

**Reporting
by States Parties to the
Treaty on the Non-Proliferation of Nuclear Weapons**

Report on the
NPT Reporting Roundtable
Ottawa, 8-9 January 2002

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Abstract

This report is an overview of the discussions at the NPT Reporting Roundtable held in Ottawa on 8-9 January 2002. The purpose of the Roundtable was to examine the NPT reporting requirement agreed at the 2000 NPT Review Conference and to consider how States parties could respond to this requirement, with the specific goal of providing useful advice and recommendations to the Government of Canada. The Roundtable considered the elements that should be contained in such reports, discussed the factors that need to be considered in development of a standardized reporting framework that Canada and other States parties could promote for use by all NPT States parties, and attempted to identify strategies through which Canada and other States parties could effectively insert such recommendations into the NPT review process. Participants were not asked to formally agree on any specific conclusions or recommendations, but a number of areas of common opinion were identified during the event, along with many other areas where questions or differences remained.

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Summary

This report is an overview of the discussions at the Non-Proliferation Treaty (NPT) Reporting Roundtable organized by the Canadian Network to Abolish Nuclear Weapons (CNANW) in Ottawa on 8-9 January 2002. The purpose of the Roundtable was to examine the reporting requirement agreed at the 2000 NPT Review Conference and to consider how States parties could respond to this requirement, with the specific goal of providing useful advice and recommendations to the Government of Canada.

NPT Review Conferences have always had implicit in their function a requirement for information on the status of the Treaty's implementation. But there has never been any form of standardized reporting by the nuclear-weapon States, or by any other States parties, on implementation of the Treaty.

The absence of systematic reporting was addressed in a preliminary way at the 2000 NPT Review Conference. The 2000 *Final Document* called on all States parties to provide

- regular reports, within the framework of the strengthened review process for the NPT, 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
- reports on steps taken to promote the achievement of an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction and the realization of the goals and objectives of the 1995 NPT Review and Extension Conference's Resolution on the Middle East.

Roundtable participants discussed the purpose of NPT reporting (the goals that would be served by establishing a reporting mechanism); the mandate of reporting (the details agreed in the 2000 *Final Document*); the scope of reporting (the range of topics that might be covered by reporting); the venue of reporting (questions concerning the submission, use, and disposition of reports); the details of the possible content and format of reports; and, finally, actions that governments and non-governmental organizations (NGOs) could take to help initiate and foster effective reporting. Participants were not asked to formally agree on any specific conclusions or recommendations, but a number of areas of common opinion were identified, along with many other areas where questions or differences remained.

Participants felt that there would be no point in establishing a reporting mechanism if it were to become simply a ceremonial exercise involving the exchange of *pro forma* reports. States parties should commit themselves to produce reports that serve a real function, providing regular, systematic, and detailed information to the other States parties with the goal of improving the functioning of the Treaty's strengthened review process. Participants also felt that such reports should have a broader purpose: to encourage further progress in nuclear disarmament by increasing the political salience of meeting the goals of the NPT.

Next, participants discussed the nature of the Middle-East-related and Article-VI-related (“practical step 12”) reporting mandates laid out in the 2000 *Final Document*. The Middle East mandate is relatively clear cut; the practical step 12 mandate is much less clear. In general, participants felt the latter should be interpreted as mandating reports by all States parties submitted both to Preparatory Committee (PrepCom) meetings and to Review Conferences on policies and activities in support of implementation of Article VI and Article-VI-related items such as the 13 “practical steps” specified in the *Final Document* (of which number 12 was the reporting mandate itself).

Participants discussed two general approaches to scope. The first approach, based on a narrow reading of the practical step 12 and Middle East reporting mandates, would focus solely on Article VI and related items and the Middle East; the second would encompass the full range of provisions and obligations of the Treaty, including the decisions, resolutions, and outcomes of all Review Conferences. Some participants argued that a focused approach to reporting would be preferable, but others argued in favour of a comprehensive approach. The latter acknowledged that a comprehensive regime would be much more extensive than that formally mandated by the *Final Document* but argued that nothing prevents States parties from choosing to report more comprehensively and there are several reasons why such reports would be preferable. Participants also considered whether it would be preferable to combine Middle East and practical step 12 reporting in a single report or to have two separate reports.

Participants felt that the appropriate venue for NPT reporting would be the NPT PrepCom and Review Conference process. Reports should be submitted to the other States parties at or before the review sessions, used by States parties during the course of the session, and also made public, preferably as documents of the conference. It was generally believed that the UN Department for Disarmament Affairs (DDA) would be the most appropriate institution to receive and compile reports. Participants noted, however, that States parties would have to address how to finance any such tasks assigned to DDA.

Participants also considered issues related to the content and format of the reports. It quickly became evident that it was not desirable for any State to attempt to come up with a detailed and definitive reporting framework without wider involvement by other States. Participants did dedicate considerable time to exploring these issues, however, and a large number of suggestions were made.

Finally, participants discussed the actions that the Government of Canada, other governments, and NGOs could take to help initiate and foster effective NPT reporting. It was generally felt that Canada could play an important leadership role in moving the reporting issue forward. Most participants believed, however, that it would also be essential to get a significant number of other States parties involved early in the design and advocacy process. Most participants also felt that NGOs could play an important role in promoting the initiation and development of NPT reporting. A variety of suggestions were made for steps that governments and/or NGOs could take.

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Introduction

This report is an overview of the discussions at the Non-Proliferation Treaty (NPT) Reporting Roundtable organized by the Canadian Network to Abolish Nuclear Weapons (CNANW) in Ottawa on 8-9 January 2002.

The purpose of the Roundtable was to examine the NPT reporting requirement agreed at the 2000 NPT Review Conference and to consider how States parties could respond to this requirement, with the specific goal of providing useful advice and recommendations to the Government of Canada. The Roundtable considered the elements that should be contained in such reports, discussed the factors that need to be considered in development of a standardized reporting framework that Canada and other States parties could promote for use by all NPT States parties, and attempted to identify strategies through which Canada and other States parties could effectively insert such recommendations into the NPT review process.

Roundtable participants included representatives of non-governmental organizations (NGOs) from Canada, Europe, and the United States, Canadian government officials, and a number of individuals with special expertise in the UN system and other areas relevant to NPT reporting (see Appendix I for the full list of participants).

Participants were not asked to formally agree on any specific conclusions or recommendations, but a number of areas of common opinion were identified during the event, along with many other areas where questions or differences remained.¹ As the Roundtable was conducted under the Chatham House Rule, no comments or views are attributed to specific individuals or organizations.²

Funding support for the Roundtable was provided by the Canadian Centre for Foreign Policy Development. This support does not, of course, imply endorsement of the contents of this report by either the Centre or the Government of Canada.

Background and context of NPT reporting

The Roundtable opened with a discussion of the background and context of NPT reporting.

NPT Review Conferences have always had implicit in their function a requirement for information on the status of the Treaty's implementation. In response to a formal request

¹ Every attempt has been made to reflect fairly the range of opinions expressed during the Roundtable; it must be emphasized, however, that the views expressed in this report do not necessarily reflect the views of CNANW member organizations or any of the individuals who participated in the event or the organizations that they represented. Much of the background information and analysis in this report is drawn from a background document prepared prior to the event by the rapporteur (Bill Robinson, *Background Document on Reporting by States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, 2001).

² For further information about the Chatham House Rule, see <http://www.riia.org/meetings/rule.html>

from the NPT Review Conference Preparatory Committee, reports of varying degrees of detail have been submitted to Review Conferences by nuclear-weapon States parties since 1985. Review conferences also have benefitted from reports on the implementation of Articles III, IV, and V submitted by the International Atomic Energy Agency. But there has never been any form of standardized reporting to Review Conferences by the nuclear-weapon States, or by any other States parties, on implementation of the Treaty.

