

NPT Review Conferences have always had implicit in their function a requirement for information on the status of the Treaty's implementation. Background documents of varying degrees of detail have been submitted to Review Conferences by NWS States parties since 1985. Review conferences also have benefited from reports on the implementation of Article IV 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 any other States parties, on implementation of the Treaty.

The 1995 NPT Review and Extension Conference (1995 NPTREC) agreed not only to extend the Treaty indefinitely, 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 quinquennial 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."⁴

The decision to strengthen the review process was an integral part of the "Permanence with Accountability" equation that was the basis of the Treaty's permanent extension, and it implied a further requirement for information on the status of implementation of the Treaty. Beginning in 1997, the nuclear-weapon States began volunteering information on their Article VI compliance at PrepCom sessions as well as Review Conferences. As with their submissions to Review Conferences, however, each State party determined the form and content of these submissions on its own.

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. 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 1996.⁵

But no explicit procedure for reporting was spelled out, and thus there remains no agreement on which States parties should report, no agreement on the scope and format of reporting, no agreement on the frequency 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 a formal report.

Two PrepCom meetings (2002 and 2003) have taken place since the 2000 NPTRC. These meetings

⁴ NPT/CONF.1995/32/DEC.1, para. 4.

⁵ 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).