challenge the Government are trying to respond to at this point is the posture Iran has taken in response to the JCPOA over the last several months. Iran has made public statements about stepping back from some of its commitments. In January, the Islamic Republic of Iran said that reducing its commitments "discards the last key component of its operational limitations" under the JCPOA, which is the limit on the number of centrifuges, and "the Republic of Iran's nuclear program no longer faces any operational restrictions". Those are very serious statements from the Government of Iran. It is in response to that sort of activity that the British Government, along with the French and German governments, triggered the dispute resolution mechanism.

The reason we have chosen the route of the dispute resolution mechanism is that we want to have a conversation to solve the dispute. We want a conversation that helps us get towards a position where Iran comes back into compliance with the JCPOA and ultimately sets the scene

³ The Joint Comprehensive Plan of Action (the Iran nuclear deal)

for a longer conversation about what the future arrangements might be. We do not underestimate how serious that is; we do not underestimate how difficult it is going to be, but that is our position.

The threat from Iran to withdraw from the NPT was framed in the context that if we go to the Security Council there will be a snapback of sanctions and such measures. That is something we take extremely seriously. It is also a position we do not want to find ourselves in because we want the negotiation in front of us in such a way that we come to agreements with Iran that mean we do not have to go back to the Security Council on snapback reinstitution.

To answer the broader question about the strength and resilience of the treaty, it is incredibly important that the Review Conference this year brings people together to re-emphasise the importance of the treaty. It has weathered some storms in the past and will do so in future, but with its 50-year anniversary and the commitments that come with it, and the achievements over that period in both disarmament and non-proliferation and peaceful uses, there is a lot to celebrate this year. We want to do that and re-engage with the seriousness and importance of the treaty at the same time as we manage some of the challenges.

Lord Mendelsohn: We have extended the period for discussions before the time it will be referred to make sure that we give it more time, given Iran's response, so we are very conscious that Iran can take these steps. How well are we dialling this or modulating it to make sure that it does not do what you fear, which is to undermine the NPT as you are trying to reinforce its benefits, with the likelihood that it will become a bargaining chip in a different series of discussions? Having made it part of those discussions, it then becomes common currency to talk about this sort of stuff, whereas there has been a great deal of resilience in the treaty.

Samantha Job: I agree with that. In any big diplomatic negotiation, there will be some sort of posturing. We do not know at this point whether this is an opening gambit—a thing they think we are deeply worried that they will do—or a serious policy consideration at their end and they are definitely on track to that. We have to plan for both scenarios.

It is fair to say that we have to take into account the proliferation impact of an Iran that is not abiding by JCPOA commitments, because that takes us in the direction of Iran reducing break-out time and having a capability that we all put the JCPOA in place to stop it having. We have to balance all the possible futures and take our counterproliferation commitments very seriously, as well as thinking through what happens. In our view, we cannot just sit back and let the Iranians completely empty out the commitments they have made because it is too serious.

Lord Hannay of Chiswick: Do the Government endorse the view of the Director-General of the IAEA,⁴ which I think was made public a couple of

⁴ The International Atomic Energy Agency

weeks ago, that, although the Iranians had stated that they would no longer honour and recognise some of the constraints in the JCPOA as applying to them, they had not in reality passed certain limits in their use of the flexibility they had given themselves, illegally in the view of many, and were not in fact making use of that yet? Is that the Government's view?

Samantha Job: The analysis from the IAEA is a core part of how we assess what is going on on the ground, so yes. There is, however, a constant question in our minds, if they have decided to relieve themselves of any constraint, as to the point at which they might decide to trigger certain things, but we agree with the Director-General's analysis today.

Q6 Lord Alton of Liverpool: Samantha, thank you for the briefing you referred to in your opening remarks, which I was able to attend last month. Personally, I found it very helpful. It underlines what you have been saying about the importance of transparency and openness. In your opening remarks, you referred to the possibility of a nuclear-free area in south-east Asia. Perhaps I can take you to an even more challenging situation in the Middle East and ask for your assessment of the November 2019 United Nations Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction.

Last December, I visited refugee camps in northern Iraq where I met families who had fled from white phosphorus that had been dropped on the areas where they had been living in northern Syria by a NATO member, Turkey. I met people who had lost loved ones at Halabja during chemical weapon attacks. As part of this question, could you also refer to other weapons of mass destruction, chemical and biological, within that region? Will you say what impact you think the conference will have on the negotiation of the 2020 Nuclear Non-Proliferation Review Conference itself?

