



# NPT NEWS IN REVIEW

Civil society perspectives on the 2018 nuclear Non-Proliferation Treaty Preparatory Committee 23 April - 4 May 2018



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## EDITORIAL: MINORITY VIEW

Allison Pytlak | *Reaching Critical Will of the Women's International League for Peace and Freedom*

The final day of the 2018 nuclear Non-Proliferation Treaty (NPT) Preparatory Committee (PrepCom) followed the trends of preceding days by illustrating the frustrations and divisions that separate states parties across a range of NPT provisions. Around 40 delegations took the floor to respond to the draft Chair's factual summary that had been released on Thursday; nearly all of them expressed dissatisfaction with it.

That dissatisfaction is, in the words of South Africa, a result of the document's "distortive undermining" of discussions held during this PrepCom which in turn creates an unbalanced and imprecise snapshot of the PrepCom and by extension, the positions of states parties. As Mexico explained, the manner in which the document is written gives the impression that some views had consensus when in reality they had not, and in fact experienced opposition. At the same time, a number of positions that received strong support from the floor did not see this support reflected in the summary report, which raised concern about the document's level of objectivity.

For example, during the general debate and cluster one discussions the majority of states parties expressed strong concern either individually or through regional and other groupings about the nuclear weapon modernisation programmes of nuclear-armed countries, and spoke to the urgent need for progress on disarmament obligations. In paragraph 19, the Chair's summary addresses this subject but states that only "...some nuclear weapons states' modernisation programmes are not consistent with commitments made under the NPT..." implying that some other of these programmes were viewed as acceptable, which was not the case. Concern was expressed equally; what differed was the vociferousness with which the five nuclear-armed states parties defended their respective programmes

and complacent silence of their allies. There was also pushback on Friday about the use of the word "perceived" in the same paragraph: "Concerns were expressed around the continued and perceived growing role of nuclear weapons in military and strategic doctrines...". Each nuclear-armed state party received "the courtesy" of its having own paragraph, in the words of Brazil, in which respective national reduction efforts—both in arsenal size and role in doctrine—were described. This, coupled with selective reference of only some of the 2010 Action Points seems to "tilt" the summary in a certain direction, as noted by Iran.

Quite a few times on Friday states highlighted that word choice, whether by accident or design, is a contributing factor to the uneven feel of the document. China pointed to the extensive use of "states parties" throughout the document and the related implication that all states parties are in agreement despite, in China's view, the fact that on many points there is not common understanding among states parties. In other places, qualifying language (i.e. "where possible" in paragraph 29) implies a degree of permissibility for actions that was not given.

Egypt, among others noted that the Chair's summary fell short by not describing the level of support expressed for Israel to accede to the Treaty. There was reference to the calls for other states to do so, and additional language in this regard on the Democratic People's Republic of Korea (DPRK) including through a joint statement endorsed by 58 countries that reinforced a generally tough line on the DPRK. The United States cited the DPRK's actions "outside of the non-proliferation" regime as one of the reasons why the conditions for disarmament aren't "right" at the moment, stressing overall the importance of the non-proliferation pillar in its closing remarks.

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*Editorial, continued*

Without naming its working paper on the Middle East, the US spoke in defence of its contents, which had triggered a written response from the Arab Group earlier in the week and was further rejected by the Non-Aligned Movement as part of its closing remarks.

The manner in which the Treaty on Prohibition of Nuclear Weapons (TPNW) is treated was also mentioned in several interventions on Friday. Paragraph 40, meant to describe support for the TPNW is underwhelming to say the least, in stating that states merely “noted” the “conclusion” of the TPNW, whereas actual language used employed adjectives such as “welcome” and made reference to the adoption, not conclusion, of the TPNW. Some questioned the decision of the Chair to allocate an entire paragraph to the views of the Treaty’s detractors, which were a minority in the conference as any records demonstrate. Moreover only one state party announced that it would not be bound by the TPNW as customary law yet the summary report uses the phrase “these states”. Contrary to a view put forward on social media, TPNW supporters did not push back on these two paragraphs because they had hoped the summary report would be “saturated” with references to it but merely want an accurate depiction of the conference proceedings, across this and other issues.