The 1995 NPT Review and Extension Conference (1995 NPTREC) agreed not only to extend indefinitely the Treaty and its process of holding Review Conferences every five years, but also to strengthen the NPT review process, establishing a regular schedule of Preparatory Committee (PrepCom) meetings in each of the three years preceding the Review Conferences and mandating those meetings “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.”³

The decision to strengthen the review process implied a further requirement for information on the status of implementation of the Treaty. But no explicit procedure for reporting was spelled out in the 1995 decisions, and thus there remained no agreement on which States should report, no agreement on the scope and format of reporting, no agreement on the regularity of reporting, no agreement on the level of detail required, and no agreement even on whether such information should be provided in the form of an actual report.

Beginning in 1997, the nuclear-weapon States began to report voluntarily on their Article VI compliance at PrepCom sessions as well as Review Conferences. As with their reports to Review Conferences, however, each State has determined the form and content of these reports on its own. The report by the United States has been the most systematic and detailed, while the reports by Russia, the United Kingdom, and France have been less detailed. China has reported the least.⁴ There has been no systematic reporting on the part of the non-nuclear-weapon States parties.

Decisions at the 2000 NPTRC

The 2000 NPT Review Conference (2000 NPTRC) broadened the mandate of the PrepComs to include consideration of “specific matters of substance” relating to implementation of the NPT, implying a still greater requirement for information at PrepCom sessions:

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.⁵

³ NPT/CONF.1995/32/DEC.1, para. 4.

⁴ Examples of some of these reports are available at the Reaching Critical Will website (http://www.reachingcriticalwill.org/npt/NPTDocuments/NPT_docs_index.html).

⁵ NPT/CONF.2000/28, Volume I, Part I, p. 20.

The 2000 NPTRC also addressed, in a preliminary way, the absence of systematic reporting of such information. The States parties agreed in the *Final Document* of the 2000 NPTRC on thirteen “practical steps” to be taken in pursuit of implementation of the Treaty, of which practical step 12 called for the provision of

Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, 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 1996.⁶

The States parties also agreed in the 2000 *Final Document* to request all States parties to report on the steps they take to promote the achievement of an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction and the realization of the goals and objectives of the 1995 NPTREC Resolution on the Middle East.⁷

These provisions do not have the legally binding character of articles of the Treaty, but they do represent formally negotiated commitments unanimously undertaken by the States parties during proceedings of the Treaty’s formal review process, which is itself fundamental to the effort to ensure the Treaty’s continued viability. States parties thus have an obligation both to themselves and to each other to ensure that such commitments are fulfilled fully and expeditiously.

The practical step 12 commitment also has been reaffirmed by a number of States in other fora.⁸

Nonetheless, the precise meaning of these commitments, and in particular of the practical step 12 commitment, is certain to be the subject of some contention. What is the nature of the reports that should be made? What items should be reported on and in what detail? Are all states expected to report on all items? How often and to whom should reports be submitted?

The primary way to answer these questions is to examine the details of the mandates spelled out, or at least implied, in the relevant sections of the 2000 *Final Document*. However, the *Final Document* has little or nothing to say on many of these questions, which will need to be resolved through further discussions among States parties, culminating, possibly, in a formal agreement at a subsequent Review Conference. It is important, therefore, to consider what positions to adopt on the purpose, mandate, scope,

⁶ Subparagraph 12 of paragraph 15, subsection on “Article VI and the eighth to twelfth preambular paragraphs,” 2000 *Final Document* (NPT/CONF.2000/28, Volume I, Part I, p. 15).

⁷ NPT/CONF.2000/28, Volume I, Part I, p. 18.

⁸ Support for practical step 12 was reaffirmed by the member states of NATO in the North Atlantic Council’s *Report on Options for Confidence and Security Building Measures (CSBMs), Verification, Non-Proliferation, Arms Control and Disarmament* (public version released as *Press Communiqué M-NAC-2(2000)121*, 14 December 2000) and by the United Nations General Assembly in the “New Agenda” resolution (“Towards a Nuclear-Weapon-Free World: The Need for a New Agenda,” A/RES/55/33C), adopted on 20 November 2000 by a vote of 154 in favour, 3 opposed, and 8 abstentions.

venue, and format of such reporting when developing a position on the eventual form and content of a reporting system.

Purpose, mandate, scope, and venue for NPT reporting

This part of the Roundtable report is divided into sections on the **purpose** of NPT reporting (the goals that would be served by establishing a reporting mechanism); the **mandate** of reporting (the details agreed by States parties in the 2000 *Final Document*); the **scope** of reporting (the range of topics that might be covered by reporting, to the extent that this question is not resolved by the reporting mandate); and the **venue** of reporting (questions concerning the submission, use, and disposition of reports).

Purpose of reporting

The purpose that would be served by regular reporting in the NPT context was the next major topic of discussion at the Roundtable.

Participants felt that there would be no point in establishing a reporting mechanism if it were to become simply a ceremonial exercise involving the exchange of *pro forma* reports that amounted to little more than press releases. States parties should commit themselves to produce reports that serve a real function, providing regular, systematic, and detailed information to the other States parties with the goal of improving the functioning of the Treaty's strengthened review process.

The Roundtable discussed the function that is served by reporting provisions in a number of different treaty regimes. These included formal verification of treaty compliance, confidence-building, and improved transparency in the implementation-related activities of States parties.

Participants concluded that NPT reporting would function as a transparency measure. The operation of the Convention on Nuclear Safety was suggested as one possible analogy: like the NPT, the Convention lacks a comprehensive compliance mechanism, but nonetheless States parties exchange annual national reports on implementation of their obligations for "peer review" at meetings of the parties. In the NPT case, reports would provide regularly updated information in support of both the forward- and the backward-looking assessment role of PrepComs and Review Conferences.

Regular, systematic, and detailed reporting on the implementation of NPT obligations by States parties would provide significantly more information on such activities than is currently available, and provide it in a more standardized format, facilitating both the analysis of global trends and country-by-country comparisons. According to one participant, a majority of States parties arrive at review sessions with very little information on NPT-related developments. The creation of a common shared database, even of information nominally available already, would therefore be highly beneficial. Another participant noted that the information officially available to Review Conferences

was currently so sparse that the most specific that the 2000 *Final Document* could be about a fact as simple as the approximate number of nuclear weapons in the world (widely estimated to be about 30,000) was to report that there are still “many thousands” deployed or in stockpile.⁹

It was noted that the information provided in such reports might be applied usefully not only to inform States parties, but also to help guide and focus the work of PrepComs and Review Conferences.

Roundtable participants also felt that such reports should have a broader purpose: not only to provide information on the current state of nuclear disarmament, but also to encourage further progress in nuclear disarmament by increasing the political salience of meeting the goals of the NPT.

One way in which reporting might contribute to this goal would be by contributing to the further development of a general norm of accountability on the part of the nuclear-weapon States to other States parties and to the global community as a whole for the status of their nuclear capabilities and progress in nuclear disarmament. In this respect, the act of a State formally reporting information would be much different from that of a researcher reporting information, even if much of the information reported by States were already in the public domain. Another possible contribution might derive from the global expectations produced by the non-nuclear-weapon States – representing the vast majority of the global community – regularly reporting their own understanding of and expectations for implementation of NPT obligations.

More generally, participants believed that the actual process of reporting might prove as important as its product: the very act of asking questions and obliging governments to come up with answers could be an important part of the process of impelling progress. Even at the bureaucratic level, the need to compile and assess the necessary information and to demonstrate progress would raise the political salience of the NPT and contribute to positive institutional developments.

It was also noted that provision of such information might contribute to the fulfillment of practical steps 9 and 13 of the 2000 *Final Document*¹⁰ and that meeting the practical step 12 reporting requirement would itself be a useful demonstration of the determination of States parties to live up to their commitments under the treaty.

