

A STRONGER REVIEW PROCESS FOR A STRONGER NPT

European Union proposals for the Working Group on strengthening the NPT review process and ahead of the First Preparatory Committee of the 11th NPT Review Conference

The European Union (EU) reaffirms its unequivocal support for the NPT as the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI of the NPT and an important element in the development of nuclear energy applications for peaceful purposes in accordance with Article IV of the NPT.

At the 1995 NPT Review and Extension Conference, States Parties to the NPT adopted a decision on “Strengthening the review process for the Treaty”, which has since provided structure to the review processes. In light of the experience accumulated since, there is a broad sense among States Parties of the need to further improve and strengthen the process, with different groups of States Parties sharing their proposals.

The 2020 NPT Review Conference decided in its 13th plenary meeting, on 26 August 2022, “to establish a working group on further strengthening the review process of the Treaty”, the aim of which is “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”.

Having reviewed earlier ideas put forward by groups of States Parties,¹ the EU would like to share the following proposals with the aim of contributing constructively to the first meeting of this working group (Vienna, 24-28 July 2023) and further enhancing the review process within the framework set by the aforementioned 1995 decision:

A more substantive and interactive review process

- After two consecutive Review Conferences without a final document, and in view of the current international security environment, significant further efforts are required to build consensus. A more substantive and in-depth discussion of ideas and proposals could help develop a dynamic of better mutual understanding of the issues where States Parties’ views differ and contribute positively to the emergence of consensus.

¹ Among other earlier proposals:

- [*“Further strengthening the review process of the Treaty on the Non-Proliferation of Nuclear Weapons”*](#), working paper submitted by Canada, Australia, Austria, Chile, Germany, Ireland, Italy, Japan, Mexico, the Netherlands, New Zealand, Nigeria, Poland, Sweden, Switzerland, Thailand and Ukraine for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/WP.4).
- [*“Strengthening the review process of the Treaty on the Non-Proliferation of Nuclear Weapons for the tenth Review Conference of the Parties to the Treaty”*](#), working paper submitted by the members of the Non-Proliferation and Disarmament Initiative (NPDI) (Australia, Canada, Chile, Germany, Japan, Mexico, Nigeria, Philippines, Poland, Turkey and United Arab Emirates) for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2020/WP.53).
- *“Recommendations and considerations of the Non-Proliferation and Disarmament Initiative regarding the NPT working group on Strengthening the Review Process”*, NPDI.
- *“Working paper presented by the Czech Republic regarding the NPT working group on Strengthening the Review Process”*.

- Interactive sessions that would allow an exchange of contrasting ideas are likely to be more conducive to the dynamics described above. More use of expert briefings and/or panels, focusing on specific topics, could therefore be welcome. Emphasis could also be put on side-events providing for an inclusive, expert and in-depth assessment of NPT implementation and other issues related to challenges, opportunities and progress in the Treaty's implementation.
- In recent years there has been a considerable overlap between the substantive discussions in the Main Committees and those in the Subsidiary Bodies. Due consideration could be given to enhancing complementarity between both types of structures, i.e. by reassessing the role of Subsidiary Bodies and their specific issues of consideration in light of the proposals above. The current division between "review" and "future-oriented" discussions, that appears to allow for numerous overlaps, should also be reassessed.
- Encouraging inputs in writing and better enforcement of time limits for oral statements could help reduce the time devoted to the general debate. Video messages with limited time could also be encouraged. This should allow allocating more time to interactive and substantive discussions.

A more inclusive process

- The regional approach in the latest review cycle, based on setting up outreach, workshops and consultation meetings with a strong regional focus and the participation of regional experts and diplomats, should be further developed.
- The creation of a form of needs-based financial assistance should be explored in order to facilitate the participation in Preparatory Committee sessions and Review Conferences of States Parties that do not have diplomatic representation in the location where these events take place.
- The NPT review cycle would benefit from increased inclusion of a broad range of stakeholders, such as experts, industry, academia and civil society representatives at dedicated sessions, including side-events. Their participation could also include the possibility of a statement at the closing of each Main Committee debate. This would bring additional information and wider perspectives, enhancing the credibility and transparency of the review process.
- The Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO) should have a dedicated speaker's slot in the general debate, immediately after the International Atomic Energy Agency (IAEA). An extra item should be included in the provisional agenda of the Review Conference under the title "*Address by the Executive Secretary of the Preparatory Commission to the CTBT Organisation*".²

