



Eliminating Nuclear Weapons

No longer the impossible dream.

TO DIFFUSE A NUCLEAR WEAPON...
...GOVERNMENTS MUST DISARM
ITS PURPOSE

Are nuclear weapons the answer to today's global security challenges?

CLIMATE CHANGE

ENERGY SHORTAGES

UNRESOLVED CONFLICT & WAR TORN COMMUNITIES

POVERTY

TERRORISM

The only purpose for a nuclear weapon is to deter against the enemy...
But the "enemies" confronting today's global security include poverty, hunger, disease, discrimination, terrorism, ethnic tension, local wars, energy shortages, and climate change.
If an atomic bomb cannot destroy these new adversaries of the Twenty First Century, then it clearly delivers no security for governments. And if the nuclear weapon can no longer deliver security, it is obsolete in this new age.

The nuclear weapon has no purpose in our world, our lives, our time.

Cover Image: *Wilson Chau, winner of the WFUNA Nuclear Disarmament International Poster Award. Wilson is an Auckland University Student active in UNYANZ Auckland.*



The National Consultative Committee on Disarmament (NCCD) first met at the request of the Ministry of Foreign Affairs in November 1977. Its membership is drawn from representatives of 20 organisations committed to disarmament and five individual members invited by the Committee.

Its objectives are:

1. To facilitate and further consultation between and joint action by non-governmental organisations committed to Disarmament.
2. To facilitate and further consultation between the non governmental organisations committed to disarmament and the New Zealand Government on disarmament and related matters
3. To do all things possible to mobilise public opinion within New Zealand on behalf of disarmament
4. To further co-operation with relevant international groups.

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Introduction

Dr Roderic Alley

The National Consultative Committee on Disarmament (NCCD) of New Zealand is pleased to publish these Proceedings from a conference on nuclear disarmament that it convened in Wellington in May of 2009. This conference followed an October 2008 workshop that it also convened in Wellington to scope key conference objectives. Accordingly, it is evident that NCCD and its affiliates regard nuclear disarmament as an issue of such momentous significance as to require constant attention by national and international non-governmental and civil society organisations – be that through conferences and seminars; regular exchanges with government officials; interactions with professional legal, medical, developmental and rights representatives; regular contact with parliamentarians at both local and international levels; engagement with news media outlets, involvement with youth organisations; and a range of partner activities with bodies that include United Nations Associations, Councils of Women, and religious organisations.

New Zealand is not alone in that many civil society organisations directly or indirectly promoting disarmament in this country are poorly funded and unable to operate without a substantial contribution of time, money and goodwill by volunteers. That disadvantage can be mitigated when organisations combine their efforts to effect over issues and campaigns too significant for any to ignore. That has always been true of nuclear disarmament but doubly so now, since for the first time in years, a genuine opportunity to advance this objective is now to hand. It is an opportunity that must not go ignored.

What these Proceedings provide is a resource for all interested organisations and citizens to utilise. Clear statements of practical direction are offered in several of the contributions provided here. Readers need to know, moreover, that a number of the contributors appearing here speak from very considerable authority, commitment and experience. Often they have had years of experience in lobbying for, writing about, and speaking on behalf of nuclear disarmament. The views represented here, therefore, are due the respect and consideration that they undoubtedly deserve.

It deserves note that the conference generated discussion and workshop activity of considerable value to those participating. Fresh perspectives on long standing concerns – including nuclearism in the Pacific – were provided. Here the observations of long time rights activist from Fiji, Ema Tagicakibau, a former MP (that included incarceration in Parliament following the abortive George Speight coup in 2000) were heeded closely. She commented on militarisation in Guam, a still dominant American military presence in Hawai'i, and the necessity for governments and societies beyond the Pacific to both heed, and to act upon the demands and concerns of indigenous peoples in this region regarding the continuing environmental, health and social impacts of nuclear weaponry.

New Zealand has a proud record in nuclear disarmament but its community and government need to do more to advance this objective. Valuable progress has been made by this country – civil society and governments alike - in helping to organise and then successfully conclude a treaty prohibiting

cluster munitions. That experience has been significant for what it revealed regarding the value of cohesive and concerted partnerships directed towards the achievement of a specific goal. While the obstacles to effective nuclear disarmament remain formidable - including encrusted doctrines of nuclear deterrence, major corporate interests, and unresolved regional conflicts – those barriers are under pressure to concede.

Above all there is now growing confidence that a forward momentum in nuclear disarmament is finally underway and that governments will pay politically for not quickly and effectively responding to it.

The NCCD leaves readers to draw their own conclusions from the materials that are presented in these Proceedings. The views expressed here speak with authority and warrant active consideration. NCCD acknowledges the financial assistance provided by the Disarmament Education UN Implementation Fund and a PADET grant to assist in both the convening of the conference and the publication of these Proceedings.

National Consultative Committee on Disarmament
Conference Programme May 2009

Eliminating Nuclear Weapons No Longer The Impossible Dream

Sunday 24 May 2009
Legislative Council Chamber and Grand Hall Parliament

Pre Conference Function: 3.30 - 5.00 pm

International Women's Day for Disarmament to honour women working for Peace – Hon Georgina Te Heuheu
Minister for Disarmament
Winds of Change Exhibition, Flowering of the Globe
4.30 Afternoon Tea.

Opening Session Conference: 5.00 - 8.00 pm

Opening Address on behalf of New Zealand Government Minister for Disarmament: Hon Georgina Te Heuheu
Keynote Visiting Speaker: Rt Hon Malcolm Fraser, Former Prime Minister Australia

Monday May 25 9.00 - 5.30 pm
Turnbull House Bowen Street

Major Sessions:

Global Initiatives: Dr Marianne Hanson,
Jamila Homayun, Edwina Hughes, Lyndon Burford
Pacific Emphasis: Ema Tagicakibau, Akira Kawasaki
Multilateral Initiatives: Dr Kate Dewes, Dr Joan Mosely, Natasha Barnes

Panel Discussion:

Cross Party Parliamentarians
Youth Initiatives: Wilson Chau, Rosemary Wyber,
Non Governmental Organisations: PCRC, NCCD, PMA, IPPNW

Small Group Discussion:

Topics determined by Conference

Plenary Session

Conference Dinner:

Guest Speaker: Dr Kevin Clements Otago University

Programme

Sunday May 24th 2009, 3.30pm
Grand Hall Parliament

Pre Conference Function: International Women's Day for Disarmament -to honour Women everywhere working for a more peaceful world. - Hon Georgina Te Heuheu Minister for Disarmament

International Women: Dr Kate Dewes
Pacific Women: - Ema Tagicakibau
Women in Aotearoa: - Dame Laurie Salas

There will be an exhibition of Winds of Change – 1000 Women peace workers and a symbolic flowering of the globe.

4.30 pm	Afternoon Tea
5.00 pm	Mihi Conference Opening: Hon Georgina Te Heuheu, Minister of Disarmament Keynote Visiting Speakers: Rt Hon Malcolm Fraser – Former Prime Minister of Australia Ema Tagicakibau – Pacific Concerns Resource Centre Fiji Dr Marianne Hanson – University of Queensland Discussion
8.00 pm	Close

Monday 25th May
Turnbull House Bowen St
9.00 am – 5.30pm

9.00 am	Welcome – Dr Roderic Alley
9.15 am	Global Initiatives: Dr Marianne Hanson Ottawa/Oslo process for Nuclear Weapons: Jamila Homayun, Edwina Hughes Summary Model Convention: Lyndon Burford Comment-Discussion Morning Tea
11.15 am	Pacific Emphasis – Ema Tagicakibau Japanese Perspective – Akira Kawasaki (video) Comment – Discussion
12.30 pm	Lunch
1.00 pm	Multilateral Initiatives UN Sec. Gen. Five Point Plan – Dr Kate Dewes NPT Outcome – Dr Joan Mosely – Natasha Barnes

Comment- Discussion

- 2.00 pm Panel Discussions:
1. NZ Parliamentarians Cross party contributions by representatives of Parliamentarians for Nuclear Disarmament and Arms Control
- 2.30 pm 2. Youth Initiatives – Students for a Nuclear Weapon Free World - Wilson Chau
– IPPNW Med Students - Rosemary Wyber
- 3.00 pm 3. NGO Panel – Edwina Hughes PMA
– Rod Alley NCCD
– Ema Tagicakibau – PCRC Suva
– Dr Nick Wilson IPPNW

Discussion

- 3.30 pm Afternoon Tea
- 3.45 pm Small Group discussion – Topics to be determined by Conference
- 5.00 pm Plenary
- 5.30 pm Social Hour
- 7.00 pm Dinner – Keynote Speaker Dr Kevin Clements

A workshop on Eliminating Nuclear Weapons – The Next Steps – was held in October 2008 as a preliminary to the proposed Conference and the Full Report and papers presented are available from rhalliday@paradise.net.nz Tel 04 938 5162

The National Consultative Committee on Disarmament (NCCD) acknowledge the support of Disarmament Education United Nations Fund

Opening Address

Hon Georgina te Heuheu

I am very pleased to be here with you this evening.

These are exciting times to be Minister for Disarmament and Arms Control. It seems that after a decade of stagnation on nuclear disarmament the winds of change are indeed truly stirring.

I will start by outlining the Government's priorities for the portfolio and then I'd like to talk about how I see the international landscape.

Priorities

Just before Christmas the Prime Minister invited me and other Ministers to outline our top priorities for 2009. I listed three. They were:

progressing the nuclear disarmament, arms control and non-proliferation agenda;

making a credible contribution to the work of the IAEA Board of Governors especially in combating nuclear proliferation; and

ratifying the Cluster Munitions Treaty so that we can participate fully in the first meeting of States Parties which will probably be held in the first half of next year.

Let me step back a bit and put them into perspective.

As you of all groups know, New Zealand has traditionally had a profile far above our size or place in the world on disarmament and arms control issues.

This derives to a large extent from our opposition to nuclear weapons dating back to the days of nuclear testing in the Pacific, the case we took to the International Court of Justice on atmospheric nuclear testing thirty-five years ago now and, of course, the nuclear-free legislation.

I know that New Zealand's role on disarmament and arms control enjoys solid support amongst you all, and it serves our international reputation well. It is an important component of our wider foreign policy effort and thus I work closely with Minister McCully.

The international calendar largely drives the direction of our work.

As the May 2010 review of the Nuclear Non-Proliferation Treaty draws closer, ensuring that New Zealand is well placed to contribute to a meaningful outcome will be a priority for 2009 and into 2010.

Over the same time New Zealand will serve as a nominated member of the Board of Governors of the International Atomic Energy Agency, the United Nations' nuclear watchdog.

The past decade has been an arid time for nuclear disarmament.

The five-yearly review of the Nuclear Non-Proliferation Treaty in 2005 ended in failure. The thirteen practical steps towards nuclear disarmament agreed in 2000 - and I might add basically drafted by a New Zealand team - were largely ignored by the nuclear weapon states.

The Conference on Disarmament, the United Nations' only negotiating forum on disarmament issues, has been unable even to reach agreement on a programme of work.

At the same time there have been worrying developments relating to nuclear proliferation – such as North Korea's nuclear testing in 2006 and concerns about possible military dimensions to Iran's nuclear programme.

The New International Atmosphere

So what has changed now?

Well, there has been a renewed level of optimism in recent months about the prospects for nuclear disarmament and non-proliferation. It seems that the landscape might be about to change, and greatly for the better.

There have been expressions of support for a world free of nuclear weapons by both the nuclear weapon and the non-nuclear weapon states.

The Prime Minister warmly welcomed in the House the statement by President Obama made in Prague on 6 April in which the President outlined his commitment to moving beyond cold war thinking and to seeking the peace and security of a world without nuclear weapons.

Russian President Medvedev has also committed to reaching the goal of a world free of nuclear weapons.

The recent announcement by the United States and Russia that they would start negotiations on a new nuclear weapons reductions agreement is hugely encouraging.

Most recently Foreign Minister Nakasone of Japan announced an eleven benchmark roadmap to a nuclear free world, which contains much that resonates with us.

There are signs that at long last the Conference on Disarmament might be able to get down to work on a fissile material treaty, which has been an objective New Zealand has supported for years.

There are arguments about what exactly it would cover. But at the least it would halt the production of fissile materials for nuclear weapons.

The NPT Preparatory Meeting

This all played out at the preparatory meeting for the NPT Review Conference which was held in New York from 4-15 May.

I said as that meeting started that I was cautiously optimistic about it. I was too cautious. The meeting exceeded our expectations.

As the final of three preparatory meetings for the Review Conference proper, the main task was to reach agreement on the procedural issues – matters like the agenda – and, in doing so, to set a firm basis for getting down to work as soon as the Conference opens on 3 May next year.

That might sound like a pretty modest objective. I can assure you it is not as simple as it might sound.

The 2005 Review Conference, for example, was bedevilled by disagreement over an agenda. But this year, an agenda was agreed by the end of the first week, together with the President of the Review Conference – Ambassador Cabactulan of the Philippines.

The meeting also importantly provided the opportunity for debates around the so-called three pillars of the Treaty: nuclear disarmament; nuclear non-proliferation and the peaceful uses of nuclear energy.

Our delegation spoke in each of the three debates, as well as making a general statement. We were also associated with a statement and paper on nuclear disarmament tabled by the New Agenda Coalition group of countries – Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden.

I am told that our statements were well received.

The mood of the meeting was for the most part very positive.

The new level of engagement by the United States and the commencement of negotiations between the US and Russia on a nuclear reductions agreement were common themes.

Most delegations welcomed the leadership shown by the largest possessors of nuclear weapons, and stressed that this opportunity needed to be capitalised on.

Achieving agreement on a set of substantive recommendations or elements to go forward to the Review Conference was always going to be difficult. It has never proved possible before.

The Chair tabled a draft document at the beginning of the week which was ambitious and comprehensive. From our perspective it was not perfect. But we could certainly have lived with it.

Unfortunately it turned out to be a bridge too far, and the recommendations were not agreed. This was a pity – but in my view, certainly not a disaster.

I think we can be very well pleased with the outcome of the meeting. A solid foundation has been set for 2010. It was heartening to see that the constructive atmosphere was upheld.

Next steps

So where to now?

I'd have to say that I don't think that a nuclear free world is just around the corner. President Obama stressed it was a goal that that will not be reached quickly. It will take patience and persistence.

I was reading an interview with Gareth Evans the other day in which he spoke about the steps that would need to be taken to get to what he called a 'minimalist vantage point' - getting numbers of warheads down to the low hundreds. The timeframe he set for that was around 2025, perhaps later.

Phase two of getting down to absolute zero would start only then.

I understand he spoke along similar lines in New York a week or so ago.

He conceded that some regard this as being a bit too nervously cautious. Perhaps.

I think, though, that the path ahead will be one of practical steps.

For New Zealand, that will mean supporting, to the extent we can, the entry into force of the Comprehensive Test Ban Treaty. Supporting efforts to get negotiations on a fissile material treaty up and running. Continuing to call for increased transparency and confidence building measures in regard to nuclear weapons. And urging further steps to lower the operational status of nuclear weapons.

We need to focus now on the building blocks rather than the stumbling blocks.

These practical steps will help to ensure that the positive climate we find ourselves in today is sustained for the long term - on the path to zero.

New Zealand is in for the long haul. And we will be doing what we can to build support and share ideas to work towards this goal.

I look forward to hearing about the discussions at the Conference tomorrow and your perspectives on the year ahead.

A World Free of Nuclear Weapons: The Fierce Urgency of Now

Rt Hon Malcolm Fraser

Ladies and gentlemen

There has never been a better time to achieve total nuclear disarmament; this is necessary, feasible and urgent. We are at the crossroads of a crisis involving these worst weapons of terror, presenting both danger and opportunity.

On the one hand, disarmament has been stalled and a major nuclear arms control Treaty, the Anti-Ballistic Missile Treaty, has been abandoned. The Conference on Disarmament in Geneva has been paralysed for 13 years since it negotiated the Comprehensive Nuclear Test Ban Treaty in 1996, which is yet to enter into force. All the nuclear weapons states continue to develop new nuclear weapons and missiles, have threatened to use them against non-nuclear attack and even pre-emptively, and lowered the threshold for their use. Nuclear tests continue. Military budgets, currently at an obscene US\$1.3 trillion plus per year, continue to grow. Nuclear weapon numbers have declined from close to 70,000 to 25,000, but so bloated are these arsenals that the danger to the security and survival of all of us and the ecosystems on which we depend remains undiminished. The risk of use of nuclear weapons has not gone away since the end of the Cold War; rather, it has grown.

We are at an alarming tipping point on proliferation of nuclear weapons, with increasingly widespread access to nuclear expertise, technology and materials. Smuggling of fissile materials has been extensive and for years the AQ Khan black market network, active in over 30 countries, peddled centrifuges for enriching uranium and Chinese nuclear weapons designs. More countries have nuclear weapons; more than 40 could produce nuclear weapons within a matter of months if they so chose, by either enriching uranium further from reactor to weapons grade, or extracting plutonium from the fuel used in a nuclear reactor. International terrorists actively seek nuclear weapons.

