



OEWG REPORT

Civil society perspectives on the
open-ended working group 2016



Reaching Critical Will

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The OEWG Report is produced by the Reaching Critical Will programme of the Women's International League for Peace and Freedom (WILPF), produced daily during the OEWG meetings.

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EDITORIAL: OEWG RECOMMENDS GENERAL ASSEMBLY BAN NUCLEAR WEAPONS IN 2017

Ray Acheson | *Reaching Critical Will of WILPF*

The final day of the open-ended working group on nuclear disarmament (OEWG) was a picture of diplomatic theatre. At the last moment the Australian delegation tried to upset the process by demanding a vote on what all other delegations believed was an agreed text. This did not prevent the adoption of a clear recommendation, supported by at least 107 states, for the commencement of negotiations in 2017 on a legally-binding instrument to ban nuclear weapons, leading to their elimination. In fact, this recommendation was even strengthened by oral amendment due to Australia's move. This is a historic moment, the "most significant contribution to nuclear disarmament in two decades," as Mexico said during its closing remarks.

The development of this text was not easy. Negotiations over the outcome document were held in increasingly smaller groups, closed to civil society. They continued late into the night on Thursday and replaced the scheduled plenary meeting on Friday morning. When consultations finished, the final report was somewhat weaker than earlier drafts, particularly around how the level of support for 2017 negotiations is reflected—replacing "majority support" with "widespread support". A minority of countries successfully demanded that a factual report not reflect reality.

But Australia's insistence on a vote opened this up to change. The demand prompted Guatemala to propose an amendment strengthening the recommendation to make it clear that the OEWG unequivocally recommended negotiations on a ban treaty in 2017. This amendment was adopted by majority vote, as was the report as a whole.

This is an impressive achievement for every state that genuinely supports nuclear disarmament. All African, Latin American, Caribbean, Southeast Asian, and Pacific states, together with several in Europe, have united behind a proposal for the UN General Assembly to convene a conference next year to prohibit nuclear weapons, leading to their elimination.

Of course, those countries that believe nuclear weapons provide them with security continue to reject the push to prohibit them, as this will have significant implications for their current policies and practices. The report notes that "other states" did not agree with the recommendation for a prohibition treaty and instead recommended that any process on nuclear disarmament "must address national, international and collective security concerns and supported the pursuit of practical steps consisting of parallel and simultaneous effective legal and non-legal measures to take forward multilateral nuclear disarmament negotiations." These "other states" did not make a recommendation on any particular process, other than staying the same course that we have been unable to advance for the past two decades.

The lack of specific recommendations for action is not the only problem with this framing. It also puts the prohibition treaty in opposition to security concerns and in opposition to what is "practical", and even seems to suggest that it excludes the possibility of other activities. Each of these assertions is false, and has been relatedly challenged by those supporting the development of a prohibition treaty. A ban treaty is about security—the security of everyone to be free from the threat of massive nuclear violence. A ban treaty is practical—it is the most practical initiative that can be undertaken in an environment in which the nuclear-armed states refuse to participate in multilateral nuclear disarmament discussions, are investing billions to extend the lives of their arsenals into the indefinite future, and in which their non-armed allies lobby them not to even change their security doctrines to bring them in line with their commitments and obligations.

None of this, however, takes away from the historic importance of this outcome. In the grand scheme of things, the replacement of "majority support" with "widespread support" is not very significant. The truth is in the numbers. Of those participating in the OEWG, at least 107 states support negotiations; 24 do not. This truth is also clear in the narrative portion

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Editorial, continued

of the report, which retains the reference to majority support. The narrative also expands upon the recommendation that explains the importance of the prohibition treaty to elimination and describes the process of establishing prohibitions, obligations, and political commitment to a nuclear weapon free world.

This is what most states have agreed, indicating their intention to take specific, concrete action at this year's General Assembly. This, thanks to the amendment adopted, is what the OEWG has officially recommended to the General Assembly.

Looking ahead, the importance of the principles of a process that is open to all, blockable by none, and inclusive of civil society remain crucial. The OEWG process in August did not reflect the practice of inclusivity reflected in the February or May meetings. When states are considering the mandate for a resolution to establish the ban treaty negotiating process this October, it's imperative that they use the model of the earlier meetings to ensure that civil society and international organisations are part of the process, and that all delegations regardless of size can participate effectively.

