



NPT NEWS IN REVIEW

Civil society perspectives on the 2015 Review Conference of the
nuclear Non-Proliferation Treaty (NPT), 27 April–22 May 2015



Reaching Critical Will

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The *NPT News in Review* is a daily publication produced by the Reaching Critical Will programme of the Women's International League for Peace and Freedom during meetings of NPT states parties.

See reachingcriticalwill.org for information, statements, papers, reports, archived *NPT News in Reviews*, and more from the NPT.

EDITORIAL: FILLING GAPS

Ray Acheson | *Reaching Critical Will of WILPF*

Subsidiary body 1 began its work yesterday, commencing the strange practice of restricting access to the meeting room to states parties only. This contradicts calls within NPT review process and within the UN system for increased transparency. It goes against the trend of increased participation for civil society in other forums addressing nuclear weapons, including First Committee, the open-ended working group, and the conferences on the humanitarian impact of nuclear weapons. It also sadly undermines the sense highlighted by Costa Rica that democracy has finally come to nuclear disarmament. But it does not mean that civil society will cease to advocate or agitate for the prohibition and elimination of nuclear weapons.

Working paper 30 emphasises that “the consequences of nuclear weapon detonations and the risks associated with this weaponry concern the security of all humanity.” This is precisely why civil society should not be restricted from attending and participating in meetings about nuclear weapons. The nuclear-armed states and their nuclear-dependent allies are gambling with our future on the basis of, as Austria said, “an illusion of safety and security”. And these same states suggest that the NPT allows them to possess nuclear weapons or to maintain other country's nuclear weapons on their soil.

This suggests that the NPT was written to allow the nuclear-armed states and their nuclear-dependent allies to hold the rest of the world hostage through the loopholes and loose language around the Treaty's provisions on disarmament and nuclear sharing.

The NPT is indeed a flawed document. But this interpretation that it is not really about disarmament or that it permits the possession and deployment of nuclear weapons must not prevail. The Treaty explicitly requires the cessation of the manufac-

ture of nuclear weapons and the total elimination of all stockpiles of nuclear weapons and their delivery systems. The illegitimacy of nuclear weapons is a foundation of the NPT.

Clearly, on its own, the Treaty is insufficient to achieve its stated objectives. There are various legal deficits in the regulation of nuclear weapon activities, including those regarding the development, production, testing, transfer, acquisition, transit, stockpiling, deployment, threat of use or use of nuclear weapons, as well as assistance, financing, encouragement, or inducement of these activities. As noted in the most recent publication from civil society groups Reaching Critical Will and Article 36, “The current international legal regulation of nuclear weapons is fragmentary, with several instruments covering only certain areas or activities. The legal gap also arises because the rules in the existing instruments on nuclear weapons apply to different states in different ways. Thus what is needed is a comprehensive instrument that prohibits all activities involving nuclear weapons in all circumstances for all states parties.”

A treaty banning nuclear weapons, by categorically prohibiting nuclear weapons and establishing a framework and impetus for their elimination, would help fill these gaps. Such an instrument would build on existing norms and reinforce existing legal instruments, but it would also close loopholes in the current legal regime that enable states to engage in nuclear weapon activities or otherwise to claim perceived benefit from their continued possession and deployment while purporting to promote their elimination.

The New Agenda Coalition's working paper 9 on article VI emphasises the normative impact that a nuclear weapon ban treaty would have in this regard, and points out

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ILPI



HUMANITARIAN IMPACT

Why ethics is important to the politics of nuclear weapons

Friday, 8 May 2015 ■ 13:15-14:30 ■ Conference Room C

Can certain acts be considered intrinsically wrongful, no matter how likely they may be to achieve their goals or however worthy such goals may be? Does the absence of a specific ban on nuclear weapons under today's international law reflect a moral ambivalence about the weapons?

This side event looks at the challenge of cultivating a political consensus around the view that nuclear weapons are so singularly inhumane we ought categorically to reject their use, whatever purposes they may be said to serve.