The rule of law we need strengthened to address the complex global problems which increasingly interconnect us all has instead been weakened by a drift towards a nuclear law of the jungle. The disastrous invasion and occupation of Iraq, and its continuing humanitarian disaster, was justified as a pre-emptive war of non-proliferation. Concern about construction of a possible covert nuclear facility in Syria should have lead to an immediate and thorough IAEA investigation, not unilateral and hazardous bombing, with involvement of the IAEA only 5 months later.

On the other hand, we have perhaps the best opportunity ever to abolish nuclear weapons. The current crises in disarmament, non-proliferation, the rule of law and risks of use nuclear weapons have spawned widespread realization that nuclear business as usual is in fact an inexorable slide towards

nuclear anarchy and disaster; and that the mere possession of nuclear weapons undermines the security of all. For the first time, a US President has been elected with a commitment to nuclear weapons abolition, and President Obama has outlined a substantive program to deliver on this, and is demonstrating that he is serious. He will face significant opposition from those who profit from and have accessed huge budgets and built careers constructing the vast Doomsday machine, and who fail to understand that unless nuclear weapons are ultimately abolished the likelihood of their use, with massive destruction to the world, will grow year by year. President Obama needs and deserves all the support and encouragement in the world.

We do not know how long this opportunity will last. Unlike the last one, at the end of the Cold War, it must not be squandered, and a process for getting to zero, even if in thirty years' time, should be locked in place. It is time that the nuclear powers took seriously Article VI of the Non Proliferation Treaty, which commits them to making moves towards nuclear disarmament. So far that clause has been ignored. An increasingly resource and climate-stressed world is an ever more dangerous place for nuclear weapons. We simply must not fail.

Like preventing rampant climate change, abolishing nuclear weapons is a paramount challenge for people and leaders the world over; a precondition for survival, sustainability and health for our planet and future generations. Both in the scale of the indiscriminate devastation they cause, and in their uniquely persistent, spreading, genetically damaging radioactive fallout, nuclear weapons are unlike any other 'weapons'. They cannot be used for any legitimate military purpose. Any use, or threat of use, should be a violation of international humanitarian law. The notion that nuclear weapons can ensure anyone's security is fundamentally flawed. Nuclear weapons most threaten those who possess them, or claim protection from them, because they become the preferred targets for others' nuclear weapons. Accepting that nuclear weapons can have a legitimate place, even if solely for 'deterrence', means being willing to accept the incineration of tens of millions of fellow humans and radioactive devastation of large areas, and is fundamentally immoral. Nuclear weapons cannot be divided into those for use and those for deterrence. Deterrence is predicated on having the demonstrated capacity and will to unleash nuclear weapons, and runs on fallible systems on high-alert which have already almost failed us more than 5 times.

As noted by the Weapons of Mass Destruction Commission headed by Dr Hans Blix, "So long as any state has nuclear weapons, others will want them. So long as any such weapons remain, there is a risk that they will one day be used, by design or accident. And any such use would be catastrophic." Weapons capable of inflicting such catastrophic destruction have no place in human affairs. The only sustainable approach is one universal standard – zero nuclear weapons – for all.

Recent scientific evidence from the same state-of-the-art climate models which underpin our understanding of global warming puts the case for urgent nuclear weapons abolition beyond dispute. Even a limited regional nuclear war involving targeting cities with 100 Hiroshima-sized bombs – just 0.03% of the explosive power of the world's current nuclear arsenal - would not only kill tens of millions quickly from blast, fires and radiation, but would cause unexpectedly severe climatic consequences persisting for a decade or more. Millions of tons of black, sooty smoke would be lofted high into the stratosphere, beyond rain and weather. Cooling and darkening, with killing frosts and shortened growing seasons, rainfall decline, monsoon failure, and substantial increases in ultraviolet radiation, would combine to slash global food production over successive years. Globally, one billion people could starve. More would succumb from the disease epidemics and social and economic mayhem which would inevitably follow. Global trade, transport and inputs to agriculture would be disrupted, those with food would hoard it, and further violent conflict would be likely.

Even though 96% of the world's nuclear weapons are held by Russia and the US, such a war is within the capacity of China, France, the UK, Israel or India and Pakistan. Preventing any use of nuclear weapons and establishing a process with no capacity for withdrawal that will get us to zero are

imperative for the security of every inhabitant of our planet. It might be worth noting that today we should be more worried about Pakistan than Afghanistan. The possibility that Pakistan's nuclear arsenal could fall into the hands of the Taliban is real and of enormous concern to those determining policies in south Asia.

The most effective, expeditious and practical way to achieve and sustain the abolition of nuclear weapons is to negotiate a comprehensive, irreversible, binding, verifiable treaty - a Nuclear Weapons Convention – bringing together all the necessary aspects of nuclear disarmament and non-proliferation into one phased package which provides a roadmap to zero. Such a treaty approach has been the basis for all successes to date in eliminating whole classes of weapons, from dum dum bullets to chemical and biological weapons, landmines and, most recently, cluster munitions. And nuclear weapons are far more destructive than any of those.

Negotiations should begin without delay, progress in good faith and without interruption until a successful conclusion is reached. It will be a long and complex process, and the sooner it can begin the better. I agree with UN Secretary-General Ban Ki Moon that the model nuclear weapons convention developed by an international collaboration of lawyers, physicians and scientists is “a good point of departure” for achieving total nuclear disarmament.

Incremental steps can support a comprehensive treaty approach. They can achieve important ends, demonstrate good faith, generate political momentum, fit into and support a unified framework towards a world free of nuclear weapons. Important disarmament and non-proliferation next steps have been repeatedly identified and are widely agreed; they remain valid but unfulfilled over the many years that disarmament has been stalled.

The 13 practical steps agreed at the nuclear Non-Proliferation Treaty Review conference in 2000 should be upheld and implemented. They include all nuclear weapons states committing to the total elimination of their nuclear arsenals; entry into force of the Comprehensive Test Ban Treaty; negotiations on a treaty to end production of fissile material; taking weapons off extremely hazardous high alert ‘launch on warning’ status; and negotiating deep weapons reductions.

But at the same time a comprehensive roadmap is needed – a vision of what the final jigsaw puzzle looks like, and a path to get there. Not only to fit the pieces together and fill the gaps, but to make unequivocal that abolition is the goal. This is the only approach that can generate the needed willingness to compromise and avoid paralysing conditionalities and trade-offs. Without the intellectual, moral and political weight of abolition as the credible and clear goal of the nuclear weapon states, and real movement on disarmament, the NPT is at risk of unravelling after next year's 5-yearly Review Conference of the Treaty, and a cascade of actual and incipient nuclear weapons proliferation could be expected to follow.

Thankfully, a very much more positive atmosphere prevailed at this year's NPT Preparatory Committee meeting, which concluded in New York last week. The US indicated it wanted to again be engaged seriously with the rest of the world through UN processes, honour past commitments, and get to work. For the first time, a Review Conference agenda was agreed. While final consensus recommendations could not be agreed, the first draft included commencing negotiations on a convention or framework of agreements to achieve global nuclear disarmament, and to engage the ‘elephants outside the room’ – Israel, India, Pakistan and North Korea.

Achieving a world free of nuclear weapons will require not only existing arsenals to be progressively taken off alert, dismantled and destroyed, but will require stopping production of the fissile materials from which nuclear weapons can be built - separated plutonium and highly-enriched uranium, and existing stocks to be eliminated or placed under secure international control. All facilities which enrich uranium should be placed under strict international control. The nuclear industry will need dramatic

change in order to become compatible with achieving and sustaining a world free of nuclear weapons.

All countries should prepare for a world free of nuclear weapons by 'walking the talk'. My own country should reduce the role of nuclear weapons in our security policies, as we call on nuclear weapon states to do. Ensuring that we are part of the solution and not the problem also means that the international safeguards on which we depend to ensure that our uranium does not now or in the future contribute to proliferation, need substantial strengthening and universal application. Preventing proliferation, and not commercial or other interests, should always be paramount in relation to nuclear trade.

Australia's reliance on the 'extended nuclear deterrence' provided by the USA should be reviewed so that Australian facilities and personnel could not contribute to possible use of nuclear weapons, and we anticipate and promote by our actions a world freed from nuclear weapons, as New Zealand has done. Erstwhile reliance on 'extended nuclear deterrence' by countries without their own nuclear weapons, like NATO members, Australia and Japan – must not be allowed to persist and become an obstacle to nuclear disarmament.

Achieving a nuclear-weapons free world will also be aided by reversing the staggering and unconscionable hemorrhage of material and human resources towards destructive purposes. In 2007 the world's governments spent US\$1339 billion on their militaries, a real increase of 45% in a decade. This year, US military spending – US\$711 billion – exceeds the amount spent by the rest of the world combined. Best estimates indicate that 7% of current global military spending – roughly equivalent to what the US alone spends on nuclear weapons each year – invested annually for a decade, could allow the fulfillment of the Millennium Development Goals by 2015. This would enable 500 million fewer people to live in extreme poverty, 300 million to no longer be hungry, prevent 30 million under-5 deaths and 2 million deaths of mothers in childbirth. Building real human security – reducing extreme poverty, making major reductions in preventable disease and premature death, the massive investments urgently needed to address climate change and build a sustainable energy future – will not be possible without redirecting military resources to meet human needs and restore the environment. This kind of action and less economic and social deprivation, would lead to more stable societies, less room for conflict and, arguably, less need for nuclear weapons.

Abolishing nuclear weapons will also benefit from and makes more urgent reform and modernisation of the UN Security Council. Monopoly of permanent membership and veto power by a select group of nuclear armed states is not a tenable long-term basis for guardianship of the convention or treaties to abolish nuclear weapons.

New Zealand has been a pioneering leader in recognising that nuclear weapons threaten rather than enhance security and in dissociating itself from them and from contributing to their possible use – I commend your leadership and example, which is especially significant given the very strong popular and political support among all major parties. New Zealand has also played a leading role in promoting international disarmament efforts, such as through the New Agenda Coalition.

However, I would encourage New Zealand to continue to drive the disarmament agenda forward and not 'rest on your laurels'. Your government could demonstrate further leadership by supporting the approach advocated by the UN Secretary-General, embracing and championing the comprehensive approach to nuclear non-proliferation and disarmament embodied in a nuclear weapons convention, and work with other like-minded states and civil society towards commencement of negotiations on such a convention. A realistic goal would be for such negotiations to get underway with a target date no later than the 2015 NPT Review Conference. Australia and New Zealand should cooperate more closely, including with neighbouring Pacific Islands and Southeast Asian countries, to this end.

Another area Australia and New Zealand could usefully work together on is strengthening the South Pacific Nuclear Weapons Free Zone. It is more than 20 years since the Rarotonga Treaty entered into force, and an ongoing process among the member states to review and strengthen the treaty could be developed. Measures for consideration to strengthen the treaty include extending the zone to cover all weapons of mass and indiscriminate destruction, including chemical and biological weapons; strengthening mechanisms to monitor and verify compliance with the Treaty; establishing a secretariat to support and strengthen the treaty, such as exists in Latin America; addressing environmental monitoring and clean-up of former nuclear test sites and other areas radioactively contaminated by nuclear weapons development. Australia and New Zealand could convene a conference of signatory states to review the treaty, and lead cooperation among the existing nuclear weapons free zones in the Southern Hemisphere, with the aim of establishing a Southern Hemisphere nuclear weapons free zone.

As President Obama noted last month in Prague, small countries can play a pivotal role in world events. I would like in closing to honour an important contribution which highlights that this applies to New Zealand and New Zealanders. It was magistrate Harold Evans who first proposed that the International Court of Justice be asked to rule on the legal status of nuclear weapons. It was his persistence and that of other New Zealanders that spawned the World Court Project, which through the World Health Assembly and the United National General Assembly resulted in the largest case ever conducted by the Court, culminating in its landmark 1996 Advisory Opinion. The judges held that any use of nuclear weapons would be contrary to international humanitarian law, and that: "There exists an 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." All of us have a vital stake and role in helping to create a world free of nuclear weapons. Again in the words of President Obama: "We can", and this achievement will help us enormously to address the many other serious challenges we face in building real human and planetary security and sustainability.

I thank you.

The Current Disarmament and Arms Control Situation

Dr Marianne Hanson

This presentation considers some of the significant conceptual issues currently influencing debate about arms control and disarmament. It will then canvass some present disarmament initiatives, especially the International Commission on Nuclear Non-Proliferation and Disarmament (ICNND)

As to relevant current ideas of importance now circulating, we can identify several.

First, international discourse is now providing a much closer, critical focus to the utility of force in international conflict situations. Can such force serve the purposes that it may have done previously? If not, can challenges to its utility enhance arms control efforts? Or are existing strategic mindsets too resistant to change?

Second, humanitarian factors are now assuming greater salience in international relations. This includes human rights, international humanitarian law (law of armed conflict) and international law establishing norms and obligations through treaties and customary practices. These are developments that have sharpened ethical attention to the use of weaponry and resort to force.

Third, we are seeing an increased merging of arms control and disarmament. During the Cold War arms control was often considered an end in itself, concerned to establish parties and balances in military and nuclear forces. Sometimes this was even used to legitimise an upward arming of nuclear weapons stockpiles. Now, however, arms control measures are continuing to move more decisively in the direction of outright prohibitions - initially chemical and biological weapons and, more recently, land mines and cluster munitions. This is making the abolition of nuclear weapons now the subject of increasingly serious official attention.

Fourth, there is evidence of growing frustration among non-governmental and public interests over the slow progress in cuts to nuclear weaponry and the intricacy of negotiations that are seemingly bogged down over counting rules and verification. Accordingly we are seeing a serious mismatch between public desires for effective disarmament, and political/governmental/bureaucratic capabilities to deliver on such expectations.

When we view the current arms control and disarmament situation, the assessment is mixed. Positive developments include the treaty prohibiting cluster munitions, planning for an arms trade treaty and increasing attention to small arms and light weapons.

By contrast we have treaties that are in trouble including the Strategic Arms Reduction Treaty (START) and the urgent need to replace it. Emphatically the 2003 Strategic Offensive Reduction Treaty is

unacceptable as an alternative given its loose ambiguity and challenged verification procedures. Also deserving revision are agreements on Conventional Forces in Europe, the Intermediate Nuclear Forces (INF) Treaty, and long delays in required ratification of the Comprehensive Test Ban Treaty (CTBT) impeding entry into force discussions.

Further concerns include the need to reinvigorate the North Korea Six Party Talks, and stronger missile control efforts. It is a legitimate question whether Australia's proposal to purchase new, long-range land strike missiles, as foreshadowed in the 2009 Defence White Paper is in violation of the Missile Technology Control Regime.

Challenges facing the Obama Administration include the urgent need for a START replacement; the need for a new Nuclear Posture Review; and reconsideration of NATO's strategic doctrines including tactical nuclear weapons.

Given the range of economic and other pressures on the Obama Administration, a slow start is more likely on disarmament issues than is any major breakthrough.

Positive state initiatives include those taken by Norway through the Seven Nation nuclear non-proliferation Initiative, Australia and Japan via the ICCND, and a range of responses from European governments indicating interest in the abolition case argued by Kissinger, Nunn, Shultz and Perry.

A growing range of civil society initiatives committed to nuclear disarmament is now emerging. They include United Nations Associations, keen to see a further UN Special Assembly devoted to disarmament; interactions between officials and various knowledge providing bodies (for example the Australian Research Network for Nuclear Disarmament); the Global Zero initiative; as well as prepared arguments tabled prior to the 2010 Nuclear Non-Proliferation Treaty (NPT) Review Conference on the further development of nuclear weapons free zones.

What can we expect of the ICCND already mentioned? This was formed in 2008 in fulfilment of a campaign pledge made by the Australian Labour Party prior to gaining office a year earlier. It comprises 15 Commissioners from a wide range of geographical, political, cultural and professional backgrounds. The Commission has met in major capitals as well as conducting regional meetings in China and Chile. An important February 2009 Commission meeting in Washington engaged with the Obama Administration. Emerging from these deliberations to date are signals indicating that the final report, due at the end of 2009, will call for full CTBT ratification and entry into force; support for a fissile materials cut-off ban treaty; a fresh START treaty; close engagement with Russia and China on arms control and disarmament initiatives; and the need for visible changes in US nuclear doctrine as yet unspecified.

The Commission will envisage an action plan divided into three stages comprising short, medium and long term objectives. The aim will be to dramatically minimise the role of nuclear weapons in existing strategies, and then move to their elimination. Envisaged is a changed psychological landscape where the reality of progress towards elimination of nuclear weapons is accepted as both legitimate and appropriate.

It is clear that the Commission's report is designed to influence the 2010 NPT Review Conference towards a positive outcome. However it is vital that the Commission's findings contribute to further momentum beyond that meeting to tackle difficult nuclear disarmament challenges involving India, Pakistan and Israel. For this to work continued civil society engagement, at all levels, will prove essential.

Report: Focal Points of Nuclear Weapon Free Zones

Alyn Ware

Alyn Ware reports back on the Conference on Focal Points of Nuclear Weapon Free Zones, held in Mongolia in May 2009.

The conference included the governments of Mongolia (a single-State NWFZ); New Zealand (representing the South Pacific NWFZ); Thailand (representing the South East Asian NWFZ); Mexico (representing the Latin America and Caribbean NWFZ); the Krygyz Republic (representing the Central Asian NWFZ); and two observing governments - Egypt (promoting the Middle East NWFZ) and Turkey.

