



# 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.

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## EDITORIAL: WHOSE NPT?

Ray Acheson | *Reaching Critical Will* of WILPF

At the halfway mark of this Review Conference, the two draft texts on nuclear disarmament from Main Committee I (MC I) and its Subsidiary Body 1 (SB 1) clearly reflect the central role of the humanitarian dimension in the international debate on nuclear disarmament.<sup>1</sup> This is in line with the shift that has taken place during this NPT review cycle, refocusing the humanitarian consequences of nuclear weapons as the fundamental basis for nuclear disarmament. Yet the forward-looking text from Subsidiary Body 1 falls far short in both urgency and direction of what is necessary to achieve meaningful progress in prohibiting and eliminating nuclear weapons.

The MC I report (by Ambassador Roman-Morey of Peru) welcomes the "extensive international discourse on the unacceptable humanitarian consequences of nuclear weapons," which has "deepened collective understanding of this matter." It recalls the findings of the three conferences and stresses the urgency for nuclear disarmament that the risks and consequences generate. And the SB 1 text (by Ambassador Benno Laggner of Switzerland) agrees that this awareness of the catastrophic humanitarian consequences should "compel urgent action for the full implementation of article VI" and "underpin and lend urgency to efforts by all States leading to the total elimination of nuclear weapons." Echoing the words of the joint statement by 159 states last week, the SB 1 text notes that "it is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances."

Yet the operative calls in the text of SB 1 do not match up with this global shift towards acknowledgement with the evidence of the risks of use of nuclear weapons and of their impact on health, human society, and the environment. The text does not reflect the view of the majority of states that beginning negotiations on a legally-binding

instrument is the logical next step flowing from acknowledgment of the evidence.

The draft reaffirms that "significant steps" toward nuclear disarmament by the NPT nuclear-armed states "should promote international stability, peace and security, and be based on the principle of increased and undiminished security for all." This leaves space for the nuclear-armed states to argue, as they have many times, that the time is not ripe for disarmament because it would diminish their own security or the security of their allies. The draft also calls upon nuclear-armed states to ensure their policies "address fully all risks associated with nuclear weapons," which could be read as suggesting that nuclear weapons can be made safe. This is inconsistent with the findings from the Vienna conference on the humanitarian impact of nuclear weapons that these weapons "pose an unacceptable risk, that this risk is higher than commonly understood and that it continues to increase over time," and that "the only assurance against the risk of a nuclear weapon detonation is the total elimination of nuclear weapons."

The draft's calls on the NPT nuclear-armed states for reductions and elimination of their nuclear weapons are vague and without timelines, though the NAM's demand for timelines is recognised. The calls for cessation of modernisation do not suggest any practical actions for other states, such as divestment from nuclear weapon producing companies. The demand that states remove nuclear weapons from security doctrines by 2020 very unfortunately—inexplicably even—applies only to the first use of nuclear weapons. It calls on states to "intensify efforts towards the development of nuclear disarmament verification capabilities."

And, perhaps most bizarrely, the text calls on the NPT nuclear-armed states to intensify

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*Editorial, continued*

their discussions on definitions and terminology. This codifies in the NPT context an action that the nuclear-armed were not obligated to undertake, but which they chose to work on instead of the commitments they actually made in 2010. It also suggests that five years was insufficient to define terms and more work on this needed, which detracts from practical actions that are necessary to achieve actual disarmament.

All of this is starkly at odds with the main direction of the discussions on the humanitarian impact of nuclear weapons, which has been increasingly oriented towards taking effective measures for nuclear disarmament. The third humanitarian impact conference in Vienna concluded with a pledge to fill the legal gap for the prohibition and elimination of nuclear weapons. So far 84 states have endorsed this pledge. This conclusion, rather than the vague or insufficient calls in the draft SB 1 text, is the logical extension of the humanitarian argument. Any credible conclusion of the NPT Review Conference will have to reflect that. While the draft elements for MC I rightly welcome the pledge, the actions represented in SB 1 fail to operationalise this call to fill the legal gap on nuclear weapons.

The MC I text notes that the reality of thousands of nuclear weapons, coupled with the high alert status of many of them, “does not ameliorate the environment of international peace and security and overwhelms the demands of the large majority of the States parties for achieving nuclear disarmament as required under Article VI of the Treaty.” The same could be said of the SB 1 text, which fails meaningfully to advance effective measures for nuclear disarmament as demanded by the majority of states parties.

Paragraph 17 of the SB 1 text does at least encourage all states “to identify and elaborate the legal provisions required for the achievement and maintenance of a world without nuclear weapons.” It draws on the New Agenda Coalition paper outlining possible options for these legal provisions. But it does not reflect the overwhelming demand for negotiations to begin now.

The Review Conference is where discussions on effective measures should help shape a direction for moving forward. We have been meeting at the NPT, First Committee, the CD, and many other fora for decades. Now is the time for states that are no longer willing to accept the indefinite procrastination on disarmament to decide what, in the current context, is the most effective measure they can pursue, even if the nuclear-armed states remain recalcitrant in fulfilling their obligations.