⁹ NPT/CONF.2000/28, Volume I, Part I, p. 13.

¹⁰ Practical step 9 endorses, among other measures, “Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament”; practical step 13 calls for “The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.” (NPT/CONF.2000/28, Volume I, Part I, p. 15.) While NPT reporting would not in itself constitute a verification capability, such reports might contribute to the creation of a culture of greater transparency that ultimately might lead to significant improvements in verification capabilities.

Broader context

It was also noted that an NPT reporting regime might evolve over time into a much more extensive transparency and/or verification regime or, perhaps more plausibly, contribute to some degree to the development of separate and more extensive transparency and/or verification regimes.

A more extensive regime, possibly incorporating the non-NPT states (Cuba, India, Israel, and Pakistan), might develop into a formal Nuclear Weapons Register¹¹ or similar instrument and, ultimately, play an important role in laying the groundwork for the transparency and verification regime needed to negotiate and implement a Nuclear Weapons Convention (or “universal and multilaterally negotiated legally binding instrument or framework encompassing a mutually reinforcing set of instruments”¹² for the achievement and maintenance of a nuclear-weapon-free world). However, while some participants suggested that a reporting regime involving the non-NPT states might be desirable, others cautioned that NPT reporting should remain within the NPT framework.

Many participants felt that part of the value of an NPT reporting regime would be its potential to contribute to the development of broader and more detailed transparency and, ultimately, verification regimes. But others noted that suggestions that an NPT regime itself might ultimately develop these attributes might encourage some States parties to oppose the establishment of formal NPT reporting. In any case, they noted, the evolution of broader transparency regimes would depend on developments that take place primarily, if not exclusively, outside the NPT context. While the two processes might proceed somewhat in parallel – broader transparency developments being at least as likely to contribute to improvements in NPT reporting as the other way around – an NPT reporting regime ought to be pursued principally for its potential to make a valuable contribution to the effective functioning of the NPT.

Participants were also conscious of the need to avoid doing any damage to the integrity of the Treaty. As the experience with the effort to strengthen the Biological and Toxin Weapons Convention demonstrated, a flawed or unsuccessful effort to establish a reporting mechanism might have the effect of undermining the Treaty itself.

Mandate of reporting

Any proposal for an NPT reporting regime must begin from the foundation of the reporting mandates created by the 2000 NPTRC *Final Document*.

¹¹ Possibly along the lines of the 1993 proposal by then German Foreign Minister Klaus Kinkel for a Nuclear Weapons Register under UN auspices. For a more recent discussion of register possibilities, see Harald Müller, *The Nuclear Weapons Register – A Good Idea Whose Time Has Come*, PRIF Report No. 51, Peace Research Institute Frankfurt, 1998.

¹² Operative paragraph 18 of the 2000 “New Agenda” resolution “affirms that a nuclear-weapon-free world will ultimately require the underpinning of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing set of instruments” (A/RES/55/33C).

Middle East mandate

The Middle East reporting mandate spelled out in the 2000 *Final Document* is as follows:

The Conference requests all States parties, particularly the nuclear-weapon States, the States of the Middle East and other interested States, to report through the United Nations Secretariat to the President of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference, on the steps that they have taken to promote the achievement of [an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction] and the realization of the goals and objectives of the 1995 Resolution on the Middle East. It requests that the Secretariat prepare a compilation of those reports in preparation for consideration of these matters at the Preparatory Committee meetings and the 2005 Review Conference.¹³

The major elements of this mandate are relatively clear cut, and the Roundtable did not examine it in any further detail.

Practical step 12 mandate

The practical step 12 reporting mandate is much less clear. In order to come to a reasonable interpretation of this provision, the Roundtable examined each of its constituent elements individually:

- I. Regular reports,
- II. within the framework of the strengthened review process for the Non-Proliferation Treaty,
- III. by all States parties
- IV. on the implementation of
 - a. article VI and
 - b. paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”, and
- V. recalling the advisory opinion of the International Court of Justice of 8 July 1996.

I. Regular reports

Although the practical step 12 mandate calls for “regular reports” by States parties, it does not specify the interval between those reports.

Roundtable participants noted that the original draft advanced by the New Agenda states called for “annual reports.” This language was opposed by the nuclear-weapon States and was not used in the *Final Document*. Thus, the nuclear-weapon States are likely to argue that “regular” reporting implies only that reports should be submitted to each Review Conference (*i.e.*, once every five years). Use of the term “regular” does not rule out annual or quasi-annual reporting, however, and many other States are likely to argue that reports should be submitted to PrepComs as well as Review Conferences (*i.e.*, not annually, but four years out of every five). Certainly, as noted above, the mandate assigned to PrepComs by the 1995 NPTRC and the 2000 NPTRC implies a need for up-

¹³ NPT/CONF.2000/28, Volume I, Part I, p. 18.

to-date information on the state of implementation of the Treaty to be available at each session.

The fact that the *Final Document* specifically calls for the Middle East reporting to be made to the PrepComs as well as to the Review Conference further strengthens the case for broader NPT reports also to be made on this schedule, especially if it were decided to combine the two sets of reports (Roundtable participants differed on this point). It should be noted, however, that the explicit mandate for Middle East reporting runs only to the 2005 Review Conference, although States could choose to continue submitting such reports whether or not there is an explicit decision in 2005 to extend the mandate. The practical step 12 mandate is of indefinite duration.

In view of the above considerations, Roundtable participants felt that it would be preferable if reports were submitted to PrepComs as well as Review Conferences.

II. within the framework of the strengthened review process for the Non-Proliferation Treaty

Reporting is specifically mandated to take place “within the framework of the strengthened review process,” *i.e.*, not just the Treaty’s original five-year review process. This stipulation further strengthens the argument that reports should be submitted to the PrepComs as well as to the Review Conferences.

III. by all States parties

Although there was some discussion at the Roundtable about what information the non-nuclear-weapon States might be called upon to report, all participants felt that this stipulation is clear: the mandate calls on all States parties, not just the nuclear-weapon States, to submit reports. (It was also noted that the Middle East reporting provision also calls on all States parties to report.)

IVa. on the implementation of article VI

This element and the one that follows address the scope of the requested reporting. The first element concerns reporting on the implementation of Article VI of the Treaty, which reads as follows:

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.¹⁴

The reportable subjects in Article VI can be divided into three parts:

- Effective measures relating to cessation of the nuclear arms race
- Effective measures relating to [complete] nuclear disarmament
- A treaty on general and complete disarmament

¹⁴ See Appendix II for the full text of the treaty.

The first two subjects encompass measures relating to the elimination of nuclear weapons and all preliminary measures to control and reduce nuclear weapons.

The last subject, general and complete disarmament, could be either narrowly defined as the pursuit of a specific treaty or broadly defined to include all measures that might ultimately be related to general and complete disarmament. The background paper on the implementation of Article VI prepared by the UN Secretariat for the 2000 NPT Review Conference took the latter approach, dedicating more than half its length – 49 of its 93 paragraphs – to measures and initiatives relating to general and complete disarmament.¹⁵

Some participants argued that NPT reporting should focus on nuclear disarmament and that general and complete disarmament reporting should be avoided as much as possible or even entirely. Others agreed that it is important not to establish a reporting mechanism that requires an onerous amount of reporting on this topic (or others) but nonetheless maintained that general and complete disarmament is a legitimate element of the mandate established by the *Final Document* and that it would be valuable to remind governments of the importance of pursuing conventional as well as nuclear disarmament. (This, it was explicitly noted, was not to argue that the commitment to nuclear disarmament should be seen as conditional on the achievement of general and complete disarmament.) One possibility suggested was that States parties could, at a minimum, note the status of their reporting in other regimes, such as the Conventional Arms Register, the Instrument for Standardized International Reporting of Military Expenditures, and the Ottawa Landmines Convention.¹⁶ Opinions remained divided on the amount of detail that should be requested in relation to general and complete disarmament.

