

Preparing for NPT Prep Com Session I (Vienna)
Strengthened Review Process: *Permanence with Accountability*
27 June 2023 / Session I: 10.45—11.30
VIC Board Room D

**Finding common ground for the NPT PrepCom 2023
and the Working Group on the Review Process**

by Tariq Rauf

SUMMARY

Recommendations for the “Working Group on further strengthening the review process”

1. The Working Group on further strengthening the review process (WG-SRP) at its meeting in July must reaffirm the authority, validity and integrity of the 1995/2000 decisions on the strengthened review process.
2. The WG-SRP at its meeting in July needs to clarify and develop common understandings on its mandate and methods of work, while ensuring that the existing mandated strengthened review process is not weakened nor undermined.
3. The WG-SRP at its meeting in July in establishing its mandate and programme of work must ensure that the validity and integrity of the 1995/2000 decisions on the strengthened review process is not weakened, compromised or reversed.
4. The WG-SRP at its meeting in July could consider recommending early decisions on the bureau for the PrepCom and the Review Conference taking into account that reassignments of officers could well take place during the review cycle.
5. The WG-SRP at its meeting in July could consider recommending to the PrepCom to consider and assess the merits of the following propositions:

- (a) Technical briefings by the NWS on their reports, nuclear doctrines and nuclear force postures under Cluster 1;
- (b) Interactive discussions on nuclear disarmament matters under Cluster 1 involving States parties, NWS technical experts, and IAEA, CTBTO, UN ODA and UNIDIR; under Cluster 2 on nuclear verification and nuclear security including the IAEA and UNSCEAR, ABACC, EURATOM, OPANAL, AFCONE, and WINS; and under Cluster 3 on peaceful uses of nuclear energy and nuclear safety including the IAEA, representatives of nuclear industry, WANO, CANDU Operators Group, Senior Regulators Group, the International Energy Agency (IEA), the OECD Nuclear Energy Agency (NEA), and the World Nuclear Association.
- (c) Presentations by civil society experts to be drawn on the basis of a fair and balanced geographic distribution with one expert each from Africa, Europe (Western), Europe (Eastern), Central Asia, South Asia, Middle East, ASEAN States, South Pacific, North America, South America, the Caribbean, Far East (Japan/RoK), and Antipodes (Australia/New Zealand). Interactive discussions to be scheduled for one (or two) meetings of the PrepCom under each of the three Clusters, and at each main committee at the review conference.

Recommendations for the PrepCom

1. The PrepCom could request UNODA provide funding to the UNRCPD, UNLIREC and UNREC to liaise with universities and think-tanks in their respective regions on NPT matters, with the support of regional States to arrange workshops on the NPT, and provide experts to brief delegates at the PrepCom and the review conference on relevant substantive matters under the three clusters and main committee deliberations. The Chairs must ensure fair and balanced geographic distribution for such briefings at one meeting of the PrepCom under each of the three Clusters, and at each main committee at the review conference, for briefings by experts from Africa, Africa, Europe (Western), Europe (Eastern), Central Asia, South Asia, Middle East,

ASEAN States, South Pacific, North America, South America, the Caribbean, Far East (Japan/RoK), and Antipodes (Australia/New Zealand). It is essential that such expert briefings reflect the views of the broad membership of the Treaty. If necessary, funds should be provided from the budget of the NPT review cycle to enable experts from the global South to prepare briefing materials and for travel and subsistence expenses to attend the PrepCom and review conference.

2. The PrepCom could consider that while NNWS should continue to press for a standardized reporting format, in the near term a more practical and useful format could be to encourage the NWS to provide data and information on:
 - a) Deployed and non-deployed long- and intermediate-range nuclear weapon systems;
 - b) nuclear weapon employment policy (use / non-use criteria and thresholds);
 - c) whether deployed nuclear weapon systems are on alert status with target coordinates loaded or on a de-targeted alert status;
 - d) criteria for security assurances to NPT NNWS and NWFZ States parties including exclusions or conditionalities;
 - e) number of nuclear warheads dismantled in the previous quinquennium;
 - f) cyber security of command and control;
 - g) failsafe command and control systems;
 - h) status of national test sites;
 - i) operational nuclear weapon-usable material production facilities;
 - j) deployments of nuclear weapons outside national territory;
 - k) anti-satellite weapon systems;
 - l) ballistic missile national defence systems;
 - m) quantity of weapon-usable nuclear material declared excess to military requirements, including whether any such material is under IAEA monitoring;
 - n) defence cooperation with other NWS on strategic nuclear delivery systems and payloads; and
 - o) cooperation on or exports of naval nuclear propulsion reactors and related nuclear fuel.

3. The PrepCom to address the matter of duplication and that specific issues be discussed only in one main committee (Decision 1, 1995 NPTREC) and consider the merits of reorganizing the methods of work of the main committees along an “article-by-article” review such that:
 - (a) Main Committee I reviews implementation of Articles VI, VII, I and security assurances;
 - (b) Main Committee II reviews implementation of Articles III, II, X and nuclear security;
 - (c) Main Committee III reviews implementation of Articles IV, VIII, IX and nuclear safety;
 - (d) Each preambular paragraph review assigned by relevance to the relevant main committee.
4. Starting with the 2023 session of the NPT PrepCom, discipline could be exercised in limiting working papers and reports to no more than 5 pages—apparently it costs nearly USD 1,500 (\$3 word) to produce a single page (cost of translation into official languages, processing, etc.). And, the Chair’s working paper also to be kept concise.
5. The Chair should inform the PrepCom in plenary on the selection of “facilitators”, their mandates, engagement partners and timelines for submitting draft text to the Chair for consideration by States parties.
6. The Chair of the 2023 Preparatory Committee could consider advance consultations to reach agreement on which items would be allocated specific time.
7. At the PrepCom, under Cluster 1, technical briefings by NWS on nuclear modernization, nuclear forces and nuclear doctrines, safety and security of nuclear weapons and nuclear weapon-usable materials, and verification modalities and technologies; and the CTBTO could do a technical briefing on the current status of its IMS/IDC and technologies for detecting low-yield nuclear detonations.
8. At the PrepCom, under Cluster 2, the IAEA could provide a technical briefing on the current safeguards methodologies and technologies,

including on safeguards approaches and technical objectives for naval nuclear propulsion; and on security and cyber security for nuclear facilities.

