

**Statement on behalf of the Group of Non-Governmental Experts from Countries
Belonging to the New Agenda Coalition (NAC-NGO Group)¹**

**Delivered to the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation
of Nuclear Weapons (NPT), 27 April to 22 May 2015, UN Headquarters, New York.**

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Introduction:

The Group of non-governmental experts from the New Agenda Coalition (NAC) countries was established in 2007 in order to support the efforts of the NAC and to offer input for the promotion of nuclear disarmament and non-proliferation with a particular focus on the Treaty on the Non-Proliferation of Nuclear Weapons' (NPT) Review cycles. The NAC-NGO group collaborate inter-sessionally and has on a number of occasions – particularly during the period leading up to the 2010 Review Conference and this current Review Process – outlined its common views and have made recommendations for enhancing and strengthening the global disarmament and non-proliferation regime.

The NAC-NGO Group continues to strongly believe in the importance of the NPT and its three pillars. We recognise that at present the NPT represents the only binding commitment in a multilateral treaty to the goal of disarmament. We also, unfortunately, recognise that Nuclear Weapon States Parties have failed to make significant progress towards achieving this particular objective. The obligation to pursue in “good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control” has not yet been achieved.

As citizens of countries that are committed to not develop nuclear weapons in exchange for existing nuclear weapons states agreeing to eliminate their own stocks of nuclear weapons – the bargain we struck 45 years ago – we call on these latter States to honour their unequivocal undertaking to disarm under article VI of the NPT. At the same time, we would be remiss to remind all States Parties present here that Article VI of the NPT stipulates that “each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control”. It is thus the responsibility of all NPT States Parties and not just those that continue to maintain their stockpiles and who continue to improve their explosive power.

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The current discourse on the catastrophic humanitarian impact of nuclear detonations, whether by design, intent or accident as reflected in the outcomes of the Oslo, Nayarit and Vienna conferences, has once again highlighted the vital importance to prohibit nuclear weapons, achieve complete nuclear disarmament, prevent proliferation, and ensure that nuclear technology is only used for peaceful purposes. This reinforces the International Court of Justice Advisory Opinion of July 1996 which concluded that the threat or use of nuclear weapons would generally violate international humanitarian law and that there is an unconditional obligation to achieve complete nuclear disarmament.

If the NPT is unable to deliver *all* of its objectives, and not just two of its pillars however important they are, then the sad truth is that another forum or regime needs to be established – a forum and regime that will place the humanitarian impact of nuclear weapons detonations and the security imperative for nuclear abolition, at the core of all its deliberations.

This NPT Review Conference occurs on the 70th anniversary of the war-time use of nuclear weapons against Hiroshima and Nagasaki, and 20 years since the NPT was indefinitely extended to allow more time for states to implement their commitment to the ‘cessation of the nuclear arms race at an early date’ and ‘to nuclear disarmament.’ However, indefinite extension of the NPT is not a licence for the nuclear weapon States to continue their nuclear doctrines indefinitely. Indeed, the case lodged by the Marshall Islands in the International Court of Justice against the nuclear weapon States calls correctly for time-bound implementation of the disarmament obligation.

Proposals in a variety of multi-lateral fora, along with statements/resolutions by inter-parliamentary organisations, religious leaders & interfaith organisations, humanitarian organisations including the International Committee of the Red Cross (ICRC), city mayors and many civil society organisations, elevate the political imperative for countries with nuclear weapons to read the signs of the times and respond to them by agreeing to a process for the complete prohibition and elimination of nuclear weapons.

Such multilateral fora include the UN open-ended working group to “develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons”; the High-Level Meeting of the UN General Assembly on Nuclear Disarmament on 26 September 2013 which concluded with an overwhelming majority of countries condemning the continued existence of nuclear weapons and expressing support for a comprehensive convention on nuclear weapons that would “remove the scourge of these weapons of terror once and for all”; the joint statements on the humanitarian impact of nuclear weapons delivered by more than 150 governments to the United Nations General Assembly’s First Committee on Peace and International Security; as well as the 2014 General Assembly which adopted resolution 69/37 urging this forum to explore options for the elaboration of effective measures as envisaged and required by Article VI of the NPT.