IVb. [on the implementation of] paragraph 4(c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”

The second element concerns implementation of paragraph 4(c) of the 1995 decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament.” Paragraph 4(c) calls for

The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.¹⁷

This consists of two reportable parts:

- Pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons
- Pursuit by all States of general and complete disarmament

¹⁵ *Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons: Developments since the 1995 Review and Extension Conference*, UN Secretariat, 2000 (NPT/CONF.2000/4).

¹⁶ Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction.

¹⁷ NPT/CONF.1995/32/DEC.2, para. 4(c).

These stipulations repeat and to some extent elaborate upon the reportable subjects specified in Article VI. In particular, they add specific reference to “systematic and progressive efforts to reduce nuclear weapons globally.” There is no precise definition available of what actions qualify as systematic and progressive efforts to reduce nuclear weapons. Thus, anything that, it can be argued, advances the goal of reducing and ultimately eliminating nuclear weapons presumably can and should be included in such reports. This would include, at a minimum, the other nuclear-disarmament-related elements of both the 1995 NPTREC Decision 2¹⁸ and the 2000 NPTRC *Final Document*.

It might even be argued that the full implementation of the NPT regime in all its aspects is required to achieve the elimination of nuclear weapons (to cite one obvious example, the nuclear-weapon States are not likely to eliminate their nuclear weapons if the non-nuclear-weapon States are not honouring the Article II obligation not to acquire nuclear weapons) and that, therefore, all actions taken to implement any element of the NPT can and should be reported. However, the fact that a specific request for reporting on the Middle East was included in the *Final Document* could be taken as evidence that the Article VI and paragraph 4(c) reporting requirements are not to be read as implying a requirement to report on all NPT-related matters. (Alternatively, this request could be interpreted simply as evidence that Middle East developments are of special interest to States parties.)

It was generally felt that although States parties might choose to report more widely (indeed, in the view of many participants, there were strong arguments to do so), the formal reporting mandate established by the *Final Document* extends only to Article VI and items directly related to Article VI.

Although it did not define or delimit the nature of the activities that might be considered to be systematic and progressive efforts to reduce nuclear weapons, the 2000 *Final Document* did specify 13 “practical steps” for these efforts, making explicit reference to

¹⁸ These elements are Paragraph 3 and the other parts of paragraph 4 of Decision 2:

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

4. The achievement of the following measures is important in the full realization and effective implementation of article VI, including the programme of action as reflected below:

(a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;

(b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

(c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

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their role in the implementation of Article VI and paragraph 4(c).¹⁹ Participants believed, therefore, that progress on the implementation of these steps should be included in the reporting related to paragraph 4(c).

Many of the 13 practical steps apply to all States parties. Thus, although paragraph 4(c) refers only to systematic and progressive efforts on the part of the nuclear-weapon States, it is reasonable to expect all States to report on the implementation of these steps, as applicable, in keeping with their obligation to report on efforts to implement Article VI.

V. recalling the advisory opinion of the International Court of Justice of 8 July 1996

There were varying interpretations of the import of this stipulation. One possible interpretation is that it is intended to emphasize that (i) both the pursuit and the achievement of nuclear disarmament are obligations under the NPT and (ii) both obligations apply to all States parties, as stated in paragraphs 99 and 100 of the International Court of Justice's advisory opinion:

99. ... The legal import of [the Article VI] obligation goes beyond that of a mere obligation of conduct; the obligation involved here is an obligation to achieve a precise result -- nuclear disarmament in all its aspects -- by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith.

100. This twofold obligation to pursue and to conclude negotiations formally concerns the 182 States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, or, in other words, the vast majority of the international community.²⁰

This would reinforce the argument that all States parties should submit reports and that all – not just the nuclear-weapon States – should report in particular on their efforts to advance the implementation of Article VI.

Another possibility discussed was that this element was intended to emphasize that the implications of the advisory opinion need to be fully incorporated into States parties' understanding of, and thus reporting on, their nuclear disarmament obligations, including in particular commitments such as practical step 9 (which, among other measures, calls for "a diminishing role for nuclear weapons in security policies").

Scope of reporting

Having examined the mandates laid out in the Final Document, the Roundtable proceeded to discuss the range of topics that should be covered in reporting. Two general approaches to scope were discussed.

¹⁹ NPT/CONF.2000/28, Volume I, Part I, pp. 14-15. See Appendix III of this report for the full text of the 13 steps.

²⁰ *Advisory Opinion: Legality of the Threat or Use of Nuclear Weapons*, International Court of Justice, 8 July 1996, para. 99-100.

The first approach, based on a narrow reading of the practical step 12 and Middle East reporting mandates in the 2000 *Final Document*, would focus solely on Article VI and related items and the Middle East. An alternative version of this approach would see States parties respond to these two mandates in separate reports, one on Article VI and related items and another on the Middle East.

Such a report (or reports) would therefore address three broad topics:

- Cessation of the nuclear arms race and nuclear disarmament;
- General and complete disarmament; and
- The Middle East.

The second approach would encompass the full range of provisions and obligations of the Non-Proliferation Treaty, including the decisions, resolutions, and outcomes of the 1995 Review and Extension Conference and all subsequent Review Conferences. As with the first approach, reporting related to the Middle East might be included in a combined report or provided separately in a second report.

Such a report (or reports) would address nine broad topics:

- Nuclear non-proliferation;
- Safeguards;
- Peaceful uses of nuclear energy;
- Cessation of the nuclear arms race and nuclear disarmament;
- General and complete disarmament;
- Nuclear-weapon-free zones and security assurances;
- The Middle East;
- Universality; and
- Strengthened NPT review process.

For more detail about the kinds of information that might be included under each of these approaches, see Appendix IV.²¹

Comprehensive or focused approach?

Some Roundtable participants argued that a focused approach to reporting would be preferable, recommending that Canada and other States advocate strict limits on the scope of reporting. Others, however, argued in favour of a comprehensive approach.

Participants favouring a focused approach argued that this approach

- would be more consistent with the specific mandate laid out in the 2000 *Final Document*;
- would, by limiting its focus to the fundamental issue of nuclear disarmament, provide a more useful report; and

²¹ Appendix IV is based on the description of these possible approaches laid out in the background paper for the Roundtable (Robinson, *op. cit.*, pp. 11-14). Minor modifications have been made to make the description more consistent with the terminology used in this report.

- would minimize the work required to produce the report, increasing the likelihood of States parties submitting reports.

At least one participant suggested that the scope of reporting might even be limited to just the thirteen practical steps specified in the *Final Document*.

Participants favouring a more comprehensive approach to reporting acknowledged that such a regime would be much more extensive than the regime mandated in the 2000 *Final Document* but argued that nothing prevents States parties from choosing to report more comprehensively. A comprehensive regime

- would emphasize the indivisibility of the Treaty;
- would provide useful reporting on all elements of the Treaty, all of which the review process is called upon to assess;
- might reduce the likelihood of States parties refusing to participate in the regime on the grounds of a perceived or claimed imbalance in the reporting requirements; and
- would require the production of more substantive reports by the non-nuclear-weapon States, which might then be in a stronger position to argue for greater substance in the reports submitted by the nuclear-weapon States.

Another question considered by the Roundtable was whether it would be preferable to combine Middle East and practical step 12 reporting in a single report or to have two separate reports. One participant suggested that many Middle Eastern states have a poor record of meeting reporting obligations and that it might therefore be preferable not to combine the two sets of reports. Others drew the opposite conclusion, however, arguing that combining the reports and thus ensuring that they address issues of intense concern to Middle Eastern states would improve the likelihood of reporting by these states. Another participant noted that nuclear disarmament and non-proliferation issues are themselves issues of great concern in the region and that assumptions about limited reporting might therefore be invalid anyway.