9. At the PrepCom, under Cluster 3, the IAEA and representatives of the nuclear industry could provide technical briefings on reactor safety, safety of nuclear facilities, storage and disposition of spent fuel, transport safety, and contribution of nuclear energy to achieve net zero goals.
10. In addition to a Chair's Factual Summary as mandated by the 2000 NPT Conference, the Chairs of the 2023-2025 PrepCom sessions could continue the practice of the Chairs of the 2017-2019 sessions to produce "Chair's Reflections" under their authority covering the current status of important matters pertaining to the authority, integrity and implementation of the Treaty. Also, the practice initiated by the Chairs of the 2017 and 2018 PrepCom sessions to submit an "Inter-Chair" paper to the third session should be continued.
11. At the PrepCom (and the review conference) a better approach would be to reflect the negotiated compromises in IAEA General Conference resolutions rather than reopening issues already discussed at the IAEA that results in unproductive and contentious discussions including involving delegates (from Geneva, New York and capitals) many of whom not fully attuned to the particularities of the IAEA based discussions. Attempts to reopen contentious issues in the NPT context such as making the additional protocol the new verification standard, or additional nuclear security and nuclear safety measures, will not result in agreement or consensus if this could not be achieved at the IAEA.
12. Every effort must be made not to reopen contentious matters on nuclear safeguards, safety, security, and peaceful uses on which consensus has been secured at the annual IAEA General Conference. Furthermore, wholesale copy and paste or edits of texts of IAEA General Conference resolutions creates unnecessary verbiage, risks introducing nuances that could create confusion, and wastes time – there is no need to engage in such practice.

13. The PrepCom could consider the merits of holding future review conferences in Vienna and elaborate a recommendation accordingly to States parties for a decision at its 2024 or 2025 sessions to convene the 2026 and future NPT conferences in Vienna.

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by Tariq Rauf¹

Permanence with accountability was the dominant refrain developed by Ambassador Christopher Westdal, the head of Canada’s delegation to the 1995 NPT Review and extension Conference (NPTREC), to promote support for indefinite extension of the nuclear Non-Proliferation Treaty (NPT).

Canada’s statement (delivered by me on 5 May 1995) further elaborated that “the effective implementation of a well-designed, results-oriented, strengthened review process is central to the fulfilment of the principle of ‘[permanence with accountability](#)’. For Canada, the NPT always has been, and will always remain, a Treaty of commitment, not convenience. We are dedicated to seeking the full implementation of all of the provisions of the Treaty, as well as those of the Decisions and the Resolution adopted in 1995. As we have maintained since 1995, the objective of the on-going strengthened review process is the preservation and enhancement of the authority and integrity of the NPT. It is in that regard that Canada set out ... three principles to guide its work:

1. permanence with accountability;
2. a qualitatively strengthened on-going review process that both evaluates and is forward-looking; and
3. pragmatism and dynamism on an evolving basis.”

The strengthened review process must be “product-oriented” and structured to facilitate the attainment of that objective. “Permanence with accountability” entails accountability by us all for our compliance with and fulfilment of undertakings under the Treaty. As an integral part of the strengthened review process in the context of permanence with accountability, each session of the Preparatory Committee (PrepCom) is mandated to discuss, evaluate and on the basis of

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consensus reach conclusions and recommendations for further action on recent international issues and events pertaining to the operation, implementation, authority or integrity of the NPT and implementation of consensus outcomes of review conferences post 1995 NPTREC. The review process should be a “living process” to achieve the full implementation of the Treaty, responsive to the changing international security environment without compromising on or diluting Treaty obligations, and the meetings needs of the membership of the Treaty

PrepCom sessions as non-negotiating – i.e., non-decision-making forums have been mandated to summarize both their procedural and substantive deliberations and forward those summaries to successive sessions. These summaries made on the authority of the Chairman with the blessings of States parties, should culminate at the last session of the PrepCom in recommendations on matters of substance to the Review Conference for action by that body to promote the full implementation of the Treaty, its universality, and implementation of consensus outcomes of review conferences after indefinite extension.

Now more than 25 years after the indefinite extension of the NPT it is of paramount importance to recall the “principle of accountability” in terms of the strengthened review process as elaborated in 1995 and 2000, and to find ways to realize its practical implementation as we start preparations for the next review conference (scheduled for 2026).

NPT Review Process

The NPT is the first multilateral arms control treaty that provided for regular reviews for its implementation. The objectives being to:

1. help off-set the imbalance in the obligations of the majority who had to do something right away (accept full-scope safeguards to prove non-proliferation) and the few who made a non-specific long-term promise to disarm;
2. present a way for the majority to see how the Treaty was operating and express themselves on what they found; and
3. produce conclusions for further action.

Article VIII.3 specifically provided for the first review conference to be held in Geneva (in 1975), five years after the Treaty’s entry into force (in 1970) and left open the option for subsequent quinquennial reviews thereafter if requested by a majority of states parties. In practice, however, NPT review conferences have been held every five years since 1975 for a duration of four weeks (20 working days). In 1995, States parties decided that review conferences should continue to be held every five years.

The 1975 and 1980 review conferences conducted their work through two main committees: main committee I chaired by a representative of NAM considered Articles I, II, III, VI and VII, universality and security assurances (UNSCR 255 (1968)); main committee II chaired by a representative of WEOG considered Articles III, IV, V, and VIII; other aspects of the Treaty were considered in the plenary.

The 1985 review conference decided to accept the recommendation of its Preparatory Committee to conduct its work through three main committees:

- main committee I chaired by a representative of WEOG to consider Articles I, II, VI and VII, and security assurances (UNSCR 255 (1968));

- main committee II chaired by a representative of the Eastern European Group to consider Articles (aspects of I and II), III, IV, VII, non-proliferation and universality; and
- main committee III chaired by a representative of NAM to consider Articles III, IV, V, non-proliferation and universality.

It also was agreed that “it is understood that all articles, preambular paragraphs and agenda items allocated to the Main Committees shall be reviewed in their interrelationship”.

What this meant in practice was never clarified. Thus, duplication and redundancy were introduced in the work of the three main committees that continues to plague the review process to this day; the decision of 1995 to address duplication of issues in main committees notwithstanding.

At the 2015 review conference, the chair of main committee I tried in vain to draft a report eliminating duplication but was brutally rejected!

As the international political and security situation continued to worsen it was not surprising that the PrepCom sessions in 2017, 2018 and 2019 were unable to agree on any “summary” or “recommendations” to the 2020 review conference. Though, starting in 2017, the PrepCom chair improvised on a Canadian proposal made at the 1998 session of the PrepCom to issue a “State of the NPT” statement that could be updated at subsequent sessions, but this was stymied at the time by the objection of one State party. The 2017 PrepCom chair issued on his authority “Reflections of the Chair”, a practice continued by the chairs of the 2018 and 2019 PrepCom sessions. A further innovation was the “Inter-Chair Paper” submitted to the 2019 PrepCom, jointly by the chairs of the 2017-2018 sessions.

With the postponement of the 2020 review conference four times due to the Covid-19 pandemic and further worsening of the international security environment, prospects for a successful outcome dimmed.

When it was finally convened in August 2022, only a stubborn optimist could have thought that a final document would be agreed. In the event, as at previous review conferences in 1980, 1990, 1995 (review part), 2005 and 2015, the 2020 (2022) review conference was unable to achieve a consensus outcome.

The frustration of States parties was directed at the review process – if only the “working methods”, “efficiency”, “effectiveness”, “coordination” and “continuity” could be improved then it might have been possible to achieve consensus despite the lack of compromise and flexibility, deep fractures and conflict in the international security environment?

