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# **NOTE**

From:	General Secretariat of the Council
To:	Delegations
Subject:	Annual Progress Report on the Implementation of the European Union Strategy Against the Proliferation of Weapons of Mass Destruction (2019)

Delegations will find in the Annex the Annual Progress Report on the Implementation of the European Union Strategy Against the Proliferation of Weapons of Mass Destruction (2019).

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# ANNUAL PROGRESS REPORT ON THE IMPLEMENTATION OF THE EUROPEAN UNION STRATEGY AGAINST THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION (2019)

#### INTRODUCTION

- 1. This Progress Report on the implementation of the European Union Strategy against the proliferation of weapons of mass destruction (WMD) adopted by the European Council in December 2003 (doc. 15708/03) covers activities carried out in 2019. The Report is non-exhaustive and focuses on the main developments. All activities were undertaken within the broader context of EU security policy and conflict-prevention.
- 2. Based on the Global Strategy for the European Union's Foreign and Security Policy (doc. 10715/16), the European Union Strategy against the proliferation of WMD and the New Lines for Action (doc. 17172/08), the guiding principles of the European Union continue to be:
  - effective multilateralism, including safeguarding the centrality and the promotion of the universality of global non-proliferation and disarmament architecture, through diplomatic action and financial assistance to third countries and international organisations;
  - b. close cooperation with countries to strengthen the international non-proliferation regime;
  - c. addressing non-proliferation issues in the EU's bilateral political and non-proliferation and disarmament dialogue meetings and in more informal contacts;

- d. the effective and complementary use of all available instruments and financial resources the Common Foreign and Security Policy budget, the Instrument contributing to Stability and Peace (IcSP), other instruments in order to underpin the EU foreign policy objectives.
- 3. The European External Action Service (EEAS), in particular the Special Envoy for Disarmament and Non-proliferation represented the EU in a number of key international meetings in 2019:
  - the Regional South Asian Seminar on the Hague Code of Conduct against ballistic missile proliferation (Colombo, 14-16 January 2019);
  - the G7 Non-Proliferation Directors' Group meeting (Paris, 5-6 February 2019)
  - the Carnegie International Nuclear Policy Conference (Washington, 11-14 March 2019);
  - the Third Preparatory Committee Session to the 2020 Review Conference of the Nuclear Non-Proliferation Treaty (NPT) (New York, 29 April-10 May 2019);
  - the 63Annual Regular General Conference of the International Atomic Energy Agency (IAEA) (Vienna, 16-20 September 2019);
  - The Missile Dialogue Initiative (Berlin, 17-18 October 2019);
  - the 74 UN General Assembly First Committee (New York, October November 2019);
  - The Review Conference of the Parties to the Anti-Personnel Mine Ban Convention (Oslo, 25-29 November 2019).

The Special Envoy focused on:

- a. promoting the preservation and strengthening of the Nuclear Non-Proliferation Treaty (NPT) as a fundamental multilateral instrument for reinforcing international peace, security and stability;
- b. promoting universal adherence to and entry-into-force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and enhancing the visibility of the EU's commitment;
- c. upholding the global norm against the use of chemical weapons, including by preventing impunity for such use;
- d. promoting the Hague Code of Conduct (HCoC) against ballistic missile proliferation as a confidence and transparency-building measure;
- e. initiating and maintaining non-proliferation dialogue with major partners and mainstreaming non-proliferation issues in the EU's bilateral relations;
- 4. The EU Council Working Group on Non-Proliferation convened 11 times in 2019, including at director level, to discuss EU positions and future activities. The EU Delegations in Vienna, Geneva and New York prepared and coordinated a number of EU statements for multilateral fora and contributed actively to policy-making through regular EU coordination meetings.

#### **NUCLEAR ISSUES**

5. The EU remains fully committed to promoting the universalisation and the full, complete and effective implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the start and early conclusion of negotiations, at the Conference on Disarmament, on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The establishment of a zone free of weapons of mass destruction and their delivery systems in the Middle East also continues to be an EU priority. In 2019, the Council adopted Decision 2019/938 to provide EUR 2,856,278 to UNIDIR in support of a process of confidence building measures leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East.

# Treaty on the Non-Proliferation of Nuclear Weapons and the International Atomic Energy Agency

6. The NPT review cycle continued with the Third session of the Preparatory Committee for the 2020 Review Conference of the Parties to the NPT taking place in New York from 27 April until 10 May 2019. The EU delivered four statements: one in the general debate and three in the debates on nuclear disarmament, non-proliferation and peaceful uses respectively; a specific statement in support of the creation of a WMD-free zone in the Middle East was also made. The EU also organised a side event and submitted a working paper on its assessment of the Treaty fifty years after its adoption. All EU Member States supported the statement addressing North Korea's nuclear challenge. The EU contributed to all relevant debates, including to the thematic debate on nuclear weapons at the 74th session of the UN General Assembly First Committee on Disarmament and International Security.

- 7. In addition, on 15 April 2019 the Council adopted an unprecedented decision aimed at supporting financially the organization by the UN Office for Disarmament Affairs of thematic and regional consultations in preparation for the 2020 Review Conference of the Parties to the NPT. The overriding objective of the Council Decision is to help facilitate a successful outcome of the NPT Review Conference and the development of a realistic and a feasible set of actions and recommendations that can enjoy consensus. Under this Council Decision, UNODA organized in 2019 two regional seminars: in Addis Ababa on 29-30 August and in Bangkok on 3-4 December, as well as a thematic seminar on peaceful uses of nuclear energy in Vienna on 20-21 November. The regional meetings covered all three of the NPT pillars viewed through the lens of regional priorities and concerns. All activities seek to highlight the many benefits already provided by the NPT and the need to preserve those benefits.
- 8. The EU continued to support the core responsibilities of the IAEA concerning non-proliferation, nuclear energy, nuclear safety, nuclear security and technical cooperation.
- 9. With Council Decision (CFSP) 2016/ 2383 the EU contributes to the implementation of the 2018-2021 IAEA Nuclear Security Plan. The EU funding continued supporting the IAEA activities towards: the universalisation of international non-proliferation and nuclear security instruments; assisting States in the establishment of indigenous technical, scientific and human capacity in nuclear security; strengthening capacities to prevent, detect, respond and protect people, property, environment and society from criminal or intentional unauthorised acts involving nuclear or other radioactive material out of regulatory control; strengthening the detection of and response to illicit trafficking of nuclear and other radioactive material; contributing to computer security in the nuclear field; strengthening the security of radioactive sources, to bring them to a safe and secure storage in the countries in need of support, including repatriation to the country of origin or supplier; strengthening physical protection of nuclear and other radioactive material.