In the meantime, we should recognise the importance of where we are now. For 71 years the majority of countries have experienced the injustice and insecurity that nuclear weapons represent. Together with civil society from around the world, they have demanded nuclear disarmament only to be frustrated by deadlock and hypocrisy. They have worked with nuclear-armed states and others that believe in the "value" of these weapons to reach agreements and establish commitments and processes that should lead to disarmament, only to see repeated failures to implement obligations and even steps backwards, made through increased investments in the modernisation of nuclear weapons.

The scene looks different now. The collective opposition to the current state of affairs has found a united voice and a pathway to action. The battle is far from over—we anticipate that some states will continue to try to thwart progress at this year's First Committee, and that achieving the elimination of nuclear weapons will take more than a prohibition treaty on its own. But we are as close as we have ever been to launching a concerted, credible challenge to nuclear weapons and we have the momentum and the moral authority to succeed. •

FEATURE: SWEDEN, THE FEMINIST VOICE?

Clara Levin | IPPNW Sweden

Since 2014, the Swedish government has had a feminist foreign policy. This might sound vague, but actually it's not. It is past time for a foreign policy based on feminism and it comes with a paradigm shift that was sorely needed.

One of the foundations of a feminist foreign policy is a change in how you look at security, towards focusing more on human security instead of national security. We can compare it to how we now look at nuclear disarmament through the lens of humanitarian consequences instead of the technical aspects, such as delivery systems etc., which are far removed from what the weapons actually do. It's a different focus to make progress.

With a feminist foreign policy comes unspoken commitments, and it comes with expectations of making change. It's about a different way to see the world, with different priorities and with a different analysis. In this case, with nuclear disarmament, it means to stand up for human rights, for human security, and to work for the elimination of nuclear weapons on the basis of their catastrophic humanitarian consequences. This also means that you have to separate yourself from the ones who oppose progress and the humanitarian initiative.

To take a stand for a ban, or for ways forward whatever they are, is something that goes hand in hand with the Swedish foreign policy and with Foreign Minister Wallström's own ideals. The Swedish government still has the opportunity to be part of the process ahead, but it has to eventually make up its mind and take a stand on the right side of history. To remain in the grey zone is not going to work forever.

When I came to Geneva for this third and final session of the open-ended working group, I was excited. I was excited about the process and the result, and I was excited to hear about the Swedish position since FM Wallström published an article last week saying that "Sweden is a strong voice for disarmament". Who wouldn't get their expectations up when you read that? But it's time to actually turn that claim into reality and to follow the principles she sign up to when she outlined the feminist foreign policy. Sadly, the Sweden I encountered in the room did not live up to these expectations. Hopefully in October we will see a Sweden that reflects the principles of our feminist foreign policy. •



FEATURE: WORDS AND DEEDS; ASSESSING PROGRESSIVE PERFORMANCE ON TRANSPARENCY

Susi Snyder | PAX

“In our view transparency is indeed a key element in dealing with risks associated with existing nuclear weapons and the best policy to reassure the public.”

- Germany, OEWG, 3 May 2016

“Transparency thus is essential to support disarmament and arms control agreements in general. Reporting is essential to enhance transparency. While it is crucial that nuclear weapon states provide transparency through reporting, non-nuclear weapon states also have obligations in this field.”

- Norway, OEWG, 3 May 2016

Transparency is a great way to reduce the risks associated with nuclear weapons. The idea of increasing nuclear-armed state transparency has been included and agreed for decades in dozens of documents. Now, the open-ended working group (OEWG) has suggested that transparency is the responsibility of more than only those states with nuclear weapons.

The final report of the OEWG includes a few ideas about transparency, and taking key issues forward. It also, for the first time, singles out the countries that use other's nuclear weapons in their security strategies. It says:

States that maintain a role for nuclear weapons in their military and security concepts, doctrines and policies should be encouraged to also provide standardized information at regular intervals on, inter alia, the following:

(a) The number, type (strategic or non-strategic) and status (deployed or non-deployed, and the alert status) of nuclear warheads within their territories;

(b) The number and the type of delivery vehicles within their territories;

(c) The measures taken to reduce the role and significance of nuclear weapons in military and security concepts, doctrines and policies.

Many of these nuclear umbrella countries call for transparency—of the nuclear-armed states. They don't talk publicly about their own role in keeping nuclear weapons around, especially not at the UN. Instead, countries like Germany or the Netherlands or Belgium talk about their ambitions for a world without nuclear weapons while at the same time continuing preparations to use them as part of NATO.

