



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 January 2007

5184/07

**PESC 20
CONOP 4
CODUN 2**

NOTE

from : General Secretariat
to : Delegations

No. prev. doc. : 5279/06 PESC 27 CONOP 1 CODUN 3

Subject : Implementation of WMD Strategy - Updated List of priorities

Delegations will find enclosed the Updated List of Priorities on the implementation of the EU WMD Strategy, which was endorsed by the Council on 21 December 2006.

Implementation of WMD Strategy
Updated List of priorities

I. INTRODUCTION

Delegations will find herewith a revised and updated version of the List of Priorities for a coherent implementation of the EU WMD Strategy adopted by the European Council in December 2003. It is based on the List of priorities which was endorsed by the GAERC in December 2005.

The suggested priorities take into account experiences gained from 3 years of implementation and the new challenges which have arisen since then.

The following factors and realities since the adoption of the first list of priorities have to be taken into consideration:

- UNSCR 1540 and its follow-up UNSCR 1673 continue to express the importance of collective resolve and integrated effort from all States in all areas of WMD proliferation concern, and promote further cooperation i.e. to strengthen and enforce export controls, control transshipment and financing of sensitive exports, securing dangerous materials;
- Nuclear and ballistic proliferation by State actors is an increasing menace. The Iranian non-compliance with its international obligations and the DPRK nuclear test acted as important "wake-up calls". UNSCR 1695, 1696 and 1718 set up clear measures to be implemented in order to address the risks posed by these WMD programmes;

- The risk that terrorists will acquire chemical, biological or fissile material and their means of delivery remains high. US and Russia have launched in the margins of the G8 St Petersburg Summit a new initiative for preventing nuclear terrorism;
- The threat presented by illicit procurement networks continues to be serious, in particular since DPRK explicitly threatened to pursue pro-actively its outward proliferation activities: in this context, export control regimes have developed new ad-hoc policies (NSG nuclear co-operation suspension clause and MTCR decisions concerning DPRK, Iran and Syria);
- The BTWC Review Conference this year has been an important event for the Non-Proliferation and Disarmament agenda and the ability of State Parties to agree on a substantive outcome will send a signal for the whole non-proliferation regime. It highlights the importance of BW disarmament and stricter controls over dangerous agents for the prevention of possible terrorist activities in the WMD area;
- The G8 Global Partnership plays an important role in the field of WMD non-proliferation; there is a need to ensure that the EU fulfils its commitments;
- The international support to the negotiations with Iran has shown that an active European role in the field of non-proliferation can be a very significant factor in addressing major challenges;
- EU cooperation with various strategic partners, i.e. US, Russia, China, Japan has been stepped up;
- The NPT review process and in particular the outcome of the 2005 Review Conference of the Nuclear non-proliferation Treaty;

- WMD clauses have been inserted into a considerable number of contractual relations between EU and third countries, creating a good basis for review and cooperation in this field; it is important to preserve the substance of the clause as approved by the Council in November 2003;
- Predictability and availability of financing means, as well as the establishment of synergies between the different programmes and financial instruments, will be required to ensure the credibility of EU actions over the longer term.

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Delegations will find:

- under A, the priorities for the period 2007-2009 which require funding;
- under B, the priorities for the same period which do not require funding;

A. ACTIONS REQUIRING FUNDING

1. Joint Actions in support of the IAEA

The activities, which are already carried out in the framework of existing Joint Actions in support of the IAEA in the field of nuclear security (physical protection, protection and control of radio-active sources, measures against illicit trafficking of nuclear and radio-active materials, legislative and regulatory assistance) should be continued in the selected geographic areas (Balkans, Caucasus, Central Asia, Mediterranean, Africa) since it will take several years to address all priorities identified. A follow-up Joint Action in support of the IAEA should expand the geographic scope to cover also Southeast Asian countries (e.g., Cambodia, Indonesia, Laos, Malaysia, Myanmar, Thailand, Vietnam), since a considerable increase in illicit trafficking incidents in nuclear and radio-active materials were reported to the IAEA.

Financial resources: ± 7-8 million EURO

2. Joint Actions in support of the CTBTO

The current Joint Action in support of the CTBTO was aimed at capacity building for enhancing the operation of the CTBTO monitoring network through e-learning. The next follow-on Joint Action should focus on improving the operability and performance of the CTBT monitoring network and verification system as a whole.