- 10. The IAEA continued to successfully implement Council Decision (CFSP) 2016/2001 of 15 November 2016 on the EU contribution to the establishment and the secure management of a Low Enriched Uranium (LEU) Bank under the control of the International Atomic Energy Agency (IAEA) in the framework of the EU Strategy against the Proliferation of Weapons of Mass Destruction
- 11. In 2019, the European Commission Joint Research Centre (JRC) finalised its support to the IAEA's Incident and Trafficking Database (ITDB).
- 12. In the margins of the 5th EU-IAEA Senior Officials Meeting (15 February 2017), the JRC and the IAEA signed 'Practical Arrangements on Cooperation on Nuclear Science Applications' aimed at developing joint activities and avoiding duplication of efforts. One of the activities included in these practical arrangements is the environmental monitoring of radioactivity, measured across Europe and a number of other global locations in the form of gamma dose rate averages and maxima for the last 24 hours. These measurements originate from some 5500 monitoring sites operated by competent national authorities in 39 countries, which report latest radiological values to the European Radiological Data Exchange Platform (EURDEP). The notification of a radiological accident or emergency is done through early notification networks such as ECURIE or EMERCON, operated by the European Commission and the IAEA respectively, after consultation with the competent national authorities.

- 13. The Joint Comprehensive Plan of Action (JCPOA) is a key element of the global nuclear non-proliferation architecture and an achievement of multilateral diplomacy. The continued full and effective implementation of the agreement is essential for European security. The EU continues to contribute to the implementation of the JCPOA by coordinating the Joint Commission and a number of expert-level working groups established under the JCPOA. The EU also continues to fully support the IAEA's long-term mission to verify and monitor Iran's nuclear-related commitments. Since 2016, the EU has engaged in implementing Annex III of the JCPOA in particular through projects to improve nuclear safety. EUR 15 million have already been allocated for civil-nuclear cooperation with Iran and three projects contracted supporting both the Iranian Nuclear Regulatory Authority and the nuclear power plant operator at Bushehr. A new project was approved in 2018 with a budget of EUR 5 million, which covers the supply of laboratory equipment for the Nuclear Safety Centre of the regulatory authority. The project is expected to be contracted in 2020.
- 14. Civil Nuclear Cooperation with Iran is a key pillar of the JCPOA and centrepiece to the EU engagement with Iran. It helps get a better understanding of Iran's civil nuclear needs and gradually build confidence in the peaceful nature of Iran's nuclear programme. EU-Iran cooperation in 2019 included frequent high-level exchanges on policy matters with a particular focus on nuclear governance; a joint workshop on civil nuclear liability and insurance; projects that support the efforts of Iran's Nuclear Regulatory Authority to align with international standards in the legislative and regulatory field as well as the establishment of the Nuclear Safety Centre designed under a previous EU-funded project; participation of Iranian students in the Decommissioning Summer School and in a workshop on Metrology for Waste Characterisation and Clearance at the EU Joint Research Centre, EU-Iran Joint Workshop on reporting to the Joint Convention on spent fuel and radioactive waste, EU-Iran Joint Workshop on Emergency Preparedness and Response for a radiological or nuclear emergency, and projects in support of the modernisation of the Arak research reactor (Khondab) and the conversion of the Fordow facility into a nuclear, physics, and technology centre. Iran remained the EU's top beneficiary in the field of nuclear safety.

- 15. Comprehensive safeguards agreements together with additional protocols constitute the current verification standard and the EU continues to call for universal adherence to them. The close cooperation between EURATOM and the IAEA allows for effective and efficient safeguards. The EU actively supports the IAEA safeguards system through the European Commission Safeguards Support Programme (EC SP), the Instrument for Nuclear Safety Cooperation and through Member States' Support Programmes. The EC SP strengthens the IAEA nuclear safeguards capabilities for verification of the implementation of the JCPOA also by the provision of training to IAEA safeguards inspectors on Complementary Access and on operation of COMPUCEA (Combined Procedure for Uranium Concentration and Enrichment Assay) for verification of UF6 enrichment.
- 16. The European Commission continues to operate and actively support the European Safeguards Research and Development Association (ESARDA), which in 2019 celebrated its 50th Anniversary with an open symposium attracting 250 participants from across the globe, discussing nuclear safeguards and non-proliferation issues, mainly from a scientific and technical point of view. ESARDA continues also its international outreach through its Memorandums of Understanding with the African Commission on Nuclear Energy and the Asian Pacific Safeguards Network and in close collaboration with the Institute for Nuclear Materials Management. ESARDA Working Groups develop, test and validate innovative safeguards and non-proliferation approaches, of direct benefit to the Nuclear Safeguards Directorate of DG ENER and the Safeguards Department of the International Atomic Energy Agency. The research and development results and the education and training initiatives enhance European and international capabilities in nuclear safeguards, and strategic trade control with spin off also to nuclear security and nuclear disarmament initiatives.