Samantha Job: I would be very happy to. To give you the full terminology, the UK is fully committed to a zone free of all weapons of mass destruction and their delivery systems in the Middle East, so it is broadly defined. That matters to us because of the spread of ballistic missiles and the use of chemical weapons in Syria, although for the record white phosphorus is not. It matters that we understand it in the round; it is not just a nuclear weapons-free zone, as it might have been once.

The UK attended the UN conference that took place in November, and I know it has been discussed in the Committee previously. At least some participants took a constructive approach; they were prepared to talk about all types of WMD, chemical weapons and missiles. There was a practical discussion about strengthening regional-specific export controls that could help deal with some of that challenge. It was a bit disappointing that some participants were still taking a view that meant they were focusing exclusively on Israel and were unwilling to look at their own record, shall we say.

Our view, as one of the co-convenors of the process is that it should be a consensus process.⁵ While we attended the conference and we thought that in some ways it made a constructive contribution, to make any serious, substantive progress on a full WMD-free zone in the Middle East would require a consensus freely arrived at by all states in the region, so we are not there yet. We want to encourage a process that continues and one that engages with Israel to get us to that ultimate goal. As you may understand, the conference was a UN General Assembly event and not under the auspices of the Non-Proliferation Treaty, so how that is articulated or managed at the Review Conference is something we are tracking very closely.

Sarah Price: We have discussed this with Israel. The Israelis made it very clear that at present their circumstances do not allow them to attend the conference, but they are tracking it very closely. Of course, they maintain that they have an interest in ultimately reaching the desired goal. They are committed to the goal, but they do not yet see how the conditions enable them to participate fully.

Lord Alton of Liverpool: Can I ask about white phosphorus? It was not Israel but a NATO member, Turkey, which was responsible for the bombing of those civilian communities. It was not 50 years ago; it was at the end of last year. What representations have we made through our NATO contacts? What have we done to try to ensure that white phosphorus, for instance, is covered by this kind of treaty obligation?

Sarah Price: The treaty covers the use of all chemical weapons, but my understanding is that white phosphorus is not classified as a chemical weapon. In our contacts with all participants in the region, we would urge restraint and respect for the civilian population.

Lord Hannay of Chiswick: I follow what you are saying about white phosphorus not being classified under the Chemical Weapons Convention, but is it not a war crime to use white phosphorus against a civilian population?

Samantha Job: We are getting a little further away from the Non-Proliferation Treaty than I was expecting. I am happy to write to the Committee afterwards with our considered view on that.

The Chair: Thank you. It is of concern to the Committee.

Lord Hannay of Chiswick: It came up on Gaza when white phosphorus was used the last time there was a big event there, and I think the Government took a pretty negative line, but, if you will write, that would be very helpful.

The Chair: We are focusing on the RevCon, but clearly there are wider security concerns and that is something we wish to take into account. Thank you for agreeing to write to us.

⁵ This refers to the 2010 Nuclear Non-Proliferation Treaty Action Plan.

Q7 Baroness Blackstone: Could you tell the Committee what the Government are doing to engage with those who are dissatisfied—there are many of them—with the pace of change as far as arms control is concerned in the run-up to the Review Conference?

Samantha Job: The Government are conscious of the frustration felt in some quarters. We understand that frustration is felt in some Non-Nuclear Weapon States about the pace of disarmament. We do not necessarily share that view, but we want to engage and have conversations to make sure that we are listening to all points of view and understand them. As an example, during the Preparatory Committee to the NPT, which took place in 2019, the then FCO Director-General for Security, Philip Barton, held a specific event, which we called the disarmament lunch, to bring countries into a room to speak to us. We also talk to countries that might be in that category bilaterally, and through other groups and fora we talk to. The CEND, which Sarah referred to, is one of those.

We consciously invited representatives from non-nuclear weapon states to an event we held in Wilton Park. I refer to that because it is part of our transparency and engagement priority. We produced a draft of what will be our national report to the Review Conference early, quite consciously wanting to put that out into the community of people who will ultimately read it and get their views on whether it met the need for transparency and clarity from their point of view.

We collected suggestions for how we might improve our report before we publish it this year, and at the last count I think there were 98. It was a serious effort to get different views and we feel that we collected a good number of them. Part of the transparency is not only about Nuclear Weapon States; it is also about Non-Nuclear Weapons States making their own reports.