In the fading hours of the 2020(2022) review conference when it was made clear to the president, Ambassador Gustavo Zlauvinen (Argentina), that consensus on the final document remained elusive; he decided to salvage something from the embers of the work of the previous 19 days and directed the Secretariat to draft a decision on further strengthening the review process. To prevent this initiative being shot down he separately consulted a few delegations behind the scene; in the heated atmosphere apparently delegations preoccupied with salvaging the final document did not pay much attention to the details especially that it drew exclusively from a working paper submitted by the NPDI (WP.53) and failed to reaffirm the previous decisions (1995/2000) on the integrity of the strengthened review process.

While delegates were still reeling from the shock of the failure to adopt the final document, the president gavelled down the “Decision on the next review cycle” that called for the establishment of a working group *inter alia* to “discuss and make recommendations to the Preparatory Committee on measures that would improve the effectiveness, efficiency, transparency, accountability, coordination and continuity of the review process of the Treaty”.

In January this year informal consultations were held in New York at the United Nations during the week of 16 January convened by the Chair-designate of the 2023 session of the PrepCom, Ambassador Jarmo Viinanen (Finland). It was proposed to convene the working group at the UN in New York on 8-12 May 2023, however, consensus was not forthcoming on the dates and the venue. The Chair-designate then held further consultations in Vienna 27 February to 1 March and in Geneva 18-20 April, and invited States parties to submit working papers to the Secretariat. Eventually, it was decided that the PrepCom Chair-designate would convene the working group in Vienna on 24-28 July, the week preceding the PrepCom scheduled for 31 July-11 August 2023.

How to revitalize the NPT Review Process?

Although there are enhanced perceptions in some quarters regarding the “precarious” state of the NPT, 191 States parties remain committed to the Treaty. Because of the NPT, 182 (of the 186) non-NWS have accepted full-scope IAEA safeguards and many the additional protocol as well. The NPT remains the only international treaty under which the five NWS are legally obligated to pursue nuclear disarmament and hence feel constrained to explain their nuclear force doctrines and report on the reduction measures that they have undertaken. In no forum other than the NPT review process, do the NWS engage with NNWS on nuclear disarmament measures regardless of their inadequacy in the view of many NNWS.

To be clear, *it is not the NPT review process that is broken or in need of revitalization*; the challenge is for the restoration of civility and respect in diplomatic discourse by the NWS and their allies. The strengthened review process for the NPT was established through Decision 1 of the 1995 NPT Review and Extension Conference and this decision was elaborated on at the 2000 NPT conference while maintaining the authority and integrity of the 1995 decision. As already noted, the 2020(2022)-review conference decided to set up a working group to further strengthen the review process but failed to reaffirm the 1995/2000 decisions on the matter.

The NPT review process is not broken: just as we do not blame our thermometers when temperatures rise or fall, so too it is an error to attribute the stalemate over the last decade(s) in multilateral norm-building processes for nuclear disarmament as the fault of the strengthened review process. Unfortunately, misguided and misplaced proposals have been advanced over the years, some in stark contradiction and violation of the 1995 Decision 1, but fortunately none progressed.

Over the more than 25 years that have elapsed since the indefinite extension of the Treaty in 1995, deep differences have emerged between the States of the non-aligned movement and the Western group over the meaning and significance of the 1995 decisions and resolution. These have unnecessarily cast a cloud over the strengthened review process, as more and more delegates have resorted to placing blame for their failure to agree on outcome documents on the nature of the review process rather than on the reality of their inability to negotiate compromises and on their declining understanding of the NPT review process. In essence, *the failure to negotiate binding nuclear disarmament and non-proliferation measures at NPT review conferences is blamed on perceived failings of the review process rather than on the lack of compromise, flexibility and negotiating skills, and the deepening fractures and conflicts in the international environment that*

cannot be addressed through the NPT review process – something the review process was never designed to do.

Recommendations for the “Working Group on further strengthening the review process”

As already indicated above, the 2020(2022) Review Conference adopted a decision to establish a working group on further strengthening the review process. It has been agreed that the 2023 PrepCom Chair-designate would convene the working group in Vienna on 24-28 July, the week preceding the PrepCom (scheduled for 31 July-11 August 2023). States parties have been invited to submit working papers and proposals to the Secretariat (UNODA New York). To date, no documents relating to the work of the working group have been posted on the UNODA web page on the first session of the PrepCom for the Eleventh NPT Review Conference.

Again, as already referred to above, the decision to establishing the working group on further strengthening the review process (WG-SRP) contains an important deficiency that needs to be rectified. This pertains to reaffirming the validity and integrity of the review process as established by the 1995 and 2000 review conferences. Any possibility of reopening the 1995/2000 decisions or of possibly weakening or degrading the established strengthened review process must be nipped in the bud.

1. The WG-SRP at its meeting in July must reaffirm the authority, validity and integrity of the 1995/2000 decisions on the strengthened review process.

The 2020(2022) decision on strengthening the review process calls on States parties to discuss and make recommendations to the PrepCom on measures that would improve the “effectiveness”, “efficiency”, “transparency”, “accountability”, “coordination and continuity” of the review process of the Treaty. However, what is precisely meant by these terms is not clear at all. Different States have different interpretations and expectations. How could the working group conduct its work without some common understandings on its mandate and working methods?

2. The WG-SRP at its meeting in July needs to clarify and develop common understandings on its mandate and methods of work, while ensuring that the existing mandated strengthened review process is not weakened or undermined.

Over the years several proposals have been advanced to further strengthen the review process in light of the failings of States parties to effectively utilize the PrepCom sessions to develop recommendations to the review conference as mandated by in 1995.

In December 2012, the United Nations Office for Disarmament Affairs released the electronic publication, [*Occasional Paper No. 22 – Options for the Further Strengthening of the NPT’s Review Process by 2015*](#), written by Thomas Markram (Secretary-General of the 2000 NPT Review Conference and Chief of the Regional Disarmament Branch of UNODA, New York). According to UNODA, this paper examined the proposals that had been put forward thus far and attempted to offer some views and some possible options that might be of some use in the further preparations on this issue during this review cycle [2015]. Commentary was provided on the various proposals that appeared practical and could incrementally improve accountability and efficiency as well as provide greater continuity and substantial savings. This included *inter alia* smarter use of the time for substantive consideration, on the general debate and early establishment of subsidiary

bodies, on moving to digitized records, on the establishment of an NPT Secretariat and the enhancement of participation by non-governmental organizations.

The proposals examined in the UNODA paper included: article-by-article review of the treaty; prepcoms/annual general conferences; expert meetings; shortening general debate; establishment of subsidiary bodies for intersessional work; extraordinary meetings; shortened review conferences; review conferences to produce new principles and objectives; standing bureau of present and incoming chairs; profile and civil society; NPT secretariat and implementation support unit; standing NPT office; and summary records. Some my writings on the review process can be found [here](#), [here](#), [here](#), and views of some States parties [here](#).