- 17. The EU and its Member States attach the utmost importance to the worldwide implementation and continuous improvement of nuclear safety. The EU has given legal force to the objectives of the Vienna Declaration on Nuclear Safety through its amended Nuclear Safety Directive that entered into force in 2017. A key element of the amended directive is the introduction of a safety objective for all operators to prevent accidents and avoid significant radioactive releases. The amended directives also added Topical Peer Reviews in EURATOM law. A first European Topical Peer Review was already conducted successfully. All EU Member States have transposed the new requirements into their national laws.
- 18. To further the peaceful uses of nuclear energy, the EU has allocated EUR 325 million over the period 2014-2020 to promote nuclear safety, radiation protection and the application of efficient and effective safeguards in third countries. The European Commission, working with the IAEA and other partners, is supporting the implementation of the strategic master plan for environmental remediation in Central Asia to be financed by the dedicated Environmental Remediation Account (ERA) managed by the EBRD. As the major donor, the EU continues to reach out to the beneficiary countries (Kyrgyzstan, Tajikistan and Uzbekistan) to foster engagement and start concrete clean-up and remediation projects.
- 19. In July 2019, the New Safe Confinement covering the destroyed reactor 4 at the Chernobyl nuclear power plant was officially handed over to Ukraine at a ceremony with President Volodymyr Zelenskyy, completing the long standing international effort initiated by the G7 to render the site environmentally safe again. The EU has been the biggest donor to the Chernobyl Shelter Fund after the European Bank for Reconstruction and Development managing the fund.

- 20. The EU and its Member States continue to be strong supporters of the IAEA Technical Cooperation Programme, including through substantial contributions to the Technical Cooperation Fund and the Peaceful Uses Initiative. The EU and its Member States rank among the biggest contributors to the Technical Cooperation Programme which is an important tool to enable the safe, secure and peaceful use of nuclear technology and to meet the goals of the 2030 Agenda for Sustainable Development.
- 21. The EU and the IAEA hold an annual Senior Officials Meeting to review and plan their broad-range cooperation. The last meeting was hosted by the European Commission on 12 February 2019 in Luxembourg. The discussions focused on strengthening collaboration on nuclear safety, security, safeguards and nuclear research, innovation and training.

# **Comprehensive Nuclear-Test-Ban Treaty**

22. The entry into force and universality of the CTBT are important objectives of the EU Strategy against the proliferation of weapons of mass destruction. All EU Member States have demonstrated their commitment to the Treaty by ratifying it and by applying its basic obligations. The CTBT is a strong confidence- and security building measure. In 2019, the EU engaged in diplomatic outreach to all remaining Annex – II and non-Annex II countries. The objective of the EU outreach was to solicit commitments for CTBT ratification. Promoting the entry into force of the CTBT was one of the actions on the UN Secretary General's Securing our Common Future: an Agenda for Disarmament that the EU decided to support.

- 23. The EU promotes consistently the benefits and the contribution of the Treaty to peace, security, disarmament and non-proliferation, including in its civil applications. The EU financial support for the Preparatory Commission for the CTBT Organisation (CTBTO) as outlined in Council Decision (CFSP) 2018/298 on Union support for the activities of the Preparatory Commission for the CTBTO in order to strengthen its monitoring and verification capabilities continued. The EU and its Member States also contributed to the maintenance and strengthening of the CTBT verification regime through the provision of technical support and advice at CTBTO Working Group B and other workshops and seminars. The EU participated actively in the sessions of the CTBTO Preparatory Commission, its Working Groups A and B.
- 24. At the invitation of the Executive Secretary of the CTBTO, the EU HRVP participated in the eleventh Conference on Facilitating the Entry into Force of the CTBT, held at the United Nations Headquarters in New York on 25 September 2019 where she delivered an agreed EU statement. On 25 June during the CTBT Science and Technology Conference, the EU Delegation in Vienna organised an event on EU-CTBTO co-operation.

# Initiatives related to nuclear security

- 25. The EU continued to promote the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT) and the Amendment to the Convention on the Physical Protection of Nuclear Material (ACPPNM) as fundamental elements of the global nuclear security and anti-terrorism architecture. The United Nations Office on Drugs and Crime and the United Nations Office of Counter-Terrorism started implementing Council Decision (CFSP) 2018/1939 on Union support for the universalisation and effective implementation of ICSANT. The objectives of the Council Decision are to increase the number of adherents to ICSANT, to raise awareness among national policy- and decision-makers, as well as capacity-building: to help improve national legislation and to strengthen the capacity of national stakeholders, including criminal justice officials to investigate, prosecute and adjudicate cases of nuclear terrorism. The implementation of the Council Decision started with a launching event in New York held in April 2019 and in Vienna held in May 2019.
- 26. The EU continued to support the Global Initiative to Combat Nuclear Terrorism (GICNT) and its mission to strengthen global capacity to prevent, detect, and respond to nuclear terrorism. The EU and its Member States participated in the 11th plenary meeting of the GICNT held in Buenos Aires on 6-7 June 2019. The following countries aligned themselves with the agreed EU statement: Turkey, North Macedonia, Montenegro, Serbia and Albania, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Iceland and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia and Georgia.

- 27. The EU and its Member States are actively involved in the work of the GICNT in all areas: nuclear detection, nuclear forensics and response and mitigation. The European Commission's Joint Research Centre hosted the 'Cunning Karl': Nuclear Detection Reachback Support Workshop, on 12-14 February 2019 in Karlsruhe, Germany, under the auspices of the GICNT Nuclear Detection Working Group. Building on the outcomes of the 2017 Magic Maggiore Technical Reachback Workshop, the workshop focused on identifying the core capabilities associated with technical reachback conducted in support of detection operations and explored the challenges and best practices for providing reachback support to remote areas. On 24-25 February 2019, Finland hosted the Nuclear Forensics Working Group (NFWG) Experts Meeting which discussed the NFWG Work Plan for 2019-2021. The EU also contributed to the Nuclear Detection at Blue and Green Borders Workshop and Tabletop Exercise hosted by the Kingdom of Morocco in December 2019.
- 28. The EU Nuclear Security Training Centre for detection and response to illicit acts with nuclear and other radioactive materials (EUSECTRA) has been fully operational since 2013 for the benefit of European Union Member States and partner countries, among them several GICNT members. The Centre is operated by the EC Joint Research Centre (JRC) at its sites in Karlsruhe (Germany) and Ispra (Italy), in close co-operation with other international initiatives promoted by the International Atomic Energy Agency and several GICNT partner countries. The Centre is also used for practical exercises mainly related to countering nuclear smuggling. EUSECTRA is active in addressing the training needs of the EU Member States and EU partners, including highly appreciated coordinated trainings for the Member States delegates in customs and law enforcement already implemented and planned for 2019-2021 (in direct collaboration with EC DG HOME and EC DG TAXUD), and also provides assessment of equipment performance upon request by EU Member States. In 2019, 14 one-week trainings and two additional workshops with experts from EU Member States were organised.