Also participating was the International Atomic Energy Agency (Mohammed El Baradei sent a statement); the United Nations Office of Disarmament Affairs (Ambassador Sergio Duarte sent a statement); the Comprehensive Test Ban Treaty Organisation (represented by Lisa Tabassi); two NGOs (Mayors for Peace and myself representing PNND); and a number of high-level Mongolian officials, including the former President of Mongolia and the current Vice-Minister for Foreign Affairs.

The purpose of the conference was to prepare for the 2010 Conference of States Parties to NWFZs – in both procedure and substance – with a particular emphasis on promoting the strengthening of the existing zones (full implementation by States parties and full recognition by the Nuclear Weapon States), establishment of additional NWFZs, and using the NWFZs to promote nuclear disarmament.

Of those attending the Mongolia conference, I was the only one to have attended the 2005 Conference of States Parties to NWFZs in Mexico. I was thus often called upon by the chair for information about how the 2005 conference was organised, and on ideas for organising the 2010 conference.

I also took the opportunity to promote a number of things including the initiatives for NWFZs in North-East Asia and the Arctic, encouragement of States Parties to NWFZs to adopt implementing legislation that criminalises nuclear weapons (similar to NZ's 1987 legislation), and the holding of a Civil Society Forum as part of the 2010 Conference. These ideas were all received favourably. With regard to collaboration between the governments and civil society, the conference agreed to a recommendation by Mexico and Mongolia that a joint session be organised at the NPT Prep Com in New York and they asked me to organise this.

With regard to the Northeast Asian NWFZ proposal, I took the opportunity to visit Tokyo and Seoul on my way to Mongolia to meet with the key parliamentarians and civil society organisations promoting the idea. I thus took their International Appeal for a Northeast Asian NWFZ to the Mongolian conference for presentation and distribution.

With regard to the Arctic NWFZ proposal, I distributed articles by Jayantha Dhanapala (former UN Under-Secretary-General for Disarmament), Alexa McDonough (PNND Co-President from Canada), Michael Wallace (Pugwash) and myself. The idea was thus included in the conference report (drafted by the New Zealand representative Jillian Dempster from MFAT) that will provide a basis for the 2010 Conference.

I thank Quaker Peace and Service for the funding that allowed me to travel to Mongolia in order to participate effectively in this conference.

Message on Eliminating Nuclear Weapons

Akira Kawasaki

Thank you for giving me this opportunity. Congratulations for your important efforts to organize the Conference to Eliminate Nuclear Weapons at this very historic juncture. I am very pleased to send a message from Japan.

Last year, the governments of Australia and Japan established the International Commission on Nuclear Non-Proliferation and Disarmament. The Commission is chaired by Gareth Evans and Yoriko Kawaguchi, former Foreign Ministers of the two countries.

In Japan, civil society groups are trying to take this opportunity to encourage the Japanese government and push the nuclear disarmament agenda forward. Earlier this year, a Japanese NGO Network was formed in order to influence the Commission with dozens of civil society groups involved.

We are having a regular roundtable with the Co-chair Kawaguchi. We will have the second roundtable tomorrow on Monday. Also, Co-chair Evans is coming to Tokyo next Wednesday on the invitation of Japanese NGOs, after the Commission's regional meeting in Beijing which is dealing with the issues of Northeast Asia.

The International Commission has made clear that its final report, to be issued at the end of this year or early next year, will include a disarmament plan featuring three stages for a nuclear weapon free world. According to their explanations so far, the initial stage will be until 2012, and is to be led by the US, Russia and other nuclear weapon states, engaging such steps as the entry-into-force of the CTBT and further reduction of nuclear arsenals.

The middle stage will come up to a "vantage point," sometime around 2025, where the reduction has come down to a level of low hundreds and a nuclear weapon free world will be in sight. The final stage after 2025 will entail working to get down to zero from this vantage point. The Commission is investigating such steps as verification and management of nuclear technologies, but there is no time frame suggested to achieve the total elimination of nuclear weapons in this final stage.

While we generally welcome the Commission's discussion for nuclear disarmament, I have to say that the suggested three stage plan is too cautious. We Japanese NGOs are trying to convince the Commission that it should articulate a clear road map towards abolition. It should not end with a reduction plan toward so-called a vantage point with hundreds of nuclear weapons in 2025.

That is why the Japanese NGOs, including Hibakusha—atomic bomb survivors, are calling on the Commission to articulate a plan to achieve a Nuclear Weapons Convention, an international treaty to

categorically outlaw nuclear weapons. Dr. Hans Blix's Weapons of Mass Destruction Commission has already called on the international community to start to work to outlaw nuclear weapons. Now the Australian-Japanese Commission should follow this call and present a clear road map for a Nuclear Weapons Convention.

As many of you know, the "Mayors for Peace" initiative promoted by the Mayors of Hiroshima and Nagasaki is leading a campaign for "Nuclear weapons abolition by 2020", attracting broad support from both domestic Japanese and international civil society. From this perspective, the Commission's present stance of setting a vantage point in 2025 is too slow. Hibakusha have been struggling for nuclear weapons' abolition with a call to achieve abolition while they are alive.

Today the average age of Hibakusha exceeds 75. The sense of urgency must be shared among all the parties who work on nuclear disarmament, including governments officials, policy makers and experts.

Now let me point out that Australia and Japan have two significant commonalities, in terms of nuclear non-proliferation and disarmament. One is that they are important allies for the United States within the Asia Pacific region, and that their security is based upon the so-called "nuclear umbrella," dependent upon the US nuclear weapons.

The other is that Australia exports uranium to the world, while Japan has accumulated huge stocks of plutonium and will shortly commence its commercial production. In this sense, these two countries together form the front and back ends of the nuclear fuel cycle – making both of these non-nuclear weapon states the bearers of grave responsibility for the world's nuclear fuel cycle.

In regards to the "nuclear umbrella" issue, the Commission has already recommended to the United States that the role of nuclear weapons should be limited, and a declaration that the sole purpose of nuclear weapons is to deter the nuclear weapons of others should be made. Even in relation to these cautious steps, within Japan the emerging response is that for the sake of Japan's security, the US nuclear deterrent must not be reduced. This shows how deeply the the security policy of Japan is still affected by the Cold-War legacy.

Civil society in Japan is advocating that the country should overcome the Cold-War thinking insecurity policies, and aim at a "non-nuclear dependent security." The concept of "non-nuclear dependent security" is important not only in US-Japan relations, but also in persuading North Korea to abandon its nuclear weapons, and in getting China onboard the nuclear disarmament process.

We are calling for the creation of a Nuclear-Weapon-Free Zone in Northeast Asia. The Six-Party Talks process on the North Korean issue should be resumed and strengthened to achieve such a nuclear weapon-free peace mechanism in the region.

The United States should review its nuclear posture and significantly reduce the role of nuclear weapons, including declaring no-first use of such weapons, and should co-operate in international negotiations to make nuclear weapons unusable.

As to the civilian use of nuclear power, Australia and Japan have the responsibility to prevent any arbitrary spread of nuclear energy and technology, which link to risks of nuclear proliferation. We do not want to see the Commission just give passes to Japanese production of plutonium or Australian exports of uranium, just to indulge commercial interests of the nuclear industries in both countries.

Rather, cautious examination is needed of fissile materials, at the time that international negotiations for a Fissile Material Treaty is going to start next year.

The Commission will have its third meeting next month in Moscow. Then it will meet in Hiroshima in late October, when they will compile major parts of its report. In both meetings, a certain degree of civil society engagement will be secured. Japanese groups are planning to have an international civil society forum on the occasion of the Hiroshima meeting in October. We are trying to utilize the opportunity as a lead up to the 2010 NPT Review Conference.

Also, let me remind you that the general election for the Lower House of Japan will be held sometime before September this year, and a change of government is predicted. This could provide a shift in Japan's nuclear policy. The lessons learnt in New Zealand and other countries in the Pacific will have great value in any policy transformation of Japan. I hope that we can keep co-operating among the countries in the Asia-Pacific to push nuclear disarmament policy forward.

Thank you very much.

An Ottawa/Oslo Process for Nuclear Weapons and other Grassroots Initiatives

Mary Wareham and Edwina Hughes

Summary of the presentation by Mary Wareham and Edwina Hughes, at the 18 October 2008 NCCD Seminar 'Eliminating Nuclear Weapons: Exploring the Next Steps'. A similar presentation was made to the May 2009 NCCD Conference.

This joint presentation considered lessons learned by civil society engagement in the Ottawa Process that resulted in the 1997 Mine Ban Treaty and the Oslo Process that this year produced the Convention on Cluster Munitions. These unconventional diplomatic endeavours could prove instructive in considering how to move nuclear disarmament forward.

The presentation expanded and updated a list of lessons learned from the Ottawa Process which was put together by Stephen D. Goose and Jody Williams. For NGOs involved in both initiatives, it was crucial to frame the problem as a matter of humanitarian urgency, focus on the human cost of the weapon, and articulate a clear campaign goal in one sentence or less. In securing diplomatic support, civil society set deadlines for action, demanded access to government meetings, challenged conventional diplomacy and old ways of thinking, sought to form partnerships with like-minded governments and international agencies, and encouraged bold political leadership to tackle the weapon. Diversity was crucial to both movements to eradicate landmines and cluster munitions, as was the need for committed workers, a light campaign structure, clear communications and sustained engagement over the long-term.

The presentation provided some preliminary considerations of how civil society could use these experiences banning landmines and cluster munitions to take on nuclear disarmament from a grassroots perspective at all levels - from local, community and national action, through to multilateral diplomatic initiatives.

As with all movements for social change, grassroots initiatives to abolish nuclear weapons over the past 63 years have been many and varied. Such initiatives have included non-violent direct action against nuclear weapons establishments and places where nuclear weapons are deployed, public education and protest, community declarations of nuclear-free zones, campaigns to end government investments in companies involved in the production of nuclear weapons, cultivation of relationships with diplomats and politicians, and a range of lobbying and other work through international fora. All of these are necessary in a co-ordinated campaign.

The level of activity towards nuclear disarmament, the amount of knowledge and experience that has been accumulated, and the level of public and state support around the world for abolishing nuclear weapons, all provide a head start for an Oslo / Ottawa process for nuclear weapons. In addition, the high level of dissatisfaction with the excruciatingly slow progress towards abolishing nuclear weapons provides incentive for a new approach to get the process moving from a dream to reality.

In the discussion time which followed the presentation, and the subsequent workshop, there was considerable excitement about the possibilities of an Oslo / Ottawa process for nuclear weapons and how we might get that started. The workshop explored how we could apply three of the lessons learned in the Oslo and Ottawa processes to nuclear disarmament: how to communicate the problem, how to articulate a clear goal, and how to speak with one voice.

There was extensive discussion about the role of survivors of nuclear weapons 'testing', production, development and use, because the stories and involvement of survivors of landmines and cluster munitions (and of the relatives of those who did survive) were crucial to the success of both the Oslo and Ottawa processes.

The presenters are further developing the lessons learned and the possibilities for nuclear disarmament, and are keen to hear from others interested in doing the same.

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Nuclear Weapons Abolition: At the Crossroads of Crisis and Opportunity

Lyndon Burford

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1. Introduction

Humanity is at the crossroads of nuclear crisis and opportunity. At the highest level, the elimination of nuclear weapons is increasingly seen as an urgent, desirable and feasible goal. Conversely, proliferation risks are increasing steadily, and with them the threat of nuclear weapons use, whether by accident, design or miscalculation. As U.S. President Barack Obama stated recently in Prague, “*In a strange turn of history, the threat of global nuclear war has gone down, but the risk of a nuclear attack has gone up.*”¹ Obama’s strong advocacy of nuclear weapons elimination has breathed new life and hope into the international disarmament movement. It has reignited bilateral disarmament progress between Russia and the U.S., encouraged multilateral efforts to advance the disarmament agenda, and provides a rare window of opportunity for principled advocates of the ‘zero option’ to push strongly for the abolition of nuclear weapons.

In 1998 the New Agenda Coalition (NAC) – then New Zealand’s primary vehicle for nuclear disarmament advocacy - declared that the achievement and maintenance of a nuclear weapons free

¹ Barack Obama, Remarks of President Barack Obama, Prague, Czech Republic (5 April 2009). Available from <http://prague.usembassy.gov/obama.html>.

world would require "...the underpinnings of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing set of instruments." ²

Serious consideration must be given to what such a framework will look like if it is ever to be achieved. While it is essential to aim for the elimination of nuclear weapons, achieving this goal will be impossible without the establishment of a common prescriptive understanding that there is no legitimate reason to possess them. In order to create such an understanding, nuclear weapons will need to be outlawed. The concept of nuclear weapons abolition surpasses that of elimination in that it encompasses both the goal of elimination and a universal, legal prohibition on possession as a key, early step to achieving that goal. Given the current permissive environment for nuclear disarmament, it makes sense to start talking about abolition and considering potential frameworks for its achievement.

While New Zealand hesitates even to mention 'abolition' at present,³ the UN Secretary General has called explicitly for exploration of potential abolition frameworks and noted that the Model Nuclear Weapons Convention (NWC)⁴, which he has circulated to all UN Member States, is "a good point of departure" for such work.⁵ At a recent conference hosted by the National Consultative Committee on Disarmament in Wellington, the former conservative Prime Minister of Australia, Malcolm Fraser, called on New Zealand to take a lead in such deliberations:

"I would encourage New Zealand to continue to drive the disarmament agenda forward and not 'rest on your laurels'. Your government could demonstrate further leadership by supporting the approach advocated by the UN Secretary-General, embracing and championing the comprehensive approach to nuclear non-proliferation and disarmament embodied in a nuclear weapons convention, and work with other like-minded states and civil society towards commencement of negotiations on such a convention... Australia and New Zealand should cooperate more closely, including with neighbouring Pacific island and Southeast Asian countries, to this end."

Other international experts, such as George Perkovich, the Vice President for Studies at the Carnegie Endowment for International Peace,⁶ have also called for exploration of potential abolition frameworks. In a 2008 Adelphi Paper entitled *Abolishing Nuclear Weapons*, co-authors James Acton and Perkovich recommended that nuclear weapon states (NWS) and non-NWS should work to facilitate,

"...an international collaboration of government-affiliated and independent think tanks to explore the conditions necessary for the secure prohibition of nuclear weapons...Going further, governments could then invite participants in such a collaboration to present their conclusions to

² New Agenda Coalition, *Towards a Nuclear Weapons Free World - the Need for a New Agenda*, (A/53/138), (9 June 1998). Available from <http://documents-dds-ny.un.org/doc/UNDOC/GEN/N98/164/44/pdf/N9816444.pdf?OpenElement>

³ None of the 24 official papers with New Zealand input presented to the 2007 and 2008 NPT PrepComs - including the NAC papers - mentions the word abolition.

⁴ The entire Model NWC is available as a stand-alone PDF, or with complimentary comments and criticism, from: <http://www.icanw.org/securing-our-survival>.

⁵ United Nations Department of Public Information, 'Contagious' Doctrine of Deterrence Has Made Non-proliferation More Difficult, Raised New Risks, Secretary General Says in Address to East-West Institute (24 October 2008). Available from <http://www.un.org/News/Press/docs/2008/sgsm11881.doc.htm>.

⁶ Perkovich is also a researcher for the Australia-Japan sponsored International Commission on Nuclear Non-Proliferation and Disarmament (ICNND).

NPT [Non-Proliferation Treaty] review meetings, national governments, the Conference on Disarmament and the UN General Assembly.”⁷

A NWC banning the development, testing, production, stockpiling, transfer, use or threat of use of nuclear weapons is the key abolition model advocated by the NGO community both in New Zealand and internationally. The concept of such a convention has been supported by New Zealand every year at the UN General Assembly since the introduction of the Model NWC to that forum in 1997. However, despite voting every year for the General Assembly resolution calling for the negotiation of a NWC,⁸ New Zealand has not actively promoted the NWC idea. The following is an examination of the political rationale behind New Zealand’s hesitancy to pursue an abolition treaty such as a NWC.

2. **A Nuclear Weapons Convention (NWC)**

Despite New Zealand’s support for a NWC in principle,⁹ politicians and officials supportive of the nuclear weapons elimination have seldom, if ever, engaged publicly with the NWC concept on its merits. According to non-proliferation expert Dr. Tanya Ogilvie-White, the reluctance of some non-NWS to unite behind the NWC is not based on its contents, which “*in principle are morally irreproachable,*” but on perceptions of the politics surrounding it.¹⁰

Senior government officials have given several reasons why New Zealand does not promote the NWC. First, they see it as an alternative to the NPT and therefore argue it will undermine that Treaty. Second, they argue that a NWC is unlikely ever to achieve universality, and as a result, will not bring about nuclear disarmament. Third, Ministers and officials assert that the time is not yet right to start discussions on a NWC. Finally, although not a position directly stated by Government officials, Ogilvie-White argues that voting behaviour at the UN General Assembly demonstrates that many Western nations, including New Zealand, believe India’s disarmament advocacy is duplicitous. According to this analysis, India’s attempts to associate itself with the NWC therefore undermine the Convention’s credibility as a disarmament framework.