Overall, these texts reflect the fundamental tensions between those who see the NPT as a vehicle for getting rid of nuclear weapons and those who see it as a way to maintain their possession and use of these weapons to promote what they perceive as their security interests. If the outcome of this Review Conference is to have any credibility it must decide whether the NPT is about preserving or eliminating nuclear weapons. If it is to be about eliminating nuclear weapons, it will have to support the negotiation of a new legally-binding instrument to prohibit nuclear weapons. •

1 The text from MC I reflects progress or changes over the past review cycle while the SC 1 text look forward to new commitments and actions.



*International Campaign to Abolish Nuclear Weapons*

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*The views expressed in this publication are not necessarily those of the Women's International League for Peace and Freedom or the Reaching Critical Will programme.*



## NEWS IN BRIEF

Mia Gandenberger and Gabriella Irsten | *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.

### Plenary

- The chairs of the three Main Committees and the Credentials Committee presented their draft reports.
- NAM called for balance between the three reports in order to have a coherent and consistent outcome document.
- NAM also argued that the substance of the reports should reflect the operation and provision of the treaty with time frames for any actions.

### Main Committee III

#### IAEA

- South Africa, US highlighted the need for further funding for the ReNuAL Project to renovate the IAEA Laboratories in Seibersdorf.
- South Africa, Iran, Japan, Mexico highlighted the importance of ensured funding for the IAEA's Technical Cooperation Programme as laid out in Action 52–54 of the 2010 NPT Action Plan.
- Argentina expressed the hope that the TCF would become part of IAEA regular budget.

### Nuclear power

- France highlighted the need to increase international response capacity to nuclear accidents.
- Japan highlighted the importance of education and public communication around nuclear applications.

### Nuclear Safety

- Italy, Japan, US welcomed the Vienna Declaration on Nuclear Safety.

### Fuel cycle

- NZ stressed the importance of adhering to the highest safety and security standards during all stages of the nuclear fuel cycle.
- Italy supported the establishment of an IAEA LEU bank in Kazakhstan.

### Other

- France suggested building on wording in Action 56 of the 2010 Action Plan.
- US referred to further recommendations as contained in WP.46.
- Iran referred to recommendations as contained in the NAM general statement to MCIII.

## DRAFT REVIEW

Mia Gandenberger and Gabriella Irsten | *Reaching Critical Will of WILPF and Elizabeth Minor* | Article 36

The Draft reviews are not a comprehensive summary of the entire drafts. It highlights the main changes and updates to the Main Committee drafts and the Subsidiary Body drafts.

### Main Committee I

- The MCI draft, at some length, recalls and reaffirms the various provisions of the NPT relevant to the work of the Committee, as well as previous relevant decisions and outcomes.
- The draft draws attention to the need to ensure equitable and wider participation in disarmament and non-proliferation processes. It emphasises the importance of ensuring that men and women participate equally and at all levels. It also welcomes the increased engagement with civil society.

### Humanitarian consequences

- A substantial section of the document discusses the humanitarian initiative on nuclear weapons,

recalling concern previously expressed by the NPT at catastrophic humanitarian consequences and welcoming “the extensive international discourse on the unacceptable humanitarian consequences of nuclear weapons.”

- It notes the “immense uncontrollable destructive capability and indiscriminate nature, with deep implications for human survival and for the health of future generations” of nuclear weapons, and that the consequences are “significantly graver than previously understood,” noting the increased global risks and the concern to all humanity.
- Recalling the ICJ’s advisory opinion, the draft also notes that new evidence from the humanitarian initiative has implications for the assessment of nuclear weapons under international law.
- The draft also welcomes Austrian Pledge, highlighting the number of states supporting it and the endorsement by CELAC.

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*Draft review, continued***Other points**

- The draft recognizes factors that undermine confidence in the NPT, including the slow pace of disarmament, perception of breached obligations, and lack of universality.
- It notes measures taken by the NPT nuclear-armed states including collective initiatives such as the glossary and actions between Russia and the US.
- The draft however recognizes that bilateral and unilateral arms reductions do not meet the “demands of the large majority of States parties” for achieving disarmament, given the high number of nuclear weapons deployed and in stockpiles on high alert
- It notes that the indefinite extension of the NPT “did not imply the indefinite possession of nuclear weapons”, expressing concern at the continued role of nuclear weapons at a time of increased international tensions.
- The draft notes the needs: to decrease alert levels and diminish the role of nuclear weapons in security doctrines; for benchmarks and timelines on disarmament; for CTBT universalization; for treaties on fissile material and negative security assurances. It notes the failure of the Conference on Disarmament to make progress in this regard.
- Verification, transparency, confidence-building, and regular reporting are also discussed.