29. The European Commission and the EU Member States continued their nuclear forensics activities on the basic characterisation of intercepted nuclear material, using an advanced nuclear forensic investigation at the JRC site in Karlsruhe (Germany). In 2019, samples from three incidents in two EU Member States were analysed. Overall, nuclear materials detected and seized in more than 50 incidents have been examined thus providing support to competent authorities in EU Member States and beyond.

#### Initiatives related to nuclear verification

30. The EU and its Member States supported the 2019 UNGA resolution on Nuclear
Disarmament Verification on the establishment of the second Group of Governmental
Experts to continue to consider the role of verification in advancing nuclear disarmament.
The EU is supportive of the work of broader partnerships and cooperative verification
arrangements and has participated in the work of the International Partnership for Nuclear
Disarmament Verification (IPNDV) since its inauguration in 2015. The active EU
engagement has continued during Phase II of the IPNDV with the EU (the EEAS and the
European Commission Joint Research Centre) taking part in the Working Groups meetings
in Helsinki 4-6 March 2019 and in The Hague on 19-21 June, as well as in the Ottawa
Plenary Meeting, 2-6 December. Substantive support to the UN Group of Governmental
Experts on Nuclear Disarmament Verification and the 2020 Review Conference of the
Nuclear Non-Proliferation Treaty are defined as main goals. The EU also became a
supporter of the action point related to nuclear disarmament verification in the UN Secretary
General's Security our Common Future: an Agenda for Disarmament.

# Regional issues

31. The EU and its Member States continued urging the DPRK to progress towards abandoning its WMD and ballistic missile programs in a complete, verifiable and irreversible manner. This was reflected in all relevant EU statements. The EU position remained that the repeated ballistic missile launches by the Democratic People's Republic of Korea (DPRK), in violation of multiple UN Security Council Resolutions, represent a grave threat to regional and international peace and security and undermine the ongoing international efforts towards lasting peace and security on the Korean Peninsula. The EU called on the DPRK to immediately halt all its launches, engage in meaningful negotiations and take concrete and credible steps towards building trust and confidence and abandoning all its nuclear weapons and ballistic missile programmes in a complete, verifiable and irreversible manner. The EU continued to urge the DPRK to fully comply with all relevant UN Security Council Resolutions and its other international obligations and commitments, to sign and ratify the CTBT without delay, and to return to compliance with its safeguards obligations under the NPT. The EU has swiftly transposed all Security Council Resolutions into EU legislation, and has also adopted rigorous autonomous sanctions, which complement and reinforce the sanctions adopted by the UN. EEAS Spokesperson's statements were issued on 10 August following the launching of two short-range ballistic missiles and on 2 October following the firing of a reportedly ballistic missile at sea.

# The Conference on Disarmament (CD)/ Treaty Banning the Production of Fissile Material for Nuclear Weapons or other Nuclear Explosive Devices

32. The EU remains united and committed to verifiable treaty-based nuclear disarmament and arms control and stresses the need to renew multilateral efforts and revitalize multilateral negotiating bodies, in particular the Conference on Disarmament (CD). The EU's longstanding priority in the Conference on Disarmament is to immediately commence negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT). The EU supports commencing such negotiations in accordance with document CD/1299 and the mandate contained therein. The EU calls on all CD members to start negotiations on a FMCT without delay and to begin work on the other issues on the agenda. With Council Decision 2017/2284 of 11 December 2017, the EU is providing financial support to the UN Office for Disarmament Affairs (UNODA) to facilitate the participation of African, Asian, Latin American and Caribbean countries in FMCT related consultations and other activities. The EU also encourages all countries possessing nuclear weapons that have not done so to declare and uphold an immediate moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices, if they have not already done so. The EU Member State, which is a nuclear weapon state, has declared relevant moratoria and dismantled such facilities.

# **CHEMICAL WEAPONS**

33. The EU continued to support the Organisation for the Prohibition of Chemical Weapons (OPCW) politically, diplomatically and financially to ensure the full and effective implementation of and universal adherence to the Chemical Weapons Convention (CWC).

- 34. On 1 April 2019, the Council adopted Decision (CFSP) 2019/538 which provides EU support to OPCW core activities (such as national implementation, international cooperation, universalisation, the Africa Programme) over the period 2019-2022. It also provides a substantial contribution to the upgrading of the OPCW Laboratory into a Centre for Chemistry and Technology as well as to the implementation of the Decision C-SS-4/DEC.3 "Addressing the Threat from Chemical Weapons" taken by the Special Session of the Conference of States Parties (CSP) to the CWC on 27 June 2018.
- 35. On 26 June 2019, the Council adopted Decision (CFSP) 2019/1092 extending the implementation period of the Decision (CFSP) 2017/2302 of 12 December 2017 in support of the OPCW activities to assist clean-up operations at the former chemical weapons storage site in Libya in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.
- 36. The EU continued its firm support for the work of the OPCW Fact Finding Mission and the Declaration Assessment Team in investigating reports of chemical weapons use in Syria and seeking to resolve the identified gaps and inconsistencies in the Syrian initial declaration. In this context, on 9 December 2019 the Council adopted Decision (CFSP) 2019/2112 extending the implementation period of Decision 2017/2303/CFSP in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council Decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons through the provision of satellite imagery in support of the OPCW operations in Syria.

- 37. In line with the European Council Conclusions of 28 June 2018 which committed the EU to supporting the implementation of the Decision C-SS-4/DEC.3 of the Special Session of the CSP to the Chemical Weapons Convention on 27 June 2018 to establish an attribution mechanism in response to repeated use of these weapons since 2012 and with a view to ensuring the adoption of the draft OPCW Programme and Budget for 2020 that give a firm and solid basis to the OPCW Technical Secretariat to tackle the manifold tasks and challenges ahead, the EU carried out a demarche to a large number of CWC States Parties asking for their constructive approach to the implementation of the OPCW Decision C-SS-4/DEC and support for a successful outcome of the 24th Conference of States Parties (CSP-24) held on 25 29 November 2019.
- 38. Through Council Decision (CFSP) 2017/1252 of 11 July 2017 in support of the strengthening of chemical safety and security in Ukraine in line with the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery, the EU supported national capacity building in Ukraine and notably the establishment of Ukrainian National Reference Centre to identify controlled and toxic chemicals.
- 39. On 14 October 2019, the EU extended by Council Decision (CFSP) 2019/1722 its regime of restrictive measures to address the use and proliferation of chemical weapons for a further 12 months.

