

FOR CAMPAIGNERS

Non-Proliferation Treaty Review Conference 2010

Talking Points on a Nuclear Weapons Convention

April 2010

This paper provides information and talking points to assist campaigners who intend to meet with government officials to discuss the proposal for a Nuclear Weapons Convention.



International Campaign to Abolish Nuclear Weapons

The International Campaign to Abolish Nuclear Weapons (ICAN) is a global movement for the total elimination of nuclear weapons through a legally binding and verifiable Nuclear Weapons Convention. Such a treaty would ban the production, testing, use and possession of nuclear weapons, and establish a timeframe for their elimination. UN Secretary-General Ban Ki-moon has endorsed a model convention prepared by non-government organizations.

ICAN was launched in 2007 as an initiative of the International Physicians for the Prevention of Nuclear War, a global federation of medical professionals. Today more than 200 organizations in 60 countries are part of ICAN, and thousands of individuals have signed our pledge for a nuclear-weapon-free world. We provide a voice to the overwhelming majority of people across the globe who support abolition.

In the coming years, ICAN hopes to generate a groundswell of public opposition to nuclear weapons, in all countries, and to inspire political leaders to negotiate a treaty abolishing these worst weapons of terror, before they are used again. Together we must work for one future, with zero nuclear weapons.

Non-Proliferation Treaty Review Conference 2010

Talking Points on a Nuclear Weapons Convention

1. Background

The Non-Proliferation Treaty (NPT) Review Conference will be held in New York from 3 to 28 May 2010. Previous conferences, held every five years since 1970, have sought to find agreement on a final declaration assessing the implementation of the treaty's provisions and making recommendations on measures to further strengthen it. No agreement could be reached at the last such meeting, in 2005, largely due to obstruction by the United States and France. In 2000, by contrast, the States parties adopted a progressive action-based agenda consisting of 13 practical steps for nuclear disarmament, but little progress has been made over the last decade in implementing these measures.

Preparatory Committee sessions for this year's Review Conference were held in Vienna in 2007, Geneva in 2008 and New York in 2009. An agenda for the Review Conference was agreed on at last year's Preparatory Committee session. This in itself is an improvement on the situation going into the 2005 Review Conference. Delegations at Review Conferences are typically headed by foreign ministers, rather than ambassadors, during the first few days or week. Representatives from almost all of the 189 States parties will attend the meeting. The only UN members that are not parties to the NPT are Israel, India and Pakistan, which all possess nuclear weapons, and North Korea, which is presumed to possess a small arsenal of nuclear weapons.

This paper provides some important background information intended to assist campaigners who wish to discuss the need for a Nuclear Weapons Convention with government officials before and during the NPT Review Conference. It also sets out some general talking points for meetings. It may be necessary to raise more specific topics, especially if the State is a nuclear-weapon State or hosts nuclear weapons on its soil. However, this should provide a useful basis for discussions. The International Campaign to Abolish Nuclear Weapons (ICAN) hopes that this year's NPT Review Conference will be an opportunity to strengthen the political will to begin working towards a Nuclear Weapons Convention. For more information, see the "Useful Documents" section below and the "Nuclear Weapons Convention Briefing Paper".

2. Talking Points

These talking points are intended to provide civil society campaigners with ideas for promoting a Nuclear Weapons Convention in their meetings with diplomats before and during the NPT Review Conference in May.

a. Civil Society Activity for Abolition

The diplomat will likely be interested to hear about the activities of civil society groups in his or her country to promote the abolition of nuclear weapons. The campaigner should consider the most effective ways to show that civil society and the public are broadly engaged with the issues to be raised at the Review Conference.

- What have groups been doing to prepare for the Review Conference?
- What percentage of the public supports nuclear weapons abolition?
- Will groups be holding any events during the Review Conference?

We are aware that civil society organizations in more than 40 countries have been actively lobbying their governments to support a Nuclear Weapons Convention in the lead-up to the Review Conference. Japanese organizations have collected roughly six million petition signatures aimed at building support for a convention, and the members of many disarmament organizations from around the world will take part in a mass demonstration in New York on 2 May 2010, which is also intended to build support for a convention. In dozens of countries, groups will take action on June 5, the weekend after the NPT Review Conference, to call for nuclear weapons to be outlawed and eliminated: www.nuclearabolition.org.

b. Level of Government Participation

Different governments will play different roles at the NPT Review Conference. Some will submit working papers relating to a particular aspect of the treaty, e.g. withdrawal, disarmament or de-alerting. Many such papers have already been uploaded to the conference website: <http://www.un.org/en/conf/npt/2010/>. They may be working as part of an alliance of states, such as the European Union, the Africa Group (the members of the African Union which are present), the Non-Aligned Movement and the New Agenda Coalition (Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden).