Venue for reporting

Participants felt that the appropriate venue for NPT reporting would be the NPT PrepCom and Review Conference process. Other questions addressed included to whom reports would be submitted, how the reports would be used, and what would be done with them after they were submitted.

Participants felt that NPT States parties would be reporting to themselves in the first instance. Reports should be submitted to the other States parties at or before the review sessions (both PrepComs and Review Conferences), used by States parties during the course of the session, and also made public, preferably as documents of the conference.

It was suggested that making the reports available as official conference documents would be the best way to ensure that they would not disappear from the record after the event. Making them available as official documents would involve significant translation

and printing costs, however. States parties would need to accept the financial implications of such a decision. It was also pointed out that the “Reaching Critical Will” project of the Women’s International League for Peace and Freedom²² now collects and places on its website all NPT papers, not just official documents. Although this effort could not be seen as a replacement for an official repository, States parties could at least expect NPT reports to be preserved for governmental and NGO use in this form.

In any case, the question of the ultimate disposition of the reports was considered to be secondary by the Roundtable participants – an issue that could be resolved by the States parties as development of the reporting mechanism proceeded. Nonetheless, a number of possibilities were discussed.

Participants noted that an NPT secretariat exists only during actual conferences and there has always been considerable resistance to creating any form of permanent secretariat or related institutions for the Treaty. It is likely, therefore, that there would be great resistance to establishing a standing NPT mechanism to accept and digest such reports. One possible response would be to direct reports to the depository States (the United Kingdom, the United States, and Russia). Another possibility is that another State party might volunteer to provide a permanent home for the documents. Alternatively, the UN could become the repository.

It was generally believed that the UN Department for Disarmament Affairs (DDA) would be the most appropriate institution to receive and compile the reports submitted by States parties. DDA already provides such services with respect to the Ottawa Landmines Convention, the Conventional Arms Register, and the Instrument for Standardized International Reporting of Military Expenditures.

A decision to assign the NPT reporting repository task to DDA would also be consistent with the mandate for Middle East reporting laid out in the 2000 *Final Document*, which specifically requests the United Nations Secretariat (of which DDA is a part) to receive and prepare compilations of the Middle East related reports provided by States.²³ The argument for assigning DDA the same tasks with respect to practical step 12 reporting is especially strong if the two forms of reporting end up being combined.

Assignment of either or both tasks to DDA would have serious resource implications, however, particularly if the job of compiling the reports were to entail any element of analysis or synthesis. Participants noted that DDA already has inadequate financial resources and States parties would have to address how to finance any additional tasks assigned to DDA (or other elements of the Secretariat).

²² <http://www.reachingcriticalwill.org/>

²³ NPT/CONF.2000/28, Volume I, Part I, p. 18.

Content and format of NPT reporting

The Roundtable also considered the question of what sort of information should be sought under each of the reporting categories. What should be the nature, breadth, and level of detail of the information requested, and in what form should it be reported? It was originally hoped that the Roundtable's discussions might lead to a model format for standardized reporting that Canada might use and promote. It quickly became evident, however, that it was not desirable for any State to attempt to come up with a detailed and definitive reporting framework without wider involvement by other States parties. Such a framework will have to be developed over the course of discussions and negotiations among interested States parties, and ultimately among all the States parties, and it is likely even then that the solutions arrived at will evolve over time. The Roundtable did dedicate considerable time to exploring these issues, however, in the hope of assisting Canada and other States parties in their eventual consideration of these issues.

Kind and detail of information

One of the most fundamental questions addressed by participants was what kind of information should be sought and what level of detail. At the most basic level, the answer to this question will be provided by whatever decision ultimately is made on the scope of reporting (*i.e.*, focused or comprehensive, combined with Middle East reporting or not). Beyond that level, however, many decisions remain to be made.

Reporting might be expected to incorporate two general kinds of information:

- statements of policy, descriptions of implementation-related activities, and updates on the progress of treaty negotiations and implementation, and
- declarations concerning concrete implementation-related data, such as data on nuclear weapons holdings, delivery vehicle holdings, special fissionable materials stocks, or nuclear technology exports.

It was recognized that the level of detail that should be sought in such information was a difficult question. While asking for too little detail would significantly reduce the usefulness of the reports, asking for too much would discourage participation by States parties and thus also undermine the endeavour.

Participants noted that a lot of nuclear armament- and disarmament-related information is already available from sources such as the UN *Disarmament Yearbook* and reports from the International Atomic Energy Agency (IAEA), the World Energy Council, various national agencies such as the US Department of Energy, the US Nuclear Regulatory Commission, and the Canadian Nuclear Safety Commission, and NGOs such as SIPRI and the Natural Resources Defense Council. The potential thus exists for a lot of fairly detailed reporting before hitting truly sensitive information. The fact that much of it is already available would not eliminate the value of having it formally reported by States parties in the NPT forum, even if in some cases only by cross-referencing material reported elsewhere.

Participants suggested that a study of the kinds and amount of information already available would be helpful in determining the appropriate level of detail to pursue in reporting.

It was also suggested that the amount and detail of information in recent reports submitted by the United States was quite substantial (and considerably higher than that reported by other nuclear-weapon States) and might represent a good level to seek. Other participants were not convinced that the current level of reporting by any nuclear-weapon State was sufficient, however. It was suggested that the US example was praiseworthy but States parties should ask for more detailed information. Precise data on matters such as warhead stockpiles almost certainly would not be provided, but information specifying numerical ranges, ceilings, and so forth might be a reasonable goal for reporting.

The level of detail that States parties would be willing to provide might vary quite widely. Some participants argued, therefore, that it probably would be preferable to set up the reporting mechanism to accommodate a range of detail in reporting. That way, those States parties that were unwilling to provide extensively detailed information could not use the level of detail requested as a reason not to report, while those willing to provide greater detail could be encouraged to do so and accommodated. The greater level of detail likely to be provided by some States might also encourage the more rapid development of increased openness on the part of less-open States.

It also would be advisable, it was noted, to provide space in the reporting format to accommodate additional, volunteered information. In addition, States parties could be encouraged to append relevant documents, such as nuclear doctrine statements, to their reports or to note the existence of these documents and make them available to States parties during the review process.

Roundtable participants expressed varying opinions on whether certain specific types of information should be sought from States parties. One participant pointed out that excessively detailed data on nuclear material stockpiles or nuclear export activities, for example, would raise issues of security and/or commercial confidentiality. Such data would not be provided by States in public reports, and there was in any case no need try to duplicate existing reporting to, and monitoring by, the IAEA. It was suggested that the Government of Canada might approach the IAEA and ask it to convene an advisory group to suggest the kinds and amount of information that might be reported by States in the NPT forum in areas such as non-proliferation and safeguards.

Other types of information suggested by participants included the views of States parties on the implications for nuclear-weapon policies of the International Court of Justice's advisory opinion and detailed data on holdings of nuclear delivery vehicles as well as weapons and fissile material. Other participants argued that such information might be useful but adding additional – and highly charged – items to the reporting agenda would only undermine the prospects for establishing an effective reporting system.

Another, more general, question discussed was whether, and how, the mechanism would obtain information on the “bad news” (development of new nuclear weapons, increased reliance on nuclear forces, etc.) as well as the “good news”. States parties will not necessarily all agree on whether a particular piece of news is “good” or “bad”. But the more specific and complete reports are with respect to nuclear capabilities, nuclear doctrine, and nuclear arms control and export control policies, the more likely States parties will be to have the information they need to effectively assess the state of NPT implementation. It was recognized that NPT reporting – a transparency measure relying on State-supplied information – would always be somewhat limited in this regard. The most significant nuclear developments, however, would probably be known to States parties regardless of whether they had been formally reported. This fact might encourage States to report such developments, if only to ensure that their own interpretation of them is put forward during the review process.

