

Starting Work on a Global Ban on Nuclear Weapons

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Affairs & Trade**

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Mr. Chairman,

I want to pay tribute to Ireland, its government leaders and officials, for continued leadership in the long struggle to rid the world of nuclear weapons. Ireland was one of the fathers of the Non-Proliferation Treaty, and its strong commitment to nuclear disarmament led to the formation of the New Agenda Coalition. I am grateful for the opportunity to appear before the Joint Committee on Foreign Affairs & Trade.

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A recent global speaking tour showed me that the world is moving into a new stage in the long quest to eliminate nuclear weapons. The new global inter-connections of communication, finance, trade, political, cultural and ecological systems are leading to an erosion of the rationale for nuclear deterrence. Chronic deficits and other economic realities that make nuclear weapons unaffordable and a growing awareness of the proliferation risks of

the status quo are combining to create a political climate conducive to new action for nuclear weapons abolition.

The nuclear weapons abolition mountain is high indeed and not easily scaled. But a historic shift in attitudes is underway. That shift is quickened by the recognition that the processes of globalization, which are elevating the standard of living for millions upon millions of people, should not be jeopardized by the squandering of billions of dollars on a weapon that has no operational utility.

UN Secretary-General Ban Ki-moon and US President Barack Obama have tried to lead the way to a nuclear weapons free world. But many major States are tepid in following, seeming fearful of the bold action required to actually free the world of nuclear weapons. Hoping that small steps will suffice in warding off nuclear disaster, they are resisting the call of history to finally put an end to the weapons that challenge all civilization.

To the good, the international community has expressed its deep concern at the “catastrophic humanitarian consequences” of any use of nuclear weapons and reaffirmed that all states must comply with international humanitarian law. Also, the 2010 Review Conference of the Non-Proliferation Treaty put on the world agenda consideration of negotiations on a Nuclear Weapons Convention or framework of reinforcing instruments. For the first time, the concept of a global legal ban on all nuclear weapons has been validated.

But this advance is held back by the modernization programs of the nuclear weapons states, which retain their military doctrine of nuclear deterrence as a means of exerting power. Some reductions, yes; elimination, no, or at least, not yet. The nuclear powers claim that as long as nuclear

weapons exist, they must maintain their arsenals. In the convoluted logic that drove the nuclear arms race during the Cold War, safety from nuclear weapons still depends on their deployment. Zero nuclear weapons is considered but a dream. The powerful defenders of nuclear weapons act as if not possessing nuclear weapons would be an unbearable deprivation. This continued obstinacy has created a new crisis for humanity because failure to seize this moment to start comprehensive negotiations will lead to the further spread, and possible use, of nuclear weapons. Iran is a case in point: diplomatic not military action is required to resolve the crisis of Iran acquiring a nuclear weapon capability.

Both the opportunity and the crisis point to an inescapable fact of life in the 21st century: a two-class world in which the powerful aggrandize unto themselves nuclear weapons while proscribing their acquisition by other states is not sustainable. We face the danger of the proliferation of nuclear weapons because the powerful nuclear states have not used their authority to build a world law outlawing all nuclear weapons.

Yet there is hope that a way can be found to move forward together. The 2010 consensus NPT Final Document stated: “The conference calls on all nuclear weapons states to undertake concrete disarmament efforts and affirms that all states need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons.” All states – the strong and weak, the rich and poor – stand on common ground: the global need to reduce nuclear dangers by making it unlawful for anyone to use, deploy, produce, or proliferate nuclear weapons.

Support for starting work now is widespread. More than three-quarters of the countries of the world have voted for a United Nations resolution calling for the commencement of negotiations leading to the

conclusion of a Nuclear Weapons Convention. Support comes from across the geo-political spectrum, including from Asia, Africa, the Middle East, Latin America, and parts of Europe, and includes support from some of the countries possessing nuclear weapons, including China, India, Pakistan and North Korea. In fact, the International Campaign to Abolish Nuclear Weapons has noted that nations that support a ban make up 81 percent of the world's population. More support is coming from such important groups as the Inter-Action Council – 20 former Heads of State from key countries, including the United States, Canada, Norway, Germany, Japan and Mexico; and the December 2011 Summit of Leaders of Latin American and Caribbean States.

Despite this growing support for a treaty, many major states are still unwilling to enter such negotiations. To overcome this obstacle, a practicable action would be a core group of countries starting an informal process to start building the framework for a nuclear weapons free world. This could include preparatory work on some of the elements of a framework, such as verification, national prohibition, exploring what would be required to ensure compliance with a global ban, advancing alternative security frameworks to nuclear deterrence, and further refining the Model Nuclear Weapons Convention to make it into a realistic working draft for actual negotiations. Such work would pave the way for eventual formal negotiations. This could be complemented by actions by like-minded States to build political momentum for such negotiations through advocacy at the highest level, i.e. Head of State, or through establishing a full-scale international diplomatic conference as called for by numerous commissions.