#### **BIOLOGICAL WEAPONS**

- 40. On 21 January 2019, the Council of the EU adopted the fifth consecutive decision in support of the Biological and Toxin Weapons Convention. Council Decision (CFSP) 2019/97 provides for a budget of EUR 3 million to the UN Office for Disarmament Affairs (UNODA) for the period of 2019-22. This allows the BTWC Implementation Support Unit (ISU) to facilitate six new projects in support of universalisation; capacity building for national implementation including three peer review exercises; fostering biosecurity in the Global South; developing tools for outreach, education and engagement; as well as increasing preparedness to respond to biological attacks. During 2019, three workshops and two other events were funded under this Decision. Among these workshops was a biosecurity workshop, the first of its kind, entitled "Engaging Young Scientists from the Global South in Biosecurity Diplomacy" that was held on 3-5 August 2019 near Geneva. The workshop brought together up to 20 young scientists from developing countries working on BTWC-related topics. Decision (CFSP) 2019/97 will also support the BTWC intersessional programme and the preparation of the Ninth Review Conference in 2021.
- 41. On 31 July 2019, the Council adopted Decision (CFSP) 2019/1296 in support of strengthening biological safety and security in Ukraine in line with the implementation of United Nations Security Council Resolution 1540 (2004) on non-proliferation of weapons of mass destruction and their means of delivery. This Decision provides for EUR 1.9 million support over three years. Through this Decision, the EU is supporting strengthening biological safety and security in Ukraine notably by improving Ukraine's legislative and regulatory basis and its human and animal health systems, as well as by raising the awareness of life scientists.

- 42. On 9 December 2019, the Council adopted Decision (CFSP) 2019/2108 in support of strengthening biological safety and security in Latin America in line with the implementation of United Nations Security Council Resolution 1540 (2004) on non-proliferation of weapons of mass destruction and their means of delivery, which provides for EUR 2.7 million over three years.
- 43. With the above Council Decisions, the overall financial amount of the EU support to the BTWC since 2006 has increased to almost EUR 15 million.
- 44. At the Meeting of States Parties to the Convention held on 3-6 December 2019 in Geneva the EU delivered a general statement. While reaffirming its strong support to the BTWC as a key pillar of the rules-based international system the EU recalled its longstanding efforts to strengthen the Convention, promote its universalisation and enhance its implementation. The EU's priorities in the context of the BTWC include enhancing national implementation and compliance, promoting confidence-building and transparency measures such as peerreviews, voluntary visits and other initiatives, facilitating cooperation on science and technology, operationalising Article V consultative provisions and Article VII provisions on assistance, response and preparedness, promoting universal adherence to the Convention, as well as gender equality and the empowerment of women as an important cross-cutting priority. The EU furthermore expressed its continued concern over the critical financial situation of the Convention and urged all States, which had not yet done so, to honour their financial obligations without delay. In this context, the EU recalled that the purpose of the Working Capital Fund, as set up in 2018, is to provide short-term financial liquidity at the beginning of the calendar year and in no way subsidize non-payments or arrears. With regard to activities, the EU highlighted the achievements of the cooperation developed in the framework of the EU Council Decision in support of the BTWC and the EU CBRN risk mitigation Centres of Excellence Initiative. An EU-funded side event on 4 December 2019 presented biosafety related activities in the Caucasus in the framework of the CBRN Centres of Excellence Initiative.

45. The EU also participated actively in the five Meetings of Experts held from 29 July to 8
August 2019 in Geneva, namely the Meeting of Experts (MX1) on cooperation and
assistance, with a particular focus on strengthening cooperation and assistance under Article
X (29-30 July), the Meeting of Experts (MX2) on Review of Developments in the Field of
Science and Technology Related to the Convention (31 July & 2 August), the Meeting of
Experts (MX3) on Strengthening National Implementation (05 August 2019), the Meeting of
Experts (MX4) on Assistance, Response and Preparedness (6-7 August 2019) and the
Meeting of Experts (MX5) on Institutional Strengthening of the Convention (8 August
2019). The EU delivered well-focused and up-to-date key messages at each of the MX and
spoke in the side-event hosted by France on voluntary transparency measures, promoting a
more structured exchange of information on peer review exercises. The EU focused on
awareness-raising among professionals in the Science and Technology sector through elearning modules and the funding of stakeholder seminars. In the same context, the EU
promoted the new EU Council Decision in support of the universalisation and
implementation of the Convention.

### **BALLIST IC MISSILES**

# **Hague Code of Conduct**

46. The Hague Code of Conduct against Ballistic Missile Proliferation (HCoC) is the result of efforts by the international community to regulate the area of ballistic missiles capable of carrying weapons of mass destruction. The HCoC is the only multilateral transparency and confidence building instrument relating to the spread of ballistic missiles. By subscribing to the HCoC, members voluntarily commit themselves politically to provide pre-launch notifications on ballistic missile and space-launch vehicle launches and test flights. Subscribing countries also commit themselves to submitting an annual declaration of their country's policies on ballistic missiles and space-launch vehicles.