Format

Roundtable participants also discussed the kind of format that might be used for NPT reporting. Several international reporting models already exist, including those used for the Ottawa Landmines Convention, the Conventional Arms Register, and the Instrument for Standardized International Reporting of Military Expenditures. A number of useful lessons might be learned from the international community’s experience with these instruments. It was also acknowledged, however, that a detailed format proposal is likely to be worked out only after wide consultation among those States parties willing to promote and take the lead in such reporting (and extensive discussions with other key States parties), so the format ultimately proposed might turn out to be significantly different from any of these existing models.

It is notable also that most of the information that States would provide would consist of explanatory text detailing policies and activities related to NPT implementation. NPT reporting would not, therefore, be a simple matter of filling in data boxes as it is with the Conventional Arms Register and the military expenditures instrument. Instead, an NPT format would have to accommodate primarily text-based reporting. In this respect, if it resembled any of the other models, it probably would most closely resemble the landmines reporting format (although serious problems with this format were also discussed; see below).

The question was asked whether a standard reporting form should be proposed at all. Would the nuclear-weapon States, and perhaps others, be “allergic” to such an approach? One view was that States probably would be willing to accept a standardized form as long as it did not limit the nature of responses unduly. A form that permitted States to fill in boxes with whatever text they chose might well be acceptable, for example.

Participants also discussed whether two separate forms should be proposed for nuclear-weapon States and non-nuclear-weapon States, and possibly a third for non-nuclear-weapon States with no significant data to report (those with no nuclear facilities whatsoever, for example). In general, however, it was felt that it would be preferable to

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design the reporting format in such a way that all States could use the same form, responding to elements as appropriate.

It was suggested that breaking the reporting down into topics related to each of the Treaty articles would be the most useful way to organize the information reported. This would be especially true if the review process were eventually restructured along article-by-article lines. An additional way to organize the reporting would be to limit the time period covered by reports. This would be beneficial in at least two ways:

- Since the information concerning earlier reporting periods would not normally have to be revised and resubmitted, this procedure would minimize the amount of information that would have to be regenerated for report after report.
- Dividing the information into time periods would facilitate its use in assessing the progress of NPT implementation over time and would, in particular, highlight the most recent developments.

It was suggested that the coverage period could be set to focus on developments since the most recent Review Conference. In addition to this backward-looking component, it was noted, reports should also be structured to include a forward-looking component – projecting planned and expected future developments – in keeping with the forward- and backward-looking mandate of the review process. Subsequent reports could serve as a “reality check” on the implementation of the forward-looking elements of previous reports.

Ease of use

The importance of making any proposed reporting system easy to use was emphasized by many of the Roundtable participants. It was noted that States already face extensive reporting requirements arising from a wide array of international institutions and regimes, and many do not have the resources to meet these existing reporting commitments.

It was noted, for example, that although the Ottawa Landmines Convention has been a great success in many respects, there have been significant problems with its reporting system, including forms that are too complicated; confusion regarding the reporting period, language, and format; and a lack of resources for reporting on the part of many States parties. In addition, it was noted that many States parties had wanted to report voluntarily on additional items, so the initial reporting format had to be modified to add an additional form for that purpose.

A number of participants recommended that proposed NPT reporting forms be kept as simple as possible and be test run ahead of time to iron out any problems. Other steps that could be taken included providing instructions with the forms about how to use them and providing workshops to interested States on how to use the reporting system (it was noted that similar workshops are being held to improve reporting to the Conventional Arms Register). It was also suggested that it might be helpful to adopt a format that featured gaps to be filled in: these would serve as a reminder of what information was sought and also improve the compatibility of reporting.

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Finally, several participants underscored the value of adding an option for electronic reporting. Such a system might simplify both the task of reporting and the task of compiling (and otherwise working with) submitted reports. Addition of this option was seen as an important strategy for promoting use of the reporting system.

Evolution

Another major topic of discussion at the Roundtable was the question of how much the reporting system might be expected to evolve over time. An expedient initial system might end up frozen and unable to improve, while an ideal, fixed system might demand too much from States too soon.

The Roundtable heard varying views on how to balance these concerns. Some participants argued that States tend to resist changing initially agreed reporting systems, so it would be important to establish the desired system from the beginning. It was also noted that an ineffective or difficult system that got a bad reputation at the start might end up fatally damaged. Others argued that it would be better to start with something straightforward and comparatively simple. The most important consideration was how to get the process effectively underway; necessary improvements could be made as time went on and experience with the system accumulated.

These views were not necessarily contradictory. It might be argued, for example, that it is important to get the scope, basic format, frequency of reporting, and other overarching features of the system right from the beginning, but that the detail of reporting and extent of participation might well be expected to evolve over time.

It was generally accepted, in any case, that it is important to keep the format flexible enough to be able to add new items, such as new principles and objectives added by subsequent Review Conferences, when they come up.

The 13 practical steps

Finally, the Roundtable looked specifically at reporting related to the 13 practical steps laid out in the 2000 *Final Document*. Participants discussed the kinds of information that might be sought and the questions that might be asked with respect to each of the 13 steps. Examples of possible questions are listed in Appendix V.

Several difficulties related to reporting on these steps were identified by participants:

- **Qualitative differences:** Some of the 13 steps are principles or general commitments, others are bilateral initiatives, and others require action by all States parties. A variety of approaches might therefore need to be devised to elicit appropriate reporting on all of the steps.
- **“Hot button” issues:** Certain steps, notably (but not only) those concerning the Comprehensive Test Ban Treaty and the Anti-Ballistic Missile Treaty, are likely to be the subject of considerable controversy. Such steps cannot be

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ignored, but a way needs to be found to handle them that doesn't lead to outright rejection of the reporting system.

- **“Agree to disagree” provisions:** Many of the steps contain “coded” language that serves to paper over significant policy differences among States parties. Asking a specific question that appears to favour one interpretation of the step over others would risk having the premise of the question rejected and the impartiality of the reporting process questioned.

Given these difficulties, how could a reporting system address these steps? Participants recognized that all 13 steps must be addressed in some form: “cherry-picking” only the uncontroversial steps for reporting could not be an option. Simply grouping them all into a single category on implementation of Article VI, on the other hand, would likely produce reports that were far too general in nature. Some participants wondered whether it might be possible to group the steps by theme, so that reports could address the themes of the 13 steps in some detail without having to march through each step individually. Such an approach might enable States for which a specific issue was too controversial to delicately sidestep it, without preventing other States from addressing the issue. Roundtable participants expressed interest in this possibility.

A number of participants also commented that sometimes it is better not to ask certain questions. States' commitments to specific policies can evolve over time, and it makes little sense to pretend otherwise, but it would not be desirable to structure the reporting format in such a way as to provide an opening for States parties to substantively redefine or hedge their support for basic principles and commitments such as the unequivocal undertaking to accomplish the total elimination of nuclear weapons. With respect to elements such as these, it might be possible to formulate open-ended questions that nonetheless assume a continued commitment (*e.g.*, describe activities undertaken in pursuit of implementation of the unequivocal undertaking to accomplish the total elimination of nuclear weapons).

One participant noted that the Programme for Promoting Nuclear Non-Proliferation²⁴ will soon publish a document on the meaning of the 13 steps that would include comments on what actions would constitute compliance and non-compliance. This document might be of considerable assistance to States in formulating questions related to the 13 steps. It was also noted that a recent paper prepared by Tariq Rauf for the Middle Powers Initiative provides similar information.²⁵

²⁴ For information about the Programme for Promoting Nuclear Non-Proliferation, see <http://www.pnnp.soton.ac.uk/>

²⁵ Tariq Rauf, *Towards NPT 2005: An Action Plan For The “13-Steps” Towards Nuclear Disarmament Agreed At NPT 2000*, Center for Nonproliferation Studies, Monterey Institute of International Studies, 2001 (<http://cns.miis.edu/pubs/reports/npt2005.htm>). For more information about the Middle Powers Initiative, see <http://www.middlepowers.org/>

Promoting NPT reporting

Finally, Roundtable participants discussed the actions that governments and NGOs could take to help initiate and foster effective NPT reporting. Since one of the purposes of the Roundtable was to provide advice to the Government of Canada, the Roundtable focused in particular on the actions that Canada might take to advance the cause of NPT reporting.