The crucial point is to start preparatory work before the present window

of opportunity closes. This is the approach taken by the Middle Powers Initiative, which proposes that like-minded states start preparatory work now, laying the groundwork for formal negotiations or at least for the UN Secretary-General to convene a diplomatic conference to start the process.

The Middle Powers Initiative, a consortium of eight international organizations specializing in nuclear disarmament issues, has considerable experience in convening states to work together for nuclear disarmament. Over several years, MPI convened six meetings (New York, the Hague, Ottawa, Vienna, Dublin and Geneva) of the Article VI Forum, attended by the representatives of a total of 30 States. The 2008 meeting in Dublin was supported by the Government of Ireland.

The Article VI Forum identified nine priorities, which led to recommendations for the 2010 Review Conference of the Non-Proliferation Treaty on these subjects:

- preparatory work for negotiations on a convention or framework of instruments;
- transparency through a UN-based, comprehensive accounting system covering size of nuclear arsenals, and spending on nuclear forces;
- negotiation of a Fissile Materials Cut-off Treaty;
- bringing a Comprehensive Test Ban Treaty into force;
- phasing out the role of nuclear weapons in security doctrines;
- verified reduction of nuclear forces;
- Middle East: hold a UN-sponsored conference on a zone free from nuclear weapons and other weapons of mass destruction;
- regulation of nuclear fuel production and supply, and support

for meeting energy needs through safe, renewable energy sources;

- improved NPT governance.

These steps, even if implemented, are themselves not sufficient to achieve a nuclear weapons free world. They need to be linked into a framework to provide a comprehensive approach to achieving a nuclear weapons free world. Incrementalism is not leading the world to the elimination of nuclear weapons. A framework approach would address the doctrine that underlies the ongoing retention of nuclear weapons.

Thus MPI will launch on May 1, 2012 in Vienna a new series of inter-governmental meetings called the Framework Forum. The objective of the Framework Forum will be to provide an ongoing, informal setting where the legal, technical, political, and institutional requisites for a nuclear weapons free world can be identified to build political momentum towards the commencement of formal negotiations for a legal ban on nuclear weapons.

Accordingly, MPI intends devote its efforts leading up to the 2015 NPT Review Conference to convening meetings of interested States to work on building the framework for a nuclear weapons-free world, including preparations for negotiation of a convention or framework of instruments for the global elimination of nuclear weapons. Through such diplomatic meetings, MPI hopes to “normalize” the process of preparing for negotiations for a Nuclear Weapons Convention.

Substantive work awaits. Preparatory tasks include exploration, mapping, development, implementation and security building. Key areas also include verification of warheads and delivery vehicles, dealing with

dual use materials, including fissile materials, security without nuclear deterrence, compliance/enforcement, how to link the institutions (CTBTO, IAEA, additional agencies...), phasing of reductions, whether legal obligations should be phased in, individual responsibility (criminal measures), national implementation measures, universality and entry-into-force. MPI wants to ascertain in which areas there are possibilities for action and implementation even prior to the start of multilateral negotiations and also to encourage governments to indicate which steps they are already taking.

The agenda is challenging and will require consultations with key constituencies, including parliamentarians, think tanks and civil society experts. The May 1 launch will be co-hosted by the Austrian Federal Ministry for European and International Affairs. The keynote speaker will be Ambassador Libran Cabactulan, President of the 2010 NPT Review Conference. MPI will provide Briefing Papers for the first and subsequent meetings. The second Framework Forum is planned for early 2013 in Berlin.

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MPI is inspired by the support given to nuclear disarmament by the Hon. Michael D. Higgins, the new President of Ireland, who said in 2010: “The aspiration for a nuclear-weapons-free world contained in the NPT needs to be translated into reality with the emergence of a Nuclear Weapons Convention.” Having voted at the UN for such negotiations to start, Ireland, with its long record of involvement in nuclear disarmament issues, is excellently placed to give leadership to the new, active work to lay the

groundwork for a global ban on nuclear weapons. From its pivotal position in Europe, Ireland can help lead the way to a safer world.

Ireland can help the new Framework Forum send a message to the world:

We must refuse to wait until a nuclear weapons attack obliterates a city before starting negotiations for the elimination of nuclear weapons.

We must refuse to wait until a nuclear explosion causes international panic through the killing of millions and the shutdown of food, water, medical and transportation systems.

We must refuse to wait until cooperative world politics breaks down completely under the weight of nuclear weapons hegemony.

A clearly defined goal must be set – and that is what a Nuclear Weapons Convention does. It is urgent to move beyond “eventual” nuclear disarmament and give the world a precise plan for the construction of a legal ban on all nuclear weapons.