- 47. The EU has strongly supported the Code since its inception. All EU Member States have subscribed to it. Since the signing and entry into force of the politically-binding HCoC in November 2002 in The Hague, Netherlands, the number of signatories has increased from 93 to 143. This is also due to the diplomatic outreach in support of the universalisation of the Code, that the EU conducted to a number of non-subscribing States.
- 48. The EU promotes consistently the universality, full implementation and enhanced functioning of the Code. Over the last decade, the EU Council has adopted, in the CFSP framework, a series of Decisions/ Joint Actions supporting the Hague Code of Conduct and missile non-proliferation in general. Through these Council Decisions, the EU finances HCoC outreach activities, including side-events, research papers, expert meetings and regional awareness seminars. These activities are carried out by the Paris-based *Fondation pour la Recherche Stratégique*, usually also involving the rotating HCoC Chair.
- 49. With Council Decision (CFSP) 2017/2370 of 18 December 2017, the EU continues to: promote the subscription to the Code and ultimately its universality; support the full implementation of the Code; promote dialogue among subscribing and non-subscribing States to build confidence and transparency; encourage restraint and create more stability and security for all; reinforce the Code's visibility and raise public awareness about the risks and threats posed by ballistic missile proliferation; and explore, in particular through academic studies, possibilities of enhancing the Code and of promoting cooperation between the Code and other relevant multilateral instruments

# UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 AND CBRN RISK MITIGATION

- 50. The UN Security Council Resolution 1540 (2004) continues to be a central pillar of the international non-proliferation architecture. It is the first international instrument to deal in an integrated and comprehensive manner with weapons of mass destruction, their means of delivery and related materials. UNSCR 1540 (2004) establishes binding obligations on all countries. These aim to prevent and deter non-state actors from obtaining access to such weapons, their means of delivery and -related materials. Adopted under Chapter VII of the United Nations Charter, the Resolution requires all countries to adopt the necessary legislation barring non-state actors from getting nuclear, chemical or biological weapons, and to establish appropriate domestic controls for related materials to prevent their illicit trafficking. The 2016 comprehensive review process of UNSCR 1540 reaffirmed its centrality, importance and authority as reflected in UNSCR 2325.
- 51. In order to help implement the outcome of the 2016 comprehensive review and to support the full implementation of UNSCR 1540, on 11 May 2017 the European Council adopted Council Decision (CFSP) 2017/809, in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery. The Council Decision covers a period of 36 months and is being implemented by the UN Office of Disarmament Affairs (UNODA) in New York, which has sub-contracted some of the implementation to the OSCE in Vienna. The EU funding supports assisting countries in identifying specific technical assistance, raising awareness of relevant technical assistance programmes, as well as of enhancing cooperation with international and regional Organisations, in support of national capacity building efforts.

- 52. The EU CBRN risk mitigation Centres of Excellence (CoE) initiative ("Initiative") is a worldwide capacity building programme, currently gathering 61 partner countries grouped around 8 Regional Secretariats, located in the following regions: African Atlantic Façade; Central Asia; Eastern and Central Africa; Gulf Cooperation Council Countries; Middle East; North Africa and Sahel; South East Asia; South East and Eastern Europe.
- 53. The CBRN CoE is financed under the Instrument contributing to Stability and Peace (IcSP), and aims to mitigate risks related to CBRN materials, strengthen partner countries' preparedness, and nurture security culture and governance. Participating countries are supported in their efforts to establish, on a voluntary basis and following a demand-driven, regional approach, national and regional coordination and governance structures. These platforms develop and reinforce national CBRN policies and build capacities based on specific needs assessments and national action plans. They are supported through several regional cooperation projects funded under the Initiative and open to other financing instruments. Since 2010, 82 regional projects have been funded. The budget for the initiative for the 10 –year period starting in 2010 amounts to approx. EUR 250 million.

- 54. The Centres of Excellence network is now well developed, and allowed the EU to undertake training table-top and field cross-border exercises on matters including civil protection, incident response, bio-security, and waste management in the framework of CoE projects, in order to enhance visibility and concretely assess their impact. Regional CBRN Action Plans have started to be developed, as well as inter-regional cooperation. Moreover, the Initiative is mature enough to support further actions addressing security governance issues related to cybercrime, terrorism, critical infrastructures, falsified medicines, hybrid threats and explosives, as well as to further develop cooperation on nuclear forensics, border control and export control of dual use items. In 2019, in the framework of the EU CBRN Centres of Excellence network, the EU JRC in collaboration with the US Department of Energy and the Kiev Institute for Nuclear Research developed nuclear security education and training activities for participants from Georgia, Ukraine, Azerbaijan and Moldova, to enhance nuclear security in the Black Sea region.
- 55. The implementation of the Action Plan to enhance preparedness against chemical, biological, radiological and nuclear security risks, presented in October 2017 by the Commission as a part of wider Counterterrorism Package, has continued. The current Action Plan, building on the achievements of the EU CBRN Action Plan 2010-2015, introduced a wide range or measures to improve preparedness, resilience and coordination at EU level. It proposes creation of a more security-focused CBRN architecture at the EU level, emphasising the need to better use existing resources and to pool together existing expertise. The Action Plan calls also for strengthening EU CBRN preparedness and response through cross-border and cross-sectoral training and exercises. It underlines the need to include whenever relevant border and customs authorities and military partners. The Action Plan underlines also the importance of close links between internal and external CBRN security-related activities as well as cooperation with specialised multilateral organisations such as IAEA, OPCW or Interpol. Implementation of the Action Plan has been supported financially via the Internal Security Fund Police.

56. The CBRN Action Plan has received scientific and technical support from a range of research projects funded by the Secure Society Programme under the 7th Framework Programme. The research covers the entire crisis management cycle from prevention to recovery. Activities to identify standardisation needs could lead to 'European Norms' standards. The Horizon 2020 programme will strengthen on-going work in CBRN research through focused topics.

# THINK TANKS

- 57. Based on Council Decision 2010/430/CFSP of 26 July 2010, the implementation of the EU Strategy against the proliferation of weapons of mass destruction has been actively supported by the EU Non-Proliferation and Disarmament Consortium which started its activities in January 2011. On 26 February 2018, the Council adopted Decision 2018/299/CFSP which further extends the EU support for the activities of the Consortium for the period 2018-2021 by building on the achievements to date and by adding new projects.
- 58. The Consortium's activities increased EU visibility vis-à-vis third countries and civil society and contributed substantially to EU policy shaping in the areas of non-proliferation and disarmament. The Consortium provides a platform for informal contacts among practitioners and stimulates dialogue between different stakeholders. Its activities have helped raise awareness of the challenges posed by weapons of mass destruction and conventional arms, and explored solutions to address these challenges. It draws on an extensive Network of 90 think tanks and research centres across Europe, including members from all EU Member States as well as from partner countries such as Switzerland and Ukraine. 14 institutes joined the Network during 2019.