**Subsidiary Body 1**

- The content of the SB 1 draft reflects the main areas of the 2010 action plan, using many of the same formulations on points of action.
- Subjects the draft gives attention to include: recalling/reaffirming the objectives of disarmament and the unequivocal undertaking to total elimination; NPT universalization; new nuclear weapons or qualitative improvements; verifiable reductions; transparency measures; specific action by the US and Russia to reduce stockpiles; alert levels; nuclear testing and CTBT universalization; and legal measures on negative security assurances and fissile material.
- The draft notes the need for increased efforts in particular by the NPT’s nuclear-armed states.

**Humanitarian consequences**

- The catastrophic humanitarian consequences of any use of nuclear weapons feature a number of times, reflecting increased attention paid to this issue by states.

- The draft notes that these consequences “should underpin and lend urgency to efforts by all States leading to the total elimination of nuclear weapons”; that they should provide “a unifying factor and compel urgent action for the full implementation of article VI”; that total elimination is the “only absolute guarantee against the humanitarian risks”; and that the “survival of humanity” depends on nuclear weapons never being used again.
- The ongoing health and environmental impact of nuclear testing, and the differential impact on women and children, is also mentioned. The need raise awareness about the humanitarian impact of nuclear weapons, as well as to hear the testimony of survivors, is also noted.
- Humanitarian risks are also highlighted in relation to the need for action on reducing alert levels.

**Legal framework**

- Also in contrast to the 2010 action plan, the draft notes that a “majority of states” believe a “legal framework is necessary for the full implementation of article VI” and encourages a process to “identify and elaborate the provisions required”. It lists a number of options (reflecting those given in the NAC paper) including a nuclear-weapons ban treaty.
- The stated need for all states “to make efforts to establish the necessary framework” does not place particular emphasis on action by the nuclear weapons states (which was the case in the 2010 action plan).

**Other points**

- States are called on to eliminate nuclear weapons from their security doctrines –but only in relation to policies that envisage first use. This is a more limited formulation than in the 2010 action plan.
- The draft calls on nuclear-armed states to “address fully all risks associated with nuclear weapons,” for example vulnerability in command and control systems—though fully addressing these risks is impossible to achieve without elimination.

**Main Committee II**

- Under “Articles I and II and first to third preambular paragraphs” the draft includes the reaffirmation of commitments to the objectives of the treaty, universalization, and commitments contained in previous outcome documents.
- Much of the language from the 2010 Chair’s working paper as contained in NPT/CONF.2010/MC.II/

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*Draft review, continued*

WP.1 is included in the 2015 draft. However some additions have been made.

- The draft does not include the report of the discussions on regional issues.

**Article III and fourth and fifth preambular paragraphs, especially in their relationship to article IV and sixth and seventh preambular paragraphs**

- Paragraphs 9 and 10 address the issue of non-compliance.
- Paragraph 9 emphasises that concerns over compliance should be pursued by diplomatic means.
- Paragraph 10 underscores the importance of full compliance with the IAEA statute and the states respective legal obligations in this connection.
- Further, it reaffirms the importance of IAEA access to the UNSC.
- Paragraph 11 refers to safeguards implementation designed in line with article IV and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities.
- Paragraph 12 recalls the importance of the application of IAEA safeguards pursuant to CSAs with reference to INFCIRC/153 (Corrected) to all source and special fissionable material in all peaceful nuclear activities.
- Paragraphs 13-15 note and welcome respectively states parties' activities on CSAs, SQPs, and APs, then call on those without to join the respective instruments.
- Paragraph 17 recognizes that CSA based on INFCIRC/153 (Corrected) are not sufficient for the IAEA to provide credible assurances regarding the absence of undeclared nuclear material and activities. Further the application of an AP provides the IAEA with additional information and access, strengthens the IAEA's ability to provide assurances of the absence of undeclared nuclear material and activities in a state as a whole, and provides increased confidence about the State's compliance with its obligations.
- For states with both instruments in force, CSAs and AP together represent the current verification standard "which enables the IAEA to provide assurances on the non-diversion of declared nuclear material and on the absence of undeclared nuclear material and activities in a State as a whole."
- Paragraph 18, in addition to noting the sovereign decision to conclude an AP, emphasises a distinction between the legal obligations and voluntary measures aimed at facilitating and strengthening the implementation of safeguards and aimed at confidence building.
- Paragraph 19 notes the importance of the VOAs and APs implemented by the NPT nuclear-armed state and the valuable experience in implementing safeguards these provide for the IAEA.
- Paragraph 20 welcomes the clarifications and additional information provided in 2014 on the implementation of safeguards in the context of the SLC and calls upon states to support the IAEA to effectively implement SL safeguards approaches in close consultation and coordination with state and/or regional authorities.
- Paragraph 22 welcomes additional technical and financial contributions by states to help the IAEA meet its safeguards responsibilities, and to enhance the related technology base, including the modernization of its Safeguards Analytical Laboratories. Further it calls on states to provide the IAEA with all political, technical, and financial support necessary.
- Paragraph 23 includes language from document NPT/CONF.2010/MCIII/WP.1\* on the need for nuclear security and stressed the primary responsibility for nuclear security lies with individual states.
- Paragraph 24 reaffirms the IAEA's role for nuclear security, stresses the need for increased cooperation and welcomed the outcome of the International Conference on Nuclear Security: Enhancing Global Efforts, organized by the IAEA in Vienna in July 2013, in particular the Ministerial Declaration.
- Paragraph 25 encourages cooperation between the IAEA and states parties on nuclear security and highlights IAEA services, such as the Integrated Nuclear Security Support Plans (INSSPs), International Nuclear Security Advisory Service (INSServ) and International Physical Protection Advisory Service (IPPAS) missions.
- Paragraph 26 calls for broadened support for the IAEA and contributions to the Nuclear Security Fund to ensure that the IAEA has the necessary resources to implement its nuclear security activities.
- Paragraphs 27 and 28 address instruments to maintain the highest possible standards of security and physical protection of nuclear material and facilities and call on states to become parties to these instruments.

