

First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons

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Consideration of the status and operation of the Treaty and other matters important for achieving the objectives and purpose of the Treaty: other matters important for achieving the objectives and purpose of the Treaty, such as: institutionalizing scientific and technical advice for the effective implementation of the Treaty

Institutionalizing scientific and technical advice for the effective implementation of the Treaty on the Prohibition of Nuclear Weapons

Working paper submitted by the President-designate

I. Introduction

1. Knowledge of the humanitarian impacts of nuclear weapons and a shared understanding of their risks were a key motivation behind the Treaty on the Prohibition of Nuclear Weapons and are underpinned and supported by a body of science and technical knowledge developed over decades. The present paper reflects the result of a comprehensive consultation process on institutionalizing scientific and technical advice for the effective implementation of the Treaty held in preparation for the first Meeting of States Parties to the Treaty. Further developing and enriching this knowledge remains a priority for its States parties. A scientific and technical advisory process, including technical guidance for the implementation of article 4, will play a useful role in enhancing knowledge and contribute to the Treaty's effective implementation, as well as strengthen the credibility of the implementation process. In the early stages of its implementation, any scientific and technical advisory process also requires a flexible arrangement that entails no or very limited financial resources.

II. The case for a Treaty-mandated Scientific Advisory Group

2. The benefits of establishing a Scientific Advisory Group for the Treaty include the following:

* [TPNW/MSP/2022/1](#).



- Secure access to updated scientific and technical advice on matters of relevance to the Treaty, for example the humanitarian consequences of nuclear weapons or implementation issues, in order to facilitate decision-making on the basis of the most updated scientific knowledge available to all States parties; it would therefore be helpful and efficient to establish a Scientific Advisory Group that could provide such advice to States parties and signatories.
- Further develop a shared understanding of the scientific and technical challenges involved in effectively implementing the Treaty.
- Provide advice for the implementation of the Treaty's provisions, in particular on the scope and technical standards for irreversible nuclear weapons programme elimination and nuclear disarmament verification approaches.
- Provide advice on the implementation of the Treaty's positive obligations.
- Continue to keep scientific attention on the humanitarian consequences of and the risks associated with nuclear weapons.
- Contribute scientific and technical expertise of relevance to the nuclear disarmament and non-proliferation discourse more widely.
- A possible role in engaging with initiatives relevant to the objectives and goals of the Treaty, such as disarmament verification, victim assistance, environmental remediation and so on, as mandated by States parties.

3. Scientific advice that States parties to the Treaty could seek from the Scientific Advisory Group may include:

- Development of scientifically and technically informed principles, guidelines, and recommendations and options for implementation in line with the legal requirements stipulated in the Treaty.
- Advice on questions that States parties may have regarding engagement with non-States parties, including nuclear-armed States and nuclear weapon-hosting States, on technical and scientific aspects related to possible accession to the Treaty of such States.
- Continuous consideration and review of scientific and technological developments that could affect the operation of the Treaty and the nuclear disarmament and non-proliferation architecture more widely, including further measures for nuclear disarmament, measures for the verified, time-bound and irreversible elimination of nuclear weapons programmes, and possible additional protocols to the Treaty.
- Continuous consideration and review of scientific research and expertise related to humanitarian consequences of nuclear weapons, especially in but not limited to the areas of health, environment, and climate/atmospheric impacts, as well as socioeconomic impacts and the risks associated with nuclear weapons.
- Contribution to capacity-building in terms of humanitarian preparedness and response, consistent with the Treaty's obligations, in particular but not limited to victim assistance and environmental remediation.

III. Possible takeaways from precedents: Organisation for the Prohibition of Chemical Weapons, Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

4. Possible takeaways include the following:

- Provide advice in science and technology relevant to the goals, objectives, obligations and implementation of the Treaty and related matters to the Meeting of States Parties and other (informal) structure established by it.
- Prepare reports on developments in science and technology relevant to the Treaty for submission to the Meeting of States Parties.
- Provide analysis and study in response to requests from the Meeting of States Parties, its President, established committees, working groups or subsidiary organs and States parties.
- Establish and coordinate specialized temporary working groups and engage (voluntary) consultants so as to draw on outside expertise for assessment and reporting on specific issues.
- A clear provision for review and possible amendment at the next Meeting of States Parties could be included.
- Preference for setting up a flexible structure that can adapt to developments and takes into account limited human and financial resources available to States parties to the Treaty.

IV. Terms of reference for a Scientific Advisory Group for the Treaty

Role and functions

5. The functions of the Group include the following:

(a) Report to the Meeting of States Parties and Review Conference about developments in scientific and technical fields relevant to the Treaty, its goals, objectives and implementation;

(b) Support further capacity-building in States parties to the Treaty, including through scientific and technical engagement with scientists, academia and civil society organizations, including individuals from communities affected by nuclear weapons, about the technical issues related to the implementation of the Treaty, the humanitarian consequences and risks associated with nuclear weapons and the related humanitarian response challenges;

(c) Upon request by the States parties or upon recommendation by the Group, provide scientific and technical advice on matters related to the Treaty and nuclear disarmament and non-proliferation more widely, as well as on the humanitarian consequences of and risks associated with nuclear weapons and related humanitarian response challenges to States parties to the Treaty, to the President and subsidiary bodies established by the Meeting of States Parties;

(d) When directed by the Meeting of States Parties or Review Conference, provide advice and make recommendations to be considered at Meetings of States

Parties or Review Conferences, taking into account any relevant scientific and technical developments for the purpose of assisting in the review of the operation of the Treaty;

(e) When directed by the Meeting of States Parties or Review Conference, assess and report on the scientific and technical merit of a present, or proposed, approach or methodology for implementation of the Treaty;

(f) Coordinate the efforts of specialist scientific or technical working groups temporarily established in accordance with its rules of procedure;

(g) Provide a report on the Group's meetings and detailing its annual activities to the President for circulation among States parties prior to Meetings of States Parties or Review Conferences.