A somewhat peculiar aspect of the report is paragraph 10 relating to the “full and equal participation and leadership of women and men in nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy.” There is no reference to the gendered impacts of ionising radiation. While this was not a central part of the debate at the PrepCom, the gendered impacts of nuclear weapons was noted by some delegations, is included in working paper 38, and had been referenced in the 2017 report therefore its removal is regrettable, as Ireland and Canada, among others, noted Friday. Instead there is a reference to obligations under UNSCR 1325. While excellent for linking disarmament with the Women, Peace, and Security Agenda it is perhaps a less accurate reflection of what was said in PrepCom statements this year.

This is not to say that many of these same states parties did not welcome or agree with other aspects of the summary report; a few others largely welcomed it. Yet the tone on Friday was clear that there are more states parties in the dissatisfied camp. The majority spoke out to highlight these problems on Friday, but just as their views were minimised in the document itself, may continue to be given short shrift unless incoming leadership for the third PrepCom under Malaysia is firm about making space for the views of all and treating all NPT states parties equally.

Those with a longer view of NPT meetings can likely point to other years in which this has occurred. While a reality, that should not be a justification for continued complacency with the status quo. A side event hosted by Geneva Disarmament Platform on Friday examined preparatory processes across instruments ranging from the NPT to the Biological and Toxin Weapons Convention, to the Programme of Action on Small Arms and Light Weapons, and the Arms Trade Treaty. Each instrument and its related preparatory processes are unique, but a common denominator is that meetings which are tasked with doing things, versus just talking about things, tend to generate better participation and lay a stronger foundation for review meetings. A further point that was expressed by panelists and audience members alike is that agreeing an outcome document may reflect a successful conference but does not equal the successful implementation of an instrument. Given the range of pragmatic suggestions put forward at this PrepCom to improve the efficiency of the NPT review process, we would encourage states parties to act on these in 2019 and beyond, and not allow the NPT to continue being kept hostage by the minority view. •



## IN KOREA AND BEYOND: CREATING CONDITIONS FOR A WORLD FREE OF NUKES INCLUDES GETTING RID OF THEM

Jonathan Frerichs | *World Council of Churches and Pax Christi International*

Nuclear Non-Proliferation Treaty (NPT) conferences are often told that “creating the conditions” for a world without nuclear weapons must be done before ridding the world of nuclear weapons. This loaded mantra is mostly heard from the few governments that bear the greatest responsibility for both of these demands.

The message in the mantra seems to be “Chill. Don’t get your hopes up”. We can’t reach that long-sought goal from where we are, however. Unspecified obstacles will have to be overcome before conclusive disarmament efforts can even begin.

Nuclear history lends little credence to this assertion. It suggests instead that nuclear possessors shape the mantra’s main premise and its fate is vulnerable to their behaviours.

In fact, the conditions for a world without nuclear weapons are created while eliminating nuclear weapons. Various examples were shared at the 2018 NPT Preparatory Committee (PrepCom) including the experiences of whole regions. Africa, Central Asia, and Latin America got rid of nuclear weapons as an integral part of creating the conditions to establish nuclear-weapon-free zones. The PrepCom side event “NWFZs and the CTBT” highlighted these zones’ transparency and verification measures plus the gradual reductions in tensions and increases in confidence which they achieved.

These and other cases indicate that creating conditions for collective security and strategic balance is concurrent—and synergistic—with eliminating nuclear weapons.

Conversely, the absence of credible efforts to eliminate nuclear arsenals precludes the creation of conditions to support a nuclear weaponfree world.

Here we need look no further than three other regions—the Middle East, South Asia, and Northeast Asia. Intransigence by weapons possessors destabilises these regions and exposes their nations to chronic nuclear threats. Acrimonious exchanges at this PrepCom are a reminder that the NPT is failing in two of these nuclear-weapon zones. Disarmament much more universal than the NPT variety will be needed to win over South Asia, the third.

Conditions created by the possession of nuclear weapons at the global level are no less alarming. PrepCom speakers mentioned modernisation (inter alia Malaysia, South Africa, League of Arab States), new

systems (Russia, United States), new missions (Belgium, Chile), renewed arms racing (NAM, China, Indonesia, Switzerland) and increasing threats of use. These are current strategic choices creating conditions for a world that is more burdened by nuclear weapons.