3. The WG-SRP at its meeting in July in establishing its mandate and programme of work must ensure that the validity and integrity of the 1995/2000 decisions on the strengthened review process is not weakened, compromised or reversed.

PrepCom Bureau: Over the years there have been proposals for setting up a “Chairs Circle” composed of former PrepCom Chairs and review conference presidents, or a bureau for the PrepCom comprising the Chairs of the three sessions during each review period.

In fact, setting up a PrepCom Bureau is not a new idea. At its [first session held in 1984](#), the PrepCom for the 1985 Review Conference unanimously elected Ambassador Dhanapala (Sri Lanka), Ambassador Imai (Japan) and Ambassador Vejvoda (Czechoslovakia) to serve together as members of the Bureau for the three sessions. The 1984 PrepCom then decided that Ambassador Imai would Chair the first session, Ambassador Vejvoda the second session, and Ambassador Dhanapala the third session.

This process was repeated in May [1989](#) when its first session, the PrepCom for the 1990 Review Conference unanimously elected Ambassador Adeyemi (Nigeria), Ambassador Strulak (Poland) and Ambassador Yamada (Japan) to serve together as members of the Bureau for the three sessions; with Ambassador Yamada to Chair the first session, Ambassador Strulak the second session, and Ambassador Adeyemi the third session. Unusually, the second session was held in the same year in September, the third session in April 1990, and the review conference in August 1990.

In [1993](#), the first session of the PrepCom for the 1995 NPTREC, elected Ambassador Hoekema (Netherlands) as its Chair, Ambassador Erdos (Hungary) to chair the second session; while NAM informed it would nominate a chair at a future date.

In [1997](#), the PrepCom elected Ambassador Patokallio (Finland) to chair its first session, Ambassador Strulak (Poland) the second session, and NAM deferred nomination of a chair for the third session.

In [2002](#), it was Ambassador Salander (Sweden), Ambassador Molnár (Hungary), with NAM to nominate later. In [2007](#), Ambassador Amano (Japan), Ambassador Yelchenko (Ukraine).

In [2012](#), it was only Ambassador Woolcott (Australia), and in [2013](#) at its second session the PrepCom elected Ambassador Feruta (Romania), and Ambassador Román-Morey (Peru) – due to [reassignments](#) Ambassador Stuart (Australia) and Ambassador Istrate (Romania), chaired main committees III and II, respectively, in [2015](#).

In [2017](#), it was Ambassador van der Kwast (Netherlands), at its second session in [2018](#) the PrepCom elected Ambassador Bugajski (Poland) and Ambassador Ikram Yaakob (Malaysia) who was succeeded in [2019](#) by Ambassador Syed Hussin (Malaysia). Also at the 2019 PrepCom there was some controversy on the question of the nomination of the [President of the 2020 Review Conference](#); it was agreed that the “nomination of the candidate endorsed by the Latin American and Caribbean Group, Ambassador Grossi (Argentina), would be finalized upon communication by the Chair of the Group of Non-Aligned States Parties to the Treaty, during the last quarter of 2019”. Ambassador Grossi engaged in consultations as President-designate but resigned from the position when he became a candidate in September for Director General of the IAEA and was succeeded by Ambassador Zlauvinen (Argentina) who became the longest serving incumbent due to the repeated postponement of the 2020 review conference. Finally, at the [2020\(2022\) review conference](#) the only surviving PrepCom Chair was Ambassador Syed Hussin (Malaysia), who was joined by Ambassador Krois (Poland) and Ambassador Dennisen (Netherlands) as Chairs of main committees I, II and III, respectively.

Appointments as review conference presidents traditionally has been late in the review cycle and there have been instances of changes as in 2020(2022), 2015 and previously.

A number of proposals have been advanced to appoint Chairs of PrepCom sessions at the first session and the Conference President as early as possible to facilitate coordination and consultations. However, experience and practice has shown that this is not absolutely necessary nor any guarantee of smooth functioning of the work of the PrepCom. The personality, geniality of Chairs and President and the extent of consultations cannot override the fractures of the international security environment, nor necessarily bridge differences nor mend fences. If any evidence is needed, the experience of 1995 (review), 1997, 2003, 2005, 2015, 2019 and 2020(2022) clearly are cases in point. Perhaps the only exception was the president of the first review conference that took place in 1975 – Ambassador Inga Thorsson (Sweden) who used her indomitable personality to force through the final document on the grounds that the first review conference could not be allowed to fail. And, in 1985, Ambassador Mohamed Shaker (Egypt) with the machinations of Ambassador Richard Butler (Australia) managed to cobble through a compromise outcome despite the raging Iraq-Iran war.

4. The WG-SRP at its meeting in July could consider recommending early decisions on the bureau for the PrepCom and the Review Conference taking into account that reassignments of officers could well take place during the review cycle.

Interactive and expert discussions: In its [statement on the strengthened review process](#) at the 2000 review conference, referenced above, Canada also noted that “as an integral part of the strengthened review process, Canada believes that each session of the Preparatory Committee should continue to report publicly on its work pertaining to the operation and implementation of the Treaty ... [and welcomed] the opportunity provided to the NGO community to make its views and recommendations known directly to this Review Conference ... The issues of nuclear disarmament and non-proliferation have been democratized. These are no longer the exclusive purview of military officials, diplomats and government scientists. Several NGOs include as members retired arms control negotiators, former weapons scientists, academic experts and individuals from many different walks of life. Our experience in this context, going at least as far back as 1985, demonstrates that the commitment and expertise of NGO advisors can do a great deal to enhance the openness and public accountability of our work, to involve civil society in our

important issues, and to mobilize public support for and participation in our efforts directed at achieving the complete elimination of nuclear weapons ... We recommend that each Review Conference, including its full Preparatory Committee process, encourages greater transparency, including increased NGO access and participation and enhanced media awareness. In practice this would involve enhancing the present level of access and participation provided to NGOs. We recommend that NGOs should be allowed, upon request, to attend most meetings other than those designated as closed consultations. In addition, NGOs should be permitted to make presentations to each of the Main Committees at Review Conferences as well as to meetings at the Preparatory Committee devoted to specific subject areas ... The eligibility of NGOs may be decided by the President of the Review Conference and Chairman of a Preparatory Committee session, on the basis of a list provided by the United Nations Department for Disarmament Affairs. NGO participation could be considered on the basis of geographic representation, but with each NGO having a demonstrated record of appropriate work in this field”.

In addition, Canada and others also recommended “interactive discussions” at PrepCom session and at review conferences. In practice, there have been attempts to set up interactive discussions at PrepCom sessions and at review conferences, but these were not successful. Delegates were reluctant to challenge or take on the NWS as were the nuclear-dependent NNWS, and most sessions petered out well before closing time – delegates preferred instead to go shopping or sight-seeing!