3. **The NPT and a NWC**

“*The fundamental argument against the NWC,*” according to Geoff Randall, former Director of the Disarmament Division at the New Zealand Ministry of Foreign Affairs and Trade (MFAT), is that it would “*...confuse international law by appearing to supplant the deficient NPT.*” On this point, Caroline McDonald, the immediate past Director of the Disarmament Division, commented: “*Our weight has*

⁷ James Acton and George Perkovich, *Abolishing Nuclear Weapons* (London: Routledge / International Institute for Strategic Studies; Adelphi Paper 396, 2008), 110-111. For a more concise exposition on this idea, see also George Perkovich, 'Taking Nuclear Disarmament Seriously', Paper presented at the conference, *Achieving the Vision of a World Free of Nuclear Weapons*, Oslo (26 - 27 February 2008).

⁸ For the most recent of these, see “Follow-up to the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons”, A/RES/63/49 (02 December 2008).

⁹ Several senior New Zealand ministers, diplomats and MPs have supported or continue to support the further development of the NWC idea. These include former Prime Minister Jim Bolger (1990-1997), former Disarmament Ministers Matt Robson (1999-2002) and Marian Hobbs (2002-2005), ex-New Zealand Ambassador. Additionally, the New Zealand branch of the international network ‘Parliamentarians for Nuclear Non-Proliferation and Disarmament’ includes MPs from the Green, Labour, National and Progressive parties.

¹⁰ Tanya Ogilvie-White, “A Cloak for Proliferators? The Suspicions that Impede a Nuclear Weapons Convention,” *Global Dialogue* 8 1-2, Special Issue “Nuclear Perils” (Winter/Spring 2006).

*come down on the side of what can we achieve within the NPT rather than giving the impression of abandoning it and trying to find an alternative route. Like the NWC for example.”*¹¹

These comments demonstrate a key point that many policy makers and analysts either have yet to grasp or are ignoring. The lead authors of the Model NWC, as well as the countries that promote it, argue that the NWC is not designed to replace the NPT, but to strengthen and implement it.¹² Costa Rica, for example, which introduced the NWC to the UN General Assembly and NPT processes, argues that the Model NWC incorporates disarmament steps from the Final Documents of the 1995 and 2000 NPT Review Conferences (RevCons) and expands on them, “...in order to explore the additional elements that would be required to achieve and maintain a nuclear-weapon-free world.”¹³

The NPT is the foundation of the international legal regime that has thus far been relatively successful in preventing the spread of nuclear weapons. As noted by non-proliferation expert Dr. Maria Rost-Rublee, a lecturer in International Relations at Auckland University, despite the frequent warnings in the 1960s that the number of NWS could reach 20 within a few decades, “...almost all states in the international system chose to forgo nuclear weapons, and in some cases, even gave them up.”¹⁴ Rost-Rublee points out, however, that “...containing “outlaw states” may become a lot more difficult if the NPT no longer exists to define what “outlaw state” means.”¹⁵ Thus, while the NPT is an essential non-proliferation tool, the issue at stake is whether it is capable of facilitating complete nuclear disarmament. This paper contends that the NPT is not, in fact, capable of this task.

4. Universality of an Abolition Framework

Randall commented that a NWC would be unlikely to attract universal ratification, saying that even if most non-NWS agreed to it, some critical states (the NWS and those with the capacity to build nuclear weapons) might not and it would thus be flawed as “...you can't bind states to agreements to which they are not parties.”¹⁶ This logic could equally be applied to the NPT. Without universal adherence, the NPT will never be a viable abolition framework. However, achieving universality of the NPT will be extremely unlikely, if not impossible.¹⁷

Crucially, the four states which are not members of the NPT at present¹⁸ all possess nuclear weapons. There are only two options to facilitate these states' ratification of the NPT and thus achieve its universality. The first is that all four states disarm unilaterally and accede to the NPT as non-NWS.

¹¹ Caroline McDonald and Geoff Randall, private interview with author. Wellington, 15 September 2006.

¹² For an excellent discussion of this point and of the politics surrounding the NPT/NWC relationship, see Alyn Ware, *A Nuclear Weapons Convention and the NPT: Is it a Diversion or an Enabler?* Aotearoa Lawyers for Peace (August, 2008). Available from http://www.disarmsecure.org/publications/papers/papers_by_author.html#papers_alyn

¹³ Costa Rica, Model Nuclear Weapons Convention (NPT/CONF.2010/PC.I/WP.17), working paper presented to the NPT Preparatory Committee (1 May 2007). Available from <http://daccessdds.un.org/doc/UNDOC/GEN/N07/327/68/PDF/N0732768.pdf?OpenElement>.

¹⁴ Maria Rost-Rublee, "Taking Stock of the Nuclear Nonproliferation Regime: Using Social Psychology to Understand Regime Effectiveness," *International Studies Review* 10 (2008), 421.

¹⁵ Maria Rost-Rublee, "Taking Stock of the Nuclear Nonproliferation Regime", 445.

¹⁶ Caroline McDonald and Geoff Randall, private interview with author. Wellington (15 September 2006).

¹⁷ Conversely, some international legal scholars argue that, due to the precepts of customary international law, the near universal adherence to the NPT creates a universal obligation among the community of states to the commitments made under the NPT.

¹⁸ India, Israel, North Korea and Pakistan.

The likelihood of this is virtually zero. At present, these non-NPT NWS are merely mimicking the policies of the original five NWS,¹⁹ whose strategic thinkers insist that nuclear weapons provide unique security benefits and are therefore 'essential' as a deterrent to would-be attackers. Therefore, as long as the original five NWS show no signs of a genuine, good faith commitment to a multilateral disarmament process aimed explicitly at the elimination of nuclear weapons, unilateral disarmament by the four non-NPT members will not occur.

The second option for achieving universality is to amend the NPT to recognise the four additional NWS and include them in its disarmament obligations and negotiations. Again, the likelihood of this is basically zero. The original NWS have veto rights on amendments to the treaty (as do all Members of the IAEA Board of Governors) and the non-NWS members of the NPT would vehemently oppose any further recognition of the new NWS based on their nuclear weapons capabilities. Furthermore, the recent U.S.-India nuclear deal has destroyed any possible incentive for India or Pakistan to join the NPT. India has vigorously opposed the NPT for decades on the grounds that it is a discriminatory document. Now, India has access to the most advanced civilian nuclear technologies in the world – a key 'carrot' of NPT membership – without having to accept any of the disarmament commitments imposed on NWS under the NPT.²⁰ Likewise, in response to the U.S.-India deal, Pakistan has recently concluded a nuclear cooperation agreement under which China will aid Pakistan in the construction of two new nuclear power plants.²¹ Again, this points to the conclusion that the NPT will never secure universal adherence from states.

Randall argues that for all its deficiencies, the NPT does bind the NWS to rules that they are obliged to meet and can be held accountable to. While the former is true, the latter is not. The NPT is incredibly vague about its disarmament commitments. Examination of the text of the Treaty reveals that its sections dealing with non-proliferation are eleven times longer than the brief section on disarmament. While the Treaty does bind the NWS to a generalised commitment to eliminate their nuclear weapons, it says nothing about mechanisms, processes or timeframes for achieving disarmament. As a result, there is nothing to hold the NWS accountable to in NPT meetings.²² Nevertheless, as Perkovich and Acton state, it is abundantly clear that the vast majority of the world's states believed that, in ratifying the NPT, they were achieving a sincere commitment by the NWS to eliminate nuclear weapons.²³ This perspective was affirmed in the unanimously-agreed section of the 1996 International Court of Justice (ICJ) Advisory Opinion, which stated, "*There exists an 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.*"²⁴

The fundamental argument in favour of a NWC, then, is that the NPT is deficient. If the goal of the NPT was to reach the heights of nuclear weapons elimination, its designers should have made realistic allowances for how this was to be achieved, including a mechanism for outlawing nuclear

¹⁹ China, France, Russia, the U.K. and the U.S.

²⁰ Following the U.S. lead, France and Russia have quickly completed their own nuclear cooperation deals with India

²¹ See: Associated Press, China to Help Build 2 Pakistan Nuclear Plants, International Herald Tribune (18 October 2008). Available from <http://www.ihf.com/articles/ap/2008/10/18/asia/AS-Pakistan-China-Nuclear.php>

²² The Bush Administration's response to commitments made at the 1995 and 2000 RevCons showed that, laudable though these commitments and the work done to achieve them were, they are all too easily dismissed as political, and not legally-binding, agreements.

²³ Acton and Perkovich, *Abolishing Nuclear Weapons*, 109.

²⁴ International Court of Justice, *Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion)*, 8 July 1996. Available from <http://www.icj-cij.org/icjwww/idecisions/isummaries/iunanaummary960708.htm>.

weapons. However, the NPT was not intended by its most powerful signatories to fulfil this purpose, as its name aptly testifies. Trying to force it into that role now is illogical and ineffective, as proven by 40 years of NWS opposition to, and effective obfuscation of, their disarmament commitments in the NPT review process. Without an accompanying, verifiable and irreversible abolition framework, the NPT will not, in and of itself, be capable of facilitating the elimination of nuclear weapons. Without good faith efforts by the NWS to move urgently towards nuclear weapons elimination, there is no motivation for the non-NWS to uphold their portion of the NPT bargain. In other words, without disarmament, the non-proliferation pillar of the Treaty will also fail. Multilateral discussions on an abolition treaty or corresponding set of mutually reinforcing agreements – including a universal prohibition mechanism - are the only way to approach the elimination of nuclear weapons effectively.

5. Incremental vs. Comprehensive Disarmament

The step-by-step ('incremental') approach to disarmament favoured by the NWS is unlikely ever to achieve nuclear weapons elimination. Due to the diverse range of nuclear capabilities and strategic concerns among the international community, any individual step towards nuclear disarmament will inevitably be perceived as favouring the interests of one or more NWS over the others, or over the non-NWS.²⁵ The inherent asymmetry of a step-by-step approach to disarmament therefore indicates there will never be universal political will for any single step, unless it is conducted within a comprehensive framework whereby the states disadvantaged by the current step have a legally-binding commitment that the imbalance it creates will be corrected in a subsequent step. It is for this reason, for example, that non-NPT NWS are very unlikely ever to ratify the CTBT as a stand-alone document. Such a move would necessarily disadvantage these states in comparison to the original NWS, as the testing programmes of the non-NPT NWS have not yet been sufficiently developed to allow for computer-simulated testing. This was one of the key technical reasons that France refused to sign the CTBT until after its final Pacific nuclear test series in the mid-1990s. Most probably, the newer NWS will only ratify the CTBT if it is linked to a comprehensive set of legally-binding disarmament commitments from the original NWS, to offset the perceived disadvantage that it imposes on the non-NPT NWS. This was the Indian position during negotiation of the CTBT. India's early promotion of the CTBT included proposals for both arms control and disarmament measures, as promoted by successive Indian Prime Ministers in the 1980s. The original NWS joined negotiations late in the piece after developing other forms of non-explosive testing (such as sub-critical tests, fusion experiments, high-density laser tests and super-computer simulations). After initially encouraging a ban on non-explosive as well as explosive testing methods, India eventually accepted compromise language on the issue due to the NWS' intransigence on the idea of banning 'all forms of testing'.²⁶ However, India finally balked at the NWS' refusal to agree to a commitment to commencing disarmament negotiations following completion of the CTBT. When the Treaty was pushed through by the NWS without any language on disarmament commitments, India withdrew from negotiations, despairing of achieving any disarmament action from the NWS. Two years later it tested nuclear weapons.

A further danger associated with an incremental approach to nuclear disarmament is that disarmament progress under such a regime can be easily subverted or reversed at the whim of any NWS. The refusal of the Bush Administration at the 2005 NPT RevCon to recognise the disarmament commitments made at the 1995 and 2000 Conferences demonstrates this point. Good faith is not enough – it can become bad faith with a change of government. Any process that does not aim explicitly for universal abolition will inevitably revert to an unsustainable incremental approach to disarmament. Such an approach has been championed by the NWS for 40 years, and has led to no

²⁵ For more detailed discussion of this point, see Alyn Ware, *A Nuclear Weapons Convention and the NPT*.

²⁶ Practically speaking, at any rate, a ban on non-explosive testing is very difficult to verify.

serious consideration of elimination, thus allowing them the 'wobble room'²⁷ to continue claiming they have the right to possess nuclear weapons. The only means of ensuring sustainable, permanent progress in disarmament is to promote universal adherence to a legally binding, irreversible, verifiable abolition treaty or framework.

6. *India and the Model NWC*

According to Ogilvie-White, some Western states (she does not clarify which ones) that are genuinely committed to the idea of nuclear weapons elimination claim the NWC idea is undermined by its being too closely associated with Indian (and more recently, Iranian) nuclear diplomacy.²⁸ Ogilvie-White argues that such Western states believe the NWC is being used as a 'moral shield' by India, to minimise international political pressure, allowing it greater scope to develop nuclear weapons unhindered. If such an analysis is correct, it would appear remarkable that India's 'duplicity' has not stopped France, Russia or the U.S., who are all usually highly sensitive to proliferation issues, from rewarding it with sales of advanced nuclear technology. Furthermore, it seems likely that if India were in fact loudly championing the cause of a NWC, the Bush Administration, with its allergy to the word disarmament, would not have favoured India with privileged nuclear trading partner.

Based on the historical facts related to the development and promotion of the NWC idea, it is difficult to see a rational basis for the NWC's purported association with India or Iran. Neither state coined the term 'nuclear weapons convention', nor developed the concept of a comprehensive convention outlawing the development, testing, production, stockpiling, transfer, use and threat of use of nuclear weapons. Likewise, neither country was involved in the creation of the Model NWC, nor its introduction to the UN or NPT forums.²⁹ The UN resolution which has set the framework for a NWC was first submitted by Malaysia in 1996 in order to respond to and implement the 1996 ICJ Advisory Opinion, which is a core of New Zealand and NAC disarmament advocacy. This resolution has been adopted by the UNGA every year since then and is co-sponsored by a range of countries including many of those that participated in the ICJ case from the Non-Aligned Movement (NAM), the Pacific, the West and Latin American countries. As Ware points out, "*Yes, [India and Iran] vote in favour [of the Malaysian resolution], but so do 123 other countries.*"³⁰

Malaysia's 1996 resolution was followed in 1997 by a Model NWC, drafted by international NGO experts and introduced to the UNGA by Costa Rica. A revised version was jointly submitted to the NPT and UNGA in 2007 by Costa Rica and Malaysia. Nevertheless, Ogilvie-White insists that India

²⁷ Vaughn P. Shannon, "Norms Are What States Make of Them: the Political Psychology of Norm Violation," *International Studies Quarterly* 44 (2000), 293-294.

²⁸ Tanya Ogilvie-White, "A Cloak for Proliferators? The Suspicions that Impede a Nuclear Weapons Convention," *Global Dialogue* 8, 1-2, Special Issue: "Nuclear Perils" (Winter/Spring 2006).

²⁹ In 1988, India submitted to the UN the Rajiv Gandhi Plan for the Abolition of Nuclear Weapons and the Achievement of a Non-Violent World Order. This included general provisions for nuclear disarmament and development of a security system not reliant on nuclear deterrence. India also submitted a more specific resolution to the UN proclaiming the illegality of the threat or use of nuclear weapons and attached a draft treaty on the prohibition of use. While these were significant initiatives, they were not the basis for the subsequent development or promotion of a NWC by international civil society or the UN. The most obvious connection between India, Iran and the term 'convention' is the yearly resolution introduced by India and sponsored by Iran calling for negotiation of a convention banning the threat or use of nuclear weapons, which draws precedent from the Final Document of the Second Special Session on Disarmament of the General Assembly in 1978. See for example "Convention on the Prohibition of the Use of Nuclear Weapons": A/RES/63/75 (2 December 2008). This resolution, however, leaves aside the issue of outlawing the development, testing, production, stockpiling or transfer of nuclear weapons.

³⁰ Alyn Ware, private correspondence with author (9 November 2008).

has claimed to be the father of the NWC concept since the mid-1990s.³¹ Conversely, after 17 consecutive years of attendance at the UNGA, Ware states: *"I have never seen India arguing at the UN that they are the father of the NWC."*³²

Regardless of these facts, Ogilvie-White writes, *"Consequently, the concept of an NWC, which in principle is irreproachable and should be held up as a moral beacon, has become tainted by its association with states that have a reputation for diplomatic duplicity."*³³ This is reflected in patterns of support for the NWC among the NAC. Although all NAC members support the NWC in principle and vote for the yearly Malaysian UNGA resolution calling for negotiations on a NWC, the Western NAC states (plus South Africa, a latecomer to the NAM in 1994) have blocked its promotion by the Coalition and do not co-sponsor the Malaysian resolution. Conversely, the NAM members of the NAC do co-sponsor the NWC resolution.