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*Draft review, continued*

- Paragraph 29 notes with concern the issue of illicit trafficking in nuclear and other radioactive materials and emphasizes the need to improve national capabilities in that context.
- Paragraph 30 highlights states parties concern with the threat of terrorism and welcomes initiative in that context.
- Paragraph 31 welcomes the contributions by the Nuclear Security Summits in Washington, Seoul, and The Hague and underscores the importance of nuclear security efforts and initiatives.
- Paragraphs 32 and 33 highlight the importance of nuclear export controls.

**Article VII**

- Paragraph 37 welcomes the NPT-nuclear-armed states' declarations concerning Mongolia's NWF status, the increased cooperation amongst parties of NWFZs and notes with satisfaction the third conference of the States Parties and Signatories to Treaties that Established Nuclear-Weapon-Free Zones and Mongolia which took place in 2015.
- Paragraph 38 welcomes the signing and ratification of the protocol to the CANWFZ and looks forward to similar actions on the SEANWFZ.

*Main Committee III***General**

- This analysis is based on the first draft circulated on 7 May 2015, which does not include the issue of peaceful uses of nuclear energy, nuclear power, technical cooperation, or multilateral approaches to the nuclear fuel cycle as these had not yet been discussed when the draft was introduced.
- The 2015 draft also does not include any future orientation actions that call upon states parties to act in conformity with all the provisions of the Treaty.
- Under decisions and recommendations of previous Conferences the six paragraphs are identical to the 2010 MCIII working paper, except for updated reference to the conclusions and recommendations for follow-on actions of the 2010 Review Conference.
- The paragraph under the heading armed attacks against nuclear installations devoted to peaceful purposes is identical to the 2010 report.

**Nuclear safety and related issues**

- Paragraph 20 in the 2015 continues calling on states to minimise the use of highly enriched uranium but goes

further and now includes converting radioisotope production to low-enriched uranium fuel as suggested by several delegations.

- In relation to paragraph 20, references to the "voluntary basis" to minimize highly enriched uranium, has been removed from the 2015 draft.
- The 2015 draft does not, in comparison to the 2010 in paragraph 35, encourage states to become party to the Convention on the Physical Protection of Nuclear Material and its amendment or the International Convention for the Suppression of Acts of Nuclear Terrorism or reference the Nuclear Security Summit.
- The 2015 draft includes four new paragraphs, including:
  - o all states' effective participation in the IAEA Safety Standards Committees;
  - o welcoming the IAEA work on Fukushima, including the ministerial conference and Fukushima Report, in order to share the lessons learned from the accident in Fukushima;
  - o recognizes that the IAEA's Action Plan on Nuclear Safety has strengthening nuclear safety; and
  - o emphasises the importance of states continuing to take implement the IAEA Action Plan and to identify a scope for further enhancing nuclear safety.

**Safe transport of radioactive materials**

- Paragraph 28 is new and welcomes the IAEA guidelines on best practices for voluntary and confidential government-to-government communications on the transport of MOX fuel, high level radioactive waste, and, as appropriate, irradiated nuclear fuel by sea.

**Nuclear liability and emergency response**

- Paragraph 30 is based on the 2010 report but includes an update on welcoming the entry into force of the Convention on Supplementary Compensation for Nuclear Damage establishing a worldwide nuclear liability regime.
- Paragraph 32 is new and highlights the IAEA key role in coordinating international cooperation on preparedness and response to nuclear emergencies and for states to make use of this role to improve preparedness and response to nuclear emergencies. •



## EVENT: JAPAN'S CONTRIBUTION TO STRENGTHENING THE NON-PROLIFERATION REGIME

Masa Takubo | Kakujoho

While world attention is focused on non-proliferation issues, Japan plans to complete the construction of the Rokkasho Reprocessing Plant in March 2016. The only industrial scale plant in a non-nuclear weapon state, this facility has a capacity to separate 8 tons of plutonium a year to add to the current stockpile of 48 tons (equivalent to 6,000 nuclear bombs using the IAEA formula of 8 kg per bomb).