Given the heightened risks and dangers posed by nuclear weapons, continuing modernization and development of new roles and delivery systems, in addition to threats of possible use of nuclear weapons; it is now essential to enhance the strengthened review process through setting up technical briefings by NWS technical experts, supplemented by interactive discussions involving diplomats, NNWS technical experts and civil society experts (the latter on an equitable and balanced geographic distribution).

5. The WG-SRP at its meeting in July could consider recommending to the PrepCom to consider and assess the merits of the following propositions:

- (a) Technical briefings by the NWS on their reports, nuclear doctrines and nuclear force postures under Cluster 1;**
- (b) Interactive discussions on nuclear disarmament matters under Cluster 1 involving States parties, NWS technical experts, and IAEA, CTBTO and UNIDIR; under Cluster 2 on nuclear verification and nuclear security including the IAEA and UNSCEAR, ABACC, EURATOM, OPANAL, AFCONE, and WINS; and under Cluster 3 on peaceful uses of nuclear energy and nuclear safety including the IAEA, representatives of nuclear industry, WANO, CANDU Operators Group, Senior Regulators Group, the International Energy Agency (IEA), the OECD Nuclear Energy Agency (NEA), and the World Nuclear Association.**
- (c) In addition. civil society experts to be drawn on the basis of a fair and balanced geographic distribution with one expert each from Africa, Europe (Western), Europe (Eastern), Central Asia, South Asia, Middle East, ASEAN States, South Pacific, North America, South America, the Caribbean, Far East (Japan/RoK), and Antipodes**

(Australia/New Zealand). Interactive discussions to be scheduled for one (or two) meetings of the PrepCom under each of the three Clusters, and at each main committee at the review conference.

Recommendations for the PrepCom

Expert briefings: The matter of “expert briefings” as differentiated from “technical briefings” discussed above was first brought to the fore by Canada at the 2000 NPT Review Conference. My statement welcomed “the inclusion of NGO advisors on a number of delegations to this conference – including two on Canada’s delegation – and the opportunity provided to the NGO community to make its views and recommendations known directly to this Review Conference”. It noted that “the issues of nuclear disarmament and non-proliferation have been democratized. These are no longer the exclusive purview of military officials, diplomats and government scientists. Several NGOs include as members retired arms control negotiators, former weapons scientists, academic experts and individuals from many different walks of life. Our experience in this context, going at least as far back as 1985, demonstrates that the commitment and expertise of NGO advisors can do a great deal to enhance the openness and public accountability of our work ... NGOs should be permitted to make presentations to each of the Main Committees at Review Conferences as well as to meetings at the Preparatory Committee devoted to specific subject areas ... NGO participation could be considered on the basis of geographic representation, but with each NGO having a demonstrated record of appropriate work in this field”.

It was highly regrettable that at the 2000 review conference a NNWS NATO member shot down this proposal and unfortunately none of the States parties championing freedom of speech and inclusion of civil society in diplomatic forums displayed the principles and fortitude to support the proposal. However, years later, I was among those who supported Ambassador Bugajski to organize an “expert briefing” on nuclear disarmament at the 2018 PrepCom. Given the opposition of some NWS, this briefing could not be held during the discussion on Cluster I matters but was set up as a lunchtime side-event. The two civil society expert presenters unfortunately did not pitch their presentations well and it ended up a wasted opportunity.

Expert briefings by civil society featured in the Open-ended Working Group meetings in Geneva on taking forward multilateral nuclear disarmament negotiations during [2013](#) and [2016](#). And, also during the negotiations on the TPNW in [2017](#). Civil society participation at the 2022 HINW Conference and at the 1MSP TPNW in June 2022 was much greater mainly due to the support extended by Austria.

While UNODA is a competent and well-functioning part of the UN, at times it has come up for criticism for failing to ensure adequate geographic representation of civil society participation in briefings on the NPT, the MEWMDfZ and other disarmament matters. Clearly there is room for much improvement. On NPT related matters generally speaking inputs from and participation from the “global South” is patchy and even non-existent from certain regions. Expert briefings are dominated by well-funded Western civil society entities, mostly from the EU and the US, which deliver important inputs, information and data in addition to providing education and training opportunities. Nonetheless, there remains a significant structural deficit in access to international arms control and disarmament forums in New York, Geneva and Vienna for experts from the global South. There are several reasons behind this, such as lack of participation opportunities

denies visibility; this is compounded by the lack of adequate funding for travel and resources, limited access to information and education opportunities. This structural deficit must be eliminated as soon as possible, and access of global South experts facilitated.

Two leading academic experts in France, Kjølsv Egeland and Benoît Pelopidas of Sciences Po (Paris), recently published an interesting study, "[No such thing as a free donation? Research funding and conflicts of interest in nuclear weapons policy analysis](#)". Their investigation *inter alia* looked at the vulnerability of public discourse and policy processes to undue influence by vested interests, what they call 'epistemic vulnerability', Relying on semi-structured interviews and "a survey of the funding sources of 45 of the world's top think tanks, they found, first, that effectively all think tanks in the sample accepted funding from nuclear vested interests; and, second, that such 'stakeholder funding' has real effects on intellectual freedom".

Egeland and Pelopidas claim that "many if not most of the world's top foreign policy think tanks have in recent years treated reformist diplomatic initiatives such as the promotion of nuclear no-first-use postures and the 2017 TPNW with either indifference or hostility, supporting instead the pursuit of nuclear supremacy or the maintenance of the existing nuclear order". They note that "a large proportion of most Western think tanks' budget for research, analysis, and events comes from contracts with clearly defined deliverables; and thus, it stands to reason, then, that think tanks will spend most of their time on questions and topics that are of interest to the most generous donors. In the case of nuclear weapons, the biggest donors tend to be States that base their security strategies on the doctrine of nuclear deterrence, weapons contractors, and large foundations that are wary of being perceived to have partisan or controversial agendas". They claim that most of the think tanks investigated in their study tend to take relatively inconspicuous positions on nuclear disarmament and modernization.

It should be noted here that several prominent institutes and think-tanks in the EU and US in fact have taken positions strongly in support of the TPNW and against nuclear weapons modernization with funding from progressive foundations and pro-disarmament States. But the larger significant point remains that such funding essentially remains out of reach of institutes and think-tanks in the global South, which in turns prevents their access to NPT and other nuclear disarmament forums in a manner that is equitable and geographically balanced.

There are three UN Regional Centres under UNODA: Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean ([UNLIREC](#)), in Lima, Peru; Regional Centre for Peace and Disarmament in Asia and the Pacific ([UNRCPD](#)), in Kathmandu, Nepal; and the Regional Centre for Peace and Disarmament in Africa ([UNREC](#)) in Lomé, Togo. These regional centres provide important and much needed training, education and capacity-building in their respective regions on various aspects *inter alia* of arms control, disarmament, confidence-building measures, and peace-making. Nonetheless, these regional centres are absent or under-utilized in the NPT review process.

