## Preparatory Committee for the 2026 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

11 August 2023

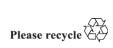
Original: English

#### First session

Vienna, 31 July-11 August 2023

# Reflections by the Chair of the first session of the Preparatory Committee on potential areas for focused discussion at the second session of the Preparatory Committee for the 2026 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

- 1. Consecutive failures by Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to reach consensus have negatively affected the full implementation of the Treaty. The Treaty's essential role in the maintenance of international peace and security and growing contribution to sustainable development mean that all States parties should make success in 2026 a top priority. As has been noted by many, achieving success at the next Review Conference may require new thinking about how we facilitate the implementation of the Treaty.
- 2. The present document, therefore, is consistent with the views expressed by many States parties, during the meetings of the working group established by NPT/CONF.2020/DEC.2, on the need to improve continuity throughout the review cycle. It represents an attempt, in my capacity as Chair of the first session of the Preparatory Committee for the 2026 Review Conference, to support the work of the Chair of the second session. In the following sections, I elaborate issues across the three clusters of the Preparatory Committee's work that could, in my view, benefit from further focused discussion with a view to achieving success at the 2026 Review Conference. I believe that structured, focused discussions could help to bridge divides and find common ground. The issues presented below are not exhaustive and the present document is without prejudice to the position of any State party or any decision that the States parties may take relating to the review cycle.
- 3. Taking into account the present security environment and the discussions among States parties at the first session of the Preparatory Committee, I hope that the present document will contribute to the full implementation of the Treaty and the achievement of its goals: the non-proliferation of nuclear weapons and their non-use and eventual elimination, as well as the inalienable right to the peaceful uses of nuclear energy, science and technology.





### Accountability for the implementation of disarmament commitments and transparency on steps taken in that regard

- 4. The need for accountability for the implementation of disarmament commitments underpinned the adoption of Decisions 1 and 2 of the 1995 Review and Extension Conference. Subsequent Review Conferences further elaborated the importance of transparency and reporting and agreed on commitments in this regard.<sup>1</sup>
- 5. States parties have expressed strong interest in building on previous work to strengthen accountability for the implementation of disarmament commitments, especially those adopted in 2000 and 2010. Increased transparency through enhanced reporting has been highlighted as a vehicle to progress this issue. I therefore recommend that the second session of the Preparatory Committee could engage in further focused discussion on:
- (a) Enhanced standard reporting by nuclear-weapon States and the content of that reporting;
- (b) Ways to further institutionalize reporting in the strengthened review process, including through the presentation and interactive discussion of national reports by nuclear-weapon States.

#### Reducing the role of nuclear weapons in security doctrines

- 6. Reducing the role of nuclear weapons in military and security concepts was addressed by the 2010 Review Conference, building upon work done by the 2000 Review Conference.
- 7. In 2023, there has been substantial discussion on reducing the role of nuclear weapons in security doctrines. I therefore recommend that the second session of the Preparatory Committee could engage in focused discussion on:
- (a) The role of nuclear weapons in the military doctrines of the nuclear-weapon States and measures to diminish and eliminate that role;
- (b) The inclusion of all categories of nuclear weapons and delivery systems in disarmament and arms control processes.

#### Negative security assurances, including in the context of nuclearweapon-free zones

8. The action plan adopted at the 2010 Review Conference contains several provisions related to security assurances, including in the context of nuclear-weapon-

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<sup>&</sup>lt;sup>1</sup> See, in particular, step 9 of the 13 practical steps contained in the Final Document of the 2000 Review Conference (NPT/CONF.2000/28 (Parts I and II)) and actions 5 (g), 20 and 21 of the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference (see NPT/CONF.2010/50 (Vol. I)).

<sup>&</sup>lt;sup>2</sup> See action 5 (c) of the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference.

<sup>&</sup>lt;sup>3</sup> See, in particular, step 9 of the 13 practical steps contained in the Final Document of the 2000 Review Conference.

free zones.<sup>4</sup> These provisions built upon agreements reached at the 2000 Review Conference<sup>5</sup> and the 1995 Review and Extension Conference.<sup>6</sup>

- 9. I have heard the calls from many non-nuclear-weapon States regarding the provision of security assurances by nuclear-weapon States. I therefore recommend that the second session of the Preparatory Committee could engage in focused discussion on:
- (a) How to make progress towards the provision of legally binding, effective, universal, unconditional, non-discriminatory and irrevocable negative security assurances by the nuclear-weapon States to the non-nuclear-weapon States;
- (b) The status of the protocols to the treaties establishing nuclear-weapon-free zones as well as other arrangements regarding the provision of security assurances by the nuclear-weapon States.

