

Strengthening the CPPNM Regime through Regular Review Conferences

In 2021, the IAEA will convene the first review conference for the Amended Convention on the Physical Protection of Nuclear Material (CPPNM). The amended CPPNM is one of the most important tools in the fight against nuclear terrorism and is the only legally binding treaty requiring countries to protect nuclear materials and facilities. Article 16 of the amended CPPNM requires the IAEA, the treaty's depositary, to convene a review conference five years after the amendment's entry into force. States should use the review conference to create a forum for parties to engage in regular dialogue on how the treaty is being translated into on-the-ground nuclear security progress and to monitor and identify gaps in implementation, review progress, promote continuous improvement, and discuss emerging nuclear threats. Parties can turn the amended CPPNM into a living, breathing tool for dialogue and progress and demonstrate their commitment to building a strong, effective, and sustainable CPPNM regime. The amended CPPNM provides almost no guidance for the review conference, only stating that the review conference will "review the implementation of this Convention and its adequacy as concerns the preamble, the whole of the operative part and the annexes in light of the then prevailing situation." This minimal guidance allows parties to design a review conference with outcomes that are most likely to achieve the objectives of a strong, effective, and sustainable treaty regime. States should be ambitious and take advantage of this singular opportunity. Perhaps the most important outcome of the 2021 review conference would be a decision to hold regular review conferences in the future with intervals of not less than five years, as allowed by Article 16. Because the terrorist threat will continue to evolve, the treaty must also be dynamic and able to evolve as the security context changes. This will require parties to discuss regularly the treaty's implementation over time, reflecting, for example, on changes in the threat environment, advances in states' ability to protect materials and facilities, development of best practices, and emerging technologies. The treaty's own language—that the purpose of the review conference is to review the implementation of the treaty "in the light of the then prevailing situation"—acknowledges this reality. Continuity of the review process, particularly opportunities for regular dialogue on nuclear security, will enable the treaty to maintain its long-term relevance. This paper provides a rationale for parties to hold review conferences regularly and suggests proposed outcomes to achieve a robust and substantive review conference. It also argues that the amended CPPNM review conference and the IAEA International Conference on Nuclear Security can each provide unique benefits to strengthening global nuclear security.

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