

# IMPLEMENTATION PROGRESS REPORT 2023

**EU Strategy against Proliferation of Weapons of Mass Destruction** 

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# **EXECUTIVE SUMMARY**

In 2023, the international non-proliferation and disarmament regime continued to face the impact of Russia's illegal war of aggression against Ukraine. Russia intensified its attempts to undermine the multilateral non-proliferation and disarmament architecture, by engaging in obstructive tactics, disseminating disinformation, resorting to provocative and irresponsible rhetoric, and backing down on decades-long commitments. Non-proliferation challenges such as those posed by the Democratic People's Republic of Korea or Iran's nuclear programme were further aggravated. Polarisation at non-proliferation and disarmament fora increased further in the context of the Middle East crisis.

Confronted with an ever more complex and demanding geopolitical backdrop, the EU continued to apply the guiding principles set in existing strategic documents such as the Global Strategy for the EU's Foreign and Security Policy (doc. 10715/16), the EU Strategy against Proliferation of Weapons of Mass Destruction (doc. 15708/03), or the New Lines for Action (doc. 17172/08), namely:

- effective multilateralism, safeguarding the centrality and the promotion of the universality of the global non-proliferation and disarmament architecture, through diplomatic action and financial assistance to third countries and international organisations;
- close cooperation with countries to strengthen the international non-proliferation regime;
- addressing non-proliferation issues in the EU's bilateral political and non-proliferation and disarmament dialogue meetings, and in more informal contacts; and
- effective and complementary use of all available instruments and financial resources, in order to underpin EU foreign policy objectives.

In light of the EU Strategic Compass for Security and Defence (doc. 7371/22), the EU and its Member States continued in 2023 to uphold, support and further advance the disarmament, non-proliferation and arms control framework, in view of global and regional challenges, with a coordinated approach with partners. They did so with regard to Weapons of Mass Destruction at regular events, such as the 5<sup>th</sup> Review Conference of the States Parties to the Chemical Weapons Convention, or the First Preparatory Committee to the Eleventh Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, as well as in all WMD-related multilateral non-proliferation and disarmament fora, including multilateral export control regimes.

Regarding conventional weapons, the EU continued to participate in all main multilateral fora aimed at preventing and curbing their illicit trafficking and to prevent human suffering (Arms Trade Treaty; United Nations Programme of Action to prevent, combat and eradicate the illicit trade in SALW; Anti-Personnel Mine Ban Convention and the Convention on Certain Conventional Weapons) and to pursue capacity building projects in this field. In particular, the EU continued to develop in 2023 its cooperation with Ukraine regarding threats deriving from a potential future diversion and illicit trafficking of SALW.

In these strands of work, the EU maintained a constant dialogue with third countries and cooperated closely with civil society. It also continued to promote cross-cutting priorities, such as supporting and advancing gender equality and the empowerment of women across the whole realm of non-proliferation and disarmament, as well as the participation of the youth.

## INTRODUCTION

This report reflects progress made in 2023 in the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction, adopted by the European Council in December 2003 (doc. 15708/03), complemented by the "New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems", as endorsed by the Council on 8-9 December 2008 (doc. 17172/08). For the sake of completeness, further aspects regarding conventional weapons are also touched upon.

This report is published by the European External Action Service (EEAS) on the authority of the High Representative for Foreign Affairs and Security Policy (article 27 of the Treaty on European Union). It is non-exhaustive and focuses on main developments.

Under the direction of the High Representative for Foreign Affairs and Security Policy, the EEAS actively contributes to this joint effort, along with Member States and the European Commission. The EU Special Envoy for Non-Proliferation and Disarmament and his team work with third countries, international organisations, and civil society, in order to reduce global weapons stockpiles, prevent their diversion to criminals and terrorists, and regulate the development of new weapons agents and technologies.

The Council Working Party on Non-Proliferation and Arms Exports, through both its disarmament and non-proliferation (CONOP) and conventional arms exports (COARM) subgroups, plays a vital role in coordinating and establishing EU positions, upholding international agreements, and advancing efforts in disarmament, non-proliferation and arms export control. EU Delegations in Geneva, New York and Vienna represent the EU in non-proliferation and disarmament fora, prepare and coordinate EU statements, working papers and organise side-events to promote the EU's objectives, contributing to policy-making.

# **NUCLEAR ISSUES**

Throughout 2023, the EU remained fully committed to its long-standing objectives in the area of nuclear non-proliferation and disarmament, including first and foremost the universalisation and the full, complete and effective implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The entry into force and the universalization of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the immediate commencement and early conclusion of negotiations at the Conference on Disarmament on a Fissile Material Cut-Off Treaty (FMCT) to ban the production of fissile material for nuclear weapons or other nuclear explosive devices, or the establishment of a zone free of weapons of mass destruction and their delivery systems in the Middle East, also featured prominently amongst the EU's priorities. The EU continued to support the important work of the International Atomic Energy Agency (IAEA), recognising that its safeguards system is a fundamental component of the non-proliferation regime and the implementation of the NPT, as well as its role in the promotion of nuclear security.

Russia's illegal war of aggression against Ukraine continued to impact on developments in the realm of nuclear disarmament, non-proliferation and arms control. The EU deplored the announcement by President Putin of the suspension of Russia's obligations under the New START Treaty.¹ It condemned the agreement by Russia and Belarus to allow the deployment of Russian nuclear warheads on Belarusian territory as a step that would lead to further extremely dangerous escalation.² The EU equally deplored the revocation by Russia of its ratification of the CTBT.³ The EU and its Member States, in coordination with like-minded partners, continued to hold Russia accountable, calling out its irresponsible nuclear rhetoric, disinformation and blatant disregard for the safety and security in and around nuclear facilities in Ukraine, and worked with the rest of the international community in an effort to preserve and further consolidate the international regime in this area.

#### Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

2023 saw the beginning of a new cycle in the NPT framework, ahead of the eleventh Review Conference to be held in 2026. The first Preparatory Committee session (PrepCom) of this cycle was held in Vienna from 31 July until 11 August. As is usual in early events within a cycle,

<sup>&</sup>lt;sup>1</sup> Statement by the High Representative on Russia's obligations under New START Treaty (21 February 2023)

<sup>&</sup>lt;sup>2</sup> Statement by the High Representative on the announced transfer of Russian nuclear warheads to Belarus (26 May 2023)

<sup>&</sup>lt;sup>3</sup> Russia: Statement by the High Representative on behalf of the European Union on the revocation of the ratification to the Nuclear-Test-Ban Treaty (2 November 2023)

and also owing to the current geopolitical context, no consensual factual summary was agreed. However, disruption by some States Parties (Iran, in particular) went farther than in the past and prevented the adoption of a factual summary on the Chair's own authority. Eventually, the Chair shared his recommendations for future work through a working paper.

The EU participated very actively in the PrepCom, delivering six statements,<sup>4</sup> submitting two working papers,<sup>5</sup> organising three side events<sup>6</sup> and ensuring EU coordination, all in order to promote its priorities identified in the <u>Council Conclusions on the tenth NPT Review Conference</u>, which remain valid. The EU also endorsed under its own name a joint statement on <u>"Addressing the North Korean nuclear challenge"</u> that had been subscribed by all EU Member States.

