2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

22 April 2015

Original: English

New York, 27 April-22 May 2015

Transparency, reporting and strengthening the review process

Working paper submitted by Japan

1. The principle of transparency, along with the principles of irreversibility and verifiability, are important and indispensable in the process of nuclear disarmament. Indeed, if the number of existing nuclear weapons is unknown, negotiations of nuclear weapons reduction are not possible.

2. In addition, as stated in the joint working paper entitled "Increased transparency in nuclear disarmament" (NPT/CONF.2015/PC.III/WP.10), submitted by the Non-Proliferation and Disarmament Initiative to the third session of the Preparatory Committee of the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the principle of transparency underpins the other two principles. Without transparency, nuclear disarmament cannot be verified, nor would States have complete confidence that nuclear disarmament measures have been accomplished in an irreversible manner. Furthermore, increased transparency alleviates mistrust among States and builds confidence and trust at regional and international levels.

3. One effective way to ensure transparency is reporting. In this regard, the draft standard reporting form that was submitted by the Non-Proliferation and Disarmament Initiative is helpful (NPT/CONF.2015/PC.I/WP.12*).

4. As outlined in the Non-Proliferation and Disarmament Initiative working paper (NPT/CONF.2015/PC.III/WP.10), transparency is important not only in nuclear disarmament, but also from the perspective of strengthening the review process. The Non-Proliferation Treaty review process was designed to mitigate the discriminatory nature of the Treaty that recognizes five nuclear-weapon States as possessing nuclear weapons. While transparency in the implementation of non-proliferation obligations by non-nuclear-weapon States is ensured through reports to the International Atomic Energy Agency (IAEA) Board of Governors based on the IAEA safeguards, there exists no specific transparency mechanism for nuclear disarmament obligations of nuclear-weapon States. As a result, even though the objective of the review process is to review the implementation by both nuclear-weapon States and non-nuclear-weapon States of all provisions of the Non-Proliferation Treaty, its primary objective should remain to review the implementation by nuclear-weapon States of their nuclear disarmament obligations. As such, it plays the role of an accountability mechanism for nuclear-weapon States

in the absence of a mechanism such as the one that applies to non-nuclear-weapon States.

5. Since the Non-Proliferation Treaty was extended indefinitely in 1995, the responsibility for accountability of nuclear-weapon States has become increasingly important. In fact, the decision to indefinitely extend the Treaty was adopted as a package with a decision to strengthen the review process.

6. The fundamental objective of strengthening the review process should thus be accountability, rather than procedural issues, such as reducing the length of meetings or establishing a secretariat.

7. It is therefore extremely important that transparency be enhanced and reporting be formalized or institutionalized as a concrete measure to ensure transparency in the context of strengthening the review process. The elaboration of a standard reporting form is also extremely important to institutionalize reporting. The reports submitted by the nuclear-weapon States in 2014 indicate that they are based on a "common framework". However, they do not refer to a "standard reporting form" that should have been agreed to by nuclear-weapon States based on the 2010 action plan. It is therefore unclear whether the nuclear-weapon States actually reached an agreement on a "standard reporting form" in accordance with the 2010 action plan.

8. From this perspective, Japan proposes that the following points be included in the final document of the 2015 Review Conference.

Proposed text

(Preamble)

Recognizing that while the principles of transparency, verifiability and irreversibility are all important in the process of nuclear disarmament, the principle of transparency underpins the principles of verifiability and irreversibility,

Affirming that reporting is an effective measure to ensure transparency and accountability,

Affirming the importance of reporting as one of the practical measures of nuclear disarmament, as well as the importance of institutionalizing the reporting mechanism in the context of strengthening the review process,

States Parties decide as follows:

(a) Prior to the first session of the Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in 2017, the nuclear-weapon States, in consultation with non-nuclear-weapon States, will agree on a [improve the] "standard reporting form" to report on the implementation of nuclear disarmament obligations of nuclear-weapon States. The agreed "standard reporting form" will be continuously improved, as needed;

(b) Based on the agreed "standard reporting form", the nuclear-weapon States will report on the implementation of their nuclear disarmament obligations, commitments and undertakings, as well as recent developments, at the second session of the Preparatory Committee in 2018. To the extent possible, reports must be specific and include numerical information to provide a baseline against which

their nuclear disarmament measures can be concretely reviewed. In this regard, the Non-Proliferation and Disarmament Initiative proposal (NPT/CONF.2015/PC.I/WP.12*) can be a useful point of reference (main items are reproduced below). The nuclear-weapon States are also encouraged to report on the implementation of obligations relating to nuclear non-proliferation and the peaceful uses of nuclear energy. In addition to their reports in 2018, the nuclear-weapon States are encouraged to submit annual reports.

- The number, types (strategic or non-strategic) and status (deployed or non-deployed) of nuclear warheads;
- The number and, if possible, types of delivery vehicles;
- The number and types of weapons and delivery systems dismantled and reduced as part of nuclear disarmament efforts;
- The amount of fissile material produced for military purposes;
- The measures taken to diminish the role and significance of nuclear weapons in military and security concepts, doctrines and policies.

(c) The non-nuclear-weapon States are also encouraged to report on the implementation of their Non-Proliferation Treaty obligations, commitments and undertakings;

(d) A review session focusing on the nuclear disarmament reports submitted by the nuclear-weapon States will be held during the time allocated to the specific issue of nuclear disarmament at the third session of the Preparatory Committee in 2019. The Chair of the third session of the Preparatory Committee will make an assessment report under his or her own responsibility and will submit it to the 2020 Review Conference. Reports submitted by nuclear-weapon States on nuclear non-proliferation and the peaceful uses of nuclear energy, as well as reports by non-nuclear-weapon States, can also be reviewed at the third session of the Preparatory Committee at relevant time slots;

(e) The 2020 Review Conference will review the progress made in implementing the reporting mechanism and decide on next steps in terms of development and elaboration.