Speakers and Moderators

- RAY ACHESON, Director, Reaching Critical Will
- JOHN BORRIE, Senior Researcher & Policy Advisor, UNIDIR
- TIM CAUGHLEY, Resident Senior Fellow, UNIDIR
- NOBUO HAYASHI, Senior Legal Advisor, ILPI
- GRO NYSTUEN, Senior Partner, ILPI
- CAMILLA WASZINK, Programme Director, ILPI

The event is co-organized by the the United Nations Institute for Disarmament Research and the International Law and Policy Institute. For more information, visit www.effectivemeasures.org.

Editorial, continued

that such an instrument would strengthen rather than undermine existing obligations of states. Such a treaty would also have practical effects, including on financing of nuclear weapons, the role of nuclear weapons in military alliances, and the development of national legislation against nuclear weapons.

There are many things that NPT states parties can do at this Review Conference to advance such an instrument. They should have focused discussions in subsidiary body 1 to explore and elaborate effective measures for nuclear disarmament. They should demand that the outcome document reflects concrete ways forward, such as through the negotiation of a nuclear weapon ban treaty.

At least 80 states have so far pledged to fill the legal gap for the prohibition and elimination of nuclear weapons. This is a commitment to action. Now is the time to advance that commitment in practical terms. •

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NEWS IN BRIEF

Mia Ganderberger | *Reaching Critical Will of WILPF*

The News in Brief is not a comprehensive summary of all statements. It highlights positions on a few critical issues covered during plenary discussions.

Main Committee I

- Subsidiary body I met in a closed session in the morning.

Main Committee II

NWFZ

- Austria, Latvia, Italy, Iraq, Kuwait, Morocco, Philippines, and Sudan expressed continued support for the convening of the conference on the establishment of a MEWMDFZ.
- Kuwait recalled WP.33 on the implementation of the 1995 resolution and 2010 outcome on the MEWMDFZ.
- Latvia welcomed signing of protocols of the CAN-WFZ by the NPT nuclear-armed states.
- Indonesia and Morocco expressed regret at the failure of the Third Conference of States Parties and Signatories to Nuclear-Weapon-Free Zones and Mongolia to NWFZs to adopt a final document.

Safeguards

- Finland, Italy, and ROK supported the state-level concept.
- Indonesia stressed, while supporting the IAEA's efforts, these should be done in close consultation with states and should not entail additional obligations.

Iran

- Austria, Finland, France, Italy, Kuwait, Latvia, Morocco, and ROK welcomed the recent agreement of the E3/EU+3 with Iran.

Other

- Italy reiterated that nuclear sharing arrangements were in place before the NPT entered into force.

Main Committee III

Nuclear safety

- Brazil, Germany, ROK, and Switzerland welcomed the Vienna Declaration on Nuclear Safety.
- Brazil, Finland, France, Germany, New Zealand, Norway, ROK, and Switzerland highlighted the Fukushima catastrophe and the important lessons learned.

Iran

- Indonesia welcomed the recent agreement of E3/EU+3 with Iran.

Nuclear Security Summits

- Brazil expects after 2016, collective efforts in this area will converge to the IAEA, a truly universal forum.

Withdrawal

- Germany encouraged nuclear supplying states parties to incorporate dismantling or return clauses or fall-back safeguards in the event of withdrawal into contracts and any other arrangements concluded with other states parties.
- Brazil said consideration of withdrawal from the NPT should be guided less by constraints to be applied to those states parties that may potentially leave the regime and more by the incentives that should be provided for states parties to remain within it.

Safeguards

- Switzerland stressed the importance that the SLC results in an optimisation that is concrete and measurable for member states.

Liability regimes

- France expressed its commitment to developing a global civil liability regime.
- France welcomed the entry into force of the Convention on Supplementary Compensation for Nuclear Damage.

Fissile material

- Poland aims to eliminate all HEU spent fuel from its territory by 2016.
- Brazil and Switzerland pointed out that the majority of fissile material is under military control.
- Philippines supported multilateral approaches to the nuclear fuel cycle with the IAEA in the leading role.
- Germany supported the establishment of an IAEA LEU bank in Kazakhstan.