Last Thursday a coalition of leading peace groups in Japan (Citizens' Nuclear Information Center, Gensuikin, Peace Depot and Peace Boat) sent a joint appeal to Prime Minister Abe to call on him "not to start the plant at least until the current stockpile is drastically reduced to, say, a one-year 'demand' level." Prior to that Akira Kawasaki and Hajime Matsukubo representing Peace Boat and CNIC respectively held a briefing at the UN Headquarters joined by Masa Takubo, operator of Kakujoho (nuclear information) website and Mycle Schneider, a world renowned consultant on energy and nuclear policy from France.

Plutonium was originally to be used as the initial fuel for a breeder reactor to produce more plutonium while generating electricity but this breeder reactor project has been stalled. Mycle Schneider stressed that plutonium is not an asset. In fact the United Kingdom has offered to dispose of Japan's plutonium there if Japan pays enough for the service. Matsukubo said: "Any country with reprocessing and enrichment technology, even if it's in good standing with the NPT, will cause suspicions among neighboring countries as to its intention leading to tension. Therefore if Japanese government wants a nuclear free world, it should consider our appeal that do not start operation of Rokkasho reprocessing plant."

During the March 2014 Hague Nuclear Security Summit, Prime Minister Abe and President Obama "pledged to remove and dispose all highly-enriched uranium (HEU) and separated plutonium" from a Fast Critical Assembly (FCA) in Japan, involving 331kg of plutonium. They went on to "encourage others to consider what they can do to further HEU and plutonium minimization."

Six months later, the Japan Atomic Energy Commission's (JAEC) secretariat announced that as of the end of 2013 Japan's plutonium had increased to 47 tons from 44 tons in the previous year.

Of the about 3 ton increase 640kg represents plutonium loaded into the Genkai unit 3 reactor coming out unirradiated.

The real increase of 2.3 tons is from the allocation to Japan by the United Kingdom, where some of Japan's

spent fuel has been reprocessed. Although the separation of plutonium from Japan's spent fuel in that country ended in January 2006, the contract stipulates that the total amount of plutonium in Japan's spent fuel sent to the United Kingdom be allocated to Japan eventually in a method irrelevant to the amount actually separated from Japan's spent fuel in any particular year.

On 13 November 2014 the JAEC secretariat admitted to a Diet member that it found that about one ton more plutonium will be allocated to Japan's stockpile held in the United Kingdom. Takubo said that the fact that there would be additional allocation of a total of 3.3 tons should have been disclosed earlier when discussing the supply and demand of plutonium in relation the Rokkasho plant.

The appeal called on the Prime Minister to declare internationally that Japan's total plutonium stockpile as of the end of 2013 is effectively 48 tons.

Kawasaki said that the principle of transparency should be applied not only to the nuclear-armed states but also to non-nuclear-armed states, pointing out that the Nuclear Security Summit calls for minimization of use and stock of high enriched uranium and plutonium. •



flickr - Simon Hucko





## EVENT: PARLIAMENTARY ACTIONS FOR THE NPT AND BEYOND

Alyn Ware | *Parliamentarians for Nuclear Non-proliferation and Disarmament*

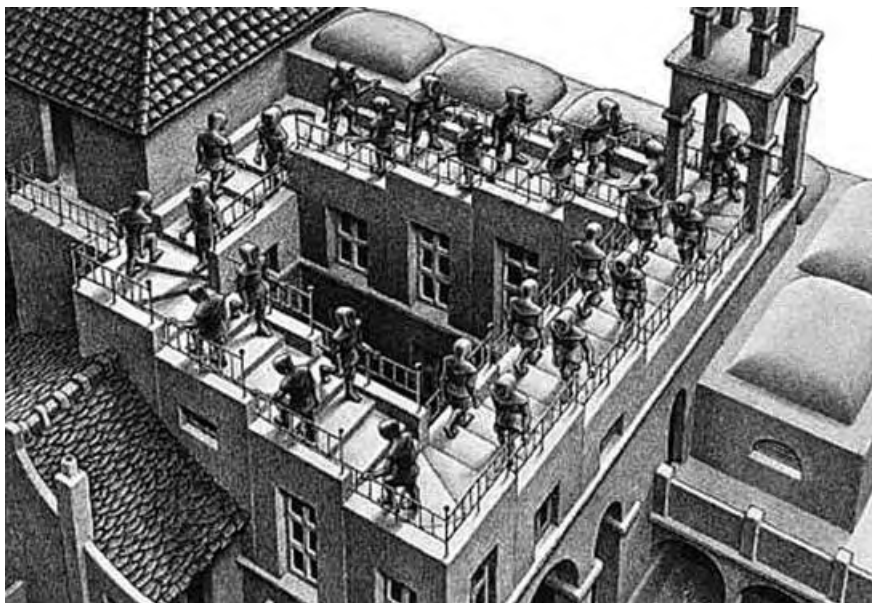
This panel on May 6 highlighted the vital role that parliamentarians play as a link between civil society and governments.