The PrepCom was preceded by a meeting of a working group on further strengthening the review process (Vienna, 24-28 July). In spite of a lively, interactive debate on how to improve the NPT's working methods, no agreement was reached on recommendations for the PrepCom. The EU contributed to the debates with a <u>working paper</u>, three statements, and an additional written contribution negotiated and agreed on site, all advocating for a more cohesive, inclusive and interactive review process, as well as for measures to improve transparency and accountability. The EU also delivered a <u>statement</u> in the framework of the PrepCom advocating for further work on the matter.

#### The International Atomic Energy Agency

The EU attaches utmost importance to the technical, independent and impartial work of the International Atomic Energy Agency (IAEA) across its mandate, covering both nuclear non-proliferation and the peaceful uses of nuclear technology. The EU supports the IAEA and its

<sup>&</sup>lt;sup>4</sup> A <u>general statement</u>, one statement for each of the three clusters, a statement under cluster II on regional issues including with respect to the Middle East and implementation of the 1995 Middle East resolution, and a statement on further strengthening the review process.

<sup>&</sup>lt;sup>5</sup> One working paper was titled <u>"Towards an FMCT: Advancing the objective of stopping fissile material production for nuclear weapons or other nuclear explosive devices in the next NPT review cycle – A contribution by the <u>European Union"</u>, and the other <u>"A stronger review process for a stronger NPT: European Union proposals for the Working Group on strengthening the NPT review process and ahead of the First Preparatory Committee of the 11<sup>th</sup> NPT Review Conference".</u></u>

<sup>&</sup>lt;sup>6</sup> The three side events were the following:

<sup>- &</sup>quot;Perspectives on the Middle East WMD-Free Zone", co-organised by the EU and the United Nations Institute for Disarmament Research (UNIDIR), within UNIDIR's Middle East WMDFZ Project, funded by the EU;

<sup>- &</sup>quot;EU support for the IAEA Marie Sklodowska-Curie Fellowship Programme", organised by the EU; and

<sup>- &</sup>quot;Uplifting Nuclear Safeguards in Africa – AFCONE, EU and Finland working together for sustainability", coorganised by Finland, the African Commission on Nuclear Energy (AFCONE) and the EU.

Member States in multiple ways. Besides political support, the EU and its Member States are among the largest donors to the Agency, including its Technical Cooperation Fund. Since 2003, the EU has supported the IAEA's nuclear security activities with more than € 60 million through eight consecutive projects within the context of the EU Common Foreign and Security Policy (CFSP). The latest of them currently running is Council Decision (CFSP) 2020/1656, of 6 November 2020, on Union support for the activities of the IAEA in the areas of nuclear security and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction ('IAEA VIII'), providing strong financial support to the IAEA's Marie Skłodowska-Curie Fellowship Programme (MSCFP) that aims to encourage young women to study and work in nuclear science and technology, nuclear safety and security, nonproliferation, and nuclear law. In 2022, due to the severe impact of Russia's aggression against Ukraine on nuclear safety and security, € 2.2 million from the budget of Council Decision (CFSP) 2020/1656 were reallocated for Assistance to Ukraine in ensuring the maintenance of its nuclear security regime;7 these funds were used for the establishment of the continued IAEA presence in all of Ukraine's nuclear power plants in January 2023. As the IAEA VIII Council Decision was set to expire on 31 March 2024, planning of the follow-on Council Decision ('IAEA IX') started in 2023. The draft of the new Council Decision, concentrating efforts on support and capacity building by IAEA for IAEA Member States in nuclear security, continued assistance to Ukraine in nuclear security, and further contribution to MSCFP, with a total amount of € 7.2 million, had been submitted to the Council of the European Union in December 2023.8

The IAEA safeguards system is a fundamental component of the nuclear non-proliferation regime and the Agency's verification activities play an indispensable role in the implementation of the NPT. The EU supports the strengthening of the IAEA safeguards system and remains of the view that Comprehensive Safeguards Agreements, together with the Additional Protocol, constitute the current verification standard under the NPT and continues to call for universal adherence to them. During 2023, outreach to third countries focused on promoting the universalization of the Comprehensive Safeguards Agreement and its Additional Protocol, as well as that of the Amended Small Quantities Protocol (SQP).

The close cooperation between EURATOM and the IAEA based on the 1973 IAEA/EURATOM Agreement allows for the implementation of effective and efficient safeguards in Europe.

<sup>&</sup>lt;sup>7</sup> Council Decision (CFSP) 2022/1852, of 4 October 2022.

<sup>&</sup>lt;sup>8</sup> The text was eventually adopted as <u>Council Decision (CFSP) 2024/656 of 19 February 2024 on Union support for the activities of the International Atomic Energy Agency in the area of nuclear security.</u>

The EU actively supports the IAEA safeguards system, including financial support for the IAEA Network of Analytical Laboratories, as well as the promotion of State System for Accountancy and Control of nuclear materials (SSAC) in partner countries. The European Safeguards Research and Development Association (ESARDA), operated by the European Commission, also continues its international outreach through its Memorandums of Understanding with the African Commission on Nuclear Energy (AFCONE) and the Asian Pacific Safeguards Network, in close collaboration with the Institute for Nuclear Materials Management.

The EU has allocated € 300 million under the Instrument for Nuclear Safety Cooperation over the period 2021-2027 to promote nuclear safety, responsible radioactive waste management, radiation protection and the application of efficient and effective safeguards in third countries. In this framework, a large training and education project is funded in the area of nuclear safeguards with the European Nuclear Education Network (ENEN), including the first-ever academic postgraduate programme on nuclear safeguards – in cooperation with the IAEA. Throughout 2023, the ambitious EU programme to strengthen the implementation of the Treaty of Pelindaba, together with Finland and in cooperation with the African Commission on Nuclear Energy (AFCONE), continued to be implemented.

The European Commission's Joint Research Centre (JRC) and the IAEA continued to implement 'Practical Arrangements on Cooperation on Nuclear Science Applications' signed in 15 February 2017, aimed at developing joint activities and avoiding duplication of efforts inter alia on areas such as soil sciences, medical applications, ocean science, nuclear data and reference materials, food safety, earth observation and environmental monitoring.

The EU and its Member States continued to be strong supporters of the IAEA Technical Cooperation Programme, including through substantial contributions to the Technical Cooperation Fund and the Peaceful Uses Initiative, which are important tools to enable the safe, secure and peaceful use of nuclear technology and to meet the goals of the 2030 Agenda for Sustainable Development.

The EU and the IAEA regularly hold annual Senior Officials Meetings (SOM) to review and plan their broad-range cooperation. While the 2020 and 2021 annual meetings could not be held due to the pandemic, close contact was maintained and the practice of annual meetings resumed in 2022. The 2023 EU-IAEA SOM meeting was held on 26 April 2023 in Brussels.

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

The entry into force and universalisation of the Comprehensive Nuclear Test-Ban Treaty (CTBT) are key 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, pending its entry into force, by already adhering to its objectives. The CTBT is a strong confidence and security building measure, contributing to both nuclear disarmament and non-proliferation.

In 2023, the EU continued to engage in diplomatic activities in support of the CTBT and repeatedly called for the ratification of the Treaty in its statements in related fora, as well as in its bilateral contacts with the relevant Annex II and non-Annex II countries, including at the occasion of the article XIV conference held in New York on 22 September 2023 in support of the universalisation of the Treaty. Promoting its entry into force is among the actions in the UN Secretary General's "Securing our Common Future: an Agenda for Disarmament" that the EU decided to support.