#### Measures to prevent any use of nuclear weapons

- 10. Action 5 (f) of the 2010 Action Plan addressed, inter alia, the risk of the accidental use of nuclear weapons. Measures to reduce the risk of use of nuclear weapons were also discussed by the tenth Review Conference.
- 11. I have noted that the concern about risk of use of nuclear weapons remains high and that there is significant interest in the further discussion of measures to prevent any use of nuclear weapons, including intentionally or by miscalculation, miscommunication, misperception or accident. I therefore recommend that the second session of the Preparatory Committee could engage in focused discussion on:
- (a) Factors affecting the risk of use of nuclear weapons, including the impact of emerging and disruptive technologies;
- (b) Measures to be taken by the nuclear-weapon States, including in cooperation with the non-nuclear-weapon States, to prevent any use of nuclear weapons;
- (c) The linkage between preventing nuclear weapons use and achieving nuclear disarmament.

#### Humanitarian consequences of nuclear weapons, including measures aimed at victim assistance and environmental remediation

- 12. The 2010 Review Conference expressed deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons.<sup>7</sup>
- 13. Many States parties have since expressed their interest in building knowledge and understanding of the catastrophic consequences of nuclear weapon detonations and the impact of the use and testing of nuclear weapons on victims and the

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<sup>&</sup>lt;sup>4</sup> Including actions 7–9.

<sup>&</sup>lt;sup>5</sup> See, in particular, NPT/CONF.2000/28 (Parts I and II), part I, section entitled "Article VII and the security of non-nuclear-weapon States", paras. 1–4 and 11.

<sup>&</sup>lt;sup>6</sup> See, in particular, NPT/CONF.1995/32 (Part I) and NPT/CONF.1995/32 (Part I)/Corr.2, annex, decision 2, paras. 7 and 8.

<sup>&</sup>lt;sup>7</sup> See paragraph v. of the principles and objectives in the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference.

environment. I recommend that the second session of the Preparatory Committee could engage in focused discussion on:

- (a) Insights arising from new research on the humanitarian consequences of nuclear weapon detonations, including the gendered impact of exposure to ionizing radiation;
- (b) The provision of assistance to States affected by nuclear weapon detonations for the benefit of victims and environmental remediation.

#### Safeguards

- 14. The International Atomic Energy Agency (IAEA) has long been recognized as the competent authority responsible for verifying and assuring, in accordance with its statute and its safeguards system, compliance by States parties with the safeguards agreements undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty. The effective and efficient implementation of safeguards requires that IAEA have the necessary resources and tools available to it in an advancing technological landscape, that States parties adhere to the relevant legal instruments and that they have the capacity to implement those agreements. In order to ensure the fulfilment of the requirements of the Treaty in respect of IAEA safeguards, I recommend that the second session of the Preparatory Committee could engage in focused discussion on:
- (a) Ways to encourage States parties that have not yet done so to conclude and bring into force comprehensive safeguards agreements;
- (b) Optimizing support for the strengthening of IAEA safeguards, including through promoting adherence to comprehensive safeguards agreements, additional protocols and the amendment or rescission of small quantities protocols and building capacity in States parties to implement these obligations;
- (c) Assessing the impact of significant technological developments on IAEA safeguards, including small modular reactor technologies, transportable nuclear power plants and floating nuclear power plants.

#### **Export controls**

- 15. Export controls under the Treaty are considered in two aspects: one relates directly to the implementation of all States parties' obligations under article III, paragraph 2, of the Treaty, and the other relates to broader efforts to ensure that nuclear trade for peaceful purposes does not contribute to the proliferation of nuclear weapons or other nuclear explosive devices. Past Review Conferences have additionally called upon States to observe the legitimate right of all States parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes. In order to explore aspects of this area in a structured manner, I recommend that the second session of the Preparatory Committee could engage in focused discussion on:
- (a) Specific measures to implement the obligations of States under article III, paragraph 2, of the Treaty and measures to ensure that nuclear-related trade does not contribute to the development of nuclear weapons or nuclear explosive devices;
- (b) Ways to ensure that measures referenced in subparagraph (a) do not unduly impede the right recognized in article IV of the Treaty;

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(c) The development of sound national laws and regulations to ensure that States parties are able to give effect to their commitments with respect to the transfer of nuclear and dual-use items to all States in accordance with the relevant provisions of the Treaty.