- 59. All events convened by the Consortium ensured diversity of participants and speakers in terms of gender, age, expertise and geographical representation. More specifically, during 2019 the Consortium organised the following activities to implement Council Decision 2018/299/CFSP:
  - The 8th EU Consultative Meeting, gathering EU officials and European experts (Brussels, 11-12 June)
  - The 2nd UN Disarmament Fellows' visit to Brussels (12-13 September);
  - An ad-hoc seminar on enforcing the norm against chemical weapons;
  - An ad-hoc seminar on 'Security, Safety, Sustainability: Promoting Good Behaviour in Outer Space' (Brussels, 9 December)
  - A Next Generation Workshop (Brussels, 12 December)
  - The 3rd annual meeting of the European Network of Independent Non-Proliferation and Disarmament Think Tanks (Brussels, 12 December).
  - 8th EU Non-Proliferation and Disarmament Conference (Brussels, 13-14 December).

60. The Consortium published a monthly newsletter as well as five EU Non-Proliferation and Disarmament papers during 2019<sup>1</sup>. Training activities included an e-Learning course on Non-Proliferation and Disarmament and EU policies as well as supporting 36 Non-Proliferation and Disarmament Internships in European think tanks between 2018 and 2021 in application of Council Decision (CFSP) 2018/299 of 26 February 2018.

### **EXPORT CONTROLS**

- 61. In 2019, COARM finalised its review of the Common Position 2008/944 CFSP on arms export control. The Council adopted a decision amending the Council Common Position, as well as a revised user's guide. It also adopted conclusions on the review of the Common Position
- 62. The Council decision takes account of a number of developments at both European Union and international level that have resulted in new obligations and commitments for member states since the adoption of the Common Position of 2008. These developments include in particular the entry into force of the Arms Trade Treaty (ATT) on 24 December 2014, which regulates the international trade in conventional arms. All member states are States Parties to the ATT. The ATT aims to establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms and to prevent and eradicate the illicit trade in conventional arms and prevent their diversion.

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<sup>&</sup>lt;sup>1</sup> available at https://www.nonproliferation.eu/activities/online-publishing/non-proliferation-papers/

- 63. In its conclusions, the Council recalls its commitment to strengthening the control of the export of military technology and equipment, and to reinforce cooperation and promote convergence in the field of export of military technology and equipment. It does this through the setting, upholding and implementation of high common standards for the management of transfers of military technology and equipment by all member states.
- 64. In 2019, the EU also continued its outreach activities to support third countries in setting up arms export control system, and to promote the universalisation of the ATT. Under Council Decision (CFSP) 2018/101 of 23 January 2018, implemented by the German Federal Office for Economic Affairs and Export Control (BAFA), a number of regional workshops, study visits and individual assistance events took place. In addition, further regional outreach activities, tailored national assistance programmes and ad hoc individual assistance workshops were carried out under Council Decision (CFSP) 2017/915, implemented by BAFA and Expertise France, supporting the Arms Trade Treaty's effective implementation and universalisation.
- 65. Political Dialogue meetings on arms export control issues were held in 2018 and 2019 with Norway, Canada, the United States and Ukraine. These political dialogues provided a forum for fruitful discussions on matters of mutual interest, such as export policies to specific destinations, compliance and control issues and the Arms Trade Treaty process.
- 66. In 2019, the EU continued to regularly update its regulations to reflect developments in multilateral export control regimes. Thus, the European Commission adopted a Delegated Regulation on 17 October 2019<sup>2</sup> updating the EU control list in line with decisions taken in multilateral export control regimes in 2018, and introduced new controls for e.g. on airlaunch platforms, "MMIC" amplifiers, discrete microwave transistors and unmanned submersible vehicles.

<sup>&</sup>lt;sup>2</sup> See OJ No L338 of 30 December 2019, p. 1.

- 67. The Dual-Use Coordination Group continued to support the effective and consistent implementation of export controls in the EU. New functionalities were introduced to the 'Dual-Use Electronic System' which improved information and technical exchanges within the EU. The EU finalised the process of defining industry compliance guidelines adopting Commission Recommendation (EU) 2019/1318 of 30 July 2019. The EU also advanced its work on the development of an "electronic licensing platform" to be used by competent authorities on a voluntary basis. An annual report<sup>3</sup> was published to ensure transparency regarding export control and licensing activities, and an Export Control Forum was organised on 13 December 2019, bringing together stakeholders form Member States, industry and civil society<sup>4</sup>.
- 68. The review of EU export control policy continued. The Council and the European Parliament actively discussed the Commission's proposal to modernise export controls of dual use items. In June 2019, the Council adopted a mandate for negotiations with the European Parliament and trilogue negotiations between the co-legislators started in the autumn.
- 69. EU positions and statements were coordinated as appropriate in preparation for the relevant meetings of the export control regimes: the Nuclear Suppliers Group Plenary meeting in Nur-Sultan (20-21 June 2019), the Australia Group Plenary meeting in Paris (3-7 June 2019) and the Missile Technology Control Regime in Auckland (7-11 October 2019).

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<sup>&</sup>lt;sup>3</sup> https://ec.europa.eu/transparency/regdoc/rep/1/2019/EN/COM-2019-562-F1-EN-MAIN-PART-1.PDF

<sup>&</sup>lt;sup>4</sup> https://trade.ec.europa.eu/doclib/docs/2019/december/tradoc 158495.pdf

- 70. The Missile Technology Control Regime (MTCR) is an informal and voluntary association of countries which share the goals of non-proliferation of unmanned delivery systems capable of delivering weapons of mass destruction, and which seek to coordinate national export licensing efforts aimed at preventing their proliferation. The MTCR participating governments have committed themselves to adherence to common export policy guidelines (the MTCR Guidelines) which apply to an integral common list of controlled items (the MTCR Equipment, Software and Technology Annex). MTCR partners regularly exchange information about relevant national export licensing issues. The MTCR guidelines and control lists constitute an international best practices benchmark for controlling exports of missile-related items and technologies.
- 71. An important issue for the EU in the MTCR context remains the blocked accession to the regime of Croatia, Cyprus, Estonia, Latvia, Lithuania, Malta, Romania, Slovakia and Slovenia. Continuity and predictability in chairing export control regimes such as the MTCR is key to the functioning and credibility of these regimes. In October 2019, the EU Member States who are members of the MTCR submitted an informal paper 'On Chairmanship issues' for consideration of the plenary meeting exploring options for encouraging and supporting a sustainable chairmanship of the Regime. The EU will continue to engage in discussions with members on the various options. In the context of the Regime, the EU has always supported the adoption of strong MTCR Public Statements reflecting international concerns about the ballistic missile launches and significant missile technology development by Iran and the DPRK.