We have taken the same approach to the P5 conference. As you heard, we deliberately brought others into the room to be part of that conversation. I am not trying to suggest that this is easy or that we have done enough. It is an ongoing part of the process. We want to reach out and speak to people, and that will continue.

Sarah Price: Before the last Preparatory Committee in New York, we did an event with NGOs that was hosted in London by the British Red Cross. James and I met a broad cross-section of NGOs. We hope to do something similar before the RevCon. For example, tomorrow I am meeting the Campaign for Nuclear Disarmament. We are very open and we engage with them regularly.

James Franklin: To build on two parts of that, as Sarah said, when we saw the British Red Cross, we did it together. Samantha mentioned the meeting at Wilton Park. We did that together. It was a joint FCO-MoD part of that process. That is a really positive way in which the UK engages on this. We have a joint approach. The importance of that is that it reflects that there is both an arms control disarmament agenda and a

security agenda in those discussions. That is not in any way to detract from the importance of the process of disarmament, but when we talk to non-nuclear weapon states and those that are very pro-disarmament, we have to ensure that that is grounded in the realities of the security situation we are facing and how those two things play out. It is important that we recognise that.

Sometimes you talk to certain nations and you have a traditional MFA view and an MoD view. They are often quite counter to each other. I think there is a piece about making sure that the disarmament debate reflects what we are doing on disarmament and where deterrence and the security environment fit into that, and why those processes need to move forward together. It is something we do quite well, but we need to push that for others as well.

Samantha Job: One of the things the UK has done over a number of years is to explore what disarmament would actually mean and look like. For us, that has been at the technical level of verification. If there were disarmament, how would you verify that it had happened properly?

We have worked on this as the UK for a number of years, but in the last couple of years we have also done it as a Quad with two non-nuclear weapon states to make sure that there is a process and understanding that we are thinking concretely about what it would mean; we are not just sitting back and saying we can never see that future. We are trying to demonstrate that we can think about that future and what it would look like.

Baroness Blackstone: How does what we are doing compare with what the French are doing, for example?

Samantha Job: In which respect?

Baroness Blackstone: Engaging with people who are dissatisfied with the pace of disarmament.

Samantha Job: You would have to ask the French. They are at many of the multilateral meetings that we are at.

Baroness Blackstone: You have not looked at a state similar to us that is also a nuclear power to benchmark what we are doing.

Samantha Job: We benchmark ourselves by the people we speak to and whether they think we are doing okay and whether we are doing enough. You have some witnesses later who will no doubt tell you that. We try to benchmark ourselves against the best we can do. We speak to the French about this on a regular basis, but I have not specifically thought, "France does this; therefore, we must do this plus". I do as much as I think we should do, which I suspect may be more.

Q8 **Lord Purvis of Tweed:** I want to return to what Samantha and James said. I am a little confused, and you may be able to help me. You said that in your discussion with NGOs and non-nuclear states you are at

pains to stress to them the realities of the security environment. If you do not mind my saying so, it sounds a bit patronising to tell countries what the security environment is, unless you are aware of something that they are not aware of. When we conducted our inquiry, Ministers refused to state whether the risk of nuclear conflict was higher than it had been in the past. Is that still the position? Is the risk of nuclear conflict now higher than it was five or 10 years ago?

Samantha Job: I am not a Minister, and I am not going to revisit what Ministers have said.

Lord Purvis of Tweed: Let me clarify the question. When you are speaking as officials with NGOs and non-nuclear states about the realities of the security environment, is the basis of it that the risk of nuclear conflict is now higher than it was five, 10 or 15 years ago?

Samantha Job: I think that what we see in the international community is a range of different things, which means that the community and the context is challenging. I took up this job a year ago just after an India-Pakistan crisis when people were nervous about what the consequences might be in that part of the world of an escalation if something had happened. I remain concerned about that today.

We are also looking at a world in which some of the nuclear possessor states are talking about novel and advanced new weapons, so we have to take those elements into account when we look at the picture as a whole and the things we are trying to do to reduce tension. When we talk about strategic risk reduction, we talk about crisis management so that there are connections between people. When we talk about the P5 uncomfortable conversations and doctrine, it is so that we are talking to reduce some of the risk of misunderstanding and miscalculation. It is a conscious choice to be engaged in those things.