A statement of the High Representative on the behalf of the EU was adopted on 2 November 2023 to deplore the decision by Russia to revoke its ratification of the CTBT. The statement recognized that "The Treaty is an instrument of crucial importance to nuclear disarmament and non-proliferation" and regretted that "Russia's unjustifiable intent to revoke its ratification of the Treaty constitutes a serious setback in Russia's commitment towards the international security architecture that undermines the ongoing non-proliferation and disarmament efforts".

The EU consistently promotes the benefits and contributions of the CTBT to peace, security, disarmament and non-proliferation, including in its civil applications. The steadfast political and financial commitment of the EU to the Treaty and its Organisation continued in 2023 through the implementation of Council Decision (CFSP) 2020/901 on Union support for the activities of the Preparatory Commission for the CTBTO. A new Council Decision in support of the universalisation of the CTBT and the verification capacities of the CTBTO was adopted in 2023. The EU's financial support to the CTBT contributes to maintaining and strengthening the International Monitoring System (IMS) through the provision of technical support, capacity building and facilitation of expert participation in CTBTO meetings, in particular to developing

<sup>&</sup>lt;sup>9</sup> Russia: Statement by the High Representative on behalf of the European Union on the revocation of the ratification to the Nuclear-Test-Ban Treaty (2 November 2023)

<sup>&</sup>lt;sup>10</sup> Council Decision (CFSP) 2023/2064 of 25 September 2023 on Union support for the activities of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) in order to strengthen its monitoring and verification capabilities

countries. The EU participated actively in the sessions of the CTBTO Preparatory Commission and its Working Groups A and B.

## **Nuclear Security and Related Issues**

The EU stresses the need to continue strengthening nuclear security worldwide in order to prevent nuclear terrorism and facilitate peaceful uses of nuclear technology. The EU continues to fully support the outcome of the International Conference on Nuclear Security (ICONS 2020), held in February 2020. Its Ministerial Declaration reiterates the commitment to sustain and strengthen effective and comprehensive nuclear security of all nuclear and other radioactive material and facilities, and recognises the IAEA's central role in facilitating and coordinating international cooperation in the area of nuclear security. In 2023, the EU engaged in preparations for the next ICONS meeting scheduled for May 2024.

The EU condemned in the strongest possible terms, in multiple statements at the IAEA General Conference and the Board of Governors, Russia's unprovoked and unjustified aggression against Ukraine, which poses serious and direct threats to nuclear safety and security and safeguards verification activities in Ukraine. The EU supported the diplomatic activities of the IAEA Director General to ensure nuclear safety and security of Ukraine's nuclear facilities and the continued presence of the IAEA support and assistance missions at all Ukrainian nuclear power plants to which the EU financially contributed.

The EU assisted Ukraine both bilaterally and through the IAEA. Since the start of the war, the EU is one of the main donors to Ukraine, having provided it with nearly € 53 million in nuclear safety and nuclear security related assistance, of which € 5.6 million through the IAEA, including € 2.2 million under the amendment of Council Decision (CFSP) 2020/1656.

In 2022, under the European Instrument for International Nuclear Safety Cooperation (INSC), € 13 million were committed for Ukraine, as well as an additional € 3.4 million to the IAEA to support, inter alia, the deployment of IAEA staff at the main nuclear facilities in the country, bilateral assistance to restore monitoring and analytical capabilities, as well as renewed financing to the Joint Support Office in Kyiv. The EU is also currently the biggest donor of the International Chernobyl Cooperation Account (ICCA) to reconstruct nuclear safety related infrastructure.

The EU considers it important that all States accede to key nuclear safety and nuclear security instruments, such as the Amended Convention on the Physical Protection of Nuclear Material

(A/CPPNM),<sup>11</sup> the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT), the Convention on Nuclear Safety (CNS)<sup>12</sup> or the Joint Convention on the Safety of Spent Fuel and Radioactive Waste Management (JC).<sup>13</sup> The EU will continue to support States in their efforts to fully implement these conventions.

The EU continued to support in 2023 the universalisation and effective implementation of ICSANT through the adoption of a new Council Decision to be implemented by the UN Office of Counter-Terrorism (UNOCT) and the UN Office on Drugs and Crime (UNODC).<sup>14</sup> 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 EU supports 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 remain involved in the work of the GICNT in all areas: nuclear detection, nuclear forensics, and response and mitigation.

The EU has Practical Arrangements signed in 2013 with the IAEA for Cooperation on Nuclear Security Technical Issues, which aim at increasing coordination of training and capacity-building activities for promoting and implementing sustainable Nuclear Security Culture practices, among other objectives. The EU Nuclear Security Training Centre for the detection and response to illicit acts involving nuclear and other radioactive materials (EUSECTRA) has been fully operational since 2013 for the benefit of EU Member States and partner countries, among them several GICNT members. The Centre is also used for practical exercises, mainly related to countering nuclear smuggling, as well as for nuclear forensics activities on the characterisation of intercepted nuclear material. The European Commission also continues to play a major role within the Border Monitoring Working Group (BMWG) for nuclear security. It co-chairs both the BMWG and its two sub groups on Detection Technologies and Capacity Building.

<sup>&</sup>lt;sup>11</sup> All EU Member States are parties to the A/CPPNM.

<sup>&</sup>lt;sup>12</sup> All EU Member States are parties to the CNS.

<sup>&</sup>lt;sup>13</sup> All EU Member States are parties to the JC.

<sup>&</sup>lt;sup>14</sup> Council Decision (CFSP) 2023/1187 of 19 June 2023 on Union support for the universalisation and effective implementation of the International Convention for the Suppression of Acts of Nuclear Terrorism

#### **Verification Regimes and Initiatives**

The EU believes that further development of multilateral nuclear disarmament verification capabilities could assist in the achievement and maintenance of a world without nuclear weapons. In this context, the EU and its Member States fully supported the establishment of the UN Group of Governmental Experts (GGE) to Further Consider Nuclear Disarmament Verification Issues that held four sessions in 2022 and 2023, the last of which agreed on a consensus report with recommendations. The EU continued to support the International Partnership for Nuclear Disarmament Verification (IPNDV) that held in 2023 two working meetings (Albuquerque, 24-28 April, and Budapest, 4-8 September), allowing further progress in the existing Limitations Working Group (LWG), Reductions Working Group (RWG), Concepts Working Group (CWG) and Technology Track (TT) and to develop and execute scenario-based work to pursue monitoring and verification objectives.

#### **Regional Issues and Aspects**

#### Iran / JCPOA

IAEA reports continued to document the alarming acceleration of Iran's nuclear programme, gravely departing from its commitments under the Joint Comprehensive Plan of Action (JCPOA), in particular with regard to the expansion of its nuclear enrichment capacity and production of highly enriched uranium (HEU). Particles enriched at a level close to military grade were even detected. A Joint Statement between the IAEA and the Atomic Organization of Iran concluded in March 2023 was supposed to be the basis for the restoration of IAEA monitoring capabilities. However, after some limited steps, its implementation stopped. Moreover, Iran withdrew the designation of several senior IAEA inspectors.

As a result of Iran's non-compliance with the JCPOA since 2019 and in accordance with the JCPOA's Dispute Resolution Mechanism, the EU Council decided to maintain the restrictive measures under the EU non-proliferation regime on Iran on Transition day (18 October 2023). All EU sanctions that had already been lifted under the JCPOA remain lifted.