- Will the Foreign Minister be attending the Review Conference?
- Will there be an opportunity for regular civil society briefings?
- Will the government be submitting any working papers?

c. Hopes and Expectations

Most governments will go into the conference with some idea about what they would hope to see as an outcome, and the role they would like to play in achieving that. Many will say that they hope to see a “balanced” outcome document which is strong on both non-proliferation and disarmament measures. However, in general, Western governments have tended to push much more strongly for non-proliferation measures. It will be important to press these governments to support concrete and bold disarmament steps. Most will cite their support for the entry into force of the Comprehensive Test Ban Treaty and the negotiation of a fissile materials treaty as proof of their support for disarmament, but these are more accurately described as non-proliferation measures.

- What does the government hope to achieve at the conference?
- What would be a good outcome in the government’s view?
- What new ideas will the government present on the disarmament front?
- How will the government work to improve on the 13 practical steps agreed in 2000?

d. Adopting an Abolition Agenda

While ICAN supports intermediate steps towards a nuclear-weapon-free world, we believe that these must be placed in the context of a broader framework for the complete abolition of nuclear weapons. This year’s NPT Review Conference is an opportunity to generate agreement among States to begin working towards a Nuclear Weapons Convention. Already we are seeing many States arguing along these lines, and the UN Secretary-General has called for a convention as part of his five-point plan on disarmament.

- Does the government support the UN Secretary-General’s five-point plan?
- Will the government be calling for a Nuclear Weapons Convention?
- Will the government be promoting a timeline for abolition?

A number of specific proposals have been made for language in the outcome document relating to a Nuclear Weapons Convention. The Middle Powers Initiative, for example, is suggesting that States “[a]gree to begin collective preparatory work for negotiations on a convention or framework of instruments for the sustainable, verifiable and enforceable global elimination of nuclear weapons”. The Chair of the NPT Preparatory Committee session in 2009 included the following language in his draft recommendations: “Examine, inter alia, ways and means to commence negotiations, in accordance with Article VI, on a convention or framework of agreements to achieve global nuclear disarmament, and to engage non-parties to the treaty.”

3. Useful Documents

- **Nuclear Weapons Convention briefing paper:** This five-page briefing paper explains how a Nuclear Weapons Convention would work, and why more states are beginning to support a comprehensive approach to nuclear disarmament:

<http://www.icanw.org/files/ICAN-NWC-brief.pdf>

- **ICAN Global Update—April 2010:** This four-page full-colour brochure showcases the growing worldwide movement for a Nuclear Weapons Convention. It is available from the ICAN office in New York (777 UN Plaza, 6th Floor, between 44th St and First Ave):

<http://www.icanw.org/files/Update-April.pdf>

- **Model Nuclear Weapons Convention:** The model Nuclear Weapons Convention was drafted by civil society groups and submitted to the United Nations in 2007. It is available from the ICAN website in eight languages:

<http://www.icanw.org/nuclear-weapons-convention>

- **Securing Our Survival:** This book, published in 2007, outlines the case for a Nuclear Weapons Convention and includes the model convention. Only a small number of copies are now available in print. It can be downloaded from the ICAN website:

<http://www.icanw.org/files/sos.pdf>

4. Arranging a Meeting

The contact details of all government missions to the United Nations in New York are available at <http://www.un.int/protocol/bluebook.html>. The names of Permanent Representatives and all diplomatic staff are listed, but it will be necessary to phone the mission to determine who is responsible for disarmament affairs, as this is not included in the online directory. It is a good idea not to rely solely on email as a means of requesting a meeting.

