
Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Strengthening the Review Process of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by Canada

1. Purpose

1. This paper presents concrete proposals to strengthen the review process of the Treaty on the Non-Proliferation of Nuclear Weapons, elaborating on working papers¹ presented by Canada in 2004, 2005 and 2007. Specifically, this paper proposes to improve the effectiveness of the Treaty by modifying the existing meeting schedule, establishing a more responsive, accountable governance structure through creating a standing bureau and strengthening the administrative capacity of the review process with a support unit.

2. The institutional deficit of the Treaty

2. Efforts to strengthen the review process have not yielded the outcomes that were envisioned in 1995 and 2000. Since the 2000 Review Conference decision in particular, the first two meetings of the Treaty's preparatory cycle have become "disengaged" from the review process. More broadly, States parties have deprived themselves of the ability to make decisions and to send clear messages on subjects of critical importance² during the Preparatory Committee meetings. Rather, they must wait until the Review Conference for collective action, even though at that time — as evinced in 2005 — these subjects may be addressed inadequately. The inability of States parties to respond effectively and in a timely fashion to the withdrawal of the Democratic People's Republic of Korea in 2003 is a telling example. This paper suggests that if States parties were able to react more rapidly to challenges posed to the Treaty, the credibility of the Treaty would be bolstered and

¹ "Overcoming the institutional deficit of the NPT", (NPT/CONF.2005/PC.III/WP.1) and "Achieving permanence with accountability" (NPT/CONF.2005/WP.39).

² "Other Provisions: institutional reform, article X and withdrawal", working paper submitted by Canada (NPT/CONF.2010/PC.I/WP.42).



additional incentives for compliance and disincentives for States that violate its norms and provisions created.

3. Moreover, the Treaty has no overarching, intersessional senior political body to see it through its five-year review cycle. By not capitalizing on the collective experience of current and former chairs, the work of the Treaty suffers from a lack of continuity, and there remains no continuous support mechanism between meetings. If the Treaty is to be reviewed, implemented and managed in a consistent and effective manner, a standing bureau comprised of the current and past two chairs should be established to provide continuous political stewardship.

4. Notwithstanding the expert guidance and assistance of the staff of the United Nations Office for Disarmament Affairs, Weapons of Mass Destruction Branch, the Treaty lacks a permanent administrative body, or support unit, to support more effective decision-making at Preparatory Committee meetings and Review Conferences. Treaty meetings also lack the capacity to respond optimally to the administrative needs of its chairs as well as States parties.

3. Proposals

5. In view of these challenges, Canada recommends that the 2010 Review Conference adopt annual General Conferences, establish a standing bureau and establish a permanent, dedicated support unit.

3.1 Annual General Conferences and extraordinary meetings

6. As currently practised, the first two of the three two-week Preparatory Committee meetings that precede the Review Conference do not negotiate recommendations, and rarely do any of them take substantive decisions, even though the Treaty text does not prohibit doing so.³ In each cycle then, only the last Preparatory Committee meeting is devoted to preparing directly for a Review Conference, and almost \$5 million⁴ is spent in meetings each cycle that do not produce substantive decisions.

7. Replacing the current 14-day Preparatory Committee meetings with annual General Conferences of States parties lasting 7 days and reducing the Review Conference from 20 days to 10 days would afford greater continuity and focus to States parties. The total duration of meetings in a five-year cycle would thus be 12 days shorter than under the current process, which would yield budgetary savings by reducing conferencing costs. Shorter meetings might require substantive topics (clusters) to be broken up and discussed separately each year, but this could allow detailed examination and consideration of, for example, nuclear disarmament and security assurances one year, regional issues the next year, peaceful uses and withdrawal the third year and so on throughout the five-year cycle. (Such a programme of work has served the Convention on the Prohibition of the

³ The current practice of only making procedural decisions at Preparatory Committee meetings emerged from the adoption by the 2000 Review Conference of an enhanced strengthened review process, which effectively delayed negotiation on substantive issues until the final preparatory session.