The EU continued to support the full and effective implementation of a restored JCPOA and of UN Security Council Resolution 2231. The High Representative, in his role of Coordinator, pursued his efforts to facilitate the dialogue between all participants in the JCPOA and with the United States.

In the meantime, the EU continued to cooperate with Iran in the civil nuclear field under Annex III of the JCPOA in the field of nuclear safety. Such cooperation includes support for the Iranian nuclear safety regulator (INRA), stress tests for the Bushehr Nuclear Power Plant, and the supply of equipment for Iran's INRA Nuclear Safety Centre. The JCPOA Procurement Channel, which reviews transfers of nuclear or dual-use items to Iran, remained operational.

#### Democratic People's Republic of Korea (DPRK)

During 2023, the EU continued to stress that continued DPRK ballistic missile launches represented a blatant violation of UN Security Council resolutions and posed a serious threat to regional and international peace and security as well as to the global non-proliferation regime. The High Representative on behalf of the EU issued statements in February, March, April, July, November and December in response to intercontinental ballistic missile launches and military satellite launches involving ballistic missile technology, complemented by G7 Foreign Ministers statements and EU spokesperson statements. The EU underlined that such actions, along with the continuing activity at the DPRK's nuclear sites, would never be accepted as legitimate. The EU continued to insist that the only route to sustainable peace and security lay in the DPRK taking action to comply with its obligation to abandon all its nuclear weapons, other weapons of mass destruction, ballistic missile programmes and existing nuclear programmes, in a complete, verifiable and irreversible manner and cease all related activities.

The EU and its Member States continued to encourage all members of the United Nations, especially members of the Security Council, to urge the DPRK to change course, emphasising that the most effective instrument to achieve this remains the full implementation of UN Security Council sanctions. The EU also increased consultations with partners on other ways to restrict flows of finance, knowledge and components into the DPRK that could be used to support its illegal weapons programmes. As of the end of 2023, in addition to the 80 individuals and 75 entities listed under UN Security Council sanctions, 71 individuals and 17 entities were subject to EU autonomous restrictive measures.

In multilateral fora and other settings, the EU also continued to call on the DPRK to return immediately to full compliance with the NPT as a non-nuclear-weapon State and the IAEA Comprehensive Safeguards Agreement, bring into force the Additional Protocol and sign and ratify the Comprehensive Nuclear-Test-Ban Treaty. The EU insisted that the DPRK could not and would never have the status of a nuclear weapon State under the NPT or any other special status. The EU insisted that the situation could only be solved through peaceful means. The EU urged the DPRK to resume dialogue with the main parties and reiterated its readiness to

support or facilitate any meaningful process of diplomacy aimed at the complete, verifiable and irreversible denuclearisation of the Korean Peninsula.

# Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction

In 2023, the EU maintained its longstanding support to the creation of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, freely agreed to by all States in the region. In concrete terms, the EU launched a follow-up Council Decision in support of the project implemented by UNIDIR.<sup>15</sup> It focuses on: 1) assisting in mitigating regional trends in the proliferation of weapons of mass destruction (WMD); 2) encouraging regional security arrangements and arms control, non-proliferation, and disarmament norms and processes; 3) developing a more in-depth understanding of the relationship between the Middle East WMD Free Zone and current regional and international developments; and 4) promoting an effective, verifiable, inclusive, and sustainable Middle East WMD Free Zone.

Committed to the implementation of the Resolution on the Middle East adopted at the 1995 NPT Review Conference, the EU noted the four sessions of the UN Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction – the last one, held in New York from 13 to 17 November 2023 –, as well as their outcomes.

<sup>&</sup>lt;sup>15</sup> Council Decision (CFSP) 2023/1306 of 26 June 2023 in support of a project on a zone free of weapons of mass destruction in the Middle East (ME WMDFZ) in an evolving regional security environment

# **CHEMICAL WEAPONS**

Throughout 2023, the EU remained fully committed to the implementation of the Chemical Weapons Convention (CWC), countering the proliferation of chemical weapons and supporting the fight against impunity for their use. The strong support to the Organisation for the Prohibition of Chemical Weapons (OPCW), the implementing body of the CWC, was expressed in EU statements, demarches and voluntary contributions benefitting the OPCW's core activities. The EU and its Member States remained the largest voluntary financial contributor to the establishment of the OPCW's new laboratory, the Centre for Chemistry and Technology (CCT). Inaugurated on 12 May 2023 in Pijnacker, the Netherlands, the CCT is a key asset in addressing future challenges in the implementation of the CWC in the post-destruction era, serving as a force-multiplier for verification and capacity-building.

The Fifth Review Conference of the implementation of the CWC took place from 15 to 19 May 2023. The EU and its Member States actively contributed to the preparations and deliberations of the Review Conference based on the Council Conclusions of 20 February 2023. <sup>16</sup> Despite the transparent and inclusive preparatory work and intensive negotiations, it was not possible to achieve a consensual outcome due to the lack of constructiveness and flexibility by a very small number of delegations, Russia amongst them. Taking into account rapid developments in science and technology, the EU is determined and willing to move forward the work in the intersessional period, building on positive progress achieved in the Review Conference.

The Convention's continued vitality and addressing any threat of chemical weapons use is more important than ever in the current security environment. The EU will continue its strong political and financial support to the CWC implementation with focus on the prevention of reemergence of chemical weapons and the fight against impunity for their use. To this end, the Council approved in 2023 a new voluntary financial contribution of € 5.3 million in support of the OPCW's activities in 2023-26.<sup>17</sup>

On 9 October 2023, the Council of the EU extended the sanctions regime against the proliferation and use of chemical weapons for three years, until 16 October 2026, 18 and

<sup>&</sup>lt;sup>16</sup> <u>Council Conclusions on chemical disarmament and non-proliferation with a view towards the Fifth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, The Hague, 15-19 May 2023</u>

<sup>&</sup>lt;sup>17</sup> Council Decision (CFSP) 2023/1344 of 26 June 2023 in support of enhancing the operational effectiveness of the Organisation for the Prohibition of Chemical Weapons (OPCW)

<sup>&</sup>lt;sup>18</sup> Council Decision (CFSP) 2023/2129 of 9 October 2023 amending Decision (CFSP) 2018/1544 concerning

prolonged existing restrictive measures against persons and entities for a year, until 16 October 2024. By the end of 2023, restrictive measures in place applied to 25 persons and 3 entities. Those targeted are subject to an asset freeze and EU persons and entities are forbidden from making funds, financial assets or economic resources available to them. Additionally, individuals are subject to a travel ban, which prevents them from entering or transiting through EU territories.

On 7 July 2023 the United States achieved the complete destruction of its remaining chemical weapons stockpile. This destruction of the world's last declared chemical weapons stockpile marked an important milestone in the implementation of the CWC 25 years after its entry into force. Welcoming the end of destruction process, the High Representative recalled that it was achieved before the scheduled timeline and in a safe and environmentally sound manner.<sup>19</sup> The EU also commended the OPCW, and its on-site team verifying the destruction, for their professional work.

restrictive measures against the proliferation and use of chemical weapons

<sup>&</sup>lt;sup>19</sup> <u>US: Statement by the High Representative on the complete destruction of chemical weapons stockpiles</u> (8 July 2023)

## **BIOLOGICAL WEAPONS**

The Biological and Toxin Weapons Convention (BTWC) prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons. It was the first multilateral disarmament treaty banning an entire category of weapons of mass destruction. All EU Member States are States Parties to the BTWC.