Seemingly then, the New Zealand Government resists promoting the NWC idea due to the perception that such promotion would mean associating itself with India's policy line. Such an assessment is supported by the fact that New Zealand votes against the yearly resolution introduced by India entitled 'Convention on the Prohibition of the Use of Nuclear Weapons', which calls for the outlawing of the use or threat of use of nuclear weapons, drawing precedence from the Final Document of the 1st Special Session of the UN General Assembly devoted to disarmament. Yet India's self-interested behaviour in disarmament negotiations merely reflects that of the NWS, whose duplicitous diplomacy has been deeply detrimental in many disarmament forums over many decades. As Lange once said, *"The world of international diplomacy is founded on hypocrisy and deeply rooted in deceit, and there are none better at practising it than India and the U.S."*³⁴

The U.S., for example, has yet to ratify the CTBT and continues to conduct 'sub-critical' and simulated nuclear weapons tests. Despite insisting vehemently in January 2000 that its National Missile Defence programme posed no threat to the Anti-Ballistic Missile Treaty,³⁵ the U.S. withdrew from the Treaty in 2002, demonstrating a lack of good faith or credibility.³⁶ It has consistently undermined international disarmament negotiations, as evidenced by its withdrawal from negotiations on a biological weapons convention inspection protocol after six and a half years of negotiations;³⁷ its obstructive behaviour during the multilateral review of the Millennium Development Goals in 2005;³⁸ its reservation to the Chemical Weapons Convention (CWC) refusing to allow international verification of chemical samples taken on U.S. soil, along with its undermining of the independence of the CWC secretariat;³⁹ and its refusal to sign the anti personnel and cluster munitions conventions. For its part,

³¹ Ogilvie-White, "A Cloak for Proliferators."

³² Alyn Ware, Private correspondence with author (9 November 2008).

³³ Ogilvie-White, "A Cloak for Proliferators."

³⁴ Hank Schouten, 'India's Nuclear Tests Inevitable, Says Lange,' Evening Post, Wellington (18 May 1998).

³⁵ Middle Powers Initiative, Report from the Atlanta Consultation on the Future of the Non-Proliferation Treaty Atlanta, Georgia: Carter Center / Middle Powers Initiative (26-27 January 2000).

³⁶ BBC, America Withdraws from ABM Treaty (13 December 2001). Available from <http://news.bbc.co.uk/1/hi/world/americas/1707812.stm>.

³⁷ Jonathan B. Tucker, "Strengthening the BWC: A Way Forward," Disarmament Diplomacy, 78 (July/August 2004).

³⁸ Julian Borger, 'US Cannot Deter Nuclear Upstarts' The Guardian Weekly, London (18 October 2006)

³⁹ Bob Rigg, The Evisceration of a Disarmament Body (27 April 2007). Available from http://www.opendemocracy.net/globalization-wmd/multilateral_disarmament_4567.jsp

the UK's duplicitous statements regarding its illegal plans for its Trident nuclear force also show a lack of good faith in nuclear matters. Meanwhile, in contravention of their international legal obligations, France, Russia and the U.S. have expanded their nuclear-use policies, and China is expanding its nuclear arsenal. Moreover, the NWS have shown equally disingenuous behaviour regarding conventional weapons, citing their proliferation as supposed justification for the lack of progress on nuclear disarmament. This is both illogical and duplicitous; in 2007, the top five conventional arms exporters in the world were all NWS; the U.S., Russia, France, the UK and Israel.⁴⁰

If responses to duplicitous disarmament diplomacy were even-handed, it would not be possible to collaborate with any of the NWS on an abolition framework. If France, the UK or the U.S., for example, were to begin discussing the feasibility of a NWC, should disarmament advocates then say that they could not explore the idea with them? Clearly, the answer is no. Similarly, neither should they reject discussion with India. The reality is that India is now a NWS. Thus, while genuine disarmament advocates wish to avoid reinforcing perceptions about the value of nuclear weapons by conferring additional status on India because of its nuclear arsenal, Indian cooperation will be essential in the development and implementation of any plan for nuclear abolition. Accordingly, creative ways of incorporating India into abolition discussions *must* be found. Conversely, freezing it out of abolition talks is counterproductive and again, plays into the hands of the NWS.

7. The Right Time for a Nuclear Abolition Treaty?

It is erroneous and counterproductive to suggest that there will 'one day' be a better time to explore an abolition framework. In 1997, then-New Zealand Foreign Minister, Don McKinnon, wrote that the government did not favour pressing for a NWC "*at this stage*", as it "*would inevitably produce a stalemate....The last thing we want in the NPT context is a paralysis like that afflicting the CD.*"⁴¹ Despite the collapse of the 2005 NPT RevCon and the failure of the NWS to fulfil the great majority of disarmament commitments made at the 1995 and 2000 RevCons, politicians and officials are still using this same logic more than a decade later.⁴² Proliferation risks are increasing and will continue to do so without immediate progress towards nuclear abolition. As proliferation risks increase, they progressively magnify the complexity of any potential abolition framework. Action must be taken now to begin to institutionalise a legally-binding abolition framework while it is still possible.

If humanity is to achieve its stated goal of eliminating nuclear weapons, the assumed security and political value of these weapons must be reconsidered; military and political leaders must come to see them as a security liability, rather than an asset. Given the strategic irrelevance of nuclear weapons in a contemporary environment characterised by non-traditional and non-state security threats such as climate change, human rights crises and international terrorism, such a paradigm shift is entirely possible. Encouragingly, there has been much positive movement in this direction recently.

A new wave of international momentum is building around the issue of nuclear disarmament. The relative success of the 2009 NPT PrepCom meeting reflected this fact; delegates agreed to an agenda for the 2010 RevCon only three days into the PrepCom. In contrast, substantive discussions at the failed 2005 NPT RevCon did not begin until three-quarters of the month-long Conference was over, in large part due to lack of agreement on an agenda. More positive news came in late April, with

⁴⁰ This is measured in US dollar value of exports. See: Paul Holtom, Mark Bromley, and Pieter D Wezeman, 'International Arms Transfers,' in SIPRI Yearbook 2008: Armaments, Disarmament and International Security: Summary (Stockholm International Peace Research Institute, 2008), 15.

⁴¹ Don McKinnon, private correspondence with Susanne Menzies-Culling (2 April 1997).

⁴² McDonald, for example, said, "We felt that there was some danger in holding up plan b before plan A was exhausted. And despite the outcome, we're still not convinced that plan A [the NPT] is exhausted." Caroline McDonald and Geoff Randall, private interview with author. Wellington (15 September 2006).

the announcement of a Programme of Action for the U.N. Conference on Disarmament, following almost 13 years of stalemate due to disagreement over an agenda.

Developments in the US have been crucial to this turn-around in events. Following 8 years of resistance to disarmament under the Bush administration, President Barack Obama's has made good on his election promise of making the elimination of nuclear weapons a key foreign policy goal for the U.S. This strong push from the U.S. President has opened a rare window of opportunity for principled advocates such as New Zealand to push hard for exploration of new, creative nuclear disarmament initiatives.

8. Policy Recommendations

Three policy initiatives are recommended through which New Zealand could best utilise its moral authority in the realm of nuclear politics to advance nuclear disarmament. First, it should initiate a project to engage governmental, academic, military, and NGO experts from like minded states in track II exploration of an abolition framework to compliment the NPT, using the NWC as a starting point for the task. As a means of signalling its intent, New Zealand could move to sponsor the yearly Malaysian resolution calling for negotiations on a NWC. Second, New Zealand should publicly express support for the U.N. Secretary General's 5-Point Plan for Nuclear Disarmament, announced in October 2008. Third, New Zealand should increase its promotion of NWFZs by promulgating the New Zealand Nuclear Free Zone Act as a model for 'full-scope' national legislation banning nuclear weapons, and by helping to establish a South Pacific Nuclear Free Zone Secretariat mandated to facilitate greater collaboration between regional NWFZ.

Track II Exploration of a NWC

If ever there was a time for New Zealand to push for a nuclear weapons abolition treaty, that time is now. The most common reason cited by opponents of such a policy is that it would hinder New Zealand's chances of securing a free-trade deal with the U.S. Yet the U.S. is currently driving strongly for the elimination of nuclear weapons. Promotion or exploration of a potential framework for achieving that goal is therefore in line with U.S. national security interests, as viewed by the White House. New Zealand should demonstrate its strong desire to push the disarmament agenda forward by moving to sponsor the yearly Malaysian resolution calling for negotiations on a NWC.

New Zealand should take a leading role in convening a study group of political, military, scientific and NGO experts to explore the possibilities for an abolition process, based on the Model NWC as a starting point for discussions. It is in the interests of all involved to include NGO experts in such an undertaking. Having drafted, then promoted the Model NWC for over a decade, many already have extensive experience in considering practical abolition issues. Their inclusion in such an undertaking is supported by Perkovich's recommendations and would address an omission in the makeup of the Australia-Japan sponsored International Commission on Nuclear Non-Proliferation and Disarmament (ICNND). Such a bold move would allow genuinely committed diplomats and politicians to develop a sense of ownership of the abolition process, which in turn would increase their personal motivation and their likelihood of committing personal time, energy and political capital to it.

Collaboration partners could most effectively be sought from a range of sources: firstly, countries that, alongside New Zealand, took a stance of principled opposition to the recent U.S.-India nuclear deal (such as Ireland, Norway or Austria, inter alia). Secondly, the NAC and 7NI groupings present a potentially fruitful source of collaborators. The membership of South Africa in both coalitions would help to facilitate such a venture. 7NI member Norway may also be supportive given its work with the UK and UK-based NGO VERTIC on disarmament verification. Finally, those states who co-sponsored the 2007 and 2008 nuclear-weapons-deal-terminating resolutions with New Zealand in the UNGA might be supportive of NWC discussions. In terms of building political will within potential collaborator states,

the international network of Parliamentarians for Nuclear Non-proliferation and Disarmament (PNND)⁴³ is a good place to start, where chapters of PNND exist in any of the aforementioned countries. In addition, the newly-created Aotearoa-New Zealand Peace and Conflict Studies Centre at Otago University could be approached to host such a meeting or be involved in related research.⁴⁴

While discussions on a NWC framework would likely be opposed by the NWS at first, the idea that this undermines the value of the undertaking is unfounded. Merely discussing an abolition framework is a powerful catalyst for change, forcing the NWS to defend their indefensible policies in public once more.⁴⁵ In 1984, New Zealand's nuclear free policy did almost nothing to change the international balance of power. New Zealand was criticised by international leaders, who argued the policy "...has not reduced by one the 42number of nuclear weapons in the world."⁴⁶ Nevertheless, despite leaving the entire Western nuclear deterrent intact, from one day to the next New Zealand was said to have drastically altered the international strategic balance. Such is the power of ideas.

The conditionality applied to all negotiations in the CD – in effect, a trade off of interests among the NWS - has stymied any discussion nuclear weapons abolition in that forum. The only viable means of commencing discussions on the abolition of nuclear weapons is to circumvent the obstructive behaviour of the NWS and the consensus rule of the CD by beginning discussions on an abolition framework outside of the CD. Such an approach has proved successful in completing Conventions banning landmines and cluster munitions.

Support for the UN Secretary General's 5-Point Plan for Nuclear Disarmament

The Secretary General's strong advocacy of nuclear disarmament can only be maintained if sufficient political will is shown to support it. His 5-Point Plan is aligned with New Zealand's current positions on nuclear disarmament and non-proliferation. The New Zealand Government should write to the Secretary General to congratulate him on his progressive advocacy of nuclear disarmament and express its support of his plan for nuclear disarmament.

Creation of a Secretariat for the South Pacific Nuclear Free Zone

In 1980s New Zealand, the creation of local-area NWFZ was an essential means of establishing and entrenching the norm of nuclear disarmament. They were a symbolic way of quantifying and publicising the widespread opposition to nuclear weapons. As in New Zealand, at the international level, the significance of NWFZ is not just in the strategic limitations they place on NWS, it is in their symbolic rejection of nuclear weapons, a point reaffirmed at the 1995 NPT RevCon and repeatedly by

⁴³ See www.pnnd.org for details.

⁴⁴ The Director of the Centre is Kevin Clements, author of a comprehensive history of New Zealand's path to nuclear freedom and Director of the Australian Centre for Peace and Conflict Studies at the University of Queensland from 2003-2008. Clements also authored a comprehensive book covering New Zealand's journey to nuclear freedom. See: Kevin P. Clements, *Back from the Brink: the Creation of a Nuclear-Free New Zealand* (Wellington: Allen & Unwin/Port Nicholson Press, 1988).

⁴⁵ This point was clearly evident in the ICJ Nuclear Weapons Advisory Case. The NWS knew a strong statement of illegality would deeply undermine the purported legitimacy of their nuclear arsenal and policies. As a result, despite not recognising the jurisdiction of the ICJ, both France and the US, among other NWS, felt obliged to participate by presenting evidence to the Court. The same logic applies to the NWC and is why the NWS are so opposed to it.

⁴⁶ David Lange, 'Nuclear Weapons Are Immoral.' Case presented at the Oxford Union Debate, Oxford University (1 March 1985).

the NAC.⁴⁷ As Reitzig notes, New Zealand's nuclear free law "...was designed not only to keep nuclear arms and nuclear propulsion reactors away from New Zealand but also to make a contribution to the international nuclear disarmament agenda."⁴⁸ Two specific actions are recommended with regard to the promotion of NWFZs.

First, New Zealand should promote the 1987 Nuclear Free Zone Act as a model for 'full-scope' nuclear disarmament and arms control laws. This would interest nations looking to embed their regional NWFZ treaty obligations in national legislation, or to develop single-state NWFZ to strengthen the international norm against nuclear weapons, as Mongolia has done.⁴⁹ Second, New Zealand should pool resources with other States Parties to the South Pacific Nuclear Free Zone Treaty⁵⁰ and create a small, permanent secretariat, mandated to develop and enhance ties with other NWFZ. This would compliment the work of the analogous Latin American Secretariat based in Mexico,⁵¹ support the ongoing efforts of NWFZ States Parties to create a powerful coalition of states in support of a progressive nuclear disarmament agenda, and facilitate achievement of New Zealand's long term goal of a Southern Hemisphere NWFZ.

9. Conclusion

Humanity stands at the crossroads of crisis and opportunity. The choices we make in the next few years will determine the fate of humanity for many generations to come. On the one hand, we are blessed with an unparalleled opportunity to move decisively towards the peace and security of a world free of nuclear weapons. On the other hand, if urgent action is not taken on a comprehensive disarmament programme, we face a wave of proliferation which will almost inevitably result in nuclear catastrophe. All disarmament advocates, be they governmental, scientific, military, academic, or non-governmental, must come together to demand immediate action for nuclear weapons abolition. We must act now, before this brief window of opportunity passes.

⁴⁷ Non-Proliferation Treaty Review and Extension Conference, Final Document Part I: Organization and Work of the Conference (NPT/CONF.1995/32 (Part I)), 10.; New Agenda Coalition, Towards a Nuclear Weapons Free World: the Need for a New Agenda, (A/53/138). See:

⁴⁸ Andrea Reitzig, "In Defiance of Nuclear Deterrence: Anti-Nuclear New Zealand after Two Decades," *Medicine, Conflict and Survival* 22, 2 (April – June 2006), 136.

⁴⁹ Practical action to support this idea could be as simple as posting a PDF copy of the Nuclear Free Zone Act on the MFAT Disarmament Division website and advertising the fact in track I and II diplomatic meetings.

⁵⁰ Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

⁵¹ The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL). <http://www.opanal.org/index-i.html>

Report: The UN Secretary-General's Five Point Proposal

Dr Kate Dewes

The UN Secretary General's Five Point Proposal of October 2008 is a significant statement that seeks a world free of nuclear weapons as a public good of the highest order. Furthermore it asserts that the doctrine of nuclear deterrence is contagious, making nuclear non-proliferation more difficult and heightening risks that nuclear weapons will be used.

The Five Points of the Plan are as follows.

First Objective

- ◆ Urge all states to fulfill their obligation to undertake negotiations on effective measures leading to nuclear disarmament
- ◆ To that end agree on a framework of separate, mutually reinforcing instruments
- ◆ Consider negotiating a nuclear weapons Convention, backed by a strong verification system. A draft Convention circulated to all UN member state governments would offer a 'good point of departure'.
- ◆ All nuclear weapons states to actively engaged at the Conference on Disarmament and all governments to invest more heavily in verification research and development.

Second Objective

- ◆ The Permanent Five of the UN Security Council to begin talks on security issues
- ◆ The Permanent Five states to unambiguously assure non-nuclear weapons states that they will neither use or threaten to use nuclear weapons
- ◆ The UN Security Council to convene a summit on disarmament
- ◆ Those nuclear weapons states outside the existing Nuclear Non-Proliferation Treaty (NPT), India, Pakistan, Israel, to freeze existing nuclear weapons capabilities and make their own disarmament commitments.

Third Objective

- ◆ Renew efforts to bring the Comprehensive Test Ban Treaty into force
- ◆ The Conference on Disarmament to immediately begin negotiating without preconditions on a Fissile Materials Cut-Off Treaty.
- ◆ Support the full establishment of Nuclear Weapons Free Zones in Central Asia, Africa, and the Middle East.
- ◆ All parties to the NPT to conclude full scope safeguards agreements with the International Atomic Energy Agency, and to adopt the strengthened safeguards now available under the relevant additional protocol.