In the light of the recent nuclear test conducted by the DPRK, it is even more urgent to complete the installation of all monitoring stations, and, to evaluate and strengthen the operability and performance of the verification system. Two key projects can contribute to this objective: (a) upgrading the coverage and the detection capability of the radio-nuclide stations network in order to allow for a clear-cut technical judgement to be made in case of a suspected nuclear test. The Council could also consider the possibility of assisting the international noble gas experiment; (b) supporting the preparations for the CTBTO field exercise, scheduled for 2008, which will allow to assess the functioning of the verification system.

Financial resources: $\pm 1 - 1,5$ million EURO

3. Joint Action in support of OPCW

Further support in the areas of universalisation through bilateral visits and national implementation should continue. Member States support the idea of grants for national authorities and also the organisation of technical skills seminars in EU laboratories. The Review Conference approaches and support to the OPCW should not be discontinued.

$\pm 1.5 - 2$ million EURO

4. Destruction of CW in the Russian Federation

In addition to the implementation of the UK project in Shchuch'ye (CODUN has agreed in principle to a € 3 million contribution for the installation of an electric plant, although the Joint Action will be adopted in 2007), the EU could foresee a more targeted contribution to the destruction process itself in Russia. This would also be an important contribution in the framework of the G8 Global Partnership.

± 3 million EURO (electric plant)

± 3 million EURO (destruction process)

5. Joint Action in support of the BTWC

The follow-up Joint Action in support of the BTWC should take into account outcomes of the BTWC Review Conference as well as lessons learnt from the first BTWC Joint Action. The scope of the Joint Action should be extended in order to support intersessional work priorities (if the BTWC work programme is agreed) and/or the objectives of the EU MS initiatives submitted for consideration of States Parties to the BTWC Review Conference. The Joint Action may have the following components:

- **universalisation of the BTWC**

The contacts with government representatives of Africa, Asia-Oceania and Latin America-Caribbean during the EU regional seminars, aimed at promoting the BTWC universalisation in 2006-2007, have shown that in future a targeted outreach to selected countries (5-10) will be necessary in order to address concrete obstacles and issues which are hindering BTWC ratification.

Based on requests presented by states not-party to the BTWC during the EU regional seminar, the targeted outreach should focus on assisting states in establishing a national BTWC authority or focal point, on helping to create links between relevant governmental bodies in target states, on raising awareness among MPs of target states and the scientific community about the relevance of the BTWC, on giving a first overview of responsibilities related to the BTWC and on assisting with preparatory work related to ratification of the BTWC.

In limited and justified cases, participation of MPs or governmental representative of the target states in the BTWC meetings or their visit to a national BTWC authority in EU Member States may be funded by this JA in order to encourage the ratification.

± 300 000 EURO

- **national implementation**

In order to assist states with national implementation of the BTWC, which is essential for the BTWC regime, the EU launched its first project in this area during the September 2006 Conference co-organised with the EU Institute for Security Studies in Paris. The conference demonstrated that apart from the legal assistance, which has been provided by the First EU Joint Action, other kinds of assistance are equally requested.

Therefore, in 2007 three types of activities are foreseen in the national implementation project:

- a) Continuation of provision of technical assistance in the area of drafting necessary legislation and other measures which implement the BTWC and related UNSC Resolution 1540 provisions. According to 1540 Committee's final report from 27 April 2006, the BTWC and BTWC related provisions of the UNSC Resolution 1540 are least implemented. The assistance should be provided also to States not yet Party to the BTWC under the condition that they demonstrate that the BTWC ratification process is underway.
- b) Should the BTWC Review Conference agree on the next intersessional work programme, funding should be available for encouraging the participation of non-EU national experts in yearly BTWC experts meetings, and for visits of third country officials to EU Member States' BTWC national authorities.

- c) Technical assistance should be provided to governments and/or relevant institutions in order to strengthen bio-safety and bio-security standards in line with art. IV of the BTWC. The Commission, through the Stability Instrument, is currently exploring other possibilities. The Commission is currently assessing the relevance of an approach labelled "bio risk management" whose objective is to supplement bio-safety efforts with efforts to enhance security and create a code of ethics for workers in the biosciences.

A brochure/manual should be produced to assist the countries with national implementation tasks.

technical assistance	1 000 000 EURO
experts travel + visits	100 000 EURO
bio-safety and bio-security	900 000 EURO
total	± 2 000 000 EURO

- **CBMs**

The EU paper which was provided for the consideration of States Parties to the BTWC Review Conference showed that only few countries participate in the CBM process. The lack of national administrative capacities and of required expertise in filling in the CBM forms as well as low level of awareness/ interest are among the reasons for such a low score in handing over CBM returns. Therefore, it seems appropriate to provide the assistance with the filling in of the CBM returns at sub-regional and national level with the objective to promote increased submission of CBMs as well as theirs accuracy. Two types of activities should be foreseen in that respect: sub-regional seminars, which shall give an opportunity to discuss the importance of confidence building in this area, and engage in exchange of experience in filling in the CBM returns. In addition, a technical assistance visits to 5 or more countries will be foreseen. This project could be carried out by the UN DDA in Geneva and involve the experts of the EU Member States, should the Sixth Review Conference agree on the setting up of the "BTWC implementation support unit".