- 72. The implementation of the EU P2P Export Control Programme to enhance the effectiveness of export control systems of dual-use items and related materials, equipment and technologies continued from six regions. In 2019, the Programme was extended to enable cooperation with Iraq and it currently covers a total of 37 countries including from the Export Control Targeted Initiatives with the Science and Technology Centre of Ukraine and the International Science and Technology Centre in Kazakhstan, which cover 13 countries.
- 73. Intensive coordination of the EU P2P Export Control Programme with the US Department of State Export Control and related Border Security Programme continued. Joint EU-US seminars were organised to exchange on threat assessment methodologies, to define common impact indicators and to coordinate field assistance. In August 2019, the EU organised in Finland the annual edition of the EU P2P Summer University on Strategic Trade Controls for partner countries of the EU P2P Export Control Programme. The EU P2P portal was transferred to the official European Union web environment (<a href="https://europa.eu/cbrn-risk-mitigation/eu-p2p\_en">https://europa.eu/cbrn-risk-mitigation/eu-p2p\_en</a>), the visual and content upgrades will be finalised in 2020. It will continue to serve as a platform for all EU outreach programmes on export controls of military and dual-use goods, with the aim of customising information exchange with the EU's partner countries. The programme is funded under the Instrument contributing to Stability and Peace.

#### **SPACE**

- 74. The EU and its Member States continued to promote the preservation of a safe, secure and sustainable space environment and the peaceful use of outer space on an equitable and mutually acceptable basis. We continued to stress the importance of transparency and confidence-building measures and the need to advocate responsible behaviour in outer space in the framework of the United Nations. In this respect, the EU delivered space related statements at the UN General Assembly, UN Conference on Disarmament, UN Disarmament Commission and UN Committee on the Peaceful Uses of Outer Space (COPUOS).
- 75. The EU and its Member States remained strongly committed to the prevention of an arms race in outer space, which is essential for the strengthening of international security and stability and for safeguarding the long-term use of the space environment for peaceful purposes. We continued to express our concern about the development of all anti-satellite weapons and capabilities, including earth-based, and underline the importance of addressing such developments promptly and as part of international efforts to prevent an arms race in outer space.

- 76. The EU and its Member States strongly supported the adoption of the preamble and 21 Guidelines for the long-term sustainability of outer space activities, which were adopted by the Committee on the Peaceful Uses of Outer Space, and endorsed by a resolution of the UN General Assembly in 2019<sup>5</sup>. The Guidelines are an important addition to the transparency and confidence-building measures in outer space<sup>6</sup>.
- 77. On 9 December, the EU Non-Proliferation and Disarmament Consortium, in cooperation with the EEAS Space Task Force organised the seminar 'Security, Safety, Sustainability: Promoting Good Behaviour in Outer Space'. The objective of the seminar was the exchange of views and information on national, regional and global initiatives to promote the preservation of safe, secure and sustainable space environment and the peaceful use of outer space on an equitable and mutually acceptable basis. The seminar brought together government officials, academia and the private sector. Participants appreciated the fruitful discussion among the space community and the non-proliferation and disarmament community on topics concerning the security, safety and sustainability of outer space.

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#### WMD NON-PROLIFERATION CLAUSES

78. In accordance with its WMD non-proliferation policy, and in line with the 2003 Council Conclusions, the EU continued to work on the mainstreaming of WMD non-proliferation commitments in agreements with partner countries. Negotiations continued on a WMD clause for a new Agreement with Azerbaijan and were finished with Chile and Kirgizstan. Furthermore, in line with the joint decision of the EU and Cuba on provisional application of certain parts of the new EU-Cuba agreement, the first ever EU-Cuba WMD Non-Proliferation Dialogue took place in Brussel in March, based on the WMD clause in the new agreement. The EU attended as an observer the First Session of the Conference on the Establishment of the Middle East Zone Free of Nuclear Weapons and other Weapons of Mass Destruction held in New York from 18 until 22 November 2019.

### OTHER MULTILATERAL FORA

**G7** 

79. The EU continued to participate actively in the meetings of the G7 Non-proliferation Directors' Group (NPDG). In 2019, the EU participated in the meetings under the presidency of France which focused on topical non-proliferation and disarmament issues as well as on achieving further progress in the coordination of the work of NPDG and the G7 Global Partnership against the Spread of Weapons and Materials of Mass Destruction, in particular by establishing a closer link between policy priorities and project activities.

80. The EU remains committed to the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, in particular through the technical assistance (threat assessment, national action plans) provided worldwide by the EU Centres of Excellence Initiative on the Chemical, Biological, Radiological and Nuclear risk mitigation. The G7 Statement on Non-Proliferation and Disarmament, on April 6<sup>th</sup> 2019, acknowledged the ongoing need for the G7-led GP, which now includes 30 active members and the EU.

#### POLITICAL DIALOGUE MEETINGS

81. The EEAS Special Envoy for Disarmament and Non-proliferation held non-proliferation and disarmament dialogue meetings with China, India, Ukraine and the US. He conducted numerous bilateral consultations with various stakeholders in the margins of major fora such as the UNGA First Committee, the meeting of the second Preparatory Committee for the 2020 Review Conference of the Nuclear Non-proliferation Treaty, the IAEA General Conference. Bilateral consultations were held with the UN High Representative for Disarmament Affairs and the Director-General of the Organisation for the Prohibition of Chemical Weapons, New Zealand Chair of the MTCR, among others.