Other

- France and Poland highlighted the French Capacity Building Initiative.
- Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan highlighted the environmental consequences of uranium mining and associated nuclear fuel cycle activities in the production of nuclear weapons.
- Subsidiary body III met in a closed session in the afternoon.



BUILDING BLOCKS, OR BLOCKING BUILDING A NUCLEAR WEAPON FREE WORLD?

Tim Wright | ICAN Australia

Today Subsidiary Body I will discuss the “building blocks” approach to nuclear disarmament. In what significant ways does this approach differ from the “step-by-step” approach? That question was put to the Australian government last November in the parliament. Its response (cited here in full) was revealing: “‘Building block’ and ‘step-by-step’ are comparable terms that emphasize the importance of adopting practical, realistic measures which lead towards disarmament.” In other words, there is no significant difference.

“Building blocks” is simply a repackaging of the step-by-step approach intended to create the illusion that something new is being proposed. In fact, the main proponents of this approach are calling for exactly the same old steps that they have long championed: chiefly, universalization of the NPT, entry into force of the CTBT, and negotiation of a fissile material cut-off treaty. But these measures, if achieved, would do little to advance actual nuclear disarmament. They are, first and foremost, non-proliferation measures.

The building blocks proponents have said that this approach rejects the idea of “sequentialism,” that is, there is no strict order for the envisaged steps and no conditionality attached to them. But have any of these

states ever argued, for instance, that we should hold off negotiating an FMCT until the CTBT has come into force? Or that universalization of the NPT—hardly a “realistic” goal, by the by—must be achieved before we pursue any new treaties aimed at advancing disarmament?

We asked the Australian government whether it would consider a treaty banning nuclear weapons as one possible building block towards a nuclear-weapon-free world. It would not. Disarmament efforts, to be effective, “must engage all the nuclear-armed states,” it asserted. But that is a very high bar to set for moving forward. There are, naturally, deep divisions among the nuclear-armed states. And it is worth recalling that, in the 1960s, only three of the five nuclear-armed states at the time participated in negotiations for the NPT.

One should question the true value of the building blocks approach. Its most prominent advocates—the ones who have set out its parameters—are firmly wedded to the doctrine of nuclear “deterrence,” believing in the utility and legitimacy of nuclear weapons for so long as they exist. By advancing the same ineffective steps that have been pursued for many years to no end—and by stridently resisting the humanitarian-based push for ban treaty negotiations—the building blocks proponents are, quite simply, blockers. •



UNPACKING THE CLAIM THAT NUCLEAR WEAPONS PREVENT WAR

Dr. Matthew Bolton | Pace University

While I have been researching disarmament and arms control for more than a decade, I have largely concentrated on conventional weapons, like landmines, cluster munitions, small arms and military robotics. I am reminded of this when, in conversations with diplomats of nuclear-armed states in forums like the ongoing Nuclear Non-Proliferation Treaty (NPT) Review Conference, I am told that nuclear weapons are “different.” I am politely informed that my experience working on addressing the humanitarian harm of other weapons is thus irrelevant, because as the line often goes, “nuclear weapons are not for using in war, they are for preventing war.”

This is a rather bold claim and is, of course, empirically incorrect: the US used nuclear weapons in war against Japan, killing hundreds of thousands of civilians. Nevertheless the idea that nuclear weapons somehow prevent war is repeated ad nauseam by nuclear technocrats. I’m tired of hearing this cliché, so I would like to call attention to five key problems with its logic:

1) Nuclear weapons have a poor record of preventing war and/or escalation. India and Pakistan are nuclear armed, but have engaged in numerous clashes. Israel has been attacked several times since obtaining nuclear weapons. And at the height of the Cold War, the Soviet Union’s nuclear arsenal did not prevent Kennedy from calling their bluff in the Cuban Missile Crisis. Ward Wilson’s book *Five Myths about Nuclear Weapons* does a particularly good job of showing how “nuclear deterrence failed to restrain leaders from aggression in any number of nuclear crises.”