⁴ See NPT/CONF.2010/PC.II/1.

Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction well for several years).

8. The proposed annual General Conferences would be empowered with decision-making authority, allowing for in-depth substantive consideration of specific topics, as agreed at the preceding Review Conference. Not only would this provide focus to the annual work of the Conference in 2011 and onward, but it would also save time currently spent on the Treaty agenda approval process. States parties to the Treaty should also be empowered to convene extraordinary meetings in the event of a situation that threatens the integrity or viability of the Treaty, for example, a notification of intent to withdraw from the Treaty. Establishing annual General Conferences with the option of convening extraordinary sessions would provide coherence, continuity and forward momentum to the Treaty process.

3.2 Political stewardship: a standing bureau

9. A standing bureau would provide leadership, political stewardship and continuity to the Treaty during and between meetings of States parties. The bureau would be composed of the two immediate past chairs and the current chair.⁵ With three chairs working together, the standing bureau would have political weight afforded by representation from the three regional groups that are responsible for choosing the chair.

10. Members of the standing bureau would be able to share best practices and pass along recommendations to incoming chairs, as well as act as stewards of the Treaty throughout the review cycle. They would also take the lead, if necessary, to convene extraordinary decision-making sessions as mentioned above. A standing bureau could also interact with other diplomatic entities or processes relevant to the Treaty's purpose (for example, those on the Six-Party Talks), thereby representing the Treaty's interests in periods between meetings.

3.3 Administrative support: a Treaty support unit

11. Currently, the budgetary and administrative aspects of the Treaty are just one aspect of the job packages of three staff members in the Weapons of Mass Destruction Branch at the Office for Disarmament Affairs. The Office for Disarmament Affairs officers must split their time between the Treaty and other files. As a result, almost \$175,000 is spent per cycle on temporary assistance, consultants' fees and overtime.⁴ When it comes time for Treaty Preparatory Committee meetings or Review Conferences, a task force of about 10 to 12 officials is assembled from within the Office for Disarmament Affairs and with the help of the International Atomic Energy Agency (IAEA).⁶

12. This arrangement would be tangibly improved by the establishment of a Treaty officer whose sole responsibility it would be to support and facilitate Treaty

⁵ A "troika", with a past, present and future chair, if feasible in the future, would have the desirable effect of reducing uncertainty and allowing States to begin planning further in advance of meetings. However, since the future chair of the Review Conference is often not known far enough in advance and is sometimes selected on very short notice, it is not a feasible option for the Treaty at this time. (A more expeditious selection of the subsequent year's chair is a worthy aim, which this paper also advocates.)

⁶ The task force operates alongside those additional personnel responsible for conference services, media, protocol and so on.

meetings and intersessional work on a full-time basis. The new officer would work within the Office for Disarmament Affairs, but his or her salary would derive from assessed contributions from States parties to the Treaty rather than from the United Nations secretariat budget.⁷ The annual salary of such a full-time Treaty officer would be roughly \$175,000 (see below table).

Estimated salary of a full-time Treaty Officer

<i>Classification</i>	<i>Estimated annual salary (United States dollars)</i>
P-3 full-time (including salary, office space and information technology support)	175 000
Grand total over five-year review cycle	875 000

Source: United Nations Common System of Salaries, Allowances and Benefits, January 2009.

13. If additional resources were found — and if it was deemed necessary by States parties in the future — this unit could be bolstered by one or two other officers, analogous to the implementation support unit of the Biological Weapons Convention.⁸ A small team would provide the substantive, administrative, logistical and representative support that is often overstretched in the current system, as well as advise the chair and standing bureau.

4. Budgetary considerations: cost-neutral

14. Canada is confident that the savings realized from focused annual General Conferences — estimated at approximately \$1.5 million (see annex) — will offset the creation of at least one full-time Treaty officer. Similarly, for delegations, travel costs engendered by the additional meeting would be offset by accommodation savings resulting from shorter meeting duration. Moreover, since about 51 per cent of the total costs of Treaty meetings — or an estimated \$4.4 million this cycle — is devoted to documentation, there is potential for much more substantial cost savings if States parties make a collective effort to exercise a greater degree of brevity in working papers and statements. Even a small reduction in statements and papers across all States parties could yield significant savings.