There is a contradiction in the mantra. Unless the very possession of nuclear weapons is somewhere on the negotiating table, creating the conditions for a world without nuclear weapons will ultimately fail. This is a dilemma that haunts the NPT. The possession of nuclear weapons is in the room at the NPT, but it is not really on the table. The contrast with the positive atmosphere at the Treaty on the Prohibition of Nuclear Weapons (TPNW) negotiations, where that was not the case, is striking.

Current events in Korea are set to test the synergies between “creating conditions” for getting rid of nukes and actually eliminating them. In a microcosm of NPT history, if any party on the Korean Peninsula (and in a surrounding de-nuclearised zone) insists on keeping or relying on nuclear weapons, this will likely scuttle a game-changing deal there once again, as has happened twice before. DPRK’s nuclear status is in play, but so is ROK’s.

Keeping extended deterrence will preclude the creation of conditions for a Korean Peninsula free of nuclear weapons, just as it does in other places in the world. A Korean state fit for the purpose of peace on the peninsula would be a state that gets rid of nuclear arms and rejects deterrence in exchange for carefully negotiated regional agreements that guarantee collective security. There and elsewhere the conditions for a nuclear-free world require both friends and foes to free themselves from nuclear weapons, together. •



## SIDE EVENT REPORT: PREVENTING A NUCLEAR ARMS RACE AND ENCOURAGING DISARMAMENT

Alicia Sanders-Zakre | Arms Control Association

On Thursday 3 May, the Arms Control Association hosted a side event on progressive measures to prevent a new nuclear arms race with Beatrice Fihn, executive director of the International Campaign to Abolish Nuclear Weapons, Daryl Kimball, executive director of the Arms Control Association and Jamie Walsh, deputy director for disarmament and nonproliferation of the Irish Ministry of Foreign Affairs.

Mr. Walsh highlighted the importance of upholding several arms control agreements under threat, including the Intermediate-Range Nuclear Forces Treaty, the New Strategic Arms Reduction Treaty, and the Joint Comprehensive Plan of Action (JCPOA). He called the Treaty on the Prohibition of Nuclear Weapons (TPNW) a “glimmer of hope” and, pointing to his own country’s active engagement in the nuclear Non-Proliferation Treaty (NPT) current review cycle, contended that participation in the TPNW negotiations would not divert attention from the NPT despite some countries’ allegations.

“Unfortunately, progress on disarmament is at a standstill and a new arms race is on the horizon,” Kimball said, citing nuclear-armed states’ plans to rebuild their nuclear arsenals and a lack of strategic dialogue on arms control

between the United States and Russia. He put forward several recommendations to avoid an arms race and encourage disarmament, including:

- Encouraging sober language on nuclear dangers;
- Pursuing practical measures to reduce the risk of an accidental nuclear launch;
- Pressing for nuclear-armed states to explain how their launch postures are consistent with international humanitarian law and the law of armed conflict;
- Extending New START and seeking deeper cuts;
- Addressing INF Treaty violations;
- Reaffirming commitment to the Comprehensive Test Ban Treaty;
- Engaging other nuclear actors in the nuclear risk reduction enterprise;
- Considering a high-level summit to overcome the impasse on disarmament.

Ms. Fihn emphasised the need to enforce previous agreements made at the NPT, including the Action Plan agreed to at the 2010 NPT Review Conference arguing that neglecting such commitments threatens the NPT. She also urged that the international community address the dangers posed by all nuclear weapons, instead of just those in certain states. The so-called nuclear umbrella states, which receive nuclear security guarantees from nuclear-armed states, should speak up about rising nuclear risks, she contended. Ms. Fihn welcomed the recent diplomatic developments between the Democratic People’s Republic of Korea and South Korea and expressed concern about President Trump’s threats to withdraw from the JCPOA.

Ambassadors from Austria, Chile, Japan, and New Zealand, and several representatives from civil society also contributed to the event with questions and comments following the presentations. •



Photo: Arms Control Association