The EU welcomed the work of the Working Group on the Strengthening of the BTWC, established by the Ninth Review Conference of the BTWC in 2022 to renew discussions on compliance and verification, and to establish two mechanisms for International Cooperation and Assistance, and for Science and Technology Review. However, the December BTWC meetings, the meeting of the Working Group as well as the Meeting of States Parties, faced disruptive attempts of Russia aiming at slowing any progress. The Meeting of States Parties did not proceed to the discussion of the content agenda items as the meeting was blocked by Russia. Despite this, the EU and its Member States continued to pay an active role in countering Russia's disinformation campaign related to biological weapons and to formulate recommendations for the establishment of a Science and Technology Review Mechanism and an International Cooperation and Assistance Mechanism, including a Voluntary Trust Fund.

In line with the EU Strategy against the proliferation of weapons of mass destruction, and as a long-term backer of the BTWC, the EU continued in 2023 its consistent support through the implementation of two projects funding UNODA activities in support of capacity building to strengthen BTWC national implementation, fostering biosecurity networks in the Global South, strengthening the preparedness of States Parties to prevent and respond to attacks involving biological agents and enabling tools for outreach, education and engagement. The EU also continued to support the UNODA initiative "Youth for Biosecurity". Another important aspect of EU support was related to the universalisation of the Convention, which resulted in the accession in 2023 of South Sudan, and the preparation of workshops, including the regional workshop on universalisation in the Pacific, as well as a number of national-level workshops on Confidence Building Measures and on development of National Inventories of Dangerous Pathogens.

## **BALLISTIC MISSILES**

The Hague Code of Conduct against Ballistic Missile Proliferation (HCoC) is the only multilateral transparency and confidence building instrument relating to ballistic missiles. States that subscribe to the HCoC voluntarily commit themselves to provide pre-launch notifications on ballistic missile and space-launch vehicle launches and to submit an annual declaration on their policies on ballistic missiles and space-launch vehicles.

The EU is a strong and committed supporter of the HCoC. All EU Member States have subscribed to it and the EU regularly reaches out to non-subscribing States in support of its further universalisation and effective implementation. As of end 2023, 144 UN Member States had subscribed to the Code, Sao Tome and Principe having joined in August that year.

Through a number of consecutive projects under the Common Foreign and Security Policy, the EU has since 2008 financed HCoC outreach activities, 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 HCoC Chair. A new Council Decision, extending EU support through a new action until 2026, was adopted in 2023.<sup>20</sup> While the main objectives of the action remain to promote universality, full implementation, as well as a better insertion of HCoC into efforts to curb the proliferation of ballistic missiles, the project also contains new elements such an increased emphasis on inreach and the effective implementation of HCoC, as well as the establishment of a youth group to develop expertise on missile related matters.

The 22<sup>st</sup> Annual Regular Meeting (ARM) of the Hague Code of Conduct took place in Vienna on 15 and 16 June 2023. At the meeting, the EU and its Member States reaffirmed their strong support for the HCoC, its universalisation, full implementation and efficient functioning. The EU also condemned in the strongest possible terms Russia's unprovoked and unjustified full-scale invasion of Ukraine.<sup>21</sup> There was no press release by the HCoC subscribing States from the meeting, in contrast with the practice of ARM meetings preceding 2022.

<sup>&</sup>lt;sup>20</sup> Council Decision (CFSP) 2023/124 of 17 January 2023

<sup>&</sup>lt;sup>21</sup> <a href="https://www.eeas.europa.eu/delegations/vienna-international-organisations/eu-statement-22nd-annual-regular-meeting-hague-code-conduct-against-ballistic-missile-proliferation\_en">https://www.eeas.europa.eu/delegations/vienna-international-organisations/eu-statement-22nd-annual-regular-meeting-hague-code-conduct-against-ballistic-missile-proliferation\_en</a>

# **UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540**

The EU considers UN Security Council Resolution 1540 a central pillar of the international non-proliferation architecture, a key part of the global efforts to prevent the proliferation of Weapons of Mass Destruction, including to terrorists and other non-state actors.

The protection against the proliferation of materials and know-how requires not only implementation through national legislation, but also that it be executed and monitored across borders and sectors. The EU works with partner countries to strengthen their capacity to adhere to the provisions of Resolution 1540 and supports UN agencies in their work to promote understanding and compliance.

The EU and its Member States actively engaged with the work of the Committee, mandated by the Resolution 2663 (2022) adopted on 30 November 2022, to review its internal guidelines on matters regarding its Group of Experts. However any progress was hampered by disagreements on the working methods. Thus the Committee was unable to fill the vacant positions in the Group of Experts.

EU support to the implementation of UNSC Resolution 1540 by UN Member States includes notably the following:

- The EU Chemical, Biological, Radiological and Nuclear (CBRN) Centres of Excellence Initiative provides significant assistance to mitigate risks from accidental, natural or criminal incidents in partner countries. This needs- and demand-driven initiative strengthens all-hazards security governance, both at national and regional levels. With a budget of almost \$150 million in 2021-28, the CBRN Centres of Excellence supports capacity building also through real-time, cross-border exercises with 64 countries.
- The EU helps States mitigate CBRN risks through the EU P2P (Partner-to-Partner) Export Control Programme for Dual-Use Goods, which focuses on reducing the risk of proliferation of weapons of mass destruction by strengthening international cooperation in the field of dual-use trade controls and strengthening national and regional capacity.
- The EU support from the CFSP budget to other States specifically related to the implementation of Resolution 1540, has been taking place since 2006 and has contributed to diminishing the number of non-reporting States and the number of States that did not submit additional information required by the 1540 Committee following their submission of incomplete reports. On 20 March 2023, the Council adopted a new Decision 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. This Decision provides approximately € 2.3 million to UNODA for activities, building on previous Joint Actions, aiming for improved sustainability of projects, enhanced partnerships and strengthened national implementation of the Resolution.

The EU helps third countries implement their obligations under Resolution 1540 through the implementation of multilateral non-proliferation Treaties. This support from the CFSP budget takes place through bilateral cooperation and assistance partnerships and support to the UN and regional organisations. This support to non-proliferation efforts focuses notably on the Biological and Toxin Weapons Convention (BTWC), the Chemical Weapons Convention (CWC), the Nuclear Non-Proliferation Treaty (NPT), the UN Secretary General's Mechanism for the investigation of alleged use of chemical and biological weapons (UNSGM) and the Hague Code of Conduct.

It is also worth highlighting the importance in the context of UNSCR 1540 of export controls to prevent the proliferation of weapons of mass destruction. The Resolution calls on States to establish, develop and maintain appropriate effective national export and trans-shipment controls over materials related to nuclear, chemical, or biological weapons, or their means of delivery, and to take cooperative action to prevent their illicit trafficking. The EU actively participates in all multilateral WMD-related export control regimes, as well as in the work of the G7 Global Partnership initiative against the spread of weapons of mass destruction.

## **CONVENTIONAL WEAPONS**

## **Small Arms and Light Weapons**

In line with its 2018 Strategy on illicit firearms, small arms and light weapons (SALW) and their ammunition "Securing arms, protecting citizens", the EU in 2023 remained fully committed to preventing and curbing the illicit trade in SALW and their ammunition and to promoting accountability and responsibility with regard to their legal trade.