5. Government Positions

The annual UN General Assembly resolution titled “Follow-Up to the ICJ Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons” provides a reasonably accurate indication of the level of State support for a Nuclear Weapons Convention.¹ It calls on States immediately to fulfil their obligation to disarm under Article VI of the NPT by commencing negotiations leading to an early conclusion of a Nuclear Weapons Convention. At the 2009 session of the General Assembly, 124 States voted for the resolution. Most of the States voting against the resolution or abstaining from voting were either nuclear-weapon States or NATO members (see page 11). Some States support a convention in principle but believe it is too early to be calling for negotiations. Thus, States have provided varying levels of support.

a. The Non-Aligned Movement

The proposal for a Nuclear Weapons Convention is supported in principle by all of the States that are part of the Non-Aligned Movement (NAM), which consists of 118 member States (and 17 observer States) that are not formally aligned with any of the major power blocs. Some of these States regularly express support for a convention in multilateral disarmament forums and have prepared working papers on the subject. NAM typically calls for the negotiation of a Nuclear Weapons Convention or a framework of instruments for the elimination of nuclear weapons in its joint statements.² At this year’s Review Conference, ICAN is encouraging more States to reference the need for a conference in their individual statements. Some NAM member States and observers, while supporting the idea in principle, have not yet embraced it strongly.

The following States are members of NAM:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh,³ Barbados, Belarus, Belize, Benin, Bhutan, Bolivia,⁴ Botswana, Burma (Myanmar), Brunei, Burkina Faso, Burundi, Cambodia, Cameroon,⁵ Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Côte d’Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt,⁶ Equatorial Guinea, Eritrea, Ethiopia, Gabon,

¹ Some of the States that vote in favour of the resolution have not yet begun to advocate strongly for a Nuclear Weapons Convention. Conversely, some of the States that vote against the resolution do so for reasons unrelated to their views on the question of a Nuclear Weapons Convention.

² Statement of 14 October 2009: “The Non-Aligned Movement emphasizes the necessity to start negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time, including a nuclear weapons convention ... There should be a prohibition on their development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and provision for their destruction.”

³ The parliament of Bangladesh this year passed a resolution expressing support for a Nuclear Weapons Convention.

⁴ Bolivia has endorsed working papers relating to the ICJ advisory opinion and a Nuclear Weapons Convention.

⁵ Statement of 12 October 2009: “Cameroon also supports the call for the immediate launching of multilateral negotiations with the aim of creating a convention for banning the development, testing, construction, storage, transportation, use or the threat of the use of nuclear arms and for their elimination.”

⁶ Egypt holds the current presidency of NAM.

Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India,⁷ Indonesia, Iran,⁸ Iraq, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia,⁹ Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco,¹⁰ Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, North Korea,¹¹ Oman, Pakistan,¹² Palestine, Panama, Papua New Guinea, Peru, Philippines,¹³ Qatar, Rwanda, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, São Tomé and Príncipe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syria, Tanzania, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen,¹⁴ Zambia, Zimbabwe.¹⁵

The following States have observer status:

Armenia, Azerbaijan, Bosnia and Herzegovina, Brazil, Costa Rica,¹⁶ Croatia, El Salvador, Kazakhstan, Kyrgyzstan, Mexico, Montenegro, Paraguay, People's Republic of China,¹⁷ Serbia, Tajikistan, Ukraine, Uruguay.

b. The Nuclear-Weapon States

Five States are recognized under the NPT as nuclear-weapon States: the United States, Russia, France, the United Kingdom and China. Of these States, only China has expressed support for a Nuclear Weapons Convention; however, it sees the convention as part of a “long-term plan”. Ambassador Wang Qun of China said in October 2009: “The international community should develop, at an appropriate time, a viable, long-term plan composed of phased actions, including

⁷ India is not a party to the NPT. Government statement of 6 October 2009: “I reiterate India’s proposal for a nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons and providing for their complete elimination within a specified time frame.”

⁸ Statement of 15 October 2010: “We continue to believe in the need for negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including a nuclear weapons convention.”

⁹ Malaysia, along with Costa Rica, submitted the Model Nuclear Weapons Convention to the UN in 2007.

¹⁰ Statement of 30 March 2010: “Le Maroc en appelle au respect de l’article VI du TNP et invite les Etats à sérieusement, réfléchir, sur les mérites de la conclusion d’une Convention Internationale pour l’élimination totale des Armes Nucléaires et à cette fin, la création immédiate, au niveau de la CD d’un organe subsidiaire sur le désarmement nucléaire.”

¹¹ North Korea withdrew from the NPT in 2003.

¹² Pakistan is not a party to the NPT.