- 1. The PrepCom could request UNODA provide funding to the UNRCPD, UNLIREC and UNREC to liaise with universities and think-tanks in their respective regions on NPT matters, with the support of regional States to arrange workshops on the NPT and provide experts from regional States to brief delegates at the PrepCom and the**

review conference on relevant substantive matters under the three clusters and main committee deliberations. The Chairs must ensure fair and balanced geographic distribution for such briefings at one meeting of the PrepCom under each of the three Clusters, and at each main committee at the review conference, for briefings by experts from Africa, Europe (Western), Europe (Eastern), Central Asia, South Asia, Middle East, ASEAN States, South Pacific, North America, South America, the Caribbean, Far East (Japan/RoK), and Antipodes (Australia/New Zealand). It is essential that such expert briefings reflect the views of the broad membership of the Treaty. If necessary, funds should be provided from the budget of the NPT review cycle to enable experts from the global South to prepare briefing materials and for travel and subsistence expenses to attend the PrepCom and review conference.

Reports: To assist the review conference, as far back as 1984, the PrepCom decided “to invite the nuclear-weapon States and other parties to the Treaty, to provide, sufficiently in advance of the review conference information relevant to the implementation of various articles of the Treaty, including especially Article VI. As such, at the [1985 PrepCom](#), the UK, US and USSR all provided the requested information. This practice continued on and off in subsequent years.

In 2000, [Step 12](#) of the so-called “thirteen practical steps”, called for “Regular reports, within the framework of the strengthened review process ... by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”, and recalling the advisory opinion of the International Court of Justice of 8 July 1996”. In 2010, [Action 5](#) called on the NWS to report on the implementation of the “thirteen steps” and elaborated eight specific measures for such reports. Since 2000, a number of States parties have focused on reporting and suggested a standardized reporting format for the NWS.

It has been suggested that a [standardized reporting format](#) could include for example: (a) the number, types (strategic or non-strategic) and status (deployed or non-deployed) of nuclear warheads; (b) the number and, if possible, types of delivery vehicles; (c) the number and types of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts; (d) the amount of fissile material produced for military purposes; and (e) the measures taken to diminish the role and significance of nuclear weapons in military and security concepts, doctrines and policies.

Not all five NWS are enamoured with a standardized report format given differing domestic legal regimes governing release of classified or sensitive military information, or cultural preferences of less transparency or other reasons.

- 2. The PrepCom could consider that while NNWS should continue to press for a standardized reporting format, in the near term a more practical and useful format could be to encourage the NWS to provide data and information on:**
 - (a) Deployed and non-deployed long- and intermediate-range nuclear weapon systems;**
 - (b) nuclear weapon employment policy (use / non-use criteria and thresholds);**

- (c) whether deployed nuclear weapon systems are on alert status with target coordinates loaded or on a de-targeted alert status;
- (d) criteria for security assurances to NPT NNWS and NWFZ States parties including exclusions or conditionalities;
- (e) number of nuclear warheads dismantled in the previous quinquennium;
- (f) cyber security of command and control; failsafe command and control systems; status of national test sites;
- (g) operational nuclear weapon-usable material production facilities;
- (h) deployments of nuclear weapons outside national territory;
- (i) anti-satellite weapon systems;
- (j) ballistic missile national defence systems;
- (k) quantity of weapon-usable nuclear material declared excess to military requirements, whether any such material is under IAEA monitoring;
- (l) defence cooperation with other NWS on strategic nuclear delivery systems and payloads; and
- (m) cooperation on or exports of naval nuclear propulsion reactors and related nuclear fuel.

This type of information is of more practical use to NPT States parties rather than focusing mainly on numbers and deployments.

Article-by-article review: In a previous section above the matter of duplication and redundancy in the work of the main committees was noted, along with the guidance from 1995 Decision 1 to address “the question of overlap of issues being discussed in more than one Committee ... [to] be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee”. Other than a vain attempt by the Chair of Main Committee I in 2005, no meaningful work has been done to address the matter of overlap and duplication.

To recall again, in 1995 Canada stated that a review of the review process to learn from past experience of omission or commission, to define and clarify it, and to improve its efficiency, effectiveness and operation, will contribute to enhancing the relevance, authority and integrity of the Treaty ... In this context, it may be appropriate at some point in the future to structure a balanced review on an [article-by-article basis](#), instead of the present overlapping and somewhat inefficient “cluster approach”. In 1995, Canada agreed to the continuation of the present three main committee structure on the understanding that the work of the committees could be organized and coordinated in terms of an article-by-article review, such that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one committee. This proposal was suggested for the [1999 PrepCom](#) by me to no avail – an idea ahead of its time?

3. **To address the matter of duplication and that specific issues be discussed only in one committee, could consider the merits of reorganizing the methods of work of the main committees along an “article-by-article” review such that:**
 - (a) **Main Committee I reviews implementation of Articles VI, VII, I and security assurances;**
 - (b) **Main Committee II reviews implementation of Articles III, II, X and nuclear security; and**

- (c) **Main Committee III reviews implementation of Articles IV, VIII, IX and nuclear safety;**
- (d) **each preambular paragraph review assigned by relevance to the relevant committee.**

Limit length of statements and working papers: In the absence of meaningful negotiations, States are submitting an increased number of lengthy working papers, reports and statements that are difficult to summarize in a factual summary of a reasonable length at the end of the PrepCom sessions as mandated by the 2000 NPT conference. The draft factual summary prepared by the Chair in 2018 extended to 115 paragraphs, in 2017 it was 136 paragraphs, in 2013 it was 99 and in 2012 101 paragraphs – there is no way that such lengthy document can be adequately reviewed and agreed by States within the time frame of a PrepCom. However, *it is possible to produce tightly drafted Chair's reports of a reasonable length, 17 substantive paragraphs over 8 pages, as at the 2014 PrepCom*, and a longer version of 67 substantive paragraphs in 2019, even though States were unable to reach agreement to endorse them.

- 4. Starting with the 2023 session of the NPT PrepCom, discipline could be exercised in limiting working papers and reports to no more than 5 pages—apparently it costs nearly USD 1,500 (\$3 word) to produce a single page (cost of translation into official languages, processing, etc.). And the Chair's working paper also to be kept concise.**

Facilitators: To assist the PrepCom Chair, “facilitators” could be nominated by the Chair under their authority to seek inputs from States on specific contentious issues to facilitate agreed or near-agreed text for the Chair's report. Such facilitators would report directly to the Chair and their mandate could be limited to the first week of the PrepCom. During the second week, the Chair could use these inputs for purposes of preparing their report + recommendations as mandated by the 1995/2000 strengthened review process. At the 2020(2022) review conference, the president appointed under his authority facilitators on a number of contentious matters to help engage with States most concerned with matters (such as DPRK, naval nuclear propulsion, nuclear disarmament) to help generate text for the reports of main committees that could command consensus after further discussion and consideration in committee and plenary sessions. The downside of such practice is loss of transparency, difficulty for small delegations to take part, and enabling “hard liners” to defend intractable positions in the small groups..