There are five countries that host US nuclear weapons (Belgium, Italy, Germany, the Netherlands and Turkey). They all call for the nuclear-armed to provide more information about their arsenals, but never provide any information themselves. All of them maintain policies that neither confirm nor deny the presence of nuclear weapons in their territory. (With the exception of Germany, which mentioned the nuclear weapons stationed at the Buchel base in their 2009 government coalition agreement).

It is great that this language appears in the report part of the document, and useful to encourage this type of reporting. The parliaments in many of these countries have been calling for this type of information for decades. Everyone already knows these countries are not only ready for NATO to use nuclear weapons on their behalf, but prepare their own military to drop the bombs.

National resolutions get passed, and demands for information are met with silence. That silence is part of the problem, part of what enables nuclear-armed countries to maintain and modernise their arsenals, their policies, and their threats of massive nuclear violence.

Now, those calling for an end to nuclear weapons also demand that this group of states take responsibility for their own actions, and, at the very least, be honest about them. •



NEWS IN BRIEF*Jessica Lawson | 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 in the plenary discussions. Today's brief covers general remarks on the revised draft A/AC.286/CRP.3 and the vote and adoption of the final report.

The chair opened by commenting on the spirit of cooperation and openness that has prevailed throughout the year for the OEWG process. Ambassador Thani expressed his sincere appreciation to colleagues who have worked hard to bridge the gap between the groups in this session.

General remarks on revised draft A/AC.286/CRP.3

- Mexico, Fiji, Algeria, Zimbabwe, Seychelles, Dominican Republic on behalf of CELAC, Ecuador, Palau, Chile, Australia, Jamaica, Nicaragua, Samoa, Guatemala, Cuba, Iran, and South Africa took the floor.
- Mexico, Fiji, Algeria, Seychelles, Dominican Republic or behalf of CELAC, Ecuador, Palau, Chile, Jamaica, Nicaragua, Samoa, Iran, and South Africa expressed support for the adoption of the draft report, despite the fact that it is not perfect. A number of these states expressed support for the document in the spirit of compromise; making concessions in the interest of agreeing on a report.
- Australia, on behalf of 14 states—Poland, Bulgaria, Albania, Hungary, Italy, Belgium, Slovenia, Romania, Latvia, Estonia, Turkey, ROK, and Lithuania—stated that the final draft does not pass the fundamental test of achieving consensus. The most controversial proposal for these states was the mention of widespread support for convening a negotiating conference in 2017 in paragraph 67. Despite the qualifying language, this group of states could not support the text because they believe that the report supports the prohibition treaty.
- The Chair moved to chapter IV – Adoption of the report – and asked if any state wished to take the floor before the text is adopted.
- Australia in its national capacity indicated it could not support the text as written.
- The Chair said it would note Australia's disassociation from the report.
- Australia took the floor to say "with deep regret" a note of disassociation would not be sufficient and that a vote on the text as a whole would be the best solution.
- Mexico sought clarification that Australia was formally requesting a vote.
- Australia's answer was yes.
- Guatemala proposed an amendment to paragraph 67 of the text, in light of Australia's request for a vote.
- Cuba, Iran, and South Africa took the floor to express concern and lament the fact that there was a request for a vote.
- The Chair suspended the meeting for half an hour to resume at 6pm for the vote.

Voting

- At 6pm Guatemala proposed the amendments to paragraph 67, replacing "recognise that there was a recommendation" with "recommends" and in the second sentence, deleting the word "also".
- A vote was first taken on the proposed oral amendments. The amendments were adopted with 62 voting yes, 27 voting no, and 8 abstaining.
- On the whole report as orally amended, the report was adopted as revised with 68 voting yes, 22 voting no, and 13 abstaining.
- States were then invited to take the floor for explanations of their votes.
- Iran, Nicaragua, Switzerland, Sweden, and Kazakhstan abstained over issues of procedure. These states expressed concern that the report was not adopted by consensus.
- New Zealand did not participate in the vote because the delegation was not able to get instructions from the Minister.
- ROK, Canada, Finland, Germany, and Netherlands voted against the document because it does not support the views of the progressive approach.
- Many states took the floor to thank the Chair and his team for the skill, patience, and hard work they have done over the year.
- Mexico noted that this is the most significant contribution to nuclear disarmament in two decades.
- Ambassador Thani said that we have achieved an historic outcome today and that we are a step closer to achieving and maintaining a world without nuclear weapons. It is now up to the UNGA to take this forward. •