¹³ Ambassador Libran Cabactulan of the Philippines will chair the NPT Review Conference. Government statement of 29 March 2010: “The Philippines supports calls for an international conference that will set the parameters for the elimination of nuclear weapons and prohibit their production, stockpiling, transfer, use or threat of use, and provide for the destruction of such weapons. It gives much importance to having a specified time frame for the destruction of such weapons and the negotiation of a Nuclear Weapons Convention.”

¹⁴ Yemen has endorsed working papers relating to the ICJ advisory opinion and Nuclear Weapons Convention.

¹⁵ Ambassador Boniface Chidyausiku of Zimbabwe chaired the third Preparatory Committee session, in 2009.

¹⁶ Costa Rica, along with Malaysia, submitted the Model Nuclear Weapons Convention to the UN in 2007.

¹⁷ Government statement of 6 October 2009: “The international community should develop, at an appropriate time, a viable, long-term plan composed of phased actions, including the conclusion of a convention on the complete prohibition of nuclear weapons, so as to attain the ultimate goal of complete and thorough nuclear disarmament under effective international supervision.”

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The British position has been set out a number of times over the last two years, including in a policy information document published in 2009 by the Foreign and Commonwealth Office titled *Lifting the Nuclear Shadow*: “... most of the states with nuclear weapons, including the UK, while accepting that some form of such an agreement is likely to be necessary in due course to establish the final ban [on nuclear weapons], consider that it would be premature and potentially counter-productive to focus efforts on [a Nuclear Weapons Convention] now when the many other conditions necessary to enable a ban have yet to be put in place.”¹⁸

The question of a Nuclear Weapons Convention does not feature in the US Nuclear Posture Review released in April 2010. It may be that the administration of President Barack Obama is less resistant to the idea than the previous administration, but it has shown no signs of actively supporting it. Similarly, there is no mention of a Nuclear Weapons Convention in Russia’s new Military Doctrine published in February 2010. The French government, which possesses the third-largest nuclear arsenal after Russia and the US, has resisted the call from French civil society to support the idea of a convention.

c. Non-Parties to the NPT

India, Pakistan and North Korea all vote in favour of the annual UN General Assembly resolution on the ICJ nuclear weapons advisory opinion, indicating that they would support negotiations on a Nuclear Weapons Convention. The Indian prime minister has expressed his support for a convention on a number of occasions. In October 2009 he said: “I reiterate India’s proposal for a nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons and providing for their complete elimination within a specified time frame.” Israel, which is also outside the NPT but has yet to declare its possession of nuclear weapons, votes against the resolution on the ICJ advisory opinion.

d. NATO and EU Members

NATO members have generally voted as a bloc against the UN General Assembly resolution calling for a Nuclear Weapons Convention. In 2009 three NATO members abstained from voting — Canada, Croatia and Romania — while no NATO members voted in favour. It is expected that NATO will re-evaluate its nuclear policy later this year when it draws up a new Strategic Concept document. It is foreseeable that the possible removal of US tactical nuclear weapons from European soil and an end to the principle of “extended nuclear deterrence” for NATO members would result in some NATO governments adopting a position in favour of a Nuclear Weapons Convention. However, these steps ought not to be preconditions for gaining their support.

¹⁸ UK Commonwealth and Foreign Office, *Lifting the Nuclear Shadow: Creating the Conditions for Abolishing Nuclear Weapons* (2009) 34.

The following States are members of NATO:

Albania, **Belgium**, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, France, **Germany**, Greece, Hungary, Iceland, **Italy**, Latvia, Lithuania, Luxembourg, **Netherlands**, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, **Turkey**, United Kingdom, United States. (States in **bold** host US nuclear weapons.)

The European Union has not adopted any joint position on a Nuclear Weapons Convention. Based on the UN General Assembly vote mentioned above, there is a general lack of support from the EU members. Two of its 27 members are nuclear-weapon States, and 21 are part of the NATO alliance. France has shown particular resistance to the idea. Unlike the United Kingdom, it has been unwilling even to express support for the goal of a nuclear-weapon-free world.

Of the six EU members that do not belong to NATO — Austria, Cyprus, Finland, Ireland, Malta, and Sweden — only one has expressed support for a Nuclear Weapons Convention to date. Austrian President Heinz Fischer declared at the historic UN Security Council summit in September 2009 that “Austria supports the idea of a nuclear weapons convention equipped with a sophisticated verification mechanism”. Ireland, Malta and Sweden vote in favour of the UN General Assembly resolution, while Cyprus and Finland abstain from voting.