Composition

6. The composition of the Group shall be as follows:

(a) The Group shall consist of up to 15 members appointed by the President of the Meeting of States Parties in consultation with States parties from a list of nominees put forward by the States parties;

(b) The members of the Group shall serve in their individual capacity as independent experts;

(c) The members of the Group shall be appointed from recognized experts drawn from the broadest possible pool of experts in the field of nuclear disarmament and non-proliferation, and/or the humanitarian consequences and risks associated with nuclear weapons and the requisite humanitarian response, active at relevant institutions and universities, on the basis of their expertise in the particular scientific fields relevant to the implementation of the Treaty;

(d) The members of the Group shall be selected on the basis of their qualifications and experience, taking into account their publications, scientific, academic or professional activities, distinctions and international experience in support of nuclear disarmament;

(e) Preference shall be given to persons who are knowledgeable about the relevant scientific and technological developments and who are supportive of the objectives of the Treaty;

(f) Each State party may present to the President one or more experts available and qualified to serve on the Group;

(g) The up to 15 members shall be appointed by the President through a process of consultations with States parties. These consultations shall take into account the need for a comprehensive spread of relevant fields of scientific and technological expertise, gender balance and equitable geographical distribution;

(h) The initial term of office of members of the Group shall be until the First Review Conference of the Treaty. The possibility of establishing a regular term of office for the members of the Board shall be considered at the First Review Conference of the Treaty;

(i) The President of the Meeting of States Parties, in consultation with States parties, shall appoint persons to replace members who are for any reason prevented from taking part in the work of the Group for the remainder of their term in office;

(j) The Group shall appoint two Co-Chairs by annual election from among its members;

(k) The High Representative for Disarmament Affairs shall appoint a secretary for the Group.

Meetings

7. Meetings will be held as follows:

(a) The Group will meet:

(i) On the margins of Meetings of States Parties or the Review Conference;

(ii) Once during years in which there are no Meetings of States Parties or Review Conferences;

(iii) Subject to the availability of resources, meetings can be held in person and/or in virtual format;

(b) Temporary working groups will meet virtually, as required.

Finances

8. Members of the Group shall receive no salary for their service.

9. Any costs of in-person meetings of the Group or its activities accruing to States parties to the Treaty will have to be approved by States parties or be based on voluntary contributions.

Duration and review

10. The Group is established for an initial period that will run until the First Review Conference of the Treaty.

11. The second Meeting of States Parties and the First Review Conference will review the Group's role, functions and membership and decide on any revision.

12. The First Review Conference will also decide the renewal of its mandate on a possible longer-term basis, as well as the renewal of the terms of reference.

V. Decisions and recommendations

13. It is thus recommended that the first Meeting of States Parties:

(a) Recognize the important role of scientific and technical expertise that contributed to the adoption of the Treaty;

(b) Welcome the readiness of scientists and experts to continue to contribute to the Treaty and its implementation;

(c) Underline the useful role of a scientific and technical advisory process to support Treaty implementation;

(d) Note that, at the early stage of Treaty implementation, a flexible, voluntary arrangement of scientific advice is most suited;

(e) Underline the need to continue to maintain scientific focus on the humanitarian consequences of and the risks associated with nuclear weapons and to contribute scientific and technical expertise of relevance to the nuclear disarmament and non-proliferation discourse more widely;

- (f) Adopt the terms of reference set out above, annexed to its outcome document, and include the following decision;
- (g) Adopt a decision establishing a scientific advisory body as outlined below.

Draft decision Scientific Advisory Group

The first Meeting of States Parties decides to establish a Scientific Advisory Group based on the mandate as contained in working paper TPNW/MSP/2022/WP.6, submitted by the President.

States parties have been invited by the President to submit nominations for the Scientific and Advisory Group based on the terms of reference. All nominees are requested to submit a written statement describing how they intend to have a substantial impact on the work of the Group and the Treaty. States parties are requested to submit nominations within 30 days after the first Meeting of States Parties.

The President will appoint up to 15 members of the Scientific and Advisory Group following consultations with States parties. The appointment of the members of the Group should take into account the need for a comprehensive spread of relevant fields of scientific and technological expertise, gender balance and equitable geographical distribution.

The Scientific and Advisory Group will convene its first constitutive meeting as soon as possible but no later than three months after the first Meeting of States Parties, appoint two Co-Chairs by election and take any other decision related to its effective functioning. The Group will provide a report on its annual activities to the President for circulation among States parties. Pursuant to its terms of reference, the Group will report to the second Meeting of States Parties on the status and developments regarding nuclear weapons, nuclear weapon risks, the humanitarian consequences of nuclear weapons, nuclear disarmament and related issues.

By the second Meeting of States Parties, and with a view to further building the capacity of States parties, the Scientific and Advisory Group will identify and engage scientific and technical institutions in States parties to the Treaty and more broadly to establish a network of experts to support the goals and the Treaty.