Over the course of 2023, the EU continued pursuing several classic SALW-control projects, with a focus on voluntary civilian disarmament campaigns, collection and destruction of surplus SALW and ammunition, physical security and stockpile management for SALW and ammunition, and capacity building for marking, record keeping and tracing. Most of these projects have a regional scope and were implemented with the help of regional organisations.

Supporting Ukraine in defending its national sovereignty and territorial integrity against the illegal and unprovoked Russian military aggression by providing weaponry of various kinds to Ukraine was a political priority and strategic necessity for the EU and its Member States. EU Member States confirmed that the export of the military equipment to Ukraine is fully in line with the legal obligations stemming from the Common Position 2008/944/CFSP on arms export and with obligations under the Arms Trade Treaty, as well as with the Wassenaar Arrangement Initial Elements, which stipulate that "this Arrangement will not interfere with the rights of states to acquire legitimate means with which to defend themselves pursuant to Article 51 of the Charter of the United Nations". These norms prohibit exports towards an aggressor, not towards a state victim of external aggression. Given the many grave breaches by Russia of the Geneva Conventions, including attacks directed against population and civilian objects, arms transfers to Russia would not be permitted under the Arms Trade Treaty (ATT). The EU has continuously urged all States Parties to the ATT to refrain from any transfers to Russia.

Records of SALW and other military equipment is a national responsibility. Military equipment, weapons and ammunitions provided under the European Peace Facility by EU Member States have been cautiously recorded by the EEAS, based on the delivery verification certificate signed by the Ukrainian authorities and provided by the EU Member States implementing actors. Furthermore, there was a longstanding cooperation between the EU and Ukraine regarding the threats deriving from diversion and illicit trafficking of SALW. In 2023, the main EU funded projects in support of Ukraine's efforts to combat illicit trafficking in SALW,

ammunition and explosives are EU Council Decisions (CFSP) 2019/2111 and Council Decision (CFSP) 2022/2321 with SEESAC (UNDP) as main implementer, Council Decision (CFSP) 2019/2009 with OSCE as main implementer and Council Decision (CFSP) 2023/387 in support of iTrace V.

Ukraine was identified in the EU Action Plan on Firearms Trafficking 2020-2025 as a key region for specific actions at the external level. Within that framework, Ukraine participated in the last EU-Western Balkans ministerial conference in September on Countering Firearms Trafficking in South East Europe, implementing the specific actions for South East Europe of the EU Action Plan on Firearms Trafficking, including the implementation of the Roadmap for comprehensive SALW control, as well as that on National Firearms Focal Points. Ukraine remains firmly committed with the control and fight against trafficking of firearms and other SALW in its territory, as well as with its participation in international law enforcement initiatives, notably the European Multiplatform Against Criminal Threats (EMPACT) on firearms, where EU Member States participate, along with EU Agencies and Institutions and non-EU countries of interest, as Western Balkans jurisdictions, Ukraine and Moldova.

In 2023, in line with the regional priorities set out in the EU SALW Strategy, the EU continued to support Western Balkan Partners through EU Council Decisions (CFSP) 2019/2111 and Council Decision (CFSP) 2022/2321 with SEESAC (UNDP) as main implementer. The Western Balkans remains the largest recipient of EU regional support to conventional arms control. The implementation of the Western Balkans Roadmap against Illicit Arms Trafficking remained an EU priority and at the EU-Western Balkans summit on 13 December it was agreed to have a second phase of the Roadmap. Furthermore, the successful regional Roadmap approach in the Western Balkans has become a blueprint for other regional conventional arms control initiatives.

With a view to the implementation of the EU SALW Strategy, the EU continued its comprehensive support the full and effective implementation of the UN Programme of Action and the International Tracing Instrument, enhance international, regional and national security, contribute to the realisation of human security, and promote sustainable development through SALW control. In line with Council Decision (CFSP) 2022/1965, the EU: a) supported forward-looking global policy developments in the context of the fourth United Nations Conference to Review Progress Made in the Implementation of the UN Programme of Action in 2024; b) contributed to strengthening an effective national and regional implementation of the Programme of Actions and the International Tracing Instrument; c) promoted gender-responsive SALW control policies and programmes.

Since 2013, the EU has been supporting iTrace, a global reporting mechanism on illicit SALW and other illicit conventional weapons and ammunition in conflict affected areas. During the reporting period, iTrace conducted field operations in conflict areas in the Middle East, West and East Africa, the Gulf, Central Asia and Ukraine, assisting efforts to disrupt illicit trade in arms and ammunition. Operations in Ukraine comprehensively documented and traced Russian and Iranian advanced weapons systems.

Supporting and advancing gender equality and the empowerment of women are at the core of EU policies, both at home and abroad. In line with its SALW strategy, the EU systematically applies gender mainstreaming in the design of new projects relating to the fight against gun violence and SALW control in general. In addition, the EU continued supporting the development of an internationally recognised arms and ammunition management validation system to prevent illicit proliferation.

The EU also continued, through various political dialogues, to promote the ATT's universalization and effective implementation. The EU maintained its financial support for the Treaty's implementation support programme, providing countries in Africa, Latin America, and South-East and Central Asia with technical assistance in strengthening their national systems in line with the Treaty's requirements, and sustained its support for the ATT secretariat. The EU also continued to promote effective arms export controls among countries in South and East Europe, Caucasus, Middle East and North Africa, as well as Central Asia.

#### **Anti-personnel mines**

In 2023, the EU continued to implement the Oslo Action Plan adopted by the States Parties to the Anti-Personnel Mine Ban Convention at the occasion of the Fourth Review Conference in 2019.

The EU continued to implement Council Decision (CFSP) 2021/257, dedicated to supporting States Parties to the Convention to implement its provisions, engage in realising the Oslo Action Plan, encourage non States Parties to join and empower the Implementation Support Unit of the Convention.

The EU participated in the third Global Conference on Victim Assistance in a Disability Rights Context held in Cambodia in October 2023, contributing to raising the profile of persons with

disabilities due to anti-personnel mines; this dimension of mine action will feature prominently in the Fifth Review Cycle of the Convention.

The EU participated in the 21<sup>st</sup> Conference of States Parties held in Geneva in November 2023, delivering five statements on the behalf of the EU and its Members States, and supporting the efforts of the dedicated committees as well as those of the Implementation Support Unit to the Convention.

The EU remains the world's second largest donor in mine action, having contributed over € 800 million to humanitarian mine action over the past six years. EU funding to mine action amounted € 26 million in 2023 only, with another € 57 million from ongoing allocations dating from the previous years.

In 2023, the EU funded the 'Automated Arms and Ammunition Mapping' project that supported Ukrainian emergency service authorities to improve the accuracy, speed and safety of explosive ordnance detection in mined areas using artificial intelligence computer vision technology. As a result of the technological support provided and the resulting partnerships, these new tools are set to be increasingly integrated into national authority mine action workflows.