Fourth Objective

- ◆ Invite nuclear weapons states to both report to the UN Secretariat and to widely disseminate descriptions of their nuclear disarmament achievement.
- ◆ Adopt greater transparency in the disclosure of all nuclear weapons capabilities.

Fifth Objective

- ◆ Foster complementary measures that include eliminations all weapons of all weapons of mass destruction
- ◆ Strengthen efforts against weapons of mass destruction terrorism
- ◆ Limit the production and trade in conventional arms
- ◆ Introduce new weapons bans including those against missiles and space-based weapons.

Relevant to all of these objectives was the UN Secretary General's speech to the Conference on Disarmament on 19 May 2009. This called for:

- ◆ A 'new multilateralism' where cooperation replaces confrontation and where creativity replaces stalemate'.
- ◆ The Five Point proposal presented is an opportunity to 'revitalise the disarmament agenda'.
- ◆ Encouraged by the wide recognition of his statement, the Secretary General welcomed 'the many recent developments, statements and initiatives that can help to translate my proposals into real progress'.
- ◆ Under conditions of deep economic and financial crisis 'by accelerating disarmament we can liberate resources that we need to combat climate change, address insecurity and achieve the Millennium Development Goals'.
- ◆ Accordingly 'let us unite behind a shared vision of a safer world. Let us find the courage for bold action for action to make it a reality'.

The Secretary General's Five Point Plan provides a significant incentive for stronger collaborative action. This includes activity through:

- ◆ The grassroots, the news media, legislators, and civil society leadership
- ◆ Focus on the Conference on Disarmament; the 2010 NPT Review Conference, the UN Security Council, the UN General Assembly, the 2010 Conference of States Parties to Nuclear Weapons Free Zones, the G8, the Non-aligned Movement, and US/Russian Summits.
- ◆ Through focus on representative bodies including the Inter-Parliamentary Union, the NATO Parliamentary Assembly, the OSCE Parliamentary Assembly and national parliaments.
- ◆ Via Nobel Peace Laureates' Summits, Conferences of Mayors, public events (eg the Global March for Peace), and general news media.

A further opportunity of importance exists by establishing a *Friends of the UNSG's Five Point Plan*. This would enable:

- ◆ Countries, NGOs and academics to promote the Plan
- ◆ To foster a UN Decade for Disarmament 2010-2020
- ◆ A possible UN Disarmament Day (27 October)
- ◆ Encouraging a New Zealand Parliamentary Resolution in support of the Plan

The Treaty on the Non-Proliferation of Nuclear Weapons

Dr Joan Mosley

A statement by New Zealand's Dr Joan Mosley to the general debate of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, third session, 4 - 15 May 2009, UN Headquarters, New York.

Mr Chairman,

Allow me at the outset to assure you of my delegation's full support for your endeavors at the helm of this Preparatory Committee meeting. New Zealand will engage in an active and constructive manner in all efforts aimed at achieving agreement on an agenda for the Review Conference and on a set of elements to shape our discussions in 2010.

On the key issue of nuclear disarmament, New Zealand supports strongly the views of the New Agenda Coalition, as expressed by the distinguished Representative from Sweden. Creating a world free of nuclear weapons must remain at the forefront of our efforts to achieve a safer, more secure world.

Mr Chairman,

The NPT underpins the international security architecture. All NPT member States have vested interest in and ownership of the Treaty and its operation. One of the keys to the NPT's enduring nature is the equal importance attached to its three pillars - disarmament, non-proliferation and peaceful uses. All elements of the "grand bargain" are deserving of equal weight in their implementation.

The Commitments made at past Review Conferences, freely agreed upon by all NPT member states, form an essential part of the NPT's fabric and its enduring nature. The outcomes from the 1995 Review and Extension Conference and the 2000 Review Conference hold particular significance for New Zealand.

Mr Chairman,

New Zealand is heartened by the renewed level of optimism on nuclear disarmament and non-proliferation that has been evident in recent months. It appears that the nuclear disarmament and non-proliferation landscape may be on the cusp of positive change. We are greatly encouraged by the

expressions of support for a world free of nuclear weapons by both the nuclear weapon and non-nuclear weapon states.

New Zealand warmly welcomes the statement by US President Obama in Prague outlining his government's commitment to move beyond Cold War thinking and to take a more balanced approach to all aspects of the NPT, including nuclear disarmament. We also welcome the commitment made by Russian President Medvedve (as outlined by Foreign Minister Lavrov in his address to the Conference on Disarmament this year) to reaching the goal of a world free from nuclear weapons.

The recent announcement by the US and Russia that they would commence negotiations on a new nuclear reductions agreement is of the utmost significance. We look forward to tangible progress and deep cuts in their nuclear arsenals.

Most recently Foreign Minister Nakasone of Japan announced a three pillar eleven benchmark roadmap to a nuclear free world. It contains much that resonates with New Zealand and we look forward to the international conference which Japan is planning to host early next year.

Mr Chairman,

New Zealand has long held that nuclear disarmament and nuclear non-proliferation are mutually reinforcing. We are pleased to play our part in combating the proliferation of nuclear weapons.

Through our membership of the IAEA Board of Governors, which we embarked on for two years last October, we contribute to the non-proliferation effort. We have implemented a robust set of export controls domestically aimed at preventing the proliferation of nuclear materials, equipment and technology.

Mr Chairman,

Despite the positive signals of recent months, we face significant challenges. There are complex verification issues that need to be met firmly by upholding the Treaty's integrity and reinforcing the authority of the safeguards system of the IAEA.

The IAEA Additional Protocol is a key tool and, together with a comprehensive safeguards agreement, forms the contemporary verification standard in New Zealand's view. New Zealand strongly urges all States Party which have not yet done so to conclude and to bring into force an Additional Protocol without delay.

Like others, New Zealand remains concerned at the ongoing open questions that remain about the nature of Iran's nuclear programme. We call on Iran to cooperate fully with the IAEA, and comply without delay with all IAEA Board of Governors' decisions and UN Security Council resolutions. New Zealand is also concerned at the lack of progress in the IAEA's inquiry in the Syrian Arab Republic and we urge Syria to offer its full co-operation to the IAEA in its work.

The DPRK's nuclear weapons programme remains a serious challenge to the international nuclear non-proliferation regime as well as to peace and stability in the Korean Peninsula and beyond. New Zealand is disappointed that the DPRK has responded to international condemnation of its recent missile launch by expelling the IAEA's inspectors. We urge the BPRK to rethink this decision and to re-engage positively in the Six Party Talks process.

Mr Chairman,

New Zealand recognises the right of all States party to the Treaty to peaceful uses of nuclear technology in conformity with Articles I, II and III of the Treaty. We acknowledge the many benefits that can come from the balanced and responsible use of nuclear energy, particularly in the area's of health, food, security, and the environment.

We need to ensure that the peaceful uses of nuclear technology remain accessible to all States Parties, while at the same time ensuring that such technologies are managed safely and securely, and do not contribute to the proliferation of nuclear weapons. Waste management is an essential consideration too.

Mr Chairperson,

The 2010 Review Conference is a key milestone in the life of the NPT. We must make the most of this opportunity. It is incumbent upon us all to ensure that the Review Conference conducts a comprehensive review of the Treaty and agrees on a course of action that will serve to strengthen the NPT and to bring us one step further along the road to a world free of nuclear weapons. New Zealand stands ready to work with all interested states towards a robust, forward looking process in 2010 that will reinforce the effectiveness of the Treaty and stand it in good stead for the future.

Thank you Mr Chairman.

Comments on the Treaty on the Non-Proliferation of Nuclear Weapons

Natasha Barnes

Comments on the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, third session, 4 - 15 May 2009, UN Headquarters, New York.

Good Afternoon Ladies and Gentlemen. Firstly, I would like to thank for the opportunity to speak to you about my impressions of the NPT Prep Com 2009 and subsequent outcomes, and also to acknowledge the other speakers. My name is Natasha Barnes and I am currently writing my Master's thesis at the University of Canterbury. I am looking at the role of middle power states in promoting the emerging norm of nuclear disarmament. I was extremely fortunate to receive some funding for my studies, which meant that I could undertake a research trip to my case study states and attend the NPT Prep Com in New York.

I have been studying the NPT and nuclear related issues for 3 years, this was the first time I had attended a conference of this type before. So, I think probably, my comments will reflect this fact.

The Preparatory Committee for the 2010 Review Conference was tasked with addressing the procedural issues for next year's Rev Con, including setting the Agenda, and discussing substantive issues if not submitting recommendations to the Rev Con. I thought that I would address the Prep Com both as part of the NGO delegation and as a student observer, drawing on some of the conversations I had with the participants. I am hoping to do slightly more than repeat the summaries of the conference already circulating, and hopefully I can offer a fresh view or a different perspective? The Reaching Critical Will website and in particular the NPT News in Review provides a very comprehensive summary of the conference and side sessions.

To this end, I will cover:

- a. The outcomes of the Prep Com

And looking at the Prep Com in 2 parts

- b. Some of the more progressive state initiatives, and then
- c. The non- governmental contribution to the Prep Com
- d. The challenges that have become clear-er
- e. And some areas for discussion and activity.

Outcomes:

In brief, an agenda was agreed upon on the fourth day, and a consensus document covering many of the procedural issues including finance issues and the chair was agreed on the last afternoon. Consensus could not be reached however on recommendations suggested by the chair which is an issue that I will come back to.

I think that the best place of departure, as Joan said, and in terms of an impression of the Prep Com, and the key point, I think, is the moment in which we live and the tangible effect of Barack Obama and the new US administration on the prospects for nuclear disarmament, the most notably reference is of course his 5th of April speech in Prague. A majority of the states referred to America's commitment to seek the peace and security of a world free of Nuclear weapons.'

As I am sure you are all aware, beyond this vision Obama outlined a commitment to some of the steps needing to be taken. I hardly need to tell you that this is a very welcome change in US policy indeed. That was reflected in the opening statements of the states.

In fact Mayor Akiba coined a gorgeous catchphrase the 'Obamajority,' which is a reference to the majority of states that support disarmament initiatives, coupled with Obama's support, making an 'Obamajority.' Now apparently for Japanese speakers there is little differentiation between the 'b' and 'v' sounds- so 'Oba' can easily become 'Ova'- majority... Akiba's suggestion here is that maybe this is the critical mass needed to push the disarmament agenda forward.

The renewed momentum, is not the result of Obama alone, but has been preceded by a number of statements and proposals in support of a nuclear weapons free world by other key players and world leaders. I won't get into them here, but a substantial number of them are behind me.

There was a real and tangible sense that this time things will be different. Obviously I am referring to the disaster of the 2005 Rev Con. There was talk of the new atmosphere, a renewed commitment, a critical juncture a moment of hope, window of opportunity. The prompt adoption of the Agenda for 2010 is clear example of this new willingness to engage the issues.

As we are well aware of the challenges and problems we face I thought I would focus on the more progressive initiatives suggested by states. These are in general suggested by a group of the usual suspects, who are as a Marianne would call the missionary states...

The New Agenda Coalition

And talking about the usual suspects...

Those in support of the New Agenda Coalition, spoke of the group being re-energised under Swedish leadership- particularly in the last year or so. Which, is also welcome news, as the relationships within the NAC have been strained in the past. The states were quite clear on the limit the scope of the Agenda and seemed keen to keep away from those areas where there is disagreement. The New Agenda countries appeared mindful not to undermine the 2000 outcome and 13 Steps. Partly because even the appearance of a cohesive NAC group, reinforces the 2000 outcome. The NAC papers submitted to the Prep Com did not appear to garner the impressive support they once had.

What is clear is the 13 steps remain central to the debate- and whether they are reaffirmed, recognized and amended, or repackaged, or we have a new list of steps- I don't think it is yet clear. There are many differing opinions about the relevance of the steps, their political feasibility, and the priorities within the steps.

The debate at the moment appears to centre around these 'wonky laundry lists,' as Gareth Evans so nicely put. Whether it be 63 steps, 11, 5 or the 13 steps, many of the steps that need to be taken have been identified and are being discussed by the states, it is building consensus around a core group.

State initiatives:

NATO 7: Belgium, Lithuania, the Netherlands, Norway, Poland, Spain and Turkey working paper: essentially a statement of support for a number of initiatives and a balanced approach to the implantation of the NPT and calls for concrete commitments on the objectives. It doesn't really add anything, but it is a statement of support, to other initiatives and proposals. It is evidence of consensus more than anything else.

This consensus included a large number of states calling for the implementation of various steps and initiatives, particularly the CTBT, an FMCT, a fuel cycle. Most states called for the resolution of non compliance issues and the increase of various controls.

The more pro disarmament states called for negative security assurances, no first use/ de alert agreements, an end to NATO nuclear sharing, reductions of arms by the NWS, and the universalisation of the treaty, including the resolution of the Middle Eastern Nuclear Weapons Free Zone. Some, including Costa Rica and Malaysia called for a comprehensive disarmament framework.

Some states, like Canada and the NAC entered constructive proposals centering round stronger reporting mechanisms, strengthened institutional support, including regular state meetings, standing secretariat, subsidiary bodies and ad hoc committees and more stringent and universal safeguards. The 7NI was particularly impressive with its verifiable disarmament work. These progressive proposals, unfortunately meet with little support, as states continued to prefer political posturing to achieving real progress.

What needs to happen: action plan for 2010-2015

This Prep Com, while being a moment for hope, is however a moment for caution as well. We must not forget that this is a critical juncture- and whilst the vision of nuclear weapons free world is a welcome turnaround, how we get there requires much more than simply 'yes we can.'

Particularly in light of Obama and Brown's statements. Now more than ever it is important to remember that this is not a time of complacency, as the divisions within the NPT still run very deep. And, not all states have responded to this new mood (Iran, North Korea).

The US challenge:

History teaches us that the US domestic political situation is not something to be underestimated. It bought down the league of Nations, and so the senate ratification is critical to the very first step towards a NFWF.

I spoke with a member of the US state department, who acknowledged the US delegation to the earlier Commission on Disarmament was unprepared. And that the Head of the US delegation to this Pre Com was in a difficult position, as her boss, and in fact the head of the state departments nomination had not been passed by Senate. I understand however that the US delegation did a good job, and it is both interesting and motivating to know that the new Administration is committed to outreach with the NGO community, the member of the state department that I spoke to attended a

few of the NGO events, and consulted with many members of the NGO community. So whilst we may not have concrete policies from the US as yet, and given the huge turn around for the diplomats from the direction of the last decade, there is definitely cause for optimism.

This particular brand of caution and optimism was reflected in the debate over the chairs recommendations. These recommendations were I think very ambitious, particularly in the area of disarmament calling for an investigation into the ways and means to commence negotiations, in accordance with Article VI on a convention or framework of agreements to achieve global nuclear disarmament...Unfortunately, the draft was revised and many aspects were diluted on the aim of achieving consensus, which was never reached. many states thought the language was too weak, others still felt it was too strong. Many but not all states recognised that the recommendations were not binding and did not prejudge the outcome of the RevCon, and would be more a demonstration of commitment than anything else. I think that the Chair was concerned that it was best not to ruin the spirit of cooperation.

A consensus document outlining recommendations would have been a first for a Prep Com, and a considerable achievement

However on the more positive side, it was felt by many that a document for this Prep Com will probably not make a big difference one way or the other, it goes beyond the procedural purpose of the Prep Com but would only be an indication of what is to happen next year. A consensus document that is more of a 'lower common denominator' would draw expectations down and leave everybody feeling a little disappointed. It may in effect lock people into discussions that don't address the concerns.

No outcome suggests that whilst states are prepared to discuss the issues consensus on many of the issues is still a very long way off. If anything it draws attention to the deep divisions within the Treaty regime. There is still much work to be done for next year to reach agreement on many of the issues.

NGO contributions and initiatives:

I thought I would briefly go over the key and interesting points raised by the NO's in the side sessions. There were a number of brilliant side sessions run by the various NGO's. these included:

Middle Powers Initiative activity

- Celebrity sessions: panels included Michael Douglas and Christie Brinkley
- Towards a Nuclear Weapons Free World: Indian perspectives on Nuclear disarmament book launch

Peace Depot, Japan

- Discussion of the South East Asian NWFZ- Peace Depot draft treaty
- Comments made by Alyn Ware concerning the about high bar of admission, preventing Japanese and US governments from accepting provisions. This was regarding extended deterrence. Alyn Ware suggested to learn from other NWFZ treaty experiences (Rarotonga treaty and Australian extended deterrence)

ICCND (Japan and Australia)

- Comments made by Patricia Lewis, advisor to the Commission. She suggested we need to take the good ideas from the Commission, and run with those. This is despite some aspects which may not appeal to all including provisions for nuclear energy. An attempt to write a report by committee will always be fraught with differing opinions, she stated other parts of the Commission's recommendations should be undermined by this.

VERTIC (Norway and UK)

- VERTIC is assisting the Norwegian and UK governments on an initiative seeking verifiable nuclear disarmament. This initiative deals with the technical issues to create a verification solution to identify a radiological source that is robust, simple and cheap. The objective is to aid the creation of an international climate supportive of further reductions and eventually a nuclear weapons-free world. Whilst the technical and political issues surrounding disarmament may take some time to resolve- the developers of this project feel that it is possible to take steps in this direction now and they are aiming to be as transparent as possible. This initiative is unique in that it involves verification of disarmament by a NNWS.