2) If nuclear weapons prevent war, why shouldn’t all states have access to them? Let us for a moment assume that nuclear weapons are a magical war-preventing technology. That to me seems like an argument for proliferation. The claim by the nuclear-armed states that their weapons promote stability seems to be undermined by their strenuous efforts to prevent other states from getting them. If they prevent war, why be afraid of more nuclear weapons in more hands?

3) The alarming history of nuclear accidents suggests there are no “responsible” holders of nuclear weapons. The most common response to the rhetorical question in point 2 above is that some states are more “responsible” than others and can be trusted to be good stewards over these planet-threatening weapons. However, researchers like Eric Schlosser document a history of hair-raising near misses and close calls. We have only avoided nuclear weapons accidents—and in some cases outright nuclear war—through sheer blind luck. Satirist John Oliver has also exposed just how poorly the United States has managed its nuclear weapons stockpiles.

4) The foreign policy elite in Nuclear Weapons States have often overestimated their own role (and underestimated that of smaller states and civil society) in preventing nuclear war. There is a tautological logic in deterrence theory—“we didn’t use nuclear weapons during the Cold War because we had nuclear weapons.” But revisiting Cold War history shows that there was tremendous normative pressure on leaders of the nuclear armed states coming from smaller, non-nuclear weapons states, which passed resolutions in the UN General Assembly, worked to establish nuclear weapons free zones and pushed for the NPT. Civil society also shaped the political landscape in which nuclear armed states’ leaders operated. Demonstrations—at Aldermaston, Greenham Common, and Central Park—kept political pressure on elected officials. Intellectual and artistic products shaped public discourse; President Reagan admitted in his diary that watching the 1983 film *The Day After* alerted him to the immense dangers of nuclear war.

5) Saying that nuclear weapons prevent “war” ignores the other forms of widespread harm they have caused. Over the last couple years, the conferences on the humanitarian consequences of nuclear weapons in Oslo, Nayarit, and Vienna have highlighted the devastating human and environmental harm caused by nuclear weapons programs. Nuclear testing and mining for uranium has caused terrible medical problems from people in the Marshall Islands, the Southwestern United States and French Polynesia. The costs of maintaining nuclear weapons draw valuable resources from other government priorities like social programs. If we only think of “war” as the large-scale confrontations of great military powers, we miss the more fine-grained and everyday violence caused by nuclear weapons. The Women’s International League for Peace and Freedom’s Reaching Critical Will programme has collected the evidence of this humanitarian impact in its report *Unspeakable Suffering*.

In reflecting on the discussions at the NPT it strikes me that while nuclear weapons are obviously “different” from many conventional weapons in their scale and capacity for devastation, they are also different in the deep mythology and rationalizations that surround them. But we have banned the other weapons of mass destruction (chemical and biological weapons) and several particularly harmful conventional weapons too (dum dum bullets, incendiary weapons, blinding lasers, landmines, cluster munitions). Given the potential catastrophic effects of miscalculation, if we are even slightly uncertain about the supposed magical properties of nuclear weapons to prevent war we must ban and eliminate them too •



EVENT: GLOSSARY OF KEY NUCLEAR TERMS

Gabriella Irsten | *Reaching Critical Will of WILPF*

The five nuclear-armed states held a side event on their newly published glossary of key nuclear terms. The process for this publication started in 2009, but was officially launched in 2011 at the P5 Paris meeting. A representative from China's delegation asserted that the glossary is a direct contribution to the NPT Action Plan and in particular action 5, which calls for nuclear-armed states to further enhance transparency and confidence-building. While this exercise was meant to build trust between the nuclear-armed states, the Chinese ambassador suggested this exercise will also increase transparency and trust between nuclear-armed and non-nuclear armed states parties.

The working group consisted of nuclear experts from all five countries and their main task was fourfold:

1. Define working methods build on consensus and step-by-step
2. Define key nuclear terms
3. Discuss these terms
4. Compile and print the book in four languages

The Chinese ambassador said that the five states had/have very different views of nuclear weapons and their place in national security. While their original goal was to define more than 500 terms, only 227 are in

the glossary. He concluded by asserting that the glossary highlights the five states' "responsible attitude" towards the implementation of the NPT.