Canadian government

Participants did not suggest that the Government of Canada could or should act alone in this regard. It was generally felt, however, that Canada could play an important leadership role in moving the issue of NPT reporting forward. Among other ideas, the Roundtable discussed the possibility that the Government of Canada would submit a report on Canadian implementation-related activities to the 2002 PrepCom. In addition to meeting Canada's own reporting obligation, the purpose of submitting such a report would be to encourage other States parties to submit their own reports. A unilateral submission might have a powerful demonstration effect in this regard. Such a submission explicitly would not represent a Canadian proposal for the specific format of an NPT reporting system, however.

Most participants felt that it would be constructive if the Canadian government were to proceed along these lines. Alternatively, it was suggested that Canada could consider producing a "food for thought" paper, or perhaps an official document, outlining proposals for a reporting system, and possibly suggesting maximum and minimum reporting models.

Given the difficulty of developing a format proposal likely to be both effective and acceptable to States parties, however, most participants believed that it would be essential to get a significant number of States parties involved early in the design and advocacy process.

It would also be important not to alienate the nuclear-weapon States, whose participation would be essential to the success of the reporting mechanism. It was noted in particular that China and Russia would have considerable difficulties with extensive reporting requirements. It could be hoped that their policies would evolve eventually to embrace greater openness, but in the meantime it would be wise not to propose a model that would put any of the nuclear-weapon States in too embarrassing a position.

Related discussions might also be pursued in other venues, such as United Nations Disarmament Commission. It was suggested that the UNDC is currently looking for a new agenda and might be used to develop guidelines for nuclear disarmament reporting outside the NPT context. This would have the benefit of bringing the three non-NPT "threshold states" into the discussions. Such an approach might be useful if it were considered feasible to pursue parallel or concurrent NPT and non-NPT reporting

developments. It was generally felt, however, that a non-NPT forum would not be acceptable for work on anything directly related to NPT reporting.

There were also a number of suggestions for other contributions that Canada or other States parties could make to ensure the success of a reporting system once it was underway. These included

- meeting with other States parties to encourage the fullest possible participation (even nil reports would be useful for demonstrating the extent of participation by States parties);
- sponsoring workshops to assist other States parties in developing the institutional capacity to respond to the reporting requirements;
- offering support for the development of electronic reporting; and
- supporting the creation and maintenance of a website to make the reports widely available.

Non-Governmental Organizations

Most Roundtable participants also felt that NGOs could play an important role in promoting the initiation and development of an NPT reporting system. They could do this in part simply by continuing (or, if possible, increasing) their current activities in drawing public and governmental attention to nuclear issues and advocating for nuclear disarmament. NGOs might also encourage the widest possible participation in the reporting system by reminding States parties of their reporting commitment well in advance and giving them a sense of public demand for participation. Members of the Parliamentary Network for Nuclear Disarmament²⁶ might be able to assist in this regard.

The possibility of holding roundtables similar to the Ottawa event in other capitals sometime after the 2002 PrepCom was also suggested. The organizers of such events might want to invite some of the government and/or non-government participants in the Ottawa Roundtable to help ensure that such events built upon rather than simply repeated the results of the Ottawa event. It was noted that the International Peace Bureau,²⁷ located in Geneva, is well situated to organize such a roundtable for delegations to the Conference on Disarmament.

It was also suggested that the report on the Ottawa Roundtable be made widely available (including that it be posted on the internet).

Another suggestion was that NGOs could produce a parallel report on the activities of States parties. The NGO *Landmine Monitor* report was discussed as an example of the potential value of this approach. This report has become the primary source of reliable information on landmines and the standard against which other reports are measured. It was noted that some NGOs (e.g., the Natural Resources Defense Council, the

²⁶ The Parliamentary Network for Nuclear Disarmament (<http://www.pnnd.org/>) was formed in March 2001 to engage parliamentarians and other legislators in the disarmament process.

²⁷ Founded in 1892, the International Peace Bureau (<http://www.ipb.org/>) is the world's oldest and most comprehensive international peace federation.

International Security Information Service) are already sources of widely relied upon information about nuclear arsenals. The Reaching Critical Will project also has begun a small effort in the direction of monitoring NPT-related developments.

The credibility of a report based on the *Landmine Monitor* model would be highly dependent on the professionalism of the product, however. In this regard, it was noted that the *Landmine Monitor* costs more than US\$1.5 million per year to produce – an amount well beyond the funding abilities of the NGOs currently focused on nuclear disarmament issues.

An NGO report could not, in any case, be a substitute for reporting by States parties. The level of secrecy prevailing on nuclear-related matters (some of which is justified) is such that only States are capable of producing truly comprehensive and authoritative reports. A credible NGO report might encourage States parties to improve their own reporting, however. One suggestion was that NGOs could compile the large amount of data about nuclear arsenals that is already available in the public domain and then invite the nuclear-weapon States to submit comments, corrections, and additions.

It was also suggested, in a somewhat less ambitious vein, that greater content analysis of reports and other statements by States parties (tracking and analyzing textual changes in policy statements and pledges, for example) would be a useful contribution by NGOs.

A final suggestion was that governments or NGOs should investigate the possibility of members of the International Organization of Supreme Audit Institutions (INTOSAI) playing a role in monitoring national implementation.

Roundtable evaluation

A brief session was held at the end of the Roundtable to enable the participants to evaluate the event. In general, assessments were highly positive. Participants expressed their appreciation to the Canadian Network to Abolish Nuclear Weapons for taking the initiative to organize the event and to the Canadian government for its interest in pursuing the issue. Appreciation was also expressed for the background paper that was prepared for the event. It was suggested that additional written responses such as the one provided by one Roundtable participant would also have been useful. The agenda, chairing, meeting facilities, overall organization, and mix of participants were all complimented, although it was noted that the group would have benefitted from greater technical expertise in some areas. The participation by telephone hookup of one presenter who was unable to attend in person was seen as being highly valuable. Overall, most participants felt that considerable progress was made in clarifying the issues related to NPT reporting and in identifying the challenges that remain. Several suggested that follow-up meetings might also be valuable.

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Appendix II: Treaty on the Non-Proliferation of Nuclear Weapons

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties of the Treaty, whether nuclear-weapon or non-nuclear weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the worlds human and economic resources,

Have agreed as follows:

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Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this article shall be applied to all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article.

3. The safeguards required by this article shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

Article IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.

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2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

Article V

Each party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a nondiscriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

Article VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.

Article VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the

Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositories of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to article 102 of the Charter of the United Nations.

Article X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

Article XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

Appendix III: 2000 NPTRC *Final Document* “practical steps”

The Conference agrees on the following practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”:

1. The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.
2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.
3. The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.
4. The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.
5. The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.
6. An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.
7. The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.
8. The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.
9. Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:
 - Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;
 - Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament;

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- The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

B Concrete agreed measures to further reduce the operational status of nuclear weapons systems;

B A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

B The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

10. Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

11. Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

12. Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, 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.

13. The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

Appendix IV: Focused and comprehensive approaches to scope²⁸

Focused approach

The scope of a focused report would be limited to information concerning policies related to and activities undertaken in pursuit of implementation of Article VI of the Treaty and Paragraph 4(c) of Decision 2 of the 1995 Review and Extension Conference (including but not limited to implementation of the 13 practical steps of the 2000 *Final Document*) and steps taken to promote the achievement of an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction and the realization of the goals and objectives of the 1995 Resolution on the Middle East.