Q9 **Baroness Smith of Newnham:** I have listened to your responses with great interest. I would like to start with where we have just got to. I understand that none of you is a Minister and, therefore, it would not be appropriate to countermand or update anything Sir Alan Duncan may have said the last time we took evidence, but there is a bit of a question about what HMG and the United Kingdom are trying to do if we do not have a clear sense of whether the risks have been rising, what are the risks and how are we dealing with them. Could you tell us a bit about the thinking for the RevCon? What would count as success? The question you were asked was about the priorities. We can have a whole list of priorities, but what is the starting point? What do we think the risks are, where do we feel the priorities are and how might we benchmark them, to use a word used by Baroness Blackstone?

Samantha Job: Let me give you two answers because you have asked two questions. First, as you all know, the Government are about to launch an Integrated Review that will deal with the full range of the international parts of government, and part of the challenge of that review in the early questions will be exactly questions about what the

world looks like today, what it might look like in the future and how the Government will respond to that. I cannot prejudge the answers to those questions, but I can absolutely say that the Government are asking them.

We have four priorities for the Review Conference. I will come back to what success looks like. The four priorities for us, broken down into their simplest form, are, first, to celebrate and recognise the 50 years, and to have a conversation that welcomes the progress and achievements during those 50 years.

The second priority is to sustain international confidence in the treaty, with a recommitment and an understanding of what the treaty offers and brings, but a commitment to it for the future through having the conversations that we need to have.

The third thing is to have priorities that span all three of the pillars: the disarmament pillar; the counterproliferation or non-proliferation pillar; and the peaceful uses pillar. The then president-designate and the new president-designate for the Review Conference itself have both said that they think that pillar needs more oxygen; they have had conversations in various regions of the world to talk about peaceful uses and have talked about bringing the private sector and others into the Review Conference in some way to have that conversation. We are fully supportive of that.

The fourth priority is transparency. You have heard me talk about the UK's national report. All the P5 will do national reports, but we are encouraging others to do that as well, and to have those conversations. However uncomfortable they may be, we think that having those conversations through that transparency approach is much better than not having them.

What success looks like is a sensitive question, particularly for those who lived through the previous Review Conference when the bar for success was set as a consensus outcome document and was not achieved. Honestly looked at, I think the question is how we achieve those goals rather than what the piece of paper is. Outcomes from Review Conferences over a longer time span, as several members of the Committee know, have been a range of different things, such as practical steps and action plans. We do not have a set answer today on what we think the piece of paper outcome needs to be. We want to see a grown-up conversation about what is going on with the treaty, what is going on in the world, a recommitment to where that takes us and a strengthening of the regime as a whole.

Q10 **Baroness Smith of Newnham:** On transparency, there are all sorts of side meetings for bringing in civil society, but if the Government make decisions that do not include Parliament, or when Parliament does not appear to be consulted, what is achieved by transparency? Is it more than rhetorical?

Samantha Job: Transparency for us is an integral part of wanting the conversation. Without revisiting what James said at the beginning about

the Written Ministerial Statement, there is genuine merit in increasing understanding between nuclear and non-nuclear, and between nuclear and nuclear, for risk reduction reasons, doctrine reasons and all the rest of it, so we absolutely see intrinsic value in it in its own right. We think it adds value to the debate.

James Franklin: I have two points on transparency. If you want, I can go back to the WMS.

First, if you look at what we said in the SDSR on our policy and how clearly we set that out, that is a really good example of transparency. There is a very clear statement of the UK position on almost every element of our nuclear policy, and it is there for all to see. We find it very easy, in truth, because of that. That is a document that is set out by the Government.

To clarify my earlier answer, the WMS clarified that the Government had made a decision on replacement of the warhead, but that decision was framed in 2015 when there was an acknowledgement in the SDSR that this was a requirement. It was confirmed effectively in the decision on the 2016 vote, which again was a very public vote during which we went through exactly the whole process of that decision-making.

Again on transparency, since that point, every year we have provided an increasingly large annual update on progress. It started out as the Dreadnought programme, but is now a broader report on the overall UK nuclear programme and everything we are doing. As I said, there has been a continuous programme of updates on the warhead; it is set out on the record where we have got to in that thinking.

Possibly I did not address this properly, but I appreciate the sense of frustration that there may be an element of secrecy in our engagement with the US, but there is also recognition that, as underpinned by a series of treaties that exist with the US, the MDA⁶ and the Polaris sales agreement, we have a unique nuclear relationship with the US, so it is entirely sensible that we would continue to engage with the US throughout the process on lots of elements of our nuclear development. Indeed, for the warhead it is absolutely essential; it is about our ability to operate effectively with the Trident nuclear system. That is all entirely consistent. Indeed, the MDA is transparent about that; the Polaris sales agreement is transparent about that. All of this is about a process of transparency. I think the two things are entirely consistent.