During the Q and A, participants asked if this was a first step in a longer process, if there was any plan on extending the glossary to include more terms related to disarmament since the glossary mostly consists of nuclear fuel cycle terms, if the five states from the start tried to look into already defined definitions in other processes such as the IAEA and the CTBT, and finally if follow-up steps could also include the non-NPT nuclear-armed states.

It became clear that five countries have different views on whether the glossary exercise was a first step or not. The UK representative said that it was very difficult to agree on terms and made a reference to the group of governmental experts on a fissile material cut-off treaty, where states had difficulties to even define fissile material. Russia stressed that it had wished to include more terms from the bilateral agreements between the United States and Russia. The Chinese representative argued that including the non-NPT nuclear-armed states might undermine the NPT as this is a direct contribution to the 2010 Action Plan. Further, while acknowledging that the terms mostly concern the nuclear fuel cycle, he highlighted that they did managed to define the term "nuclear disarmament". •

EVENT: TOWARDS DISARMAMENT SECURELY

Emily Watson | *Reaching Critical Will of WILPF*

Organised by the International Network of Emerging Nuclear Specialists (INENS), this event featured a presentation by Foreign Policy Institute Fellow Deepti Choubey. Choubey spoke about the conclusions of *Towards Disarmament Securely: Clarifying the Nuclear Security and Disarmament Link*, her 2015 study that can be used as a tool to enable campaigners to get deeper into the issues at stake in nuclear disarmament.

Choubey stated that the link between disarmament and security has too often been ignored. The assumption may be made that eliminating nuclear weapons will also eliminate nuclear terrorism, but this is not necessarily the case. Nuclear materials will still exist in the civilian sector, and criminals and terrorists will still exist. Thus nuclear security must be prioritised to reduce the risk of incidents. We must be concerned not only with reaching political agreement, but also with developing future capacity to sort out necessary technicalities. It is important that nuclear security is maintained throughout the

entire dismantlement process to cover for vulnerabilities that will arise.

In the context of Nuclear Security Summits, she asserted that non-nuclear-armed states should not steer discussions towards disarmament "out of frustration," as there are "more appropriate forums" such as the NPT and the Conference on Disarmament. Moreover, she argued, actors should not restrict discourse on nuclear security to weapons. Nuclear materials also exist in medicine, research, and electricity spheres, and these materials can similarly be appropriated by terrorists.

States with no current accountability over nuclear materials must be assisted so they can build up their expertise, she suggested. Support can also be given to help states prepare to securely dismantle stockpiles. All states should be aware that security responsibilities start as soon as they possess nuclear materials, no matter what the quantity of these materials. •



EVENT: GENDER AND NUCLEAR WEAPONS

Sofia Tuvestad | WILPF Sweden

This side event was hosted by the UN Missions of Ireland, Austria, Costa Rica, Denmark, Sweden, and Trinidad and Tobago. The panel included Dr. Mo Hume, Senior Lecturer in Politics at the University of Glasgow; Dr. Patricia Lewis, Research Director on International Security at Chatham House; Ms. Mary Olson, Director of the Southeast Regional Office of the Nuclear Information and Resource Service (NIRS); as well as Mr. Henrik Salander, Former Disarmament Ambassador for Sweden and Secretary-General of the Blix Commission.

The discussions centred on new research indicating that the effects of nuclear weapons are gendered in that they affect girls and women disproportionately.

That this information was new to many people fits into a general pattern in which the gendered effects of weapons and war are constantly neglected or insufficiently recognized. Dr. Hume gave a general introduction to how gender dynamics play out in conflict and post-conflict situations, resulting in a number of discriminatory practices such as violence against women. This violence is often neglected, seen as less serious than other forms of violence, or not seen as violence that is part of the conflict.