3 sub-regional seminars	± 200 000 EURO
5 assistance visits	± 100 000 EUR
total	± 300 000 EURO

- **Outreach to industry and to academic community - development in bio-science and responsibility**

An international conference should be organised which should bring together bio-tech industry, science/academia in order to discuss the responsibility in bio-science and industry in relation to art. X of the BTWC, including i.a. the up-date of the Codes of Conduct and the bio-safety and bio-security standards and to identify the areas of further EU assistance.

± 650 000 EURO

Due to extent of the JA, it may be useful to set up priorities and conduct a first case study project to verify the feasibility of EU assistance in suggested areas.

6. **Joint Action related to the physical protection of biological laboratories**

In order to counter the risk of biological agents falling into hands of non-state actors, action should be taken in order to improve physical protection of laboratories. Ukraine has approached the EU requesting assistance and other countries are likely to need support. This is all the more important since there is no international organisation for the implementation of the interdiction of biological weapons.

A first study of a Ukrainian proposal for a physical protection project showed that cooperation and consultation with WHO and other partners is necessary in order to evaluate the relevance of such protection measures and to avoid duplication of efforts. Further cooperation with the WHO and other partners shall be actively developed with the view to prepare recommendations for physical protection projects in third countries.

Project in Ukraine	± 3 000 000 EURO
Project in other countries	± 4 000 000 EURO

7. Joint Action in support of the 1540 and 1673 Resolutions

In order to help address major problems related to national implementation of the Resolutions 1540 and 1673, the EU has co-financed three regional seminars, organised by the UN, in China (July 2006), Ghana (November 2006) and Peru (November 2006). The outcome of these seminars clearly indicates that a follow-on technical assistance is necessary. Therefore, the next Joint Action in support of the Resolutions 1540 and 1673 will take into account the Work Programme of the 1540 Committee and its priorities as well as the lessons learned from regional seminars. Two types of projects should be envisaged: First, on proposal of the UN DDA in New York, the sub-regional seminars should be co-organised with the UN and other partners, which will address remaining loopholes in drafting national reports. Second, technical assistance visits by national experts shall be carried out with a view to overcoming the loopholes in the national implementation of the UNSC Resolution 1540.

An EU technical expert's roster could be set up and regularly updated which could assist interested States/sub-regional organisations in implementing assistance programmes. Such EU assistance programmes would be implemented in coordination with UN/DDA and if possible would use existing frameworks established at regional or sub regional levels by relevant organisations (ECOWAS, CARICOM, SADC, OSCE, ARF/ASEAN, Pacific Forum, ...)

Sub-regional seminars	± 200 000 - 400 000 EURO (depending on whether the EU carries out in partnership with others)
Technical assistance	± 750 000 (including possibility to recruit non-EU experts and to foresee translation)
EU technical expert's roster/database (setting-up and management)	± 120 000 EURO
TOTAL JA	± 1.5 million EURO

8. Joint Action in support of the HCoC and missile non-proliferation

An International Conference could be organised in cooperation with the EU Institute of Security Studies to promote the universalisation and implementation of the HCoC.

± 300 000 EURO

In parallel, the EU could pursue its diplomatic efforts to promote the implementation of the Code.

9. Cooperation with third countries in the area of export controls.

Export control cooperation activities in the framework of the current projects with Russia (TACIS), China, Ukraine, UAE, Serbia, and Montenegro (Pilot Projects), all implemented by the German BAFA with EU Member States' support, should be pursued in 2007. In this regard, the Pilot Project 2006 will be a bridge to the calculated funding in the 2007-2013 financial perspective under the Regulation establishing an Instrument for Stability, which expressly mentions assistance to third countries in the area of export controls of dual-use goods. In this context the following new additional priorities should be considered:

- ACP countries: conduct a study in CONOP/CODUN about the priorities among ACP countries for assistance in establishing effective export controls and proper legislation for the implementation of UNSCR 1540, in order to be ready in 2007 to allocate resources on the basis of the new financial protocol for the revised ACP-Agreement (Cotonou).
- Albania: follow-up to the WMD clause entered into force;
- India: workshop with India on Export Control Implementation (early 2007).
- Pakistan: follow-up to the December 2006 workshop with Pakistan (possible financing needed: training of customs, delivery of detection equipment for border controls).
- Consider additional priorities for EU cooperation and/or assistance in export controls: Belarus, Moldova, FYROM, CARICOM States, Kenya, Malaysia, Morocco.