## **EXPORT CONTROL REGIMES**

The EU fully supports the existing multilateral export control regimes (Australia Group, Missile Technology Control Regime, Nuclear Suppliers Group, Wassenaar Arrangement, and Zangger Committee). It stresses their crucial role in preventing the proliferation of WMDs and their means of delivery, implementing UN Security Council (UNSC) embargoes, and promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilizing accumulations. The EU contributes to the full implementation of strong non-proliferation mechanisms under the Treaties and UNSC resolutions by promoting robust export controls and related legislations worldwide. The EU also provides widespread support to partner countries in setting up or enhancing their own export control systems to implement UNSC Resolution 1540, through the CBRN Centres of Excellence and the EU P2P Programme on arms and dual-use export controls. Multilateral export control regimes foster the legitimate transfer of dual-use goods and technologies that are essential to international cooperation on peaceful uses.

With this in mind, the EU continues to oppose in the UN General Assembly's First Committee the Chinese-sponsored resolution "Promoting International Cooperation on Peaceful Uses in the Context of International Security", including by global outreach. The EU perceives the resolution as an attempt to undermine export control regimes by falsely labelling as 'undue restrictions' on peaceful uses those export controls which are necessary and required under legally-binding international instruments for non-proliferation purposes. No evidence supports the claim that the existing non-proliferation export controls and multilateral export control regimes are misused to the detriment of peaceful uses or that they inhibit sustainable development. Although the resolution was not tabled in 2023, the EU expressed its support to multilateral export control regimes in debates during the UN General Assembly's First Committee session.

On 20 June 2023, the European Commission issued the Joint Communication on "European Economic Security Strategy".<sup>23</sup> Priorities of the Strategy include, inter alia, protecting the EU from commonly identified economic security risks by better deploying the present tools,

<sup>22</sup> The EU is a participant in the Australia Group and a permanent observer in the Zangger Committee. The European Commission is an observer in the Nuclear Suppliers' Group. At the same time, in all five export control regimes the EU provides political coordination of the positions of EU Member States participating in them, for instance in order to deliver statements on behalf of the EU.

<sup>&</sup>lt;sup>23</sup> https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023JC0020&gid=1687525961309

including export controls. The established dual-use export control architecture — with the multilateral export control regimes as standard-setters — has in recent decades addressed the Union's security policy objectives, while at the same time nurturing openness and a conducive climate for research and innovation and non-proliferation at large. The Strategy confirms that the EU will strengthen its support for the work of multilateral regimes, although its effectiveness is hindered by the fact that it is only a member of one of the existing Multilateral Control Regimes, and an observer in a second. The Strategy included the commitment of the Commission to table a proposal at the latest by the end of 2023<sup>24</sup> to improve the effectiveness and efficiency of the current EU framework of dual-use export controls, to make it fit for purpose in the rapidly changing technology and security environment, reinforcing the capacity of the EU to play fully its role as a global actor in a context where the multilateral export control regimes are under pressure, in full respect of the EU's and Members States' respective competences.

#### **Nuclear Suppliers Group**

The Nuclear Suppliers Group (NSG) seeks to contribute to the non-proliferation of nuclear weapons through the implementation of two sets of Guidelines for nuclear exports and nuclear-related exports, which are implemented by each Participating Government in accordance with its national laws and practices on licensing requirements. All EU Member States are Participating Governments to the NSG. The European Commission participates as an observer.

Deliberations within the NSG are subject to confidentiality. The EU participated in the 2023 Plenary (Buenos Aires, 13-14 July 2023). Three EU statements were delivered on behalf of the EU while, for the second time in the NSG's history, no public statement was adopted.

#### **Australia Group**

The Australia Group (AG) is a group of like-minded countries seeking to harmonise export controls for chemicals, biological agents and related dual-use technologies. It has 43 members, including the EU and all EU Member States.

<sup>&</sup>lt;sup>24</sup> The commitment was fulfilled by the release of the Commission's White Paper on Export Controls on 24 January 2024: <a href="https://circabc.europa.eu/ui/group/aac710a0-4eb3-493e-a12a-e988b442a72a/library/a44df99c-18d2-49df-950d-4d48f08ea76f/details?download=true">https://circabc.europa.eu/ui/group/aac710a0-4eb3-493e-a12a-e988b442a72a/library/a44df99c-18d2-49df-950d-4d48f08ea76f/details?download=true</a>

Deliberations within the AG are subject to confidentiality. The EU participated actively at the AG Plenary in Paris on 5-9 June 2023, including in the discussions on the threat of use by Russia of chemical and biological weapons and attacks at and in the vicinity of civil biological and chemical facilities in Ukraine, and on the shared concern over the threat of chemical and biological terrorism. The EU reaffirmed its commitment to strengthening CBW-related counterproliferation efforts and reiterated that the use of these weapons anywhere, at any time, by anyone, under any circumstances is unacceptable and prohibited under international law.

#### Missile Technology Control Regime

In 2023, the EU continued to strongly support the Missile Technology Control Regime (MTCR), which plays a crucial role in tackling the proliferation of ballistic missiles, cruise missiles and unmanned aerial vehicle technologies. The MTCR is an informal and voluntary association of countries sharing 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 proliferation.

To date, eighteen EU Member States are members of MTCR. A further nine EU Member States are candidates to join the MTCR: Croatia, Cyprus, Estonia, Latvia, Lithuania, Malta, Romania, Slovakia and Slovenia The longstanding blockage of their accession is of fundamental importance to the EU in the MTCR context.

The single set of EU export control rules under the EU Export Control Regulation implements MTCR guidelines and control lists and ensures that they are effectively applied in all EU Member States, including those that are not yet members of the MTCR.

Deliberations within MTCR are subject to confidentiality. The EU has consistently supported the adoption of strong MTCR public statements reflecting concerns about the ballistic missile launches and significant missile technology development by notably Iran and the DPRK. The 2023 MTCR plenary meeting took place under Brazilian Chairmanship in Rio de Janeiro on 30 October-3 November. There was no MTCR public statement published after the meeting.

#### **Wassenaar Arrangement**

The Wassenaar Arrangement (WA) was established in order to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies. Participating States

apply export controls to all items set forth in the List of Dual-Use Goods and Technologies and the Munitions List, which they regularly review, with the objective of preventing unauthorized transfers or re-transfers of those items. Both lists form the basis of the EU Dual-Use Control List and the EU Common Military List, respectively, which are updated regularly by the Council following WA decisions. Participating States seek, through their national policies, to ensure that transfers of these items do not contribute to the development or enhancement of military capabilities which undermine these goals, and are not diverted to support such capabilities nor acquired by terrorists. Participating States also regularly exchange information and are required to report their arms transfers and transfers/denials of certain dual-use goods and technologies to destinations outside the Arrangement on a regular basis. WA has 42 participating states, including 26 EU member states.

Deliberations within the WA are subject to confidentiality. In 2023 the WA Plenary meeting took place on 30 November and 1 December in Vienna.

# **EMERGING TECHNOLOGIES**

Throughout 2023, the EU continued efforts to better understand and manage the consequences of the impact of emerging technologies on arms and arms control with a view to continue its efforts to contribute to international security and disarmament. The EU's support to better grasp and cope with fast developments in the area of emerging technologies, and notably Artificial Intelligence (AI), continued by means of the two projects that were adopted in 2022 in this area:

- Council Decision (CFSP) 2022/2269 of 18 November 2022 on Union support for the implementation by UNODA and SIPRI of a joint project "Promoting Responsible Innovation in AI for Peace and Security"; and
- Council Decision (CFSP) 2022/2320 of 25 November 2022 on Union support for the implementation of a project "Unlocking Innovation: Enabling Technologies and International Security".