However, as Ambassador O'Brien of Ireland highlighted, we have seen some promising developments lately in the area of gender and disarmament, including the gender provisions in the Arms Trade Treaty (ATT) and in UN Security Council resolution 2117 on small arms and light weapons. In addition to this, there are also UN Security Council resolutions 2106 and 2122, both part of the agenda for Women, Peace and Security and both recognising the relationship between arms proliferation and gender-related violence.

The effects of nuclear weapons are gendered and disproportionate, and one aspect of this is the fact that ionizing radiation is more harmful for females. Ms. Olson spoke about findings from studies of survivors from Hiroshima and Nagasaki, showing that within the group of those who were five years or younger when the US bombed these cities, the girls were twice as likely to get cancer at some point than the boys. Sex was also a factor for the effects on adults in Hiroshima and Nagasaki. Research on this group shows that for every two men who died of cancer over their lifetime, three women died of cancer. As Ms. Olson put it: "Gender matters in the atomic age." Still, despite these findings that clearly show a disproportionate effect on girls and women, adult men tend to be the norm when assessing risks.

While men have been heavily over-represented in decision-making on nuclear weapons, the women's peace movement has traditionally been closely intertwined with nuclear disarmament. As a clear example of this, the panellists highlighted last week's 100-year anniversary of the Women's International League for Peace and Freedom (WILPF).

While there are certainly a number of women representatives in this field today as well as in the past, we are far from achieving gender equality. If nuclear weapons affect girls and women more, it seems even more absurd that men should be making the decisions. Hence, there should be more women involved in nuclear weapons decision-making, as Dr. Lewis pointed out.

Ambassador O'Brien spoke about the importance of women's empowerment and agency as part of increasing gender equality in disarmament. As Dr. Hume noted in her presentation, there is much to be done in the broader area of gender representation within peace and security policy. When priorities are drawn out in conflict resolution, for example, gender matters. Dr. Hume gave a number of examples showing the clear exclusion of women, such as the fact that between 1992-2011, women accounted for just four percent of signatories and nine percent of peace agreement negotiators. Naturally, this affects policy that is born out of the experiences and the knowledge of those who shape it.

There is potential for change, however, particularly in light of the renewed discussions on the humanitarian consequences of nuclear weapons. If paired with further debate on gender and nuclear weapons, there is great potential to further transform the debate about nuclear weapons into one that truly focuses on human beings and human security, as any modern security debate should. As Ms. Olson concluded, new findings on gendered affects of nuclear weapons makes it even more evident that prevention is the cure. Nuclear weapons must never again be used under any circumstances, and the only guarantee for this is through their stigmatization, prohibition, and elimination. •



CALENDAR OF EVENTS

When	What	Where	Who
8:00-8:50	Abolition Caucus	Conference Room C Conference Building	
9:00-9:50	Government briefing for NGOs: Ireland	Conference Room C Conference Building	Reaching Critical Will
10:00-13:00	Main Committee I	Trusteeship	
10:00-13:00	Main Committee III	ECOSOC	
10:00-13:30	After the Nuclear Deal with Iran: Next Steps towards a Middle East Nuclear Weapon Free Zone	Conference Room C Conference Building	International Panel on Fissile Materials
13:15-14:30	Catastrophic global risks, nu- clear weapons, and human survival	Conference Room C Conference Building	People for Nuclear Disarma- ment
13:15-14:30	NSG Outreach Event	Trusteeship	Argentina
13:15-14:30	New START Treaty	ECOSOC	United States of America
13:15-14:30	Consideration of the Hu- manitarian Impact of Nuclear Weapons in the 2010-2015 NPT Review Cycle	Conference Room 7	Austria, Mexico, Norway
13:15	Film Screening: In My Life- time	DHL Auditorium	Office for Disarmament Af- fairs
15:00 -18:00	Subsidiary Body I	Trusteeship	
15:00 -18:00	Main Committee II	ECOSOC	
15:00-17:00	Parliamentary actions for nuclear abolition	Conference Room C Conference Building	PNND and Inter Parliamen- tary Union
18:30-21:00	Informal drinks	The Perfect Pint (203 45th Street, near 2nd Ave)	INENS