B. ACTIONS NOT REQUIRING FUNDING

10. Multilateral nuclear fuel assurances/ Non-Proliferation Support Programme

The development of multilateral nuclear fuel assurances is an urgent endeavour in order to create incentives for countries not to develop national enrichment and reprocessing facilities. A number of proposals have already been presented by different actors. The EU, taking into account its particularly rich expertise in this area (e.g., European nuclear industry, Euratom Supply Agency), could make an important contribution in this field. At the same time, the Iranian nuclear issue has shown how important it is to demonstrate through concrete cases how article IV of NPT can be implemented with States Parties, which comply with their non-proliferation commitments.

11. Developing and promoting mechanisms to fight against the financing of proliferation activities

Addressing the issue of financial transactions which are used for the financing of proliferation activities has been identified as a crucial means to prevent proliferation. The development of an adequate mechanism within the EU should be accelerated. Subsequently, outreach activities to raise awareness in third countries for this issue should be undertaken in particular in the context of the implementation of UNSCR 1540 (see above point 7).

12. Promotion of the universality of international treaties and conventions

Demarches should be carried out at appropriate level in all relevant arms of governments for the promotion of the signature and ratification of the CTBT. The DPRK nuclear test should create a new momentum for such a campaign. Demarches could also be carried out to promote HCOC.

Demarches could be conducted in all African States which have not yet adhered to the Pelindaba NWFZ Treaty, in order to promote its entry into force.

Demarches could be carried out in the five Central Asian States in order to seek clarifications and to overcome the obstacles to the ratification by all NWS of the relevant protocols to the NWFZ Treaty in Central Asia. The expressed readiness of the five Central Asian states to continue consultations on a number of provisions of the Treaty should be noted, and further discussions among States directly concerned should be encouraged by the EU.

13. 2010 NPT Review Conference

With a view to the 2010 NPT Review Conference, the EU will actively participate in the discussions and will make substantial contributions towards a positive outcome of the Conference.

14. G8 Global Partnership - Cooperative threat reduction programmes in Russia and FSU

Progress and shortfalls in ISTC Moscow and Kiev should be evaluated and relevant recommendations for changing the concept/implementation be made. The current level of EU funding against the non-proliferation value of activities should be assessed.

Possible further EU assistance in the area of dismantlement of nuclear submarines in North-West Russia and of plutonium disposition/management could be examined.

15. Develop cooperation with key partners

While ongoing cooperation will be continued with China and Japan, special emphasis could be put on the following:

- a) with US: continue implementation of EU-US Programme of Work on Non-Proliferation, in particular:
 - continue more focussed sessions of the Dialogue on verification and compliance, possibly with the participation of experts (possible topics could include FMCT, UNSG/UNSC roster of experts/WMD capability, strengthening IAEA safeguards);

- seek more coordination of initiatives in the context of the IAEA Special Committee on safeguards, and, within the NSG, on the issue of criteria for the transfer of enrichment and reprocessing technologies, in full association with the Commission;
- seek consultations on preparations and possible ways forward for the NPT Prep Com process starting May 2007;
- consultations on the fight against proliferation financing as foreseen in the Vienna Joint EU-US Statement of 21 June;

b) with Russia: agree on a Joint Statement on Non-proliferation in 2007 which would set up common priorities and a framework for more focused consultations.

16. Implementation of the EU WMD Strategy in a regional context

In the Euromed context, resume consultations in the region in order to finalise the terms of reference for the ad hoc meeting on Non-Proliferation and Disarmament and to agree on a date.

In the meantime, the relevant Working Parties could identify possible cooperative measures (UNSCR 1540 type, export controls, border management, reciprocal transparency measures, etc) in the fight against proliferation of WMD, that could be promoted in a regional confidence-building approach (either on a multilateral or plurilateral basis), which could serve as a basis in the Euromed context.

17. Contribution of Community Funding Instruments

The Commission, in coordination with the Council Secretariat, will use the new funding instruments available for 2007-2013 to help address some of these priorities in accordance with the scope of these instruments. In this context, the Instrument of Stability will provide for work on risk mitigation and preparedness concerning WMD related chemical, nuclear and biological materials, including the development of the legal framework and institutional capacities for the establishment and enforcement of effective export controls on dual-use goods.