Paddy Torsney, Permanent Observer of the Inter Parliamentary Union (IPU) to the United Nations, reported on the 2009 resolution adopted by the IPU supporting nuclear non-proliferation and disarmament measures, and the 2014 resolution which calls on parliamentarians to work with governments to eliminate the role of nuclear weapons in security doctrines and negotiate a nuclear weapons convention or package of agreements. The resolutions are significant because they were supported by the parliaments of all IPU member parliaments, including those from the nuclear-armed States and the States under extended nuclear deterrence relationships. Ms. Torsney noted that the IPU resolutions provide civil society with important openings to contact legislators in their countries and call on them to take strong nuclear abolition action.

Senator Laura Angélica Rojas Hernández, Chair of the Mexican Senate Committee on Foreign Relations and International Organisations, reported on a resolution that she introduced into the Mexican Senate, which was adopted last month. The resolution supports the 2015 NPT Review Conference and calls for a global prohibition of nuclear weapons. Senator Rojas noted that the humanitarian dimension elevated the potential

of civil society and parliamentarians to have an impact on government policy and multilateral initiatives.

Jana Jedlickova, PNND Central European Coordinator, outlined initiatives that PNND members are taking to lower or eliminate the role of nuclear weapons in security doctrines and promote nuclear abolition. This includes working to establish nuclear weapon free zones in North-East Asia, the Middle East and the Arctic, and advancing cooperative security mechanisms as an alternative to nuclear deterrence in order to address current security issues. Ms Jedlickova reported on activities of PNND to highlight the humanitarian impact of nuclear weapons including the launch of the ATOM Project at the PNND Assembly in Kazakhstan in 2012, and PNND events in the UK, France and US. Ms Jedlickova reported on UNFOLD ZERO, a platform established to promote UN forums, initiatives and processes to achieve a nuclear-weapon-free world. She noted that PNND members supported the International Day for the Total Elimination of Nuclear Weapons (Sep 26) last year and will do so again this year. Ms Jedlickova announced that the next PNND Assembly would be in Prague in October 2015 co-hosted by the Czech Senate and the Czech Ministry of Foreign Affairs. The Assembly will focus on eliminating nuclear risks and enacting the goal for a nuclear weapon free world, inspired by US President Obama in his April 2009 Prague Speech. It will be held just before the IPU Assembly in Geneva. •





## 2015 NPT REVIEW CONFERENCE - LET'S STIR THINGS UP!

Dominique Lalanne | *Armes nucléaires STOP*

At the previous NPT Review Conference in 2010, states made commitments with respect to specific steps towards nuclear disarmament. The nuclear-armed states have not kept these commitments. On the contrary, states are intensifying the modernization programs of their weapons and delivery systems. So-called "security" doctrines give priority to "nuclear deterrence". The Doomsday Clock managed by Chicago-based researchers has advanced by 2 minutes towards midnight in view of prevailing tensions. We are now in a state of danger comparable to the worst moments of the Cold War.

Non-Nuclear States appear to be changing their strategy. As well as asking the nuclear-armed states to eliminate their nuclear weapons, this new strategy is based on developing a new international treaty to ban these weapons. The non-nuclear-armed states thereby reclaim their role as actors in the disarmament process. This dynamic of a diplomatic process to ban an entire category of weapons has changed the international context with respect to many other types of weapons, chemical weapons, landmines and many more. Obviously the NPT nuclear-armed states are categorically opposed to such a new legal instrument which would put them in the situation of being outside the law.

At this NPT Review Conference these two points of view are in stark confrontation. Nuclear-armed states will try to prove that their approach to "disarmament", which they call a "step by step" approach, is the right path; they will make new proposals to avoid any acceleration of the tempo. In short, they will offer something in order to avoid any movement towards a ban treaty. The United States and the United Kingdom agreed to participate in the Vienna conference on the humanitarian effects of nuclear weapons, precisely in order to counter the prospect of such a ban treaty.

At the end of each Review Conference a document is submitted for "consensus" approval. The consensus principle avoids holding a vote whereby nuclear-armed states would be forced to accept majority decisions that perceive as counter to their interests. The opposition of a single state can prevent a consensus and block

adoption of the final document. And if no agreement emerges, the conference will not have made a positive contribution to disarmament. Nuclear-armed states are unlikely to accept a consensus that calls for a ban treaty to supplement Article VI of the NPT...and which provides a framework for the elimination of nuclear weapons.

So the call we make to Non-Nuclear-armed States is quite simple: "highlight the urgency of a treaty banning nuclear weapons, reject the final outcome of the NPT Review Conference unless it specifically calls for negotiations towards a legally-binding instrument for the prohibition of nuclear weapons. And if this Conference is unable to deliver such an outcome, states should convene an international conference to initiate a diplomatic process towards the ban treaty."

Dominique Lalanne, "*Armes nucléaires STOP*" co-president •

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### ***Excerpts from the letter sent by "Armes nucléaires STOP" to Non-Nuclear Weapons States parties to the Nuclear Non-Proliferation Treaty***

[...] If no consensus is reached at the 2015 Review Conference, the way will be open for a new conference to prepare a Prohibition Treaty. [...] In the event that Nuclear States will not accept any mention of a project for a Prohibition Treaty we propose that this Review Conference should conclude that no consensus exists [...].