As stated by Pope Francis, in his message to the December Vienna Conference on the Humanitarian Impact of Nuclear Weapons, ‘If it is unthinkable to imagine a world where nuclear weapons are available to all, it is reasonable to imagine a world where nobody has them’, or as the UK’s Church of England Bishops have stated, ‘shifts in the global strategic realities mean that

the traditional arguments for nuclear deterrence need re-examining [and that] the presence of such destructive capacity pulls against any international sense of shared community’.

NPT States Parties need to be open and transparent about what steps they will take to achieve and maintain a nuclear-weapon-free world. States Parties therefore need to urgently give concrete effect to their unequivocal commitment to eliminate nuclear weapons in light of their unacceptable humanitarian consequences and associated risks and ‘follow the imperative of human security for all and to promote the protection of civilians against risks stemming from nuclear weapons’. Concrete measures with clearly defined benchmarks and timelines are required so as to illustrate that the achievement and maintenance of a world without nuclear weapons is not just an illusion created by the nuclear-weapon States to contain any possible breakouts out of the NPT. Such steps would restore confidence in the NPT and reinforce the global norms towards a more peaceful and secure future for all without the perpetual threat of annihilation.

The Resolution on the Middle East:

The fact that the Helsinki process has not yielded any significant results is not only sad but in many senses unacceptable. Unacceptable because despite arduous negotiations during the 2010 Review Cycle between concerned delegations particularly the Egyptian and US delegations and the appointment of a facilitator from Finland by the UN Secretary General, the holding of a Conference did not happen in 2012, as was agreed, and has still not been held.

The withdrawal from the Second Preparatory Committee for the 2015 Review Conference in April 2013 of the delegation from Egypt is therefore understandable. However, this not only leaves the future of this Review conference at risk, it also once again calls into question the integrity and future of the NPT as a whole. It should be recalled by all that the Middle East Resolution was a primary basis without which the decision on the 1995 indefinite extension of the NPT would have not been adopted – in fact the adoption of a resolution on the establishment of a Middle East WMD free zone was a necessary condition for the decision to indefinitely extend the Treaty. It is understandable, therefore, and of concern that the non-implementation of this resolution and the package of decisions taken in 1995 could lead to some State Parties questioning the validity of the indefinite extension and the credibility of NPT commitments themselves.

We highlight the recent call by the League of Arab States to the UN Secretary General to pursue the efforts to convene this conference with renewed vigour with a view to ensuring its success.

Conclusion:

- i. We share the conviction that the total elimination of nuclear weapons is the only guarantee against the use, or threat of use, of such weapons either by States or non-State actors;
- ii. We support, in particular, the proposals for achieving and implementing a global agreement or package of agreements to prohibit and eliminate nuclear weapons;
- iii. We appreciate and fully support the New Agenda Coalition (NAC) as a champion of nuclear disarmament and therefore commend to all NPT States Parties, nuclear armed states outside of the NPT as well as global civil society, NAC’s working papers to the

2014 NPT Preparatory Committee meeting on nuclear disarmament, humanitarian consequences and the fulfilment of Article VI of the NPT as well as the more recent, March 2015 (NPT/CONF.2015/WP.9), working paper on Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons;

- iv. We call on NPT States parties to agree to commence a diplomatic process, open to all UN member states, to commence deliberations and negotiations on nuclear disarmament, drawing upon the options proposed in the OEWG and to the NPT including those contained in the NAC working papers (NPT /CONF.2015/PC.III/WP.18 and NPT/CONF.2015/WP.9).
- v. We encourage the New Agenda Coalition and other countries engaged in the humanitarian consequences dimension to continue the series of international conferences which have elevated the humanitarian imperative for nuclear abolition, and to focus the next conference on the challenge of Austria to fill the legal gap for nuclear abolition by exploring and developing the legal options to achieve this.