- 5. The Chair should inform the PrepCom in plenary on the selection of “facilitators”, their mandates, engagement partners and timelines for submitting draft text to the Chair for consideration by States parties.**

Special Focus or Allocation of Time at the PrepCom: Beginning with the 1998 session of the PrepCom, precedent was established for allocating time for the consideration of specific items within the overall context of nuclear disarmament and other substantive issues, under the theme of “Clusters” representing each of the three pillars of the Treaty. Thus, *inter alia*, a fissile material cut-off treaty, security assurances, and the Middle East were each allocated a meeting. The 2000 Final Document in its guidance on the enhanced strengthened review focus (paragraph 3) clearly stipulates that specific time is to be allocated at sessions of the Preparatory Committee to address specific relevant issues. There is no linear correlation between the allocation of specific time to particular issues at the PrepCom and the allocation of specific issues to subsidiary bodies at the Review Conference.

Given recent developments of the Treaty on the Prohibition of Nuclear Weapons (TPNW) and the continuing deadlock at the Conference on Disarmament (CD), it might *not* make much sense to allocate specific time in 2023 to reiterate well known positions stated in the CD and the First Committee on the proposed treaty prohibiting the production of fissile material for nuclear

weapons (FMCT) and the reports of the high-level expert groups, without detracting from the importance of the FMCT as a significant nuclear disarmament measure, as the NPT review process is not the forum to resolve the continuing deadlock at the CD. The FMCT, TPNW and the CTBT could be discussed in the general part of the consideration of Article VI issues at the 2023 PrepCom.

“Clusters” > Focused discussion: A more practical approach could be to provide for focused discussion on current important items such as: the present state of nuclear arms reduction treaties; compliance with arms control and safeguards agreements; strengthening physical protection of nuclear and radioactive materials and facilities; preventing cyber and military attacks on nuclear facilities; naval nuclear propulsion and IAEA safeguards; strengthened IAEA safeguards; peaceful uses of nuclear energy, among other issues. Other items deserving specific time include a discussion on the reporting requirements (nuclear disarmament and the Middle East) and security assurances. Such discussions could consider inviting presentations from technical experts (from nuclear-weapon States’ national laboratories, IAEA, CTBTO and the nuclear industry) on a balanced geographical and gender basis.

6. The Chair of the 2023 Preparatory Committee could consider advance consultations to reach agreement on which items would be allocated specific time.

The 2017-2019 PrepCom sessions organized their work according to three clusters of issues based on the allocation of items to the Main Committees of the 2015 Review Conference (NPT/CONF.2015/1, annex V) and considered the following three specific blocs of issues:

- (a) Nuclear disarmament and security assurances;
- (b) Regional issues, including with respect to the Middle East and the implementation of the 1995 resolution on the Middle East; and
- (c) Peaceful uses of nuclear energy and other provisions of the Treaty.

In addition, the PrepCom also considered the issue of improving the effectiveness of the strengthened review process.

Technical briefings: At PrepCom 2023, technical briefings could be provided by States parties to facilitate consideration of items under the three pillars of the Treaty, as well as to provide information and data. Such briefings could be for example on:

- 7. Under Cluster 1, technical briefings by NWS on nuclear modernization, nuclear forces and nuclear doctrines, safety and security of nuclear weapons and nuclear weapon-usable materials, and verification modalities and technologies, and the CTBTO could do a technical briefing on the current status of its IMS/IDC and technologies for detecting low-yield nuclear detonations.**
- 8. Under Cluster 2, the IAEA could provide a technical briefing on the current safeguards methodologies and technologies, including on safeguards approaches and technical objectives for naval nuclear propulsion.**
- 9. Under Cluster 3, representatives of the nuclear industry could provide technical briefings on reactor safety and security, cyber security for nuclear facilities, storage and disposition of spent fuel, transport safety, and contribution of nuclear energy to achieve net zero goals.**

Statement on the “State of the NPT”— “Chair’s Reflections” and “Inter-Chair working paper”: The 2017 PrepCom Chair initiated the practice of issuing a statement under their authority entitled in that year, “Towards 2020: Reflections of the Chair of the 2017 session of the Preparatory Committee”; the 2018 Chair’s “Reflections on the State of the NPT”; and the 2019 “Reflections of the Chair of the 2019 session of the Preparatory Committee” were a welcome continuation that should be continued at future sessions of the PrepCom. The concept of a “State of the NPT Statement” at each PrepCom session was first advanced unsuccessfully by Canada in 1998 and reiterated by this author at one of the Annecy meetings a few years ago (the Annecy “NPT” meetings were initiated by this author starting in 1997).

A new initiative developed along these lines was that of the Chairs of the 2017 and 2018 sessions of the PrepCom to submit an “Inter-Chair working paper: conclusions and recommendations for the Preparatory Committee for the 2020 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons” ([WP.4](#)). This Inter-Chair working paper noted that “these summaries provide a broad overview of Treaty-related discussions, incorporating as many perspectives as possible, as a basis for further discussions ... This working paper conveys to the Chair of the third session of the Preparatory Committee, substantive recommendations for consideration by the Preparatory Committee with a view to its mandate under paragraph 4 of decision 1 [1995 NPTREC] ... The recommendations in this paper build on relevant parts of the Chairs’ summaries of 2017 and 2018 ... The focus is on areas where general opinion converged as possible starting points for progress ... The Netherlands and Poland consider that these reflections by the Chairs articulate a number of basic views on the Non-Proliferation Treaty and its review cycle that appear to be shared by its States parties”.

10. In addition to a Chair’s Factual Summary as mandated by the 2000 NPT Conference, the Chairs of the 2023-2025 PrepCom sessions could continue the practice of the Chairs of the 2017-2019 sessions to each produce “Chair’s Reflections” under their authority covering the current status of important matters pertaining to the authority, integrity and implementation of the Treaty. Also, the practice initiated by the Chairs of the 2017 and 2018 PrepCom sessions to submit an “Inter-Chair” paper to the third session should be continued.

Venue Issues: For several review cycles, a group of now 12 States calling themselves **the “Vienna Group of Ten,”** have been submitting working papers on NPT issues relating to Articles III and IV, i.e., on safeguards and verification, export controls, cooperation in peaceful uses of nuclear energy, nuclear safety and nuclear security, and the CTBT. The Vienna Group of Ten essentially introduces text into the NPT review process on the so-called “Vienna issues” derived mainly from the various resolutions adopted by the IAEA General Conference with the result in certain cases of reopening differences that were papered over at the IAEA (such as the Additional Protocol being the verification standard, and the outcomes of the four Nuclear Security Summits being generally applicable voluntarily to all States); thus consuming valuable time thrashing out matters already discussed at the IAEA. Also included in their working papers is text from discussions at the CTBT. On taking over in 2002 as Alternate Head of the IAEA NPT Delegations, in my consultations and briefings, it was emphasized that the Vienna Group of Ten should try to cease and desist from exporting swathes of texts from General Conference resolutions into working papers and then seeking their inclusion in the reports of the PrepCom and main committees – this was reemphasized in [2020](#).