On behalf of **IPPNW FRENCH AFFILIATE** I fully agree and support "*Armes nucléaires STOP*" proposal. As physicians, we are very concerned by humanitarian consequences of a nuclear threat. In this issue we disagree with a so call difference between "moderate" and "radical" countries made by the P5: all Non-Nuclear States are actors of the nuclear disarmament process because all of us could be a victim in the future. Therefore, if Nuclear States do not accept any mention for a prohibition treaty, we proposed also to conclude: "no consensus exists".

A. BEHAR MD, PHD, Past IPPNW Co-President, AMF-PGN chairman



## EVENT: WORKSHOP IN SUPPORT OF THE HAGUE CODE OF CONDUCT AGAINST BALLISTIC MISSILE PROLIFERATION

Gabriella Irsten | *Reaching Critical Will of WILPF*

The European Union and the Foundation pour la Recherche Stratégique hosted an event on the Hague Code of Conduct against Ballistic Missile Proliferation. Speakers were Camille Grand from the Foundation, Gyorgyi Zanathy from the EU, Gustavo Meza-Cuadra of Peru, and Mark Smith from Wilton Park.

Mr. Grand gave a short presentation on the history of the Code that regulates the area of ballistic missiles capable of carrying weapons of mass destruction. The Code is the only multilateral transparency and confidence-building instrument concerning the spread of ballistic missiles. Mr. Meza-Cuadra explained that what members agree on when joining the Code is an annual reporting form. Mr. Grand highlighted that this reporting form is quite flexible.

Both Ms. Zanathy and Mr. Meza-Cuadra highlighted that the Code deals with a very important topic, as there is no legally-binding regime that deals with preventing and/or eliminating missile proliferation. Ms. Zanathy also stressed the increasing importance of the Code due to the fact that more than 60 countries today possess missile technology. So far the 137 states have joined the Code and one of the main problems for the Code now is the difficulty for it to reach universalisation.

Mr. Smith explained that this is due to mainly three issues:

1. Problems with the Code's drafting procedure, which was not very inclusive or clear, as it was mainly negotiated within the Missile Technology Control Regime (MTCR), with a very limited membership.
2. The Code only concerns ballistic missiles. Cruise missiles are not included, which excludes a big part of today's global missile proliferation problems.
3. The issue of dual use technologies, in that today conversational payloads are being used widely, including both in Syria and Ukraine, however the Code only deals with WMD payloads.

Mr. Smith stated that his personal view, in order to reach universalisation, the Code would need to be re-negotiated or re-written as one of the main problems is that it only concerns ballistic missiles. The Code might have to be re-opened to include cruise missiles, short-range missiles, and drones, conventional vs. non-conventional use, and finally dealing with the issue of missile behaviour instead of only delivery systems. •

## EVENT: IAEA SIDE EVENT ON NUCLEAR SAFEGUARDS

Mia Ganderberger | *Reaching Critical Will of WILPF*

On Friday the International Atomic Energy Agency held a briefing on the current status of IAEA safeguards and the developments since the last NPT Review Conference in 2010. Mr. Eric Jean-Paul Pujol, Adviser to the Deputy Director General Head of the Department of Safeguards of the IAEA, gave a detailed presentation outlining developments.

Currently the IAEA has 164 member states, employs 2560 professionals, and operates on a €342 million regular budget with €68 million extra budgetary contributions. The Department of Safeguards operates on €131 million regular budget with €33 million extra budgetary contributions. 800 staff are employed, who spent 13000 days in the field.

The IAEA has 172 Comprehensive Safeguards Agreements with NPT non-nuclear-armed states in force, five voluntary offer agreements with NPT nuclear-armed states, and three item specific safeguard agreements with non-NPT nuclear-armed states. Of 18 states with-

out a CSA in place in 2010, six (Andorra, Republic of the Congo, Montenegro, Mozambique, Togo, and Vanuatu) have concluded CSAs with the IAEA. Currently, 125 states have an additional protocol in force.

With regard to the development of the safeguards under the state-level approach, the IAEA remains in consultations with states and regional groupings. However, as the Director General assured in August 2014, it will not lead to additional rights or obligations for member states or the IAEA.

Mr. Pujol stressed that while the demand for IAEA safeguards is increasing, the resources to effectively implement this work are not rising accordingly. Therefore, in order to enhance the productiveness, optimise the safeguards process, and continue to help states improve the effectiveness of their systems for accounting for and controlling nuclear material and cooperation, the IAEA is dependent on member states' political, technical, and financial support. •



## EVENT: ETHICS AND THE POLITICS OF NUCLEAR WEAPONS

Magnus Løvold | *International Law and Policy Institute*

The event organised by the United Nations Institute for Disarmament Research (UNIDIR) and the International Law and Policy Institute (ILPI) took place on Friday last week, while states parties to the NPT were waiting impatiently for the draft reports of Main Committee I and Subsidiary Body 1. Unfortunately the political maneuvering and tactical considerations dominating NPT meetings usually leave little space for philosophical perspectives and questions about what we ought to—in contrast with what we can—do.