The following States are members of the EU:

Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

e. Other States

There are only a few dozen States that do not belong to any of the above groupings. **Australia**, **Japan** and **South Korea** all abstain from voting on the UN General Assembly resolution relating to a Nuclear Weapons Convention, although the Australian government has acknowledged at the last two NPT Preparatory Committee sessions that a convention will likely be necessary at some stage in the future.¹⁹ Similarly, Japan has said that it is premature to begin discussing a Nuclear Weapons Convention.²⁰ All three countries are under the US nuclear umbrella. **New Zealand** and **Switzerland** support the General Assembly resolution, but neither has actively promoted a Nuclear Weapons Convention as yet. The former Soviet states generally vote against the resolution or abstain from voting.

¹⁹ Government statement at the NPT Preparatory Committee session in 2009: “The eventual abolition of nuclear weapons may require, at an appropriate time, complementary legal frameworks, including a possible nuclear weapons convention.”

²⁰ Government statement in the General Assembly in 2008: “[W]e must take concrete measures to achieve steady, step-by-step progress in nuclear disarmament and non-proliferation. In this context, we believe it is premature to ‘call upon all the States immediately to ... [commence] multilateral negotiations leading to an early conclusion of a nuclear weapons convention’. We believe that such steady, incremental progress should be made prior to our embarking upon the negotiations which [the resolution] calls upon all States to commence.”

Voting record on the UNGA resolution calling for a Nuclear Weapons Convention:

FOR = plain	DPRK	Liberia	St Vincent-Gren.
AGAINST = bold	DRC	Libyan AJ	Samoa
ABSTAIN = <i>italic</i>	Denmark	Liechtenstein	San Marino
Afghanistan	Djibouti	Lithuania	Sao Tom e-Principe
Albania	Dominica	Luxembourg	Saudi Arabia
Algeria	Dominican Republic	Madagascar	Senegal
Andorra	Ecuador	Malawi	Serbia
Angola	Egypt	Malaysia	Seychelles
Antigua-Barbuda	El Salvador	Maldives	Sierra Leone
Argentina	Equatorial Guinea	Mali	Singapore
Armenia	Eritrea	Malta	Slovakia
Australia	Estonia	Marshall Islands	Slovenia
Austria	Ethiopia	Mauritania	Solomon Islands
Azerbaijan	Fiji	Mauritius	Somalia
Bahamas	Finland	Mexico	South Africa
Bahrain	France	Micronesia	Spain
Bangladesh	Gabon	Monaco	Sri Lanka
Barbados	Gambia	Mongolia	Sudan
Belarus	Georgia	Montenegro	Suriname
Belgium	Germany	Morocco	Swaziland
Belize	Ghana	Mozambique	Sweden
Benin	Greece	Myanmar	Switzerland
Bhutan	Grenada	Namibia	Syrian Arab Rep.
Bolivia	Guatemala	Nauru	Tajikistan
Bosnia-Herzegovina	Guinea	Nepal	Thailand
Botswana	Guinea-Bissau	Netherlands	TFYR Macedonia
Brazil	Guyana	New Zealand	Timor-Leste
Brunei Darussalam	Haiti	Nicaragua	Togo
Bulgaria	Honduras	Niger	Tonga
Burkina Faso	Hungary	Nigeria	Trinidad-Tobago
Burundi	Iceland	Norway	Tunisia
Cambodia	India	Oman	Turkey
Cameroon	Indonesia	Pakistan	Turkmenistan
Canada	Iran	Palau	Tuvalu
Cape Verde	Iraq	Panama	Uganda
Central African Rep.	Ireland	Papua New Guinea	Ukraine
Chad	Israel	Paraguay	UAE
Chile	Italy	Peru	United Kingdom
China	Jamaica	Philippines	UR Tanzania
Colombia	Japan	Poland	USA
Comoros	Jordan	Portugal	Uruguay
Congo	Kazakhstan	Qatar	Uzbekistan
Costa Rica	Kenya	Rep. of Korea	Vanuatu
Cote D'Ivoire	Kuwait	Rep. of Moldova	Venezuela
Croatia	Kyrgyzstan	Romania	Viet Nam
Cuba	Laos	Russian Fed.	Yemen
Cyprus	Latvia	Rwanda	Zambia
Czech Republic	Lebanon	St Kitts-Nevis	Zimbabwe
	Lesotho	St Lucia	