11. At the PrepCom (and the review conference) a better approach would be to reflect the negotiated compromises in IAEA General Conference resolutions rather than

reopening issues already discussed at the IAEA that results in unproductive and contentious discussions including involving delegates (from Geneva, New York and capitals) many of whom not fully attuned to the particularities of the IAEA based discussions. Attempts to reopen contentious issues in the NPT context such as making the additional protocol the new verification standard, or additional nuclear security and nuclear safety measures, will not result in agreement or consensus if this could not be achieved at the IAEA.

Elements from the agreed text from IAEA and CTBTO resolutions can be incorporated in the Chair's summary report, though this does not necessarily mean that discussion on contentious issues is completely avoided. Contrary to some accounts, progressive proposals came from within the IAEA Secretariat not States, such as to strengthen IAEA safeguards after the 1991 Iraq war through the "93+2" programme, rescission of the small quantities protocol in 2005 (for States with little or no nuclear material), integrated safeguards and the State-level approach, strengthened nuclear security and safety, and multinational approaches to the nuclear fuel cycle, among others.

Similarly, the CTBTO has generated new ideas such as the integrated field exercises, science and technology benefits of the International Monitoring System, the Group of Eminent Persons, and Youth for CTBTO, among others.

These proposals to strengthen the IAEA and the CTBTO did not emanate from the NPT review process but from the two international nuclear verification organizations – the NPT review process broadened endorsement as the Treaty has more States parties than the membership of the IAEA and the CTBTO.

Notions have been advanced to focus the Vienna session of the PrepCom on "Vienna issues" (such as, safeguards, safety, security); the Geneva session of the PrepCom on "Geneva issues" (including FMCT, NSA, nuclear disarmament); and the session in New York on "New York issues" (such as, nuclear disarmament and NWFZs). While this might seem an attractive way to at first glance to order the work of the successive sessions of the PrepCom, in practice it is unlikely to be an improvement over current practice and, in any case, most States will call for the proceedings to cover all significant issues and not to "favour" any except for those assigned to consideration under specific time. Furthermore, since Geneva-based diplomats attend all sessions of the PrepCom, as such there is not much to be gained by introducing 'venue based' discussions.

12. Every effort must be made not to reopen contentious matters on nuclear safeguards, safety, security, and peaceful uses on which consensus has been secured at the annual IAEA General Conference. Furthermore, wholesale copy and paste or edits of texts of IAEA General Conference resolutions creates unnecessary verbiage, risks introducing nuances that could create confusion, and wastes time – there is no need to engage in such practice.

Venue for Review Conferences: Until 1995 NPT review conferences were held at the UN in New York. The 1995 NPTREC was convened in New York on the grounds that all UN Member States maintain diplomatic representation there, and as such this would facilitate participation of all NPT States parties. Starting in 2007, the first session of the PrepCom was moved from New York to Vienna to mark the 50th anniversary of the establishment of the [IAEA](#) and in recognition of the fact that two of three "pillars" of the Treaty always have resided in Vienna – nuclear safeguards (including safety and security) and peaceful uses of nuclear energy. With the setting up of the [CTBTO](#) in Vienna in 1996, one part of the nuclear disarmament pillar also resided in Vienna –

Geneva hosting the CD (and its predecessors) has been the traditional venue for multilateral nuclear disarmament parleys and negotiations.

There is scant relevant expertise in the [New York delegations](#) on any of the three pillars of the NPT, and meetings there are unduly influenced by the vicissitudes of global politics and the perverse shadow of the Security Council, not to mention that conference-related costs are lower in Vienna. Looking to the future of the strengthened review process, the time has come to move the NPT review conference from New York to Vienna where in addition to available expertise on nuclear governance and technology, the intangible “spirit of Vienna” can work in mysterious ways to foster harmony out of discord.

13. **The PrepCom could consider the merits of holding future review conferences in Vienna and elaborate a recommendation accordingly to States parties for a decision at its 2024 or 2025 sessions to convene the 2026 and future NPT conferences in Vienna.**
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Strengthened Review Process Decisions (1995, 2000, 2020(2022))

NPT 1995 Decision 1 put in place a strengthened review process >> in accordance with article VIII, paragraph 3, that Review Conferences should continue to be held every five years >> the Preparatory Committee should hold, normally for a duration of 10 working days, a meeting in each of the three years prior to the Review Conference, if necessary, a fourth preparatory meeting may be held in the year of the Conference >> the *purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference*; these include those identified in the decision on principles and objectives for **nuclear non-proliferation and disarmament**, adopted on 11 May 1995; and also make the procedural preparations for the next Review Conference >> *the present structure of three Main Committees should continue and the question of an overlap of issues being discussed in more than one Committee should be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee*; subsidiary bodies could be established within the respective Main Committees for specific issues relevant to the Treaty, so as to provide for a focused consideration of **such issues**; Review Conferences should look forward as well as back, evaluate the results of the period they are reviewing, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which, and the means through which, further progress should be sought in the future, and also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality.

NPT 2000 Final Document (Strengthened review process): reaffirmed the provisions in the Decision on “Strengthening the Review Process for the Treaty” adopted at the 1995 Review and Extension Conference; **specific time be allocated at sessions of the Preparatory Committee to address specific relevant issues**; the purpose of the first two sessions of the Preparatory Committee would be to “consider principles, objectives and ways in order to promote the full

implementation of the Treaty, as well as its universality” >> to this end, **each session of the Preparatory Committee should consider specific matters of substance relating to the implementation of the Treaty and Decisions 1 and 2, as well as the Resolution on the Middle East adopted in 1995, and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty >>>>**

14. consideration of the issues at each session of the Preparatory Committee should be **factually summarized** and its results transmitted in a report to the next session for further discussion, *at its **third** and, as appropriate, fourth sessions, the Preparatory Committee, **taking into account the deliberations and results of its previous sessions, should make every effort to produce a consensus report containing recommendations to the Review Conference; procedural arrangements for the Review Conference should be finalized at the last session of the Preparatory Committee.***

NPT 2022 (2020) Decision on the next review cycle*, *inter alia*, includes the “establish[ment of] a working group on further strengthening the review process of the Treaty, open to all States parties, based on the following arrangements that the working group:

- (i) will meet as close as possible to the beginning of the first meeting of the Preparatory Committee for the eleventh Review Conference (scheduled for 2026), to discuss and make recommendations to the Preparatory Committee on measures that would improve the effectiveness, efficiency, transparency, accountability, coordination and continuity of the review process of the Treaty;
- (ii) will operate according to the rules of procedure of the tenth Review Conference, which will be applied *mutatis mutandis*; and that
- (iii) the Secretariat will, in consultation with States parties and the Chair-designate of the first meeting of the Preparatory Committee, facilitate a decision on the venue and duration of the working group, and provide States parties with an estimate of the costs of the working group, which will be covered through a one-time assessed contribution by States parties”.

(*This 2020(2022) decision failed to reaffirm the 1995/2000 decisions on the review process.)

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