Yet, the NPT is an international treaty and international law reflects ethical values—or at least that's what most of us would like to think, as pointed out by Gro Nystuen, Partner at International Law and Policy Institute (ILPI). Since the St. Petersburg declaration of 1868 outlawed the use of a particular type of exploding ammunition of less than 400 grams of weight, ethical and humanitarian considerations have continued to be translated into international law regulating the means and methods of warfare.

In contrast with the Chemical Weapons Convention and the Biological Weapons Convention, which both contain specific and explicit prohibitions on chemical weapons and biological weapons, respectively, the NPT does not clearly outlaw nuclear weapons. If there is a connection between our ethical values and international law, what does the absence of an outright prohibition on nuclear weapons say about our ethical assessment of these weapons?

Quite a lot, according to Nobuo Hayashi, Senior Legal Advisor at ILPI. 70 years after the world witnessed the humanitarian catastrophes created by the nuclear attacks against Hiroshima and Nagasaki, the nuclear-armed states continue to hold, and sometimes explicitly argue, that nuclear weapons are good for something. Nuclear weapons ended the Second World War, we hear, and has provided security and international stability ever since. These fundamentally un-verifiable consequentialist assertions, Hayashi argued, are based on a consideration not first and foremost of the harm caused by nuclear weapons, but of whether the harm is worth it, in one way or another.

The fact that nuclear weapons inflict unspeakable inhumanity, therefore, is the very reason for which they are deemed so valuable. It is precisely because of the harm nuclear weapons cause is so unacceptably high that these weapons can be perceived by some as “useful” as deterrents in the first place. But asking whether the harm caused by nuclear weapons is worth it is not in itself a morally neutral question. As Hayashi sees it,

this question rests on flimsy meta-ethical grounds, and should be reframed to: Should it matter whether nuclear weapons might be good for something?

From Hayashi's deontological perspective, it is possible to compare the use of nuclear weapons with committing torture and conclude that it ought not matter whether nuclear weapons might be good for something or not. We categorically reject torture, even when torturing one suspected ticking bomber might save thousands of innocent lives. Using nuclear weapons, Hayashi argued, can be considered analogous, and should be categorically rejected in the same manner.

But why should states parties at the 2015 Review Conference care about these considerations? According to Ray Acheson, Director of Reaching Critical Will, a consequentialist perspective of nuclear weapons not only devalues the perspectives and experiences of victims and survivors of nuclear weapon detonations. It also makes the goal of nuclear disarmament seem impossible. From this perspective, the significance of the humanitarian initiative and the three conferences on the humanitarian impact of nuclear weapons lies not only in the value of understanding the effects of nuclear weapons. By asking what these weapons are, and not what they could potentially do, states and civil society are effectively challenging the consequentialist underpinnings of the dominant, security-based, discourse.

The fundamental rejection of the traditional security-based discourse implied in the humanitarian impacts initiative goes a long way toward explaining the fierce resistance put up by some of the nuclear-armed states to this initiative, Ms. Acheson said, and proposals to “balance” humanitarian and security considerations at the 2015 Review Conference. These states see, perhaps even more clearly than many proponents of the humanitarian impacts initiative, that fundamental ethical questions about how we ought to think about nuclear weapons inevitably puts the nuclear weapons possessor on their back foot.

However important in itself, questioning the consequentialist underpinnings of the security-based nuclear weapons and highlighting the evidence demonstrating the humanitarian impact of nuclear weapons, will only take us so far. At the end of the day, as pointed out by John Borrie, Senior Researcher at United Nations Institute for Disarmament Research (UNIDIR), only collective political action, at the 2015 Review Conference and elsewhere will take us to the point where nuclear weapons are seen as an unacceptable means of warfare. •





## CALENDAR OF EVENTS

When	What	Where	Who
8:30-8:50	NGO Caucus	Conference Room C Conference Building	
9:00-9:50	Government briefing for NGOs: NPDI	Conference Room C Conference Building	Reaching Critical Will
10:00-13:00	Subsidiary Body I	Trusteeship	
10:00-13:00	Subsidiary Body III	ECOSOC	
10:00-13:00	Simulating negotiations on a Nuclear Weapons Conven- tion	Conference Room C Conference Building	INESAP
13:15-14:30	New Military Doctrine of the Russian Federation - Briefing	Trusteeship	Russian Federation
13:15-14:30	Arms Control Verification: 15 years of US/UK Co-operation	ECOSOC	United States and United Kingdom
13:15-14:30	Nuclear Weapons Under International Law - Book Launch Event	Conference Room 7	United Kingdom
15:00 -18:00	Main Committee I	Trusteeship	
15:00 -18:00	Main Committee II	ECOSOC	
15:00-18:00	Simulating negotiations on a Nuclear Weapons Conven- tion	Conference Room C Conference Building	INESAP
18:30-20:00	Civil society honours Angela Kane	United Nations Church Center Boss Room, 8th Floor	Lawyers Committee on Nu- clear Policy



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