Such a report would therefore address three broad topics:

- **Cessation of the nuclear arms race and nuclear disarmament**
Reporting on policies related to and activities undertaken in pursuit of Article VI implementation, including the status of NPT and other treaty commitments proposed, under negotiation, signed, ratified, in force, and/or fulfilled. Information reported might include some nuclear-weapon-related data such as the number of nuclear weapons possessed and the amount of special fissionable material possessed, as noted in the section on Uses and Possible Evolution.

Reporting under this topic would specifically address policies related to and activities undertaken in pursuit of the implementation of the following Treaty articles and related decisions/resolutions/outcomes:

- Article VI
- 1995 NPTREC Decision 2, Paragraphs 3 and 4
- 2000 NPTRC *Final Document* elements related to nuclear disarmament, including practical steps 1-10 and 12-13.

- **General and complete disarmament**
Reporting on policies related to and activities undertaken in pursuit of a treaty on general and complete disarmament, defined either narrowly as the pursuit of such a treaty or broadly as the pursuit of all disarmament-related developments.

Reporting under this topic would specifically address policies related to and activities undertaken in pursuit of the implementation of the following Treaty articles and related decisions/resolutions/outcomes:

- Article VI
- 1995 NPTREC Decision 2, Paragraph 4(c)
- 2000 NPTRC *Final Document* elements related to general and complete disarmament, including practical step 11.

²⁸ As recommended in the Roundtable background paper (Robinson, *op. cit.*, pp. 11-14).

- **The Middle East** (addressed either as part of a combined report or separately) Reporting on steps taken to promote
 - (i) the achievement of an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction, and
 - (ii) the realization of the goals and objectives of the 1995 Resolution on the Middle East.

Reporting under this topic would specifically address steps taken in pursuit of the implementation of the following Treaty-related decisions/resolutions/outcomes:

- 1995 NPTREC Resolution on the Middle East
- 2000 NPTRC *Final Document* elements related to the Middle East.

Comprehensive approach

The scope of a comprehensive report would extend to the full range of provisions and obligations of the Non-Proliferation Treaty, including the decisions, resolutions, and outcomes of the 1995 Review and Extension Conference and all subsequent Review Conferences.

Such a report would address nine broad topics²⁹:

- **Nuclear non-proliferation**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - Articles I and II
 - 1995 NPTREC Decision 2, Paragraph 2
 - 2000 NPTRC *Final Document* elements related to non-proliferation.
- **Safeguards**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - Article III
 - 1995 NPTREC Decision 2, Paragraphs 9-13
 - 2000 NPTRC *Final Document* elements related to safeguards.

²⁹ This list is based on the topical divisions used in the 1995 NPTREC Decision 1, Decision 2, and Middle East resolution. Its order and configuration also correspond closely to the article-by-article format of the 2000 *Final Document*. The Middle East has been listed separately in recognition of the independent reporting request laid out in the 2000 *Final Document*. General and complete disarmament is also listed as a separate topic.

- **Peaceful uses of nuclear energy**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - Articles IV and V
 - 1995 NPTREC Decision 2, Paragraphs 14-20
 - 2000 NPTRC *Final Document* elements related to peaceful uses of nuclear energy.

- **Cessation of the nuclear arms race and nuclear disarmament**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - Article VI
 - 1995 NPTREC Decision 2, Paragraphs 3 and 4
 - 2000 NPTRC *Final Document* elements related to nuclear disarmament, including practical steps 1-10 and 12-13.

- **General and complete disarmament**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - Article VI
 - 1995 NPTREC Decision 2, Paragraph 4(c)
 - 2000 NPTRC *Final Document* elements related to general and complete disarmament, including practical step 11.

- **Nuclear-weapon-free zones and security assurances**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - Article VII
 - 1995 NPTREC Decision 2, Paragraphs 5-8
 - 2000 NPTRC *Final Document* elements related to nuclear-weapon-free zones and security assurances.

- **The Middle East** (addressed either as part of a combined report or separately)
Reporting on steps taken in pursuit of implementation of the following Treaty-related decisions/resolutions/outcomes:
 - 1995 NPTREC Resolution on the Middle East
 - 2000 NPTRC *Final Document* elements related to the Middle East.

- **Universality**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:

- Article IX
 - 1995 NPTREC Decision 2, Paragraph 1
 - 2000 NPTRC *Final Document* elements related to universality.
- **Strengthened NPT review process**
Reporting on policies related to and activities undertaken in pursuit of implementation of the following Treaty articles and related decisions/resolutions/outcomes:
 - 1995 NPTREC Decision 1
 - 2000 NPTRC *Final Document* elements related to the strengthened review process.

Appendix V: Sample questions related to the 13 practical steps

The Roundtable discussed at some length the kinds of questions that might be asked with respect to each of the 13 practical steps outlined in the 2000 NPTRC *Final Document*. A wide range of views was expressed about the nature and specific details of questions that might be asked. The following list provides examples of the suggestions made by participants. In many cases, more detailed or subsidiary questions were also suggested. Some participants did not believe that it was useful to attempt to address each practical step individually or even to suggest questions at all.

Practical Step	Questions
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| 1. | <p>Has your State signed the Comprehensive Nuclear-Test-Ban Treaty?</p> <p>Has your State ratified the Comprehensive Nuclear-Test-Ban Treaty?</p> |
| 2. | <p>Is your State complying with the moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of the Comprehensive Nuclear-Test-Ban Treaty?</p> |
| 3. | <p>[Applicable to members of the Conference on Disarmament]</p> <p>In Practical Step 3, all States parties agreed on the necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament was urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.</p> <p>What initiatives has your State taken in support of these negotiations at the Conference on Disarmament?</p> <p>Has a programme of work been agreed on?</p> |

4. [Applicable to members of the Conference on Disarmament]
 In Practical Step 4, all States parties agreed on establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament was urged to agree on a programme of work which includes the immediate establishment of such a body.

What initiatives has your State taken in support of establishment of such a body at the Conference on Disarmament?

Has a programme of work been agreed on?

5. [Applicable to nuclear-weapon States]
 Has the principle of irreversibility applied to all nuclear disarmament, nuclear and other related arms control and reduction measures agreed to or implemented by your State since May 2000?

6. [Applicable to nuclear-weapon States]
 What practical steps and policy changes has your State taken to comply with the unequivocal undertaking to accomplish the total elimination of your nuclear arsenals?

7. [Applicable to the US and Russia]
 Does your State support the early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty?

What is the current status of these treaties?

What steps is your State taking/does your State propose to take to preserve strategic stability and establish a basis for further reductions of strategic offensive weapons?

8. [Applicable to the US and Russia}
 What is the current status of the Trilateral Initiative?

9. [Applicable to nuclear-weapon States]
 What steps leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all, has your State taken with respect to

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- Further efforts to reduce its nuclear arsenal unilaterally?
- Increased transparency with regard to nuclear weapons capabilities and the implementation of agreements pursuant to Article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament?
- The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process?
- Concrete agreed measures to further reduce the operational status of nuclear weapons systems?
- A diminishing role for nuclear weapons in security policies to minimize the risk that those weapons ever be used and to facilitate the process of their total elimination?
- The engagement as soon as appropriate of all the nuclear-weapons States in the process leading to the total elimination of their nuclear weapons?

10. [Applicable to nuclear-weapon States]
 What arrangements has your State made to place fissile materials designated as no longer required for military purposes under IAEA or other relevant international verification?

 What arrangements has your State made for the disposition of such material for peaceful purposes?
11. What steps has your State taken in pursuit of the ultimate objective of States in the disarmament process, general and complete disarmament under strict and effective international control?
12. Participation in the reporting system represents compliance with this step. A question might ask whether additional activities had been undertaken to improve the operation of NPT reporting.
13. What steps has your State taken to support the further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world?