15. This proposal would not effect a change in the overall United Nations budget for the Treaty, but rather a redistribution of existing levels of funds from assessed contributions from Treaty States parties.

⁷ As it currently stands, officers from the Office for Disarmament Affairs are paid through the United Nations budget. However, the United Nations budget is not typically used to subsidize activities outside of regular United Nations activities that are otherwise funded through voluntary contributions.

⁸ While providing a useful model, the concept of a Biological Weapons Convention support unit would not translate directly to the Treaty because the Implementation Support Unit is co-located but autonomous from the Office for Disarmament Affairs in Geneva.

5. Recommendations

16. Canada proposes that the Preparatory Committee agree on the following draft recommendations to the 2010 Review Conference:

(a) Adopt a revised meeting schedule whereby current preparatory committee sessions are replaced by annual General Conferences of States parties lasting seven days and quinquennial Review Conferences are shortened from 20 days to 10 days;

(b) Establish a three-member standing bureau of two immediate past and present chairs, empowered to convene extraordinary meetings of States parties, starting in 2011;

(c) Call for the creation and satisfactory staffing of a full-time position at the P-3 level dedicated exclusively to the Treaty, starting in 2011.

Annex

The changes proposed in this paper could yield savings of nearly \$1,700,000 per review cycle (see below table).

The below figures are based on the estimated costs of the 2010 Review Conference, including the session of its Preparatory Committee as provided in annex I of NPT/CONF.2010/PC.II/1. (All figures are in United States dollars.)

Estimated cost savings

<i>Cost item</i>	<i>Current review cycle costs (United States dollars)</i>	<i>Savings (United States dollars)</i>	<i>Explanation</i>
Pre-session, in-session and post-session documentation	3 374 500	809 880 ^a	Focused meetings should result in a reduction in working papers
Meeting services	1 076 200	258 288 ^a	Reduction in meeting days
Summary records	1 062 600	(265 650) ^b	Increase in number of meetings from four to five
Background papers to be prepared and translated by IAEA	157 700	—	Applies to the Review Conference and so will not be affected
Other requirements	364 200	364 200	Although in the budget, this item was generously paid for by the host country
Central support costs	217 400	52 176 ^a	Reduction in meeting days
Security requirements	106 600	25 584 ^a	Reduction in meeting days
Temporary assistance	90 800	—	Applies to administrative duties, which we anticipate will remain unaffected
Travel and daily subsistence allowance of substantive staff from the Office for Disarmament Affairs and IAEA	175 000	—	We anticipate this item to be cost-neutral, as the savings to the daily subsistence allowance will offset the costs of travel to one additional meeting per five-year review cycle
Consultants' fees, travel and daily subsistence allowance	78 600	78 600	Work to be performed by proposed support unit
Press coverage and public information activities	93 600	—	Applies to the Review Conference and so will not be affected
Overtime	5 000	1 200 ^a	Reduction in meeting days
Miscellaneous supplies and services	2 000	480 ^a	Reduction in meeting days
Subtotal	6 804 200	1 324 758	
Programme support costs	884 600	172 273 ^c	Reduction in meeting days
Reserve for contingency	1 020 600	198 684 ^d	Reduction in meeting days
Grand total	8 709 400	1 695 715	

^a Current review cycle costs - [current review cycle costs/50 (days of current review cycle) x 38 (days of proposed review cycle)].

^b Current review cycle costs/4 (current number of meetings) x 5 (proposed number of meetings).

^c Current review cycle costs programme support costs - [(current review cycle costs subtotal - savings subtotal) x 13%].

^d Current review cycle costs reserve for contingency - [(current review cycle costs subtotal - savings subtotal) x 15%].