IRENA: International Renewable Energy Agency

- Renewable energy solutions that do not undermine human security and the environment

The environmental and medical consequences of nuclear war: IPPNW/ ICAN

- Comments that NWFZ commitments are rendered irrelevant given the global scope of even a limited nuclear war- suggest problem for all.
- Panel used latest data and technology from climate change research to demonstrate nuclear darkness, and climatic impact, resulting in an increased awareness of effects of nuclear war

Disarmament and Human Security: hosted by Soka Gakkai

- Disarmament must be linked to human security, as this is the key to gaining wider public and government support. An appeal to human security, framing disarmament as part of a wider value system of human security, a human first approach, will encourage a renewed pragmatism, that keeps in mind the necessary interconnectedness of progress on disarmament, climate change and environmental protection, sustainable development (millennium development goals), and financial security.
- Question: Why resurgence of conversation on disarmament- what has driven the momentum- this is key for understanding new climate of hope

Regarding the NWC:

- Statements of support from the UN SG, the Middle Powers Initiative, Douglas Roche, NGO Community.
- Within state community: statements of support by Costa and Malaysia

The Model NWC negotiations student simulation:

- 30 university students from the University of Darmstadt, Germany simulated negotiations on the NWC and the implementation of Article VI. This was a continuation of a simulation that began at the 2008 Prep Com. This was intended to show the feasibility of the negotiations, and maybe address some potential issues in the negotiating process. The simulation ended up focusing around time allowances for phases, and extensions. It was particularly interesting to meet a member of the (real) Russian delegation observe the negotiations for a while. Its served a good purpose in raising the profile of the NWC. I think that this is a really great format- particularly for including young people in the process- and for highlighting the possibilities and NGO commitment to the NWC. There was of course much room for improvement- better facilities, greater visibility, more in depth knowledge and perhaps more engagement by the students.

I would suggest this is definitely something to explore.

For the future: need to address the use of nuclear weapons

Comments From:

Patricia Lewis

- Use needs to be brought back as the central focus. She advocates a flexible approach, suggesting many initiatives may be able to be started right now, perhaps choosing a select part to start with. A global ban will need to at least start outside the UN and the traditional forums as the CD will be held up for some time with the FMCT. Regarding the problem of critical states being outside the treaty, She suggested both it would lower the bar to include them earlier, and would adversely affect norms of compliance. Regarding universality as a reason for not beginning negotiations, whilst an issue, NPT is an example of this approach anyway with the 2 NWS only signing up in 1992, this does not affect the core strength of the NPT now.

Gareth Evans

- Suggests a NWC is premature, but maybe a short treaty or statement on the illegality of the use as a step towards creating momentum.

What needs to happen: 2009 to 2010 plus.

1. Need an action plan
2. Address the problem of 'double think': an Orwellian Term coined by Patricia Lewis- a reference to the cognitive dissonance displayed by many nuclear supporting states and their conflicting and contradictory policies
3. Need to stop preaching to the converted: diplomats only talking to diplomats, NGO's only talking to NGO's, academics only talking to academics- not enough talk between stakeholders. Not only this but there is clearly not enough communication between government departments.
4. Greater attention to the issues: more public attention, diplomatic and political attention
5. Need to address conventional weapon superiority
6. Need to address security post nuclear weapons- North East Asia, Middle Eastern regional security, global collective security without nuclear weapons
7. Need to create irresistible political situation and enabling environment, Disarmament as is issue of political will
8. Disarmament education is key for outreach to problem areas Finally as a quick aside there was a documentary shown on the first night 'The Strangest Dream.' It is the story of Joseph Rotblat and the efforts of the Pugwash Conferences which he founded to halt nuclear proliferation. Rotblat worked on the Manhattan Project, and left openly to be branded a spy and a traitor. With Bertrand Russell he went on to help create the modern peace movement and eventually won the Nobel Peace Prize in 1995.

Rotblat signed the Russell- Einstein manifesto, so it seems fitting that I leave you with this nice quote from our dear friend Albert and a photo I took of some very appropriate street art in New York.

'The unleashed power of the atom has changed everything save our modes of thinking and we thus drift toward unparalleled catastrophe. The solution to the problem lies in the heart of mankind'

Thank you.

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NCCD Conference Report: Students for a Nuclear Weapons Free World

Wilson Chau

NCCD 2009 Conference Report by Wilson Chau (Students for a Nuclear Weapons-Free World.)

1. Brief Summary

I essentially made three points during my presentation at the NCCD conference.

Firstly, I acknowledged the risk that the nuclear disarmament movement in New Zealand will ground to a halt if we do not start investing in today's youth. Young individuals, both secondary and tertiary level students, hold the key to sustaining and even strengthening the fight against nuclear weapons and other weapons of mass destruction. The world and society as a whole is constantly changing however. In order to ensure that nuclear weapons disarmament remains as a substantive and critical issue for the public, innovative and creative ways must be found in order to raise awareness and educate young members of the public about the issue.

Secondly, while a lot has been done and achieved in the area of investing in postgraduate students studying in peace and disarmament studies, we have to face the fact that the most crucial force against nuclear weapons are ordinary youth. The disarmament community in Aotearoa must cast its nets wider in order to capture the bulk of youth. Therefore, I strongly encouraged attendants at the conference to consider initiating or reinvigorating campaigns and projects that are specifically designed to appeal to secondary school and undergraduate-level students.

I am not ruling out the efforts to invest in postgraduate students. Scholarships and funding for postgraduate students studying peace or disarmament issues should be maintained and reinforced. However, the same sum of money that is used to support an individual postgraduate student in his or her studies for one year can be utilised to invest in dozens or even hundreds of secondary and undergraduate students. What we should especially focus on is work towards empowering students across the country, no matter what they are studying, and encouraging them to use whatever skills and talents they have towards supporting the disarmament cause.

Thirdly, I suggested that a project which could achieve the goal of reaching out to a wider and younger audience is a nuclear disarmament competition. The competition would have three aspects: essays, artwork (or posters) and videos. As a competition opened to both secondary school and undergraduate (and potentially postgraduate) students, the essay/artwork/video combination will hopefully appeal to a wide audience as it will allow students who may not necessarily excel at producing academic work to use their artistic and creative talents to express their message against nuclear weapons in other formats. The competition will be promoted to all education institutions across the entire country.

12 to 15 winners will be selected. However, this is not the end of the competition. Once these winners have been identified, they will be invited to attend a follow-on conference that is specifically aimed to engage these winners more comprehensively through guest speakers and workshops that will inspire and empower them to become young leaders in nuclear disarmament.

The reason why I chose a competition plus conference combination is, firstly, because it works. Much of what I propose to do will be similar to the successful Students for a Nuclear Weapons-Free World competition which I entered and won (by producing a poster). Of course, that was a competition held on a global scale but it nonetheless drew well over a hundred entries from students all around the world. The competition and conference I propose will be specifically tailored for New Zealand youth only. Secondly, the materials produced by youth entering my proposed competition, whether it be an essay or an artistic creation, will provide fresh resources to fuel our cause. These materials, entirely produced by youth, may give the nuclear disarmament movement new ideas. Finally, I strongly believe that in order to appeal to youth today, incentives must be provided.

I have seen a number of highly successful competitions in the Auckland region, not related to peace and disarmament, that have drawn in a large number of youth entries because of the incentives given to enter. Perhaps it is a competition, with reasonably attractive rewards or incentives, that will give youth a worthwhile reason for engaging in the topic of nuclear disarmament.

Since the NCCD Conference in May, I have produced a practical and workable project proposal that I intend to submit to PADET for funding.

2. Activities in the University of Auckland

Prior to the NCCD Conference, I organised a panel discussion with three guest speakers (Lyndon Burford, Phil Twyford and Dr. Maria Rublee) aimed at fostering an open discussion about nuclear disarmament with students in the University of Auckland. I decided to follow this up with a second panel discussion held in August, with Dr. Kate Dewes, Alyn Ware, and Lyndon Burford having kindly contributed as panel speakers.

The August panel discussion was again aimed at university students. It was a tremendous success, with over 50 students attending the event, considering the difficulties there are in drawing students in a fast-paced and busy university environment to events such as this. The feedback I received was positive, with a number of students saying the panel discussion was an informative and interactive experience.

I intend to continue to look for opportunities to raise awareness and educate youth on the issue of nuclear disarmament. The next step I am intending to make is to organise a debate about some contentious issue regarding nuclear disarmament. Debates are a great way to stimulate interest and discussion about a particular issue. With positive support from a number of on-campus student organisations, including the United Nations Youth Association of New Zealand and Amnesty on Campus, there is potential to achieve a lot in terms of getting the message and facts about nuclear disarmament to students at the University of Auckland.

From Dr Rosemary Wyber

Former Chair International Physicians for a Nuclear Weapons Free World Students Assn Australasian representative.

"Medical students in Australasia have worked over the last few years to forge a collective regional identity around peace and disarmament issues. A New Zealand Student branch of IPPNW - Medical Students for Global Awareness, MSGA - was established in 2007 following student representation at the IPPNW Global Congress in Helsinki, 2006. Later in 2007 we were able to extend our relationship with Australian and regional affiliates in Adelaide at our regional IPPNW student meeting. Since then MSGA has broadened its scope and addresses a range of issues relevant to socially responsible medicine. This process of evolution has also come to include a number of affiliated organisations and projects, including the Fiji Village Project and the Medical Aid Abroad Program. In 2009 a number of New Zealand medical students attended the Global Health Congress run by the Australian Medical Students Association and developed additional relationships with like minded Australian students. New Zealand is now fortunate to have an enthused body of socially aware medical students who are well connected with international colleagues and campaigns. IPPNW support of medical students provided a catalyst for this surge of interest in recent years and the ongoing support of senior colleagues is invaluable in consolidating this enthusiasm"

Nuclear Disarmament: The Vision and the Reality

Dr Kennedy Graham

Nuclear disarmament has been on the international agenda since nuclear technology, in the form of weapons, first appeared in 1945. In the first resolution of its first session, the UN General Assembly called for the internationalisation of atomic energy and both the US and USSR put forward plans to that effect. Cold War suspicions killed off the idea and the national nuclear arms race commenced.

The major powers as well as some leading non-nuclear states appealed for some international agreement for the containment of the spread of nuclear weapons. The resulting NPT struck a global bargain. On the one side, the conventional weapons states undertook to remain that way. On the other side, the nuclear weapon states undertook to convey the benefits of peaceful technology and also to negotiate in good faith nuclear disarmament measures leading to their ultimate elimination from national arsenals.

The NPT has strengthened in that all permanent members of the Security Council and all conventional weapon states are members (189 in all) with the exception of DPRK whose recent withdrawal makes it 188. Only three other UN Member States remain outside (Israel, India and Pakistan) each with nuclear weapons. In one respect, that is not a bad record, given US President Kennedy's concern of a world of 40 or 50 nuclear weapons states.

It remains entirely unclear, however, whether the world will achieve the goal of a nuclear weapon-free world as envisaged by the UN and enshrined in the NPT. A majority of opinion holds that the P-5 states are in material breach of their NPT obligations to negotiate the elimination of nuclear weapons from their own arsenals. The advisory opinion of the ICJ in 1996 simply ups the ante, by judging that while the use of such weapons would be generally contrary to international law, it could not conclude that it would be illegal when the very survival of a state is in jeopardy. In their submissions, the major powers claimed a *de jure* status for their possession of nuclear weapons 'into the indefinite future', which is the antithesis of the NPT vision.

The underlying, almost existential, problem is that the international community has not reached agreement on the nature and configuration of the force structure for global governance. The concept of collective security, enshrined in the League and the United Nations, rested on the overwhelming superiority of group conventional weaponry against an aggressor. The immediate reality for 40 years, however, was nuclear deterrence for strategic stability – an entirely different concept of global governance. The reality for the past 20 years has been a semi-permanent nuclear oligarchy within the UN Security Council, four nuclear outliers with nuclear deterrence retained at the regional level, and the rhetorical vision of a nuclear-free world (and indeed the patently absurd concept of 'general and complete disarmament') retained at the UN. No global consensus exists on the military configuration of power at the global level.

In this situation, states find it easier to 'tinker at the margin' than address the core issue. Complementary measures such as test bans, fissile material cut-offs, non-use assurances, nuclear-free zones, all seek to chip away at nuclear weaponry both at the vertical and horizontal levels. The nuclear powers, however, take great care to ensure that these do not strike at the heart of strategic nuclear force posture or doctrine – even in the latest Security Council resolution 1887.

The only nuclear disarmament measure that directly strikes at the heart of the matter is a nuclear weapons convention, which would completely ban their possession (as with the chemical and biological weapons conventions). While this is making gradual headway, it will not succeed through waiting for the nuclear powers to agree; but only through a middle-power initiative (as with the land-mines and cluster munitions measures) to create a treaty without the nuclear powers themselves, thereby bringing such a convention into force that becomes binding in international law. The nuclear powers then have an option to join – when ready.

Meanwhile, New Zealand adheres to its national nuclear-free policy. The current Government claims to embrace the policy with the same force as the Labour Government did in the 1980s.⁵² But along with its predecessors, it continues to oppose nuclear disarmament resolutions at the UN put forward by India which are entirely consonant with New Zealand's nuclear-free policy.⁵³ There is a compelling argument that New Zealand should judge its voting pattern on nuclear disarmament at the UN, not on the putative motivations of a sponsor, but on the objectives and logical consistency of the resolution itself.

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http://ourhouse.parliament.nz/en-NZ/PB/Debates/Debates/c/9/5/49HansD_20090408_00000001-Questions-for-Oral-Answer-Questions-to-Ministers.htm (Question 4)

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http://ourhouse.parliament.nz/en-NZ/PB/Debates/Debates/2/c/a/49HansD_20090924_00000117-Questions-for-Oral-Answer-Questions-to-Ministers.htm (Question 5)

Nuclear Disarmament and Arms Control

John Hayes

I am grateful for the opportunity to share my views on Nuclear Disarmament and Arms Control here with you today.

Both Nuclear Disarmament and Arms Control are important issues in today's world. Yet despite the international debate on both issues, I would say that there exists a general consensus amongst New Zealanders on disarmament issues. I would add that this is largely the case despite political affiliation.

In fact, a survey of the different political parties conducted by the National Consultative Committee on Disarmament, showed how closely the different political parties and their supporters were on this issue.

What is clear to me is that New Zealanders, like me, overwhelmingly support our country's efforts at the UN to bring about a treaty that will control the transfer of small arms and establish a Convention to abolish nuclear weapons. It is no surprise that the focus, as made clear by Hon Georgina te Heuheu, is to work to combat nuclear proliferation and to ratify the Cluster Munitions Treaty.

New Zealand participated in the first Nuclear Non-Proliferation Treaty (NPT) Review Conference in 2000. We are a member of the International Atomic Energy Agency (IAEA). In fact, New Zealand has just taken a two year regional seat on the IAEA's board.

We are a member of the New Agenda Coalition, which consistently works to inject fresh thinking and momentum into multilateral talks to secure nuclear disarmament. We are also part of the Proliferation Security Initiative (PSI) – which is an effort aimed at preventing the spread of weapons of mass destruction.

The last ten years have seen setback after setback in the quest for nuclear disarmament. The five-year review of the Nuclear Non-Proliferation Treaty in 2005 floundered. In 2006 North Korea announced that it had tested nuclear weapons. In fact, as I walked here this afternoon, I was told that North Korea announced another nuclear test.

Despite the disheartening news, I believe that we may be turning a corner on the issue. Just a few days ago, Foreign Minister Hirofumi Nakasone visited New Zealand. In April Mr Nakasone had outlined his plan – called the Eleven Benchmarks for Promoting Global Nuclear Disarmament.

His effort to get the ball rolling on nuclear disarmament makes me hopeful that real progress will be achieved. I was heartened by President Barack Obama's April speech in which he made clear his

administration's commitment to taking concrete steps towards the achievement of a safer nuclear-free world.

I am also encouraged by Hon Georgina te Heuheu's recent speech in which she outlined the top priorities for 2009. As I'm sure that you all heard it or read the transcript, I won't delve into the specifics. What I will say is that despite being realistic about how quickly we might expect to achieve a nuclear-free world, her tone was one of optimism. The Minister made it clear that "New Zealand is in for the long haul." By focusing on building consensus amongst our regional neighbours, our allies and our fellow UN members, we can achieve results.

Despite the worrying trends, there are small victories. In the 1967, the countries in Latin America created the world's first Nuclear Weapons Free Zone (NWFZ). Since then, three other NWFZs have been established – one in the South Pacific, one in Southeast Asia and one in Africa.

Including Antarctica, five of the seven continents in the world are free of nuclear weapons. With hard work, perseverance and patience, it is likely that we will be able to help bring about new NWFZs. Perhaps the next one will be comprehensive agreement between all the countries of the Southern Hemisphere?

Thank you for attending the conference and I look forward to a lively discussion this afternoon.