² The Preparatory Commission of the CTBT is currently listed as a peer among international and regional organisations, in spite of its unique position in the international non-proliferation architecture. Among the NPT's stated objectives is "to achieve the discontinuance of all test explosions of nuclear weapons for all time". While not all States Parties to the NPT have ratified the CTBT, support for its objectives is unanimous, as reflected in action 11 of the 8th NPT Review Conference's Action Plan. Furthermore, action 14 encouraged the full development of the CTBT's verification regime.

Enhancing transparency and accountability

- National reports should be a valuable contribution to the review exercise, as well as evidence of the States Parties' commitment to the implementation of all three pillars of the Treaty. At the 2020 NPT Review Conference, a substantial majority of States Parties did not file their national reports. In order to improve States Parties' compliance in this regard and ensure that their reports effectively contribute to the review process, the following steps are suggested:
 - The disparity of formats and lengths of national reports undermine their utility. For the case of Non-Nuclear-Weapon States, providing an indicative template and establishing an extension limit could stimulate States Parties to draft and submit national reports. Nuclear-Weapon States could provide their national reports according to an indicative template, building on previous efforts such as those of the NPDI.³
 - A list of the States Parties which have provided their national reports should be circulated at the beginning of each Review Conference and annexed to the outcome document, as a further incentive for States Parties to actively contribute to the review process and fulfil this specific commitment.
 - In order to better integrate national reports in the NPT cycle, national reports and especially national reports by Nuclear-Weapon States could be subjected to a peer review process and open discussion, the modalities of which could be formalised as an integral part of the review process.

A more cohesive review process

- In order to improve coordination and give more continuity to the work both within each cycle and between cycles, the EU supports:
 - After due consideration of its budgetary implications, creating a small Treaty implementation support unit, in order to assist and facilitate the organisation of Treaty meetings and intersessional work on a full-time basis, and support the Chair by providing advice, background documentation and analysis, as well as assisting the Chair's contacts with States Parties, international organisations and NGOs.
 - In order to bridge a perceived disconnect between Preparatory Committee sessions and the Review Conference, their Chairs and President-Designate could be elected immediately after the previous Review Conference and constitute a "Chairs' Bureau", in order to facilitate a transfer of information, knowledge and support and ensure continuity throughout the review cycle.

³ [*"Transparency of nuclear weapons: the Non-Proliferation and Disarmament Initiative"*](#), working paper submitted by Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Poland, Turkey and United Arab Emirates for the First Session of Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2015/PC.I/WP.12).

- The EU strongly supports that every effort should be made to reach agreement on substantive matters by means of consensus. However, the current method of consensus-building over the cycle should be reassessed. The EU favours the idea of rolling texts, divided into sub-topics or cross-cutting issues, each advancing at a different pace and agreed only *ad referendum*, pending final agreement over the whole document. The practice of issuing “Chair’s Reflections” could also be useful.
- Recalling the agreement on the purpose of the first two sessions of the Preparatory Committee in the decision *Improving the effectiveness of the strengthened review process for the Treaty* of the 2000 NPT Review Conference (NPT/CONF.2000/28 (Parts I and II)), a rolling text at the end of a Preparatory Committee session could include the identification of specific matters within each pillar, with a particular focus on Pillars II and III during the First Preparatory Committee session in Vienna, and on Pillar I and cross-cutting issues during the Second Preparatory Committee session in Geneva. This would provide the Chair of the final Preparatory Committee session in New York with a more solid basis on which to make a set of substantive recommendations for the consideration of the Review Conference.
- In order to better integrate the cycle, all States Parties should strive to effectively implement the aforementioned decision of the 2000 NPT Review Conference, which states that “[a]t 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”. This could enhance the work and results of the Preparatory Committee sessions and potentially help save time in the first stages of the Review Conference.