Samantha Job: Not all of our P5 colleagues are as open about those sorts of developments as we have been.

The Chair: I think you can appreciate the concern of my colleagues that, as we go forward in the negotiations to RevCon, having rightly made the theme of transparency important, it has been extremely troublesome that it appears there has not been transparency with Parliament over a major

⁶ The US–UK Mutual Defense Agreement

decision with regard to the nature of the new nuclear warhead for Trident, because it is such a sensitive matter in Parliament. I am reminded that the 2015 SDSR said that a decision would be taken "in this Parliament". We are well beyond that. Parliament will naturally be taking views over the next weeks in response to yesterday's Written Statement, but I am grateful to you, Mr Franklin, for giving such clarification as you have today.

- Q11 **Baroness Rawlings:** I would like to touch briefly on Lord Purvis's earlier question. I understand that you cannot tell us whether you think the risk is more or less fragile now than, say, at the time of the Cuban missile crisis. What is your process for assessing the risk? I know you cannot tell us what you think the risk is, but what is your process for approaching it?

Samantha Job: My answer to that would be that there is an ongoing process in government at all times to look at the programmes of other countries and the points of tension in the world. That is an active part of what the national security community and the intelligence community do on an ongoing basis. I do not know whether that quite answers the question. To add to it, we are about to go into the Integrated Review process that will look into that in depth, and at the other end of the Integrated Review process we will have a refreshed statement, still referring to the 2015 SDSR: "Here is our statement on the world and doctrine". We expect the integrated review to come up with a similar statement that we will still refer to in the future.

Baroness Rawlings: You do not actually assess any of the players in all of this.

Samantha Job: We assess all the players in this.

Baroness Rawlings: I imagine that the leaders in various countries are a big factor in the risk, more than just all the processes and reviews.

Samantha Job: I agree. What I want to convey is that this is something instinctive to the government process of considering the national security situation we find ourselves in. In a number of hours, I will be in the JIC⁷ this afternoon doing just that. This is a rolling process, whether it is through the JIC, the National Security Council or the cross-Whitehall constellations that look at particular countries or difficult issues, including counterproliferation. It is the ongoing lifeblood of what we do, which is why I am finding it hard to articulate.

James Franklin: To clarify, on the nuclear side specifically there is a very clear annual process that enables us to look at that and understand what the nuclear threat to the UK is. I cannot say much more than that, but there is a very clear and established annual process that goes through that. Lord Reid probably understands it very well.

Lord Reid of Cardowan: I do, and I do not think I would have been upset, as a Minister, if this Committee had asked you for your judgment

⁷ The Joint Intelligence Committee

as to whether or not you thought that review had concluded that the threat of nuclear exchange had increased. I am not trying to get anybody into trouble; you have enough problems. The straight question is this. We came to the view that because of various circumstances, including the development of cyber, interconnection and so on, it was more fragile now and the threat was increasing. Do you think we came to the wrong view?

Samantha Job: I am definitely not bold enough to take a position on what I thought of your report. What I can say is that it is not in some ways a binary question because there are so many different circumstances and they evolve day to day, whether in other parts of the world or between the big nuclear weapon state owners. It is integral to how we think that we understand that the world is challenging and continuing to challenge, but it does not necessarily change some of our approaches to things such as risk reduction, which we would be doing anyway because we think it is important; or transparency, which we would be doing anyway because we think it is important; or making sure that our own deterrent is safe and secure and modernised in an appropriate way because we think that is important.

Lord Reid of Cardowan: I understand all that. Life is complex. It is not binary and it does not make redundant everything we are doing. Having said all that, is it becoming riskier than it previously was, or have we just got to guess? What is the view of the Government on that? Do the Government think nothing has changed in the threat level, or do they think it is now slightly riskier and therefore we had better try other things? I cannot see that you are going to be sacked for giving us your judgment. Okay. I will not tempt you.

The Chair: That is the perfect moment to say that you get our drift. We will be looking to Ministers in various capacities to take this matter further, not necessarily in this inquiry, but you can feel the questions coming.

Samantha Job: I look forward to them.

The Chair: Thank you very much for your contributions. I apologise on the record to those waiting to give evidence in the next session. I thank them for being patient and waiting.