Workshop Observations

Robin Halliday

The Conference attendees divided into small groups to consider some of the issues covered and to make recommendations:

These included:

1. The Impact of the International Commission on Non Proliferation and Disarmament Co Chaired by Australia and Japan.

There was discussion on how much emphasis they will place on promoting a Convention to Eliminate Nuclear Weapons now. Akira Kawasaki's paper – see page 18 – highlighted the work of Japanese NGOs and Dr Tilman Ruff – the other Civil Society adviser to the Commission is Director of ICAN the Australian based campaign for a Convention. While initial documents supported a Convention: and it is in the Secretary general five point plan - there is a concern that this is seen as a final stage and would therefore fail to give the sense of urgency that Malcolm Fraser urged us to have.

Comprehensive background papers produced for the Commission are available on iccnnd@daft.gov.au

2. Ottawa/Oslo Process Model – Global initiative to Abolish Nuclear Weapons – ICAN

It was proposed that a new NZ National Campaign Coalition – similar to the successful Australian campaign (ICAN) and using the Cluster Munitions Model be established in New Zealand.

ICAN www.icanw.org promotes the immediate commencement of negotiations for a Nuclear Weapons Convention. Peace Movement pma@xtra.co.nz and interested members from the Aotearoa Cluster Munitions Coalition will co-ordinate this in the interim phase.

3. Grassroots/Youth

This group discussed how to better connect with grassroots movements and young people generally. Their findings included:

- *Links need to be draw between nuclear disarmament, climate change, feminism, and human rights.* This would mean marketing to young people through culture (music and drama) high profile people, kids in schools – incentives, competitions scholarships – and giving simple comparisons eg the US

annual budget for nuclear weapons (7 % of global Military spending) invested annually for a decade would deliver the Millennium, Development Goals by 2015 – Hon Malcolm Fraser.

- *Designate a Day: Celebrate the accomplishments, mobilise a positive vision.*

This could be in Disarmament Week (between October 24 – 30) or Parihaka Day (November 5) and linked with Guy Fawkes.

- *Work with other groups.*

For example: Global March for Peace, to highlight the need for Nuclear Disarmament.

4. Promoting a Parliamentary Resolution

- Write to all Political party leaders calling for them to work together in the lead up 2010 NPT Review Conference.

- Draft a parliamentary resolution supporting the UN Secretary General's 5 point plan including a Convention.

- Write to Cross Party Politicians including Minister of Foreign Affairs promoting proposals in Malcolm Fraser's address eg Southern Hemisphere Nuclear Weapon Free Zone and support for UN Secretary General's 5 point plan.

- Distribute Wilson Chau's award winning poster to all MP's

Recommendations

*Recommendations arising from the National Consultative Committee on Disarmament
National Conference 24-25 May 2009*

- To establish a New Zealand Branch of ICAN
- To form a Friends of the UN Secretary General to promote and foster the 5 point plan
- Build on the recent Mongolian Conference on Nuclear Weapon Free Zones leading to a Southern Hemisphere Nuclear Weapon Free Zones
- Advocate to the NZ Government to participate in coalitions of like-minded states dedicated to immediate action on abolition.
- To consider further an Ottawa/Oslo approach.

Contributors

The National Consultative Committee on Disarmament would like to thank all contributors to the 2009 National Conference, and all who gave permission for their contributions to be reproduced in this report.



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Alyn Ware: Executive Director of the Parliamentarians for Nuclear Non-Proliferation and Disarmament Alyn has just won one of the Right Livelihood Awards for his effective and creative advocacy and initiatives over two decades to further peace education and to rid the world of nuclear weapons. He was active in the campaign that prohibited nuclear weapons in New Zealand, before serving as the World Court Project UN Coordinator which achieved a historic ruling from the World Court on the illegality of nuclear weapons. Alyn has led the efforts to implement the World Court's decision, including drafting resolutions adopted by the UN, bringing together a group of experts to prepare a draft treaty on nuclear abolition which is now being promoted by the UN Secretary General.



Dr Kate Dewes: Member UN Secretary General Advisory Board on Disarmament Matters. Co-ordinator of the Peace Foundation Disarmament and Security Centre in Christchurch and a former lecturer at Canterbury University she played a leading role in the NZ Peace Movement during the 1970s and early 80s which succeeded in securing the world's first national nuclear weapon free legislation. She was also a key member of the World Court Project an International campaign that led to a legal challenge to nuclear deterrence in the International Court of Justice.



Natasha Barnes: Natasha is currently writing a thesis to complete a Masters of Arts in Political Science at the University of Canterbury on the promotion of nuclear disarmament by middle power states. She is part of the CSCAP young leaders programme and has recently returned for a research trip to Canada, Japan, Norway and the 2009 NPT Prepcom in New York.

Dr Joan Mosley: NZ Senior Negotiator for Disarmament. Led NZ delegation to IAEA General Conference Sept 09 and to NPT Prepcom May 2009. Previously NZ Permanent Representative to the UN in Vienna including a period as Governor on the IAEA Board of Governors participated in the 2000 NPT Review Conference. Closely involved with the 13 practical steps for nuclear disarmament. Other positions held included Director of United Nations Human Rights and Commonwealth Division.



Wilson Chau: Wilson is a 4th year student studying law and arts at Auckland University. He was the successful winner of the Students for a Nuclear Weapon Free World Competition held by the World Federation of United Nations Association. The resulting prize was a funded trip to Geneva where he participated in the Students for a Nuclear Weapon Free World. Since returning he has participated in peace and disarmament initiatives and has organised two successful panel discussions on nuclear disarmament on University Campus.



Dr Rosemary Wyber: Rosemary was Pacific Co-ordinator of the IPPNW Medical Students Assn. As such she has attended a number of International Conferences including IPPNW Congresses in Finland and India.

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John Hayes ONZM: Member of Parliament for National representing Wairarapa Chairperson Foreign Affairs, Defence and Trade Committee and Associate Spokesperson Foreign Affairs and Trade. John has enjoyed a varied life during which he has been a successful agricultural economist and orchardist and Diplomat serving in Iran and PNG and was Director of the UN and Commonwealth Division.



Dr Kennedy Graham: Member of Parliament for Greens Party. As a New Zealand diplomat he was involved in the negotiation of the South Pacific Nuclear Free Zone. He worked as Secretary-General of Parliamentarians for Global Action. He has worked at the United Nations first as a director at the United Nations University from 1999 to 2004, and later as Senior Consultant in the Department of Political Affairs from 2005 to 2006. In 2007 he became Adjunct Senior Fellow at the University of Canterbury, School of Law, and was a senior Lecturer at Victoria University of Wellington.

Appendix

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Further Reading

The International Commission on Nuclear Non-Proliferation and Disarmament (ICNND) in its deliberations had before it a range of useful research papers. These can be accessed at: www.icnnd.org.

The major sections include Disarmament; Non-Proliferation; Civil Nuclear Energy; Missiles; and a Miscellaneous Section where Mr Ken Berry has provided a Review of Recent Literature on Nuclear Issues.

Obama Prague Address

President Obama Remarks in Prague, Czech Republic President discusses a future without nuclear weapons and how to get there. Hradcany Square Prague, Czech Republic April 5, 2009

PRESIDENT OBAMA: Thank you so much. Thank you for this wonderful welcome. Thank you to the people of Prague. Thank you to the people of the Czech Republic. *(Applause.)* Today, I'm proud to stand here with you in the middle of this great city, in the center of Europe. *(Applause.)* And, to paraphrase one of my predecessors, I am also proud to be the man who brought Michelle Obama to Prague. *(Applause.)* To Mr. President, Mr. Prime Minister, to all the dignitaries who are here, thank you for your extraordinary hospitality. And to the people of the Czech Republic, thank you for your friendship to the United States. *(Applause.)* I've learned over many years to appreciate the good company and the good humor of the Czech people in my hometown of Chicago. *(Applause.)* Behind me is a statue of a hero of the Czech people ?- Tomas Masaryk. *(Applause.)* In 1918, after America had pledged its support for Czech independence, Masaryk spoke to a crowd in Chicago that was estimated to be over 100,000. I don't think I can match his record -- (laughter) -- but I am honored to follow his footsteps from Chicago to Prague. *(Applause.)* For over a thousand years, Prague has set itself apart from any other city in any other place. You've known war and peace. You've seen empires rise and fall. You've led revolutions in the arts and science, in politics and in poetry. Through it all, the people of Prague have insisted on pursuing their own path, and defining their own destiny. And this city ?- this Golden City which is both ancient and youthful -? stands as a living monument to your unconquerable spirit.

When I was born, the world was divided, and our nations were faced with very different circumstances. Few people would have predicted that someone like me would one day become the President of the United States. *(Applause.)* Few people would have predicted that an American President would one day be permitted to speak to an audience like this in Prague. *(Applause.)* Few would have imagined that the Czech Republic would become a free nation, a member of NATO, a leader of a united Europe. Those ideas would have been dismissed as dreams.

We are here today because enough people ignored the voices who told them that the world could not change.

We're here today because of the courage of those who stood up and took risks to say that freedom is a right for all people, no matter what side of a wall they live on, and no matter what they look like.

We are here today because of the Prague Spring ?- because the simple and principled pursuit of liberty and opportunity shamed those who relied on the power of tanks and arms to put down the will of a people.

We are here today because 20 years ago, the people of this city took to the streets to claim the promise of a new day, and the fundamental human rights that had been denied them for far too long. Sametová Revoluce -- (applause) -- the Velvet Revolution taught us many things. It showed us that

peaceful protest could shake the foundations of an empire, and expose the emptiness of an ideology. It showed us that small countries can play a pivotal role in world events, and that young people can lead the way in overcoming old conflicts. *(Applause.)* And it proved that moral leadership is more powerful than any weapon.

That's why I'm speaking to you in the center of a Europe that is peaceful, united and free -? because ordinary people believed that divisions could be bridged, even when their leaders did not. They believed that walls could come down; that peace could prevail.

We are here today because Americans and Czechs believed against all odds that today could be possible. *(Applause.)* Now, we share this common history. But now this generation -? our generation -? cannot stand still. We, too, have a choice to make. As the world has become less divided, it has become more interconnected. And we've seen events move faster than our ability to control them -? a global economy in crisis, a changing climate, the persistent dangers of old conflicts, new threats and the spread of catastrophic weapons.

None of these challenges can be solved quickly or easily. But all of them demand that we listen to one another and work together; that we focus on our common interests, not on occasional differences; and that we reaffirm our shared values, which are stronger than any force that could drive us apart. That is the work that we must carry on. That is the work that I have come to Europe to begin. *(Applause.)* To renew our prosperity, we need action coordinated across borders. That means investments to create new jobs. That means resisting the walls of protectionism that stand in the way of growth. That means a change in our financial system, with new rules to prevent abuse and future crisis. *(Applause.)* And we have an obligation to our common prosperity and our common humanity to extend a hand to those emerging markets and impoverished people who are suffering the most, even though they may have had very little to do with financial crises, which is why we set aside over a trillion dollars for the International Monetary Fund earlier this week, to make sure that everybody -- everybody -- receives some assistance. *(Applause.)* Now, to protect our planet, now is the time to change the way that we use energy. *(Applause.)* Together, we must confront climate change by ending the world's dependence on fossil fuels, by tapping the power of new sources of energy like the wind and sun, and calling upon all nations to do their part. And I pledge to you that in this global effort, the United States is now ready to lead. *(Applause.)* To provide for our common security, we must strengthen our alliance. NATO was founded 60 years ago, after Communism took over Czechoslovakia. That was when the free world learned too late that it could not afford division. So we came together to forge the strongest alliance that the world has ever known. And we should -- stood shoulder to shoulder -- year after year, decade after decade -- until an Iron Curtain was lifted, and freedom spread like flowing water.

This marks the 10th year of NATO membership for the Czech Republic. And I know that many times in the 20th century, decisions were made without you at the table. Great powers let you down, or determined your destiny without your voice being heard. I am here to say that the United States will never turn its back on the people of this nation. *(Applause.)* We are bound by shared values, shared history -- *(applause.)* We are bound by shared values and shared history and the enduring promise of our alliance. NATO's Article V states it clearly: An attack on one is an attack on all. That is a promise for our time, and for all time.

The people of the Czech Republic kept that promise after America was attacked; thousands were killed on our soil, and NATO responded. NATO's mission in Afghanistan is fundamental to the safety of people on both sides of the Atlantic. We are targeting the same al Qaeda terrorists who have struck from New York to London, and helping the Afghan people take responsibility for their future. We are demonstrating that free nations can make common cause on behalf of our common security. And I want you to know that we honor the sacrifices of the Czech people in this endeavor, and mourn the loss of those you've lost.

But no alliance can afford to stand still. We must work together as NATO members so that we have contingency plans in place to deal with new threats, wherever they may come from. We must strengthen our cooperation with one another, and with other nations and institutions around the world, to confront dangers that recognize no borders. And we must pursue constructive relations with Russia on issues of common concern.

Now, one of those issues that I'll focus on today is fundamental to the security of our nations and to the peace of the world -? that's the future of nuclear weapons in the 21st century.

The existence of thousands of nuclear weapons is the most dangerous legacy of the Cold War. No nuclear war was fought between the United States and the Soviet Union, but generations lived with the knowledge that their world could be erased in a single flash of light. Cities like Prague that existed for centuries, that embodied the beauty and the talent of so much of humanity, would have ceased to exist.

Today, the Cold War has disappeared but thousands of those weapons have not. In a strange turn of history, the threat of global nuclear war has gone down, but the risk of a nuclear attack has gone up. More nations have acquired these weapons. Testing has continued. Black market trade in nuclear secrets and nuclear materials abound. The technology to build a bomb has spread. Terrorists are determined to buy, build or steal one. Our efforts to contain these dangers are centered on a global non-proliferation regime, but as more people and nations break the rules, we could reach the point where the center cannot hold.

Now, understand, this matters to people everywhere. One nuclear weapon exploded in one city -? be it New York or Moscow, Islamabad or Mumbai, Tokyo or Tel Aviv, Paris or Prague ?- could kill hundreds of thousands of people. And no matter where it happens, there is no end to what the consequences might be -? for our global safety, our security, our society, our economy, to our ultimate survival.

Some argue that the spread of these weapons cannot be stopped, cannot be checked -? that we are destined to live in a world where more nations and more people possess the ultimate tools of destruction. Such fatalism is a deadly adversary, for if we believe that the spread of nuclear weapons is inevitable, then in some way we are admitting to ourselves that the use of nuclear weapons is inevitable.

Just as we stood for freedom in the 20th century, we must stand together for the right of people everywhere to live free from fear in the 21st century. (*Applause.*) And as nuclear power ?- as a nuclear power, as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act. We cannot succeed in this endeavor alone, but we can lead it, we can start it.

So today, I state clearly and with conviction America's commitment to seek the peace and security of a world without nuclear weapons. (*Applause.*) I'm not naive. This goal will not be reached quickly ?- perhaps not in my lifetime. It will take patience and persistence. But now we, too, must ignore the voices who tell us that the world cannot change. We have to insist, "Yes, we can." (*Applause.*) Now, let me describe to you the trajectory we need to be on. First, the United States will take concrete steps towards a world without nuclear weapons. To put an end to Cold War thinking, we will reduce the role of nuclear weapons in our national security strategy, and urge others to do the same. Make no mistake: As long as these weapons exist, the United States will maintain a safe, secure and effective arsenal to deter any adversary, and guarantee that defense to our allies ?- including the Czech Republic. But we will begin the work of reducing our arsenal.

To reduce our warheads and stockpiles, we will negotiate a new Strategic Arms Reduction Treaty with

the Russians this year. *(Applause.)* President Medvedev and I began this process in London, and will seek a new agreement by the end of this year that is legally binding and sufficiently bold. And this will set the stage for further cuts, and we will seek to include all nuclear weapons states in this endeavor.

To achieve a global ban on nuclear testing, my administration will immediately and aggressively pursue U.S. ratification of the Comprehensive Test Ban Treaty. *(Applause.)* After more than five decades of talks, it is time for the testing of nuclear weapons to finally be banned.

And to cut off the building blocks needed for a bomb, the United States will seek a new treaty that verifiably ends the production of fissile materials intended for use in state nuclear weapons. If we are serious about stopping the spread of these weapons, then we should put an end to the dedicated production of weapons-grade materials that create them. That's the first step.

Second, together we will strengthen the Nuclear Non-Proliferation Treaty as a basis for cooperation. The basic bargain is sound: Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy. To strengthen the treaty, we should embrace several principles. We need more resources and authority to strengthen international inspections. We need real and immediate consequences for countries caught breaking the rules or trying to leave the treaty without cause.

And we should build a new framework for civil nuclear cooperation, including an international fuel bank, so that countries can access peaceful power without increasing the risks of proliferation. That must be the right of every nation that renounces nuclear weapons, especially developing countries embarking on peaceful programs. And no approach will succeed if it's based on the denial of rights to nations that play by the rules. We must harness the power of nuclear energy on behalf of our efforts to combat climate change, and to advance peace opportunity for all people.

But we go forward with no illusions. Some countries will break the rules. That's why we need a structure in place that ensures when any nation does, they will face consequences.

Just this morning, we were reminded again of why we need a new and more rigorous approach to address this threat. North Korea broke the rules once again by testing a rocket that could be used for long range missiles. This provocation underscores the need for action -- not just this afternoon at the U.N. Security Council, but in our determination to prevent the spread of these weapons.

Rules must be binding. