

CHAPTER 17

DIALOGUE ON NUCLEAR NONPROLIFERATION UNDER TRUMP ADMINISTRATION

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As discussed in the previous chapters, the cooperation between the Soviet Union/Russian Federation and the United States of America was instrumental for the emergence and consolidation of the nuclear nonproliferation regime. Even when tensions in the bilateral relations reached new heights, as the longtime Soviet foreign minister Andrey Gromyko put it, nuclear nonproliferation would remain the only silk thread connecting the two capitals.¹ Nonproliferation and arms control has mostly remained an insulated area of cooperation since the hottest days of the Cold War. This is not to say that the two countries' views converged on everything, but at least they were doing their best to resolve their differences in a business-like fashion.

The objective basis for such cooperation is still there. Moscow and Washington are still interested in preventing further proliferation of nuclear weapons, and there are objective reasons for the two nations to insulate this area away from the skyrocketing tension in the bilateral relations. Policymakers both in Moscow and Washington recognize that without the NPT, *'the security equation would become incalculable'*.²

On several occasions, the two countries' high-ranking representatives stressed the importance of bilateral cooperation on nonproliferation matters. For instance, on April 17, 2020, Russian Foreign Minister Sergey Lavrov and U.S. Secretary of State Michael Pompeo

¹ Orlov, Vladimir; Timerbaev, Roland and Khlopkov, Anton (2002) Nuclear nonproliferation In U.S.-Russian relations: challenges and opportunities, PIR Library Series.

² Interview with a high-ranking Russian diplomat on November 27, 2020

agreed to intensify the Russian-American dialogue on arms control and nonproliferation.³

On the 50th anniversary of the NPT entry into force, the foreign ministers of the five official nuclear weapons states (NWS) issued a joint statement, which reads:

The success of the NPT was not foreordained, nor is its future success guaranteed. [...] Even at the height of the Cold War, our predecessors made this wise investment in our shared security and prosperity. Today, we pledge our unstinting commitment to preserving and deepening this legacy for future generations.⁴

Unfortunately, under the Trump administration, the overall deterioration of Russian-U.S. relations affected the nonproliferation domain. Hopes for the renovation of the bilateral dialogue under the 45th U.S. president turned out to be far from reality. Never before had the contradictions on nuclear nonproliferation been so acute. In 2017–2021, the two countries, though sharing the same interest in precluding further nuclear proliferation, differed in choosing the means. Russia still favored diplomacy and engagement, whereas U.S. preferred tool was political pressure and brutal force. Russia and the United States, which alongside the United Kingdom are depositary governments of the NPT, were engaged in open verbal skirmishes at the 2018 and 2019 PrepComs.

This chapter seeks to answer two questions. Firstly, why did Russia and the United States fail to establish constructive cooperation on nonproliferation under the Trump administration? Secondly, is this failure an aberration or the new normal? This chapter seeks to find an answer by analyzing the NPT review process context, without

³ Press release on Foreign Minister Sergey Lavrov's telephone conversation with U.S. Secretary of State Mike Pompeo, Ministry of Foreign Affairs of the Russian Federation, available at https://www.mid.ru/web/guest/telefonnye-razgovory-ministra/-/asset_publisher/KLX3tiYzsCLY/content/id/4101182?p_p_id=101_INSTANCE_KLX-3tiYzsCLY&_101_INSTANCE_KLX3tiYzsCLY_languageId=en_GB (17 May, 2021).

⁴ Joint Statement by the Foreign Ministers of China, France, Russia, UK, and the U.S. on the Fiftieth Anniversary of the Treaty on the Non-Proliferation of Nuclear Weapons, Ministry of Foreign Affairs of the Russian Federation, available at https://www.mid.ru/web/guest/maps/fr/-/asset_publisher/g8RuzDvY7qyV/content/id/4080918?p_p_id=101_INSTANCE_g8RuzDvY7qyV&_101_INSTANCE_g8RuzDvY7qyV_languageId=en_GB (17 May, 2021).

going into particulars on other nonproliferation-related fora, which all deserve a separate chapter.

The first part of the chapter provides a brief analysis of U.S.-Russian dialogue at the 2015 NPT Review Conference. The discussion of Obama's legacy is followed by a review of U.S.-Russian dialogue on nuclear nonproliferation in 2017-2020, both within and outside of the NPT framework. Finally, the last section deals with the reasons for the lack of nonproliferation cooperation in 2017 – 2020 and lessons learned from this period.

Failure and Legacy of 2015 NPT Review Conference

Before going into the specifics of the 2017 – 2021 NPT Review Cycle, it appears necessary to briefly analyze the course and legacy of the failed 2015 NPT Review Conference. Such an analysis would be useful to put the 2021 Review Cycle into perspective.

The environment around the 9th NPT Review Conference was not particularly promising. That review cycle witnessed the growing disillusionment of Arab states with the lack of progress on the establishment of the WMDFZ in the Middle East⁵, the rise of the advocates of the so-called humanitarian initiative. In terms of U.S.-Russian dialogue, things were not perfect either: the Ukrainian crisis and its aftermath could not but affect all the facets of the bilateral dialogue. In the nonproliferation domain, as Robert Einhorn notes, Russia stopped discussions with the United States on preventing the dialogue withdrawal from the NPT.⁶ Notwithstanding the cessation of dialogue on this matter, Russia and the United States, alongside other states presented a working paper on addressing the withdrawal from the NPT.⁷ Notably, at the 2010 RevCon, as well as at the 2012 PrepCom, Russia's main collaborator on this issue was Ukraine, which partly explains why after 2014 Russia may have been addressing the issue with less zeal.

⁵ See Chapter 7 by Ms. Natalia Artemenkova for more detail

⁶ 'U.S. Nonproliferation Cooperation with Russia and China: A Call for Finding Common Ground with Great Power Rivals' (2020) CNS Occasional Paper #48, available at <https://nonproliferation.org/wp-content/uploads/2020/10/U.S.-Nonproliferation-Cooperation-with-Russia-and-China-1.pdf> (17 May, 2021).

⁷ See NPT/CONF.2015/WP.47, Reaching Critical Will, available at <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/documents/WP47.pdf> (17 May, 2021).

The beginning of the RevCon witnessed some bitter exchanges between the Russian Federation and the United States regarding the INF Treaty and the Budapest memorandum. In his opening remarks to the Conference the U.S. Secretary of State emphasized the U.S. *'deep concerns regarding Russia's clear violation of its obligations under the Intermediate-Range Nuclear Forces Treaty'*. He went on to state that Russia disregarded the Budapest memorandum, the document, which, as he framed it, was *'was an incredible act of leadership for the nonproliferation regime'*.⁸

U.S. willingness to bring confrontation to the NPT platform came as a surprise for the Russian delegation. As the acting head of the delegation Amb. Ulyanov noted, in spite of *'deep concerns regarding numerous aspects of the U.S. policy in the areas of strategic stability, nuclear disarmament and nuclear nonproliferation, [Russia] did not intend to engage in controversy at the NPT Review Conference. We assumed that there were other formats to that end'*. He further presented detailed Russian critique of the U.S. nonproliferation and arms control policies, paying particular attention to the build-up of U.S. missile defenses, prompt global strike programs, and NATO nuclear sharing arrangements violating Articles I, II of the NPT.⁹

Later on, in the MC I the Russian Federation further rebuked the allegations by several states (including the United States) that it was not in compliance with its obligations under the Budapest memorandum. In the Russian view, the very concept of negative security assurances, as provided for by the memorandum, to use or threaten to use nuclear weapons.

Thus, the implementation of the NPT related provisions of the Memorandum has confirmed the viability of negative assurances even in a critical situation, in spite of the fact

⁸ Remarks at the 2015 Nuclear Nonproliferation Treaty Review Conference by John Kerry, Secretary of State, United Nations New York City, NY April 27, 2015, Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/statements/27April_U.S..pdf (17 May, 2021).

⁹ Statement by Mikhail Uliyanov, Acting Head of the Delegation of the Russian Federation at the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (General debate), Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/statements/27April_Russia.pdf (17 May, 2021).

that the Memorandum, as opposed to conventional negative assurances, is a political rather than legally binding instrument.¹⁰

The Ukrainian issue though did not become the central one in the course of the RevCon. Only a few delegations (most notably, Poland, Canada, Estonia, and Ukraine itself) touched upon the subject in their national statements. When on April 30 the United Kingdom delivered a statement on behalf of P5,¹¹ it became evident that the NWS decided not to escalate their divergencies at the RevCon.¹²

Notwithstanding the Cold War-like verbal altercations on the INF Treaty, the Budapest Memorandum, and NATO nuclear sharing arrangements, the two countries eventually managed to avoid open confrontation. The three co-sponsors of the 1995 resolution on the Middle East (Russia, U.S., UK) presented a joint working paper on the establishment of a MEWMDFZ.¹³ Russia and the United States still had more converging stances than differences. As Dr. Vladimir Orlov, a member of the Russian delegation at the 2015 RevCon, noted, at some juncture, there was an impression among the RevCon participants that 'the Russians and the Americans were playing by the same notes'.¹⁴

¹⁰ Statement by Mikhail Uliyanov, Acting Head of the Delegation of the Russian Federation at the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Budapest Memorandum, Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/statements/6May_Russia_MCI.pdf (17 May, 2021).

¹¹ Statement By The People's Republic Of China, France, The Russian Federation, The United Kingdom Of Great Britain And Northern Ireland, And The United States Of America To The 2015 Treaty On The Non-Proliferation Of Nuclear Weapons Review Conference, Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/statements/30April_UKJoint.pdf (17 May, 2021).

¹² Baklitsky, Andrey (2015) 'The 2015 NPT Review Conference and the Future of the Nonproliferation Regime,' *Arms Control Today*, available at <https://www.arm-control.org/act/2015-07/features/2015-npt-review-conference-future-nonproliferation-regime> (17 May, 2021).

¹³ Middle East Nuclear and Weapons of Mass Destruction Free Zone: progress towards the convening of a Conference attended by all States of the Middle East Working Paper on behalf of the co-convening states of a Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction (Russia, UK and U.S.), NPT/CONF.2015/WP.48, available at <https://www.reachingcriticalwill.org/disarmament-fora/npt/2015/documents> (17 May, 2021).

¹⁴ Orlov, Vladimir (2015) 'The Glass Menagerie Of Non-Proliferation,' *Russia in Global Affairs*, №3, available at <https://eng.globalaffairs.ru/articles/the-glass-menagerie-of-non-proliferation/> (17 May, 2021).

In the Main Committee-I, the two countries toned down their statements, heavily emphasizing their progress in nuclear arms reductions. As the U.S. delegate, Amb. Robert Wood stated, 'disarmament is taking place every day'.¹⁵ The United States slightly reprimanded Russia for not accepting its proposal for further nuclear cuts, whereas the Russian delegation highlighted the need for an appropriate environment for more dramatic reduction. Among the relevant prerequisites Amb. Ulyanov cited:

The removal of non-strategic nuclear weapons by other countries to their territories, the elimination of all infrastructure abroad providing for the rapid deployment of non-strategic nuclear weapons and the completion of preparation for their use with the involvement of non-nuclear states would contribute to strengthening international security and further reducing and limiting nuclear arsenals.¹⁶

The same pattern of refraining from inflammatory remarks mostly persisted in the Main Committees II & III. The positions of principle (nuclear sharing) were touched upon in a reserved fashion, without making accusations warranting a determined right of reply. Later on, when the Draft Final Document was presented neither the issue of Budapest memorandum, nor the concerns about NATO nuclear sharing were included. Such an outcome implies that the two countries (as well as the drafters of the document in the Bureau of the RevCon) put a premium on securing a positive outcome of the forum rather than on engaging in verbal skirmishes.

However, when Russia put forward its own working paper on the MEWMDFZ, it came as a bad surprise for UK and U.S.. This is the issue on which two competing narratives exist in the literature.

¹⁵ Main Committee I U.S. Statement 2015 Non-Proliferation Treaty Review Conference Ambassador Robert A. Wood, United States Delegation to the Conference on Disarmament, Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/statements/1May_U.S..pdf (17 May, 2021).

¹⁶ Statement Permanent Mission of the Russian Federation to the United Nations in New York by Mikhail I. Uliyanov, Acting Head of the Delegation of the Russian Federation at the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (Cluster 1: nuclear disarmament), Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/statements/1May_Russia.pdf (17 May, 2021).

The Russian narrative is that at the final days of the RevCon, the Russian delegation tried to break the ice and presented its working paper, which it thought would be acceptable for all the parties concerned. The hope was that the Americans would grudgingly acquiesce rather than ruin the entire effort.

The United States, however, did not want to add another irritating factor to its relations with Israel. The Iran deal negotiations, which Israel vehemently opposed, were a higher priority for the Obama administration than a successful Review Conference. According to then-Assistant Secretary of State for International Security and Nonproliferation Thomas Countryman, it was the Egyptian intransigence that made a consensus final document impossible. The U.S. red lines were well-known to the President of the RevCon, Russia, and Egypt.

As Mr. Thomas Countryman, who at that time was the Assistant Secretary of State for International Security and Nonproliferation, notes:

The U.S. delegation was unable to accept an early deadline for holding an initial conference on the zone. Even more problematic was Egypt's insistence on deleting from the mandate the key phrase that had made compromise possible in 2010, that the conference be held 'on the basis of arrangements freely arrived at'. In the U.S. view, then and today, this phrase was necessary not only to make an initial conference acceptable to Israel but also for the credibility of any process that followed an initial conference.¹⁷

The American narrative was most clearly relayed by Dr. William C. Potter. As he frames it,¹⁸ by the final days of the conference, Russian diplomats realized that the U.S. would not budge from its position and, therefore, the RevCon was headed for a failure. Being responsible for such an outcome along with the United States was politically disadvantageous for Moscow. Some researchers go further and posit that this shift might have been a part of a shrewd game.

¹⁷ Countryman, Thomas (2020) 'Learning From the 2015 NPT Review Conference,' *Arms Control Today*, available at <https://www.armscontrol.org/act/2020-05/features/learning-2015-npt-review-conference> (17 May, 2021).

¹⁸ Potter, William C. (2016) 'The Unfulfilled Promise of the 2015 NPT Review Conference,' *Survival*.

'Moscow very much preferred that, if the conference were to fail, it fail over the Middle East, on which Russian views were in the majority, rather than over nuclear disarmament, on which Russia was largely isolated, alongside France'.¹⁹

The disarmament aspects of the 2015 NPT RevCon indeed often remain overlooked. One may identify three pressure points of the disarmament agenda at the Conference: the humanitarian consequences of nuclear weapons use, a reporting system for the NWS to adopt, and the monitoring of the implementation of the 2010 Action Plan.

The reporting system was difficult for Russia to accept. Action 11 of OP 154 of the Draft Final Document presented by the President reads:

The Conference [...] calls upon the nuclear-weapon States to continue their engagement on a standard reporting form and to report to the 2017 and 2019 sessions of the Preparatory Committee, [...] without prejudice to national security: (i) the number, type (strategic or non-strategic) and status (deployed or non-deployed) of nuclear warheads; (ii) the number and the type of delivery vehicles; (iii) the measures taken to reducing the role and significance of nuclear weapons in military and security concepts, doctrines and policies; (iv) the measures taken to reduce the risk of unintended, unauthorized or accidental use of nuclear weapons; (v) the measures taken to de-alert or reduce the operational readiness of nuclear weapon systems; (vi) the number and type of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts; (vii) the amount of fissile material for military purposes.²⁰

Somewhat less problematic were numerous references to the humanitarian initiative made in the section dealing with Article VI. That section also recommended to convene an open-ended working group *'to identify and elaborate effective measures for the full implementation of article VI, including legal provisions or other arrangements that contribute to and are required for the achievement and*

¹⁹ Ibid

²⁰ Source: NPT/CONF.2015/WP.58, available at <https://undocs.org/en/NPT/CONF.2015/WP.58> (17 May, 2021).

maintenance of a world without nuclear weapons. [...] The Conference recommends that the open-ended working group conduct its work on the basis of consensus'.²¹

In hindsight, one may posit that for nuclear weapons states the adoption of the draft final document presented by the president still would have been a better option than the conclusion of the Treaty on the Prohibition of Nuclear Weapons (TPNW). A working body tasked with elaborating measures to build a better security environment conducting its activities on the basis of consensus would have been more controllable and thus acceptable.

Russian diplomats, however, deny that the Russian Federation intended to torpedo the adoption of the Final Document over disarmament provisions. Conversely, Russia thought it would be able to put up with the reporting system by making an interpretative statement. As the acting head of the Russian delegation Amb. Mikhail Ulyanov emphasized in the closing statement, despite having some reservations concerning certain provisions, Russia had been prepared to join the consensus on the draft Final Document in order to strengthen the nuclear nonproliferation regime.²²

What Russia did indeed view as a problem was the U.S., and UK attempt to flirt with disarmament activists by putting forward initiatives on nuclear disarmament verification. In 2007 UK and Norway launched a joint initiative on nuclear warheads dismantlement verification, known as QUAD.²³ In December 2014, the United States along with the Nuclear Threat Initiative launched the International Partnership for Nuclear Disarmament Verification (IPNDV).²⁴ While the initiatives had been designed as a creative way to let the steam

²¹ See Draft Final Document I Volume I L Part I. Review of the operation of the Treaty, as prodded for in its article VI'II (31), taking into account the decisions and the resolution adopted by the 1995 NPT Review and Extension Conference, the Final Document of the ZOOO Review Conference and the conclusions and I recommendations for follow-on actions of the 2010 Review Conference, Reaching Critical Will, available at <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/documents/DraftFinalDocument.pdf> (17 May, 2021).

²² Summary record of the 15th meeting. 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, available at <https://undocs.org/en/NPT/CONF.2015/SR.15> (17 May, 2021).

²³ 'About us,' QUAD Disarmament Verification Partnership, available at <https://quad-nvp.info/about-us/> (17 May, 2021).

²⁴ 'About the IPNDV,' IPNDV, available at <https://www.ipndv.org/about/> (17 May, 2021).

out of the nonproliferation tank, the Russian view was that such initiatives are not helpful. First and foremost, verification is a function of the essence of relevant agreements and treaties rather than a thing in itself. Secondly, there is a danger that such verification will run counter to NPT obligations if inspectors from non-nuclear weapons states get access to sensitive information about the design of nuclear weapons.

The 2017–2021 NPT Review Cycle

The 2017–2021 NPT Review Cycle took place against a murky backdrop — at least, from the U.S.-Russia dialogue standpoint. Despite some initial hopes in Moscow, the election of Donald Trump, did not result in a thaw in the bilateral relations. Conversely, new allegations of Russian meddling in the 2016 presidential elections added up to the already long list of misperceptions and contradictions. The review cycle preceding the 10th NPT Review Conference also witnessed the demise of the INF Treaty, U.S. withdrawal from the Open Skies Treaty and the JCPOA, accusations of non-compliance with arms control agreements and chemical weapons use. The dialogue on nonproliferation, previously somewhat compartmentalized from the overall tension in the bilateral relations, seemed to have lost its privileged status. Contacts with Russia became toxic in Washington D.C., while the United States was perceived as a less and less credible and negotiable partner in Moscow.

Back in 2017, though, one could afford some optimism. The 2017 PrepCom was not tarnished with the same degree of confrontation as was the case with 2018 and 2019. One should, however, keep in mind that the PrepComs held in Vienna tend to be calmer and more business-like than the ones held in Geneva and New York. Although the two countries' priorities already diverged significantly, the two delegations did not challenge each other overtly. Such civility may be explained by several factors. Firstly, Russia still had certain hope in the Trump administration's ability to rebuild the bilateral relations and assuage some of the Russian concerns. Therefore, Moscow refrained from openly criticizing Washington at that time. Secondly, the Trump administration initiated a comprehensive review of the U.S. arms control, nonproliferation, and disarmament policies, which was still underway when the 2017 PrepCom took place. Thus, Trump's

efforts in destroying arms control and nonproliferation agreements architecture and starting from scratch did not manifest so overtly as they did later in his presidency.

By the time the 2018 PrepCom was held, the international environment seemingly deteriorated. Alleged chemical attacks in Syria and the United Kingdom, as well as the crisis of the INF Treaty, were not conducive to a successful PrepCom. What happened justified the low expectations: the tension between Russia and the United States remained unmitigated.

From the outset of the 2018 PrepCom, the United States and its allies had been addressing the issue Russia thought was extraneous to the nuclear nonproliferation regime — the alleged use of chemical weapons in Syria and the United Kingdom. As the head of the U.S. delegation, Assistant Secretary of State for International Security and Nonproliferation Dr. Christopher Ford stated:

We also cannot ignore the deleterious impact on our collective security of the repeated use of chemical weapons in Syria and the recent chemical weapons attack in Salisbury. The flouting of this critical international norm should be of great concern to us all.

In his right of reply, the head of the Russian delegation, head of the Department for Nonproliferation and Arms Control Vladimir Yermakov stated:

Out of the blue did the esteemed representative [...] here, at an NPT event, start talking about CW uses on Syrian territory. What for? The problem might be important [...] but why raise it here, on the NPT platform? [...] We reiterate our call for the esteemed delegations to never ever, under whatever pretext touch upon the issue of Syrian chemical disarmament within the NPT framework, otherwise they run the risk of undermining our forum.

The tendency towards the ample use of the right of reply continued at the 2019 PrepCom. At this juncture, however, verbal skirmishes increased in intensity and variety of subjects. Although the main clashes took place between Iran and the United States, Russia also exercised the right of reply to refute allegations of its

non-compliance with the INF Treaty. On one particular occasion, the United States even claimed that Russia had provided '*a laundry list of false claims*' about the U.S. being the sole source of everything that is wrong with nonproliferation and arms control, after which Russia characterized the U.S. statement as '*propaganda by an irresponsible state that does not contribute to the NPT*'.²⁵

One cannot get rid oneself of the impression that many of the U.S. actions were designed to elicit a strikingly negative response from Russia. In particular, no other reason explains why visas were denied to the members of the Russian delegation at the third session of the Preparatory Committee. As proved by the experience of the 74th UN General Assembly session, that was not a solitary case: Russian experts were deliberately banned from participation in nonproliferation and disarmament fora. In this case, or not, the United States was solidifying the impression that its policy was to use every opportunity to damage nonproliferation and U.S.-Russian relations.

Therefore, it should come as no surprise that Russia toughened its approaches at the 2019 PrepCom. Whereas in the general debate, the U.S. statements were generally circumventing points of disagreement, Russia voiced every contradiction it had with the United States. For instance, the Russian statement in Cluster II condemned the U.S. withdrawal from the JCPOA, urging not to attempt to impose additional obligations on Tehran; and called upon Washington to ratify the additional protocols to the Treaties of Pelindaba, Rarotonga, and Semipalatinsk, as well to ratify the CTBT.²⁶

In a nutshell, the disarmament cluster witnessed the most acute exchanges during the 2017, 2018, and 2019 PrepComs. Still, the two countries have the same success story: they have managed to reduce their nuclear arsenals by up to 85%. In 2018 they reached the numerical limits of the New START (Russia, though, has not

²⁵ NPT PrepCom 2019: Live CNS Updates, James Martin Center for Nonproliferation Studies, available at <https://www.nonproliferation.org/npt-prepcom-2019-live-cns-updates/#reply> (17 May, 2021).

²⁶ Statement by the Delegation of the Russian Federation at the Third Session of the Preparatory Committee for the 2020 Review Conference of the Parties to The Treaty on the Non-Proliferation of Nuclear Weapons (Cluster 2: Non-Proliferation and IAEA Safeguards), available at https://reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom19/statements/3May_Russia.pdf (17 May, 2021).

certified the means by which the U.S. achieved the reductions). However, the situation around the INF Treaty, the Open Skies Treaty overshadowed and destroyed many of the disarmament achievements that the two countries share.

What was striking in this Review Cycle was the U.S.'s uncompromising approaches and arrogance. As the INF Treaty was coming closer to its end, the U.S. consistently rejected Russian proposals on how to solve the crisis. As diplomats with firsthand knowledge of the INF-related relevant negotiations recall, for years the U.S. side had been refusing to reveal the specifics of what they claimed to be the Russian violations.

In the nonproliferation cluster, the two countries' positions continued to diverge. The most striking contradiction was, of course, related to NATO nuclear sharing arrangements, which Russia regards as incompatible with Articles I, II of the Treaty²⁷, the implementation of JCPOA. Less inflammatory differences were related to the creation of the WMDFZ in the Middle East, which the two countries supported, and IAEA safeguards.²⁸

The areas, where the two countries interests and rhetoric were still close, were export controls, DPRK nuclear and missile program, although the nuances still were different.





The review cycle also showed that Russia and the United States's nonproliferation philosophies are different. Moscow puts a premium on diplomatic engagement rather than pressure. Moreover, proceeding from the assumption that all of the NPT pillars should balance one another, Moscow defends Tehran's right to the development of nuclear energy, which the United States is vehemently opposed to. In the U.S. view, diplomatic engagement with DPRK and Iran exhausted itself, and only pressure can get them back to the negotiation table. The U.S. philosophy in this regard, again, was an example of arrogance, the general approach being 'you do what we tell you, and not otherwise'.

²⁷ See Chapters 1, 11 for more details regarding the issue

²⁸ Wood, Op. Cit

Chart I. U.S. and Russian positions at the 2017, 2018, and 2019 NPT PrepComs

	2017 PrepCom		2018 PrepCom		2019 PrepCom	
	Russia	U.S.	Russia	U.S.	Russia	U.S.
TPNW	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray
Noncompliance with the INF Treaty	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray
Security Environment (CEND)	Dark Gray	White	Dark Gray	White	Dark Gray	Dark Gray
Balance between 3 pillars	Dark Gray	White	White	White	White	White
Successful implementation of New START	Dark Gray	Dark Gray	Light Gray	Dark Gray	Light Gray	Dark Gray
JCPOA	Dark Gray	White	Dark Gray	White	Dark Gray	White
IAEA Safeguards:	Light Gray	Light Gray	Light Gray	Light Gray	Light Gray	Light Gray
Nuclear security	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray
NSG	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray	Dark Gray
MEWMDFZ	Light Gray	Light Gray	Light Gray	Light Gray	Light Gray	Light Gray
NWFZ in SEA and CA	Dark Gray	White	Light Gray	White	Light Gray	White
CTBT	Light Gray	White	Dark Gray	White	Dark Gray	White
DPRK nuclear and missile program	Light Gray	Light Gray	Light Gray	Light Gray	Light Gray	Dark Gray
The right to withdraw from the NPT.	White	Dark Gray	White	Dark Gray	White	Dark Gray
Nuclear sharing	Dark Gray	White	Dark Gray	White	Dark Gray	White
Successful implementation of New START	Dark Gray	Dark Gray	Light Gray	Dark Gray	Light Gray	Dark Gray

-  – converging or identical postures,
-  – divergent, but non-confrontational stances,
-  – confrontational approaches,
-  – no position clearly stated

Source: Compiled by the author based on Russian and U.S. statements at the 2017, 2018, and 2019 NPT PrepComs.

Nuclear Ban & Humanitarian Initiative

One of the few areas of convergence between Russia and the United States, as discussed at the PrepCom, was the rejection of the humanitarian initiatives aimed at concluding the Treaty on the Prohibition

of Nuclear Weapons.²⁹ Both Moscow and Washington noted that the concerted actions of Russia and the United States helped to overcome at least 80% of the path towards a nuclear-weapon-free world, which was no easy task and took a lot of resources.³⁰

At the 2017, 2018, and 2019 PrepComs the two countries openly criticized the TPNW for several serious drawbacks. First and foremost, the proponents of the ban treaty advocate for nuclear disarmament regardless of the security environment, which has become more acute in recent years. Such an approach is a frivolous interpretation of Article VI of the NPT, which, as the two countries believe, envisages nuclear disarmament only in the context of general and complete disarmament.

Moreover, the emergence of the ban treaty only contributes to the broadening of the gap between nuclear and non-nuclear weapons states, bringing more contradictions to the NPT framework. According to Amb. Robert Wood, U.S. permanent representative to the Conference on Disarmament, the proponents of the ban *'have abandoned the consensus-based approach that has served us so well over the past 50 years'*.³¹

The vital problem with TPNW is that it poses an alternative to the NPT regime. Whatever its advocates may state, it is a long-term risk for nuclear nonproliferation. In the short-term, it will only distract attention from other nonproliferation issues. In the long run, one cannot discard a scenario under which the increasing radicalization of disarmament approaches of some NNWS may lead them to withdraw from the 'unequal and discriminatory' NPT under the pretext that their obligations under the TPNW are more comprehensive. It is not by occasion that the obligations under TPNW supersede obligations under other treaties – including those under the NPT.^{32, 33}

²⁹ Wood, Op. Cit

³⁰ Ibid

³¹ Wood, Robert (2017) '2017 NPT PrepCom Cluster One Statement on Disarmament,' Reaching Critical Will, available at https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom17/statements/5May_USA.pdf (17 May, 2021).

³² 'Sebe v ushcherb razoruzhat'sya nikto ne budet,' Kommersant, available at <https://www.kommersant.ru/doc/3408885> (17 May, 2021).

³³ The Treaty on the Prohibition of Nuclear Weapons: A Well-Intentioned Mistake, available at <https://www.state.gov/remarks-and-releases-bureau-of-international-security-and-nonproliferation/the-treaty-on-the-prohibition-of-nuclear-weapons-a-well-intentioned-mistake/> (17 May, 2021).

For the United States TPNW is even more problematic as it can potentially put in risk its extended deterrence and nuclear sharing arrangements with its non-nuclear allies. While Russia displayed tolerance with regard to its allies' stance on TPNW (most notably, the one of Kazakhstan), the United States pressured its allies to vote against the draft treaty in the UN General Assembly.³⁴ In 2020, the U.S. Department of State sent a letter to the signatory states urging them to withdraw their instruments of ratification or accession.³⁵

CEND: Creating Excuses for No Disarmament?

The alternative approach to nuclear disarmament both Russia and the United States favor is to focus on the aspects of the security environment warranting the preservation of nuclear weapons. Although Russia has been emphasizing the need for such an approach from the outset of the 2017–2021 NPT review cycle, it was the United States that presented the initiative on creating the conditions for nuclear disarmament at the 2018 PrepCom. Faced with criticism from the staunchest nuclear disarmament advocates, the U.S. later rebranded the initiative as Creating the Environment for Nuclear Disarmament (CEND) so as not to create an impression that NWS would try to condition the elimination of nuclear weapons.

The move pursued a two-fold objective. The proclaimed purpose was to reframe the nuclear disarmament discourse and focus on how to ameliorate the security environment, which makes nuclear deterrent a necessity. As the author of the concept, Assistant Secretary Christopher A. Ford, posited, the step-by-step approach has exhausted itself and new creative ways are needed to overcome the existing impasse. To do so, the United States intended to engage Track I diplomats in Track II-like open and candid discussions on nonproliferation assurances, successful curtailment of other WMD threats, verification of disarmament,

³⁴ 'U.S. pressured NATO states to vote no to a ban,' ICAN, available at https://www.icanw.org/us_pressured_nato_states_to_vote_no_to_a_ban (17 May, 2021).

³⁵ 'U.S. urges countries to withdraw from UN nuke ban treaty' (2020), Associated Press, available at <https://apnews.com/article/nuclear-weapons-disarmament-latin-america-united-nations-gun-politics-4f109626a1cdd6db10560550aa1bb491> (17 May, 2021).

stability after nuclear zero as possible conditions for nuclear disarmament.³⁶

The second purpose, which is easily discernible between the lines, was to create a more positive image for the U.S. nonproliferation and arms control policies by manifesting U.S. readiness to discuss nuclear disarmament and getting the upper hand over NNWS. Such nonproliferation Potemkin villages were not invented by the Trump administration. The Obama administration also tried to gain a proactive role in nuclear disarmament issues by engaging some of the NNWS on the matters of nuclear disarmament verification, which culminated in the International Partnership for Nuclear Disarmament Verification (IPNDV). Russia is hardly sympathetic towards such initiatives, viewing verification as a function of arms control agreements, not a phenomenon in itself.

To underpin the informal character of the process, the U.S. opted for the modality of workshops comprising 25 – 30 states.³⁷ The initiative activities were structured within 3 subgroups focused on, correspondingly,

- Reducing perceived incentives for states to retain, acquire, or increase their holdings of nuclear weapons and increasing incentives to reduce and eliminate nuclear weapons.
- Mechanisms to bolster nonproliferation efforts and build confidence in and further advance nuclear disarmament.
- Interim measures to reduce the risks associated with nuclear weapons.³⁸

According to Thomas Countryman, former Under Secretary of State in the Obama administration, for some people in the Trump administration 'talking about creating the environment was the excuse

³⁶ Ford, Christopher A. (2018) 'Creating the Conditions for Nuclear Disarmament: A New Approach,' U.S. Department of State, available at <https://2017-2021.state.gov/remarks-and-releases-bureau-of-international-security-and-nonproliferation/creating-the-conditions-for-nuclear-disarmament-a-new-approach/index.html> (17 May, 2021).

³⁷ The P5 Process and Approaches to Nuclear Disarmament: A New Structured Dialogue. U.S. Department of State, available at <https://www.state.gov/the-p5-process-and-approaches-to-nuclear-disarmament-a-new-structured-dialogue/> (17 May, 2021).

³⁸ Moving Forward With the CEND Initiative, Department of State, available at <https://www.state.gov/moving-forward-with-the-cend-initiative/> (17 May, 2021).

for doing nothing at all'.³⁹ As one of the Russian arms control and nonproliferation officials acknowledged, 'CEND is a nothing burger'.⁴⁰ In Moscow, the CEND is seen as a reformatted Russian idea, which, implemented by the Americans, mostly lost its essence. The Russian officials interviewed for this chapter say that the American side frames the discussion in a way beneficial only for them, avoiding serious talks about strategic stability.

However, Russia does favor discussing concrete concerns in the field of strategic stability rather than abstract conditions for nuclear disarmament. In its working paper presented at the 2019 PrepCom, Russia was quite specific on the issues to be tackled to create prerequisites for nuclear disarmament. Those include the unrestricted deployment of global missile defense systems, development of non-nuclear high-precision strategic offensive weapons, a prospect of deploying strike weapons in outer space, and growing quality and quantity imbalances in the sphere of conventional arms.⁴¹

Russia, however, recognizes that it still makes sense for Moscow to participate in this process, because 'it is better to be a part of the process, rather than not'.

New START Implementation & Extension Debates

After the U.S. withdrawal from the INF Treaty, the New START remained the only arms control thread connecting Moscow and Washington. Although both Russia and the United States underscored the value of the New START Treaty implementation as a practical step in nuclear disarmament, the attempts to extend the treaty under

³⁹ 'How to Overcome the Impasse on Nuclear Disarmament: An Interview with Thomas Countryman' (2019), *Journal for Peace and Nuclear Disarmament*, Volume 2, Issue 2, available at <https://www.tandfonline.com/doi/full/10.1080/25751654.2019.1698142> (17 May, 2021).

⁴⁰ Author's conversation on the margins of PIR Center-CSIS joint seminar on reducing nuclear risks during great power competition, December 10, 2019.

⁴¹ Statement by Director General Vladimir Yermakov, Head of the Delegation of the Russian Federation at the Second Session of the Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Reaching Critical Will*, available at https://reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom18/statements/24April_RussianFederation.pdf (17 May, 2021).

the Trump administration failed despite all the goodwill displayed by Russian diplomacy.

Although the two countries reached the numerical limits provided for in the treaty in 2018, Russia was unable to certify that the U.S. did so in a manner compatible with the obligations under the Treaty. Firstly, Russia insisted that four ICBM silos had been removed from accountability after being designated for training purposes, which is not envisaged by the Treaty. Secondly, four SLBM silos on all of the fourteen Ohio-class SSBNs had not been irreversibly incapacitated by the U.S. Hence, the U.S. breakout potential at the sea component only was 64 missiles, each capable of delivering up to 8 warheads. Finally, as Russia saw it, there were issues with the reconfiguration of nuclear-capable heavy bombers for non-strategic ends.⁴²

Later on, in December 2019, President Putin offered an unconditional extension to the U.S.⁴³ This proposal, however, did not mean that Russia stopped pressing the U.S. side on the issue of silos removed from accountability by non-certified means. Russia simply decided to refrain from conditioning the extension with the solution to Russian concerns.

That, nevertheless did not prompt the U.S. side to agree to extend the treaty. Moreover, the flexibility displayed by Russia created an impression among some decision-makers in Washington D.C. that Russia needed arms control and the New START^{44, 45} more than the United States. Hence, there was a misguided perception that Russia would be willing to make concessions to get an extension. Several rounds of consultations led by Deputy Foreign Minister Ryabkov and Special Presidential Envoy Marshall Billingslea,

⁴² Foreign Ministry statement, February 02, 2018, available at https://www.mid.ru/ru/press_service/spokesman/official_statement/-/asset_publisher/t2GCdmD8RNIr/content/id/3054864?p_p_id=101_INSTANCE_t2GCdmD8RNIr&_101_INSTANCE_t2GCdmD8RNIr_languageId=en_GB (17 May, 2021).

⁴³ 'Putin predlozhit SSHA prodlit' dogovor o yadernyh vooruzheniyah bez uslovij' (2019), RBC, available at <https://www.rbc.ru/politics/05/12/2019/5de92a069a794720c071e8da> (17 May, 2021).

⁴⁴ Transcript: Special Presidential Envoy Marshall Billingslea on the Future of Nuclear Arms Control, The Hudson Institute, available at <https://www.hudson.org/research/16062-transcript-special-presidential-envoy-marshall-billingslea-on-the-future-of-nuclear-arms-control> (17 May, 2021).

⁴⁵ 'Rossijskie i amerikanskije eksperty kommentiruyut znachenie i perspektivy DSNV,' PIR Center, available at <http://www.pircenter.org/articles/2216-885200/print/1> (17 May, 2021).

however, demonstrated that pressure in arms control does not work as designed. The U.S. requested too much while offering too little. American attempts to get stronger verification measures, including continued monitoring of Russian nuclear weapons sited and freezing Russia's non-strategic nuclear arsenal in exchange for a fleeting extension of the New START was not the basis for a good deal.⁴⁶

Eventually, the Treaty was extended in the first days of the Biden administration without any preconditions or add-ons, as initially proposed by Russia.

P5: Any Chances for Successful Engagement?

Given the fact that the U.S.-Russia bilateral dialogue was strained at best, it is reasonable to ask if going multilateral would be of any help. The most appropriate multilateral format where Russia and the United States can cooperate is the P5 dialogue on nuclear issues. Established in 2009, its primary objective was to discuss verification matters as an essential element of nuclear disarmament. However, by 2020 its portfolio has significantly expanded. The first work plan adopted at the P5 conference in Beijing in 2019 features discussions on nuclear doctrines, further development of a glossary of key nuclear terms, consultations on FMCT and Bangkok Treaty issues.⁴⁷

In 2017 and 2018, the dialogue between the five NWS stalled due to increased geopolitical tensions, but there were attempts to revive it. In particular, just before ceding the presidency to China, Russia held a P5 dialogue at the 2018 NPT PrepCom. Though it is difficult to say that the Russian effort yielded tangible results, the attempt is a good thing by itself. According to Mr. Vladimir Yermakov, Director of the Department for Nonproliferation and Arms Control Affairs of the Ministry of Foreign Affairs of the Russian Federation, such dialogue was necessary because neither the U.S.

⁴⁶ 'Na toj osnove, kotoruyu predlagayut amerikancy, horoshaya sdelka ne prosmatrivaetsya' (2020), Kommersant, available at <https://www.kommersant.ru/doc/4501227> (17 May, 2021).

⁴⁷ Shetty, Shatabhisha; Williams, Heather (2020) 'The P5 Process: Opportunities for Success in the NPT Review Conference,' European Leadership Network, available at <https://www.europeanleadershipnetwork.org/report/the-p5-process-opportunities-for-success/> (17 May, 2021).

nor the UK would disappear from the world arena. Moreover, Russia was unwilling to leave the P5 'decomposed' before transferring the presidency to China.⁴⁸

The full-scale P5 conference, which took place in Beijing on January 30–31, 2019 was not able to produce a consensus joint statement either. However, as Deputy Foreign Minister of Russia Sergey Ryabkov stated, the meeting was undoubtedly useful because the exchanges with the United States were sporadic and in short supply. Thus, any opportunity for high-level engagement was important.⁴⁹

Subsequent events under the British presidency neither gave many reasons for optimism, though it was not due to Russian-American divergences. At the conference, the main stumbling block was the increasing Sino-American tension concerning arms control. Beijing deemed the U.S. proposals on trilateral arms control as an attempt to divert attention from its unwillingness to extend the landmark New START Treaty, whereas Washington accuses Beijing of not paying attention to its proposals.

At the 2020 UNGA First Committee session the P5 countries managed to produce a joint statement, heavily focused on the NPT.⁵⁰ While its meaning is mostly symbolic, the ability of the five official NWS to cooperate was a positive sign.

All in all, there is a promise in the plans to hold a joint P5 briefing on nuclear doctrines on the margins of the upcoming NPT Review Conference. However, for these plans to materialize the NWS (and Moscow and Washington in particular) have to find a common denominator on the issue, which is currently missing. Another track of interaction is intended to reiterate the Reagan-Gorbachev formula that 'a nuclear war cannot be won and should never be thought' on a multilateral basis.

As to the utility of the format, both Russia and the United States recognize that the dialogue between the five official nuclear

⁴⁸ Adlan Margoev's interview with Vladimir Yermakov, 5 December 2018.

⁴⁹ 'Ryabkov: Strany "yadernoj pyaterki" ne sdelali zayavlenie po itogam vstrechi,' Rossijskaya gazeta, available at <https://rg.ru/2019/01/30/riabkov-strany-iadernoj-piaterki-ne-sdelali-zaiavlenie-po-itogam-vstrechi.html> (17 May, 2021).

⁵⁰ Chair's statement, UNGA First Committee 2020 France on behalf of the P5 countries, Reaching Critical Will, available at https://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com20/statements/19Oct_P5.pdf (17 May, 2021).

weapons states is helpful. The atmosphere at the closed meetings of the P5 is described as 'business-like'. However, Russian interviewees with first-hand knowledge of the situation lament that such atmosphere disappears into thin air in public statements of the United States.

Iran Nuclear Deal

In 2017 – 2021, NPT Review Cycle preserving JCPOA was the priority for Russia, whereas the United States, in contrast, did its best to subvert the deal and achieve a broader agreement with Iran on the ruins of JCPOA. At the 2017 PrepCom the United States preferred to keep a low profile on JCPOA, emphasizing the need for Tehran to be in full compliance with the provisions of the deal. In the general debate, the American delegation put a premium on addressing the DPRK nuclear and missile program.

By the beginning of the 2018 PrepCom, anti-Iranian sentiments reached new heights in the American policy. With the appointment of Amb. John Bolton as the national security advisor, the fate of JCPOA was preordained. As John Bolton himself recalls in his memoir, it took him only one month to implement the withdrawal, which was previously blocked by NSC staff and Secretary of Defense James Mattis. The NPT Review Process was not a factor in his calculations. Rather, the decisive role was played by the Israeli Prime Minister, who presented the alleged Iranian nuclear archives acquired by Mossad.⁵¹

Although the withdrawal from the deal was announced after the PrepCom, the change of heart was conspicuous from the statements by the American delegation, as the head of the U.S. delegation, Assistant Secretary of State for International Security And Nonproliferation Christopher Ford stated in the general debate:

The nonproliferation regime faces a very different, but still very real, longer-term challenge from Iran – a country that for years illegally and secretly sought to develop nuclear weapons, suspended its weaponization work only when confronted by the potentially direst of consequences without

⁵¹ Bolton, John (2020) *The Room Where It Happened*, Simon & Shuster.

ever coming clean about its illicit endeavors, for several more years continued its efforts to enrich uranium in violation of legally-binding UN Security Council requirements, and retains the ability to position itself, several years hence, dangerously close to rapid weaponization.

The Russian Foreign Ministry condemned the move in the most decisive terms, claiming that it was another corroboration of Washington's intractability.⁵² According to the Russian Permanent Representative to the international organizations in Vienna Mikhail Ulyanov the U.S. withdrawal from this landmark agreement would not have been such a problem if the United States had not been trying to push other states out of the agreement with the use of sanctions.⁵³

Indeed, not only did the U.S. withdraw from JCPOA, it deliberately interfered with others' making contributions to the nuclear nonproliferation regime. The biggest problem here was the extrajurisdictional character of U.S. sanctions against Iran. For instance, faced with the risk of American sanctions, in 2019, TVEL (Rosatom state corporation company in charge of fuel supplies) had to stop works on reprofiling Fordow fuel enrichment plant.⁵⁴ In May 2020 Secretary of State Michael Pompeo announced that the United States would end waivers, allowing Russian, British, and Chinese companies to work at Iranian nuclear facilities.⁵⁵ Although the major project in Russian-Iranian nuclear cooperation — the Bushehr nuclear power plant — remained unsanctioned, U.S. officials hinted that

⁵² Foreign Ministry statement on developments around the Joint Comprehensive Plan of Action on Iran's nuclear program, Ministry of Foreign Affairs of the Russian Federation, available at https://www.mid.ru/adernoe-nerasprostranenie/-/asset_publisher/JrcRGi5UdnBO/content/id/3212053?p_p_id=101_INSTANCE_JrcRGi5UdnBO&_101_INSTANCE_JrcRGi5UdnBO_languageId=en_GB (17 May, 2021).

⁵³ 'Interv'yu Postoyannogo predstavatelya Rossii pri mezhdunarodnyh organizacijah v Vene M.I.Ul'yanova,' *Izvestiya*, Ministry of Foreign Affairs of the Russian federation, 2018, available at https://www.mid.ru/web/guest/foreign_policy/international_safety/disarmament/-/asset_publisher/rp0fiUBmANaH/content/id/3365452 (17 May, 2021).

⁵⁴ 'Rosatom Drifts Away from Iran,' *Kommersant*, December 5, 2019, available at <https://www.kommersant.ru/doc/4181801> (17 May, 2021).

⁵⁵ 'U.S. to Cancel Sanction Waivers For Nuclear Projects in Iran,' *RBC*, May 28, 2020, available at <https://www.rbc.ru/politics/28/05/2020/5ecef4b49a794705e8b6d722> (17 May, 2021).

they contemplate imposing restrictions against the 2nd and 3rd blocks of the NPP.⁵⁶

The culmination of the U.S. disdain for international institutions and JCPOA was its attempt to reinstate all the UN sanctions, which were in force before the conclusion of JCPOA, invoking the snapback provision. Such a move, however, was rejected decisively by an overwhelming majority of UNSC members, including close U.S. partners.⁵⁷

IAEA Safeguards

In 2018 Assistant Secretary of State for International Security and Nonproliferation Christopher Ford highlighted the differences on IAEA safeguards as one of the 'problem areas'.⁵⁸ By not requiring an Additional Protocol, he continued, for the construction of nuclear power plants (NPPs) Russia is advancing its political agenda rather than the peaceful uses of nuclear energy.

Russia indeed does not have the same requirements for nuclear cooperation with its partners as the United States. This, however, is not a deviation from the nonproliferation regime: Additional Protocol is desirable, but not obligatory. While recognizing that the effective implementation of NPT relies on IAEA safeguards, Russia also warned that safeguards should remain impartial, technically credible, non-politicized, and based on the rights and obligations of the parties under their safeguards agreements. Moreover, as Russia sees it, the work on the state-level approach to IAEA safeguards is far from over. The development of new approaches to apply the IAEA safeguards should be transparent.⁵⁹

The Russian stance on the issue is that the Agency should not go beyond what is explicitly envisaged in the safeguards agreements

⁵⁶ 'U.S. Department of State: U.S. Sanction Waivers Do Not Apply to New Bushehr Blocks,' AtomInfo, May 28, 2020, available at <http://atominfo.ru/newsz01/a0652.htm> (17 May, 2021).

⁵⁷ 'Iran nuclear deal: UN rejects U.S. bid to "snapback" Iran sanctions,' BBC, available at <https://www.bbc.com/news/world-middle-east-53912771> (17 May, 2021).

⁵⁸ The Challenge and the Potential of U.S. – Russian Nonproliferation Cooperation, U.S. Department of State, available at <https://www.state.gov/remarks-and-releases-bureau-of-international-security-and-nonproliferation/the-challenge-and-the-potential-of-u-s-russian-nonproliferation-cooperation/> (17 May, 2021).

⁵⁹ Ulyanov, Op. Cit

and should avoid politicization of the safeguards. In particular, verification activities should be carried out solely based on safeguard- and facility-relevant information rather than proceeding from assumptions about the state's intentions or intelligence provided by third parties.

Moscow is specifically concerned about the lack of regulation regarding the information the IAEA receives from third countries and calls for more transparency in the implementation of the SLC.

Another reason for concern is the fact that the motivations or 'state-specific factors' take precedence over capabilities. For instance, countries with a well-developed nuclear fuel cycle, are subject to fewer IAEA inspections, which, as Russia frames the issue, should be corrected.

For the United States, the priority in terms of IAEA safeguards is to universalize the Additional Protocol⁶⁰ to enforce the Additional Protocol as '*the de facto standard for assuring compliance with the Treaty's safeguards obligations*'. The U.S. delegate continued by claiming that '*who raise objections to the AP or who craft treaties that ignore this essential standard*' undercut the efficacy of the entire safeguards system.⁶¹ Although not named directly, Russia is being criticized here for not demanding an AP in force for its nuclear cooperation with other nations.

It would be an overstatement to portray Russian and American differences regarding the peaceful uses cluster as something major. It would be more correct to say that the two countries have different priorities. For instance, the USA is of an opinion that universal adherence to the Additional Protocol should be a norm rather than an exception, whereas the Russian stance with this regard is more liberal. At the same time, Russia keeps a wary eye on the IAEA Secretariat state-level approach, giving it more leeway in planning safeguard activities. Russian diplomacy is mostly concerned about two circumstances. Firstly, the use of third-party information by the IAEA is not regulated. As it was manifested at the Board of Governors session in June 2020, the safeguards might be politicized based on the intelligence gathered by a third country (Israel in the Iranian

⁶⁰ Wood, Op. Cit

⁶¹ Statement by Ambassador Robert A. Wood Permanent Representative of the United States to the Conference on Disarmament, available at https://reach-ingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom18/statements/27April_U.S..pdf (17 May, 2021).

case). The second concern is that instead of inspecting countries with developed nuclear fuel cycle (NFC) and focusing on facilities, the Agency may start to focus on motivations, which will make safeguards a tool of punishment.

Why No Cooperation?

The Russian optics would be that Washington was no longer interested in pursuing multilateral diplomacy as such. Such impression is reinforced by the U.S. provocative actions concerning major arms control and nonproliferation mechanisms, its withdrawal JCPOA, INF Treaty, Open Skies Treaty. The reality of diplomacy, where a good deal is the one all parties are equally dissatisfied with, was inconsistent with the 'America first' credo. Under the Trump administration, there was little or no appetite for seeking well-balanced agreements in nonproliferation and arms control, the objective was to 'squeeze' the counteragents to get maximum concessions.

This intransigence is rooted in the rise of nationalism within the Republican Party, with nationalism being equal to the feeling of superiority over other nations. This perception that America is stronger and more righteous than other countries prompted Washington to pursue policies through strength, all or nothing deals.⁶²

Such uncompromising policy, as Russia perceived it, warranted a determined response. While cooperation was still seen as desirable, Moscow did not intend to beg for such cooperation no matter what. Russia would be interested in returning to the previous level of nonproliferation dialogue and does not see NPT as an arena for confrontation, but, unfortunately, the U.S. political agenda under the Trump administration made such an outcome unlikely.

Another issue is that discussions within the NPT framework seem to have fallen victim of the 'general Russophobic approaches' and acute contradictions regarding the OPCW and the cases of chemical weapons use. The introduction of 'fleeting political discussions' to the nuclear nonproliferation agenda impedes fruitful cooperation between the two countries. After the United States and their allies voiced harsh accusations against Russian, the Russian delegation

⁶² 'Tomas Kantrimen o rossijsko-amerikanskih strategicheskikh otnosheniyah,' *Novyj oboronnyj zakaz*, available at <https://dfnc.ru/arhiv-zhurnalov/2020-6-65/tomas-kantrimen-o-rossijsko-amerikanskih-strategicheskikh-otnosheniyah/> (17 May, 2021).

had no other option but to respond, there was just no incentive to leave those unsubstantiated allegations unanswered.

Safeguards merit special consideration. High-ranking officials at the Russian Foreign ministry are concerned that the Russian reservations addressed to the IAEA Secretariat are interpreted as if 'the Russians were opposed to the SLC'. The motive for the Russian Federation to insist upon clarity is not just care for the viability of IAEA safeguards — Russian commercial interests are also at stake. The risk Russia sees is that safeguards will become an instrument of unfair competition aimed against Rosatom State Corporation.

A more long-term trend, as it is perceived in Moscow, is that in comparison to the Cold War period Russia is not regarded as a peer competitor, as an equal, and it is not considered a state whose views are to be taken into account. Therefore, Russia is somewhat losing interest in insulating nonproliferation from other issues in the bilateral relations, because there is a perception that such insulation serves only American interests. As a high-ranking Russian official told the author, *'it is not correct to isolate these issues. We had cooperation on JCPOA because the Americans thought that such cooperation was in their interest. And on other matters, we were treated with contempt. Therefore, it is not feasible to completely forget about the overall state of the bilateral relations'*.⁶³

At the same time, the lack of cooperative efforts on the U.S. side may be accounted for by several circumstances.

Firstly, various administration officials have acknowledged the Trump administration's aspiration to do things differently than Obama. Trump's domestic considerations also played a role here: he wanted to make nonproliferation and arms control an instrument of seeking re-election rather than a means for advancing U.S. interests. That led to the U.S. diplomacy being focused on low-hanging fruits, which is not the case with U.S.-Russian dialogue.

Secondly, due to the turmoil in the U.S. home politics coupled with the overall deterioration of the bilateral relations, Russia has become a toxic subject in American politics. There are not so many people who would invest their political capital in the reconstruction of the bilateral dialogue. The mainstream in Washington is that Russia is culpable of whatever is damaging the U.S. interests. As it was

⁶³ Interview with a senior Russian Foreign Ministry official in charge of nonproliferation matters.

the case with the alleged Russian bounties, however, far-fetched allegations may be, Washington will accept them at face value. Those who understand the futility of this state of affairs are not many and do not run the risk of going against the mainstream. The same goes with the former champions of the reset in the Russia-U.S. relationship suffered a severe blow after Crimea became part of Russia. 'Once beaten, twice shy' proverb is indeed applicable to this case. As John Bolton admits in his memoir, people in Washington D.C. were simply afraid to talk to Russian diplomats.

This argument, however, does not explain why it was impossible to keep at least some level of civility during the three PrepComs. Doing so, apparently, does not take that much political capital.

Thirdly, there is a belief in Washington that Russia will accuse the United States of whatever problem in the nonproliferation realm. Such perception might have been reinforced by the outcome of the 2015 Review Conference, when, as some U.S. experts⁶⁴⁶⁵ put it, Russia prompted the U.S. to frustrate a consensus final document so as not to make concessions on the disarmament pillar. According to a former U.S. Department of Defense official, there is an impression that Russia is just playing politics at various international platforms, including the OPCW, IAEA, and others.⁶⁶

Indeed, the two countries have become increasingly difficult partners in the nonproliferation domain. Based on Russia's stance on Iran, Syria the United States's perception is that Russia will put a premium on protecting its allies and partners rather than on advancing nonproliferation goals.⁶⁷ But Russia has no less reasons to claim that Washington is just playing politics. The conspicuous examples of that are the U.S. attempts to snap back UNSC sanctions on Iran or its hard line stance in the IAEA BoG, let alone its unconditional backing of the Israeli stance vis-à-vis the WMDFZ in the Middle East.

⁶⁴ Potter, William C. (2016) 'The Unfulfilled Promise of the 2015 NPT Review Conference,' *Survival*, Volume 58, Issue 1, available at <https://www.tandfonline.com/doi/abs/10.1080/00396338.2016.1142144> (17 May, 2021).

⁶⁵ Countryman, Thomas (2020) 'Learning From the 2015 NPT Review Conference,' *Arms Control Today*, available at <https://www.armscontrol.org/act/2020-05/features/learning-2015-npt-review-conference#bio> (17 May, 2021).

⁶⁶ Author's conversation with Dr. Philip Bleek, professor at the Middlebury Institute of International Studies

⁶⁷ Einhorn, Robert (2016) 'Prospects for U.S. Russian nonproliferation cooperation,' *Brookings*, available at <https://www.brookings.edu/research/prospects-for-u-s-russian-nonproliferation-cooperation/> (17 May, 2021).

Finally, there is a factor that is not often voiced and that was most explicitly expressed by Assistant Secretary of State Christopher Ford. Dr. Ford has characterized Russia as a 'grievance state', whose ideology is predicated upon affronted grandeur and the image of foreign enemies. Although challenging such ideologically charged claims is beyond the reach of this chapter, it would be reasonable to assume that the belief in Russia's weakness was shared by at least some decision-makers in the Trump administration. The notion of Russia's grievances and weakness is conducive to negotiations from the position of strength and does not foster real cooperation. While this may not be the main driving force of the U.S. unwillingness to cooperate, it still weighs in relevant deliberations.⁶⁸

It is also a sad reality of the current nonproliferation diplomacy that a blame game against Russia incurs no costs. While the United States thanks to its broad alliances and networks of partnership may multiply their provocative position putting their lines in the mouth of their allies, the Russia CSTO allies prefer to keep a low profile at PrepComs.

Prospects for the Future

As discussed above, the U.S.-Russia interaction on nonproliferation issues was almost to no avail. Meanwhile, the divide within the NPT is growing, which is the major danger for the resilience of the nuclear nonproliferation regime. The NNWS are dissatisfied with the lack of progress on nuclear disarmament, the Arab states (and, most notably, Egypt) are frustrated over the WMDFZ in the Middle East. The rift between Russia and the United States does nothing to mitigate the aforementioned perils.

The nonproliferation regime, perhaps, should be thankful to the COVID-19 global pandemic responsible for the postponement of the X NPT Review Conference. Should the conference have taken place in April-May 2020 as planned, it most likely would have ended without a consensus final document.⁶⁹ It is not that the nonproliferation

⁶⁸ 'Ideological "Grievance States" and Nonproliferation: China, Russia, and Iran,' U.S. Department of State, available at <https://www.state.gov/ideological-grievance-states-and-nonproliferation-china-russia-and-iran/> (17 May, 2021).

⁶⁹ Rauf, Tariq (2020) 'Postponement of the 2020 NPT Review Conference: Possible Implications,' Working Paper prepared for the CNS Working Group on Alter-

regime would have collapsed the next day, but its credibility would have suffered a severe blow.

The post-COVID-19 Review Conference is neither safeguarded against a collapse, but the political time-out caused by the pandemic has at least allowed the major world capitals to take some time out. The election of Joseph R. Biden is a positive sign for the X NPT Review Conference, yet, the new administration will still have to address Trump's legacy.

Presumably, many in the world expect that with the new administration policymakers in Washington will experience a catharsis of sorts. Indeed, the Biden foreign policy has displayed more flexibility. Its fundamental objective is to restore the U.S. image abroad. To do so in the nonproliferation domain the U.S. extended the New START and began talks to return to JCPOA.

Lessons Learned

Lesson 1. The lack of constant dialogue is a major obstacle for cooperation. It does not imply that constant dialogue will be able to resolve all the differences by itself, of course not. However, political will, which is instrumental in achieving progress, is impossible without dialogue at the working level. The point is that decision-makers are informed by their subordinates, and in the absence of workable exchanges the U.S. policymakers were misinformed by their subordinates.

A paradox of the U.S.-Russia nonproliferation dialogue under the Trump administration is that the more insistent Russia was on having such dialogue, the more resistant was the U.S. foreign policy establishment. Despite some high-level contacts, including Putin-Trump summits, which seemingly yielded positive results, those summits did not translate into a workable relationship. Perhaps, Russia should have initially lowered its expectations about the opportunities for cooperation under Trump. Its insistence only prompted 'hawks' in the American establishment to believe that Russia benefited from such cooperation to a greater extent than the United States, which is wrong. As Mr. Alexander Kolbin argues in his chapter, U.S.-Russian

native Approaches to Nuclear Disarmament, Center for Nonproliferation Studies, available at https://nonproliferation.org/wp-content/uploads/2020/05/postponement_2020_npt_reviewcon.pdf (17 May, 2021).

interaction is only fruitful when the two countries act as peers, as equals. Once Washington understands that it is no more equal than Russia is in terms of nonproliferation, a renewed dialogue will be possible.

It also should be recognized that during the Trump years the importance of personal diplomacy and summits was overestimated. Bureaucracy and the resistance from Congress may undermine whatever political progress if it suits their political agenda. Cooperation is only possible when both the bureaucracy and the political leadership are in touch with their counterparts. Hence, without interparliamentary and working-level interaction, progress on nonproliferation is more difficult to achieve.

Lesson 2. Washington has become an unreliable partner. In any negotiations with the U.S., Russia (as well as other stakeholders) will be cognizant that any long-term deals are almost impossible to achieve with Washington. Given the polarization in the U.S. political system, any agreements sealed by the incumbent administration are likely to be scrapped by the other one. Therefore, Russia will now make every effort to make any future agreement with the U.S. 'fool-tolerant'. In particular after U.S. efforts to invoke the snapback provisions of the JCPOA it is hardly conceivable that a similar provision will ever appear again.

For the same reason, at the upcoming Review Conference Russia would forge the cooperation between the entire P5 rather than seek some exclusive partnership with the United States. As demonstrated by the U.S. attempt to invoke the 'snapback' provision of JCPOA, other permanent members can still counterbalance the U.S. actions. The only area where privileged bilateral cooperation is still warranted is the field of arms control. Since the United Kingdom, France, and China are reluctant to join arms control, it is still up to solely Moscow and Washington to make progress in this area and elaborate such proposals, which would be attractive for the rest of the nuclear powers.

Lesson 3. The U.S.-Russian current nonproliferation cooperation model is crisis management. As it is evident from the 2017–2019 PrepComs the NPT diplomacy considerations are not a factor that is necessarily conducive to cooperation. Moreover, the two countries are rather unwilling to make concessions on crucial issues

(arms control) for the sake of abstract strengthening of the nuclear nonproliferation regime. It does not, however, take a lot of time for Moscow and Washington to establish constructive cooperation in the cases where NPT faces a threat from the others. Iran's nuclear program was a good example of that before 2017, countering TPNW negative impact on the NPT regime has become one of the areas for early-stage crisis management in the bilateral relations.

However, we are indispensable partners: not a lot can be done without at least the acquiescence of Moscow or Washington in solving real-world nonproliferation problems.

Lesson 4. Politicization of the nuclear nonproliferation regime may be the new normal. It is, however, no justification for playing dirty tricks in diplomacy. It is hardly arguable that Russian and the United States are distrustful of each other and hold different and sometimes opposite stances. The overall bilateral relationship is adversarial rather than cooperative, and it is not excluded that dirty linen of the bilateral relations will be washed in public on nonproliferation-related fora. Nonetheless, different stances do not justify dirty tricks: denying visas for delegations or purposeful misrepresentation of each other's policies. Such actions are below the dignity of diplomacy.