#### **Nuclear-weapon-free zones**

- 16. Nuclear-weapon-free zones, established on the basis of arrangements freely arrived at among the States of the region concerned, enhance global and regional peace and security and make an important contribution to advancing nuclear disarrament and non-proliferation. States parties have previously recognized that the cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.
- 17. In this regard, I recommend that the second session of the Preparatory Committee could engage in focused discussion on:
- (a) Ways to facilitate the review and/or withdrawal of reservations and interpretative statements by the nuclear-weapon States in connection with relevant protocols to the treaties establishing nuclear-weapon-free zones;
  - (b) Ways to strengthen cooperation among the nuclear-weapon-free zones.

## Peaceful uses of nuclear science and technology in achieving the Sustainable Development Goals and the 2015 Paris Agreement on climate change

- 18. Many States parties emphasized the role of nuclear science and technology in achieving the Sustainable Development Goals and the 2015 Paris Agreement on climate change. I recommend that the second session of the Preparatory Committee could engage in further focused discussion on:
- (a) Sharing of experiences, successes, challenges and good practices in realizing the full potential of nuclear science and technology in addressing global challenges and socioeconomic development needs;
- (b) Ways to further promote awareness of the role of nuclear science and technology in achieving the Sustainable Development Goals and the 2015 Paris Agreement on climate change among a wider variety of stakeholders, including government and international development agencies, non-governmental organizations, medical and research communities, universities, nuclear regulators and operators, the nuclear industry and the private sector;
- (c) Implementation of States parties' initiatives aimed at further expanding sustainable access to the benefits of peaceful uses of nuclear energy through awareness-raising, capacity-building, the provision of equipment, the strengthening of regional networking and regional cooperation frameworks, and North-South, South-South and triangular cooperation;
- (d) Ways to further support IAEA projects, including flagship initiatives on ramping up cancer control (Rays of Hope), strengthening preparedness for and capability to respond to zoonotic diseases outbreaks (Zoonotic Diseases Integrated Action initiative ZODIAC), addressing plastic marine pollution (Nuclear Technology for Controlling Plastic Pollution NUTEC Plastics), small modular reactors (Nuclear Harmonization and Standardization Initiative and Platform on Small Modular Reactors and Their Applications), and women's representation in the

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nuclear field (Marie Sklodowska-Curie Fellowship Programme and Lise Meitner Programme).

#### Nuclear safety and security during an armed conflict

- 19. Many States parties emphasized the importance of nuclear safety and security regarding peaceful nuclear facilities and materials in all circumstances, including in armed conflict zones, and expressed concern with the safety and security of the nuclear facilities and materials of Ukraine, particularly at the Zaporizhzhia nuclear power plant. I recommend that the second session of the Preparatory Committee could engage in further focused discussion on:
- (a) Ways to strengthen adherence to the IAEA seven indispensable pillars for ensuring nuclear safety and security during an armed conflict, and the five concrete principles to help to ensure nuclear safety and security at the Zaporizhzhia nuclear power plant;
  - (b) Ways to further support IAEA activities in this regard.

#### Further strengthening the review process

20. States parties welcomed the establishment by the tenth Review Conference of the working group on further strengthening the review process. They remarked on the constructive nature of discussions at the working group and expressed broad support for the draft recommendations as contained in the working paper submitted by the Chair of the working group (NPT/CONF.2026/PC.I/WP.34) and the conduct of further work in this regard. Given this interest, and taking into account my earlier recommendations regarding transparency and accountability, I recommend that the second session of the Preparatory Committee, under the Cluster 3-specific issue, engage in focused discussion on measures to improve the effectiveness, efficiency, coordination and continuity of the review process, on the basis of the working paper submitted by the Chair of the working group and other proposals, with a view to submitting recommendations to the 2026 Review Conference.

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