Furthermore, the EU engaged in international processes on emerging technologies, notably the REAIM23 Summit on Responsible Military Use of AI, co-organised by the Netherlands and the Republic of Korea in The Hague in February 2023. The EU hosted a workshop on responsible use of AI prepared jointly by the EEAS and the European Commission (DG CNECT), featuring the new EU AI Act, as well as relevant arms control considerations in respect to the responsible military use of AI, in particular respect for International Humanitarian Law (IHL) and the longstanding EU position on the need to retain human control and responsibility for decisions over weapons. Many EU Member States signed up to the REAIM23 Call for Action Paper presented at the conference.

Likewise, the EU followed closely the US-led Political Declaration on Responsible Military Use of AI and Autonomy, which all EU Member States signed up to.

In 2023, the EU also continued participating in the Group of Governmental Experts (GGE) on Lethal Autonomous Weapons (LAWS) under the framework of the CCW and welcomed the agreement by the Conference of CCW States Parties to support a two-tier approach to the regulation of LAWS, distinguishing between weapons systems based on emerging technologies that cannot be used in respect of IHL and systems that include autonomous systems, but can respect IHL. The EU will continue to actively engage in the work of the GGE on LAWS.

# **COLLABORATION WITH THINK TANKS AND NGOs**

Based on Council Decision (CFSP) 2010/430 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,<sup>25</sup> which started its activities in January 2011. Council Decision (CFSP) 2022/597 of 11 April 2022 extended EU support for the activities of the Consortium for another 3 years, building on the achievements to date and adding new initiatives. The ongoing Phase IV of the project is funded until 17 May 2025.

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 113 think tanks and research centres across Europe, including members from all EU Member States as well as from partner countries such as Norway, Serbia, Switzerland, Turkey, Ukraine and United Kingdom. Five entities joined the Network during 2023. The Network includes university research centres from a range of social and natural science disciplines.

In its work towards the achievement of the objectives of the Council Decision, the Consortium puts a special focus on mainstreaming gender issues and promoting the next generation of researchers and practitioners in non-proliferation and disarmament fields, as well as on connecting the gaps between the natural sciences and social sciences, between policymakers and academia, and between academia and policy research institutes. As part of its commitment to these priorities, the Consortium organizes non-proliferation awareness training courses for graduate and post-graduate students of natural and engineering sciences and implements the Young Women and Next Generation Initiative, which includes the organization of outreach visits to universities in Europe, skills building workshops, webinars on thematic topics, as well as a mentorship programme for young women. All events convened by the Consortium ensured diversity of participants and speakers in terms of gender, age, expertise, and geographical representation.

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<sup>&</sup>lt;sup>25</sup> For overview of the Consortium's activities, its network, and teaching resources, see <a href="https://www.nonproliferation.eu/">https://www.nonproliferation.eu/</a>

During 2023 the Consortium organised the following activities to implement different aspects of Council Decision (CFSP) 2022/597:

- Two WMD proliferation awareness training courses for graduate and post-graduate students of natural science disciplines (2-5 May and 28-30 November);
- An ad hoc seminar on 'A New Era for EU Arms Export Controls? Perspectives for the Current Review of the Common Position' (23 November);
- The 12th EU Consultative Meeting, gathering EU officials and European experts (12 and 15 June);
- The 4<sup>th</sup> UN Disarmament Fellows visit to Brussels (13-15 September);
- The 12<sup>th</sup> EU Non-Proliferation and Disarmament Conference (4-5 December);
- A Next Generation Workshop (4 December).

The Young Women and Next Generation Initiative included the following activities during 2023:

- Public webinars on 'Opportunities, Threats, and Proliferation Challenges Deriving from Bio-Technology and Bio-Engineering' (16 January); 'Nuclear Weapons and Artificial Intelligence: Understanding the Nexus and Mitigating Risks' (16 March); and 'The Gaza Conflict, Russia's Response, and Implications for the War in Ukraine' (23 November);
- A series of skill-building workshops on public speaking (27 February; 6 March; 21 March);
- An outreach event 'The War in Ukraine, Authoritarian Regimes and Opportunities for the Next Generation in Non-Proliferation' at Charles University, Prague (21 April);
- The final meeting of the second edition of the Young Women in Non-Proliferation and Disarmament Mentorship Programme (15 May) and the launch of the third edition of the Mentorship Programme (20 September);
- An outreach visit 'The Nuclear Dimensions of the War Against Ukraine' at the University of Innsbruck (18 October); and
- Mentee and Mentor in-person meetings at the margins of the EUNPDC Annual Conference (4-5 December).

Other activities related to the promotion and strengthening of non-proliferation and disarmament education in 2023 included hosting and updating e-Learning courses on Non-Proliferation and Disarmament and EU policies, developing and maintaining an online

repository of non-proliferation and disarmament university courses ('Teaching clinic')<sup>26</sup> and supporting ten non-proliferation and disarmament internships in members of the Network.

The Consortium published a monthly newsletter as well as five EU Non-Proliferation and Disarmament papers during 2023.<sup>27</sup> The Consortium also released nine episodes of the EUNPDC podcast on NPD issues.<sup>28</sup>

<sup>&</sup>lt;sup>26</sup> Available at <a href="https://www.nonproliferation.eu/education-resources/teaching-resources/">https://www.nonproliferation.eu/education-resources/teaching-resources/</a>

<sup>&</sup>lt;sup>27</sup> Available at https://www.nonproliferation.eu/activities/online-publishing/non-proliferation-papers/

<sup>&</sup>lt;sup>28</sup> Available at <a href="https://www.nonproliferation.eu/category/podcast/">https://www.nonproliferation.eu/category/podcast/</a>

# DIALOGUE AND COOPERATION WITH THIRD COUNTRIES

In accordance with its WMD non-proliferation policy, the EU continued to work on the mainstreaming of WMD non-proliferation commitments in agreements with partner countries.

In December 2023, the EU signed an Advanced Framework Agreement with Chile containing dedicated clauses on weapons of mass destruction and conventional arms.

Throughout the year, the EEAS continued to engage in non-proliferation and disarmament consultations with a range of third countries and international organisations throughout the year. The EU resumed its Non-proliferation and disarmament dialogues with the Republic of Korea and with Brazil in November. A high level non-proliferation and disarmament dialogue was held with the US in December. Non-proliferation and disarmament issues furthermore continued to be integrated in the EU's various political dialogues with other partners.

Within the G7, several statements relating to non-proliferation and disarmament were issued during 2023, including by the G7 Non-Proliferation Directors Group on 17 April,<sup>29</sup> the G7 Foreign Ministers on 18 April<sup>30</sup> and 8 November,<sup>31</sup> and the G7 leaders' communique of 20 May.<sup>32</sup> The G7 Hiroshima leaders' meeting also adopted a standalone statement entitled "Hiroshima vision on nuclear disarmament" on 19 May.<sup>33</sup>

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https://www.mofa.go.jp/policy/economy/summit/hiroshima23/documents/pdf/Leaders Communique 01 en.pdf?v2 0231006

<sup>&</sup>lt;sup>29</sup> https://www.mofa.go.jp/press/release/press1e\_000411.html

<sup>30</sup> https://www.mofa.go.jp/files/100492731.pdf

<sup>31</sup> https://www.mofa.go.jp/files/100578225.pdf

<sup>33</sup> https://www.mofa.go.jp/policy/economy/summit/hiroshima23/documents/pdf/230520-01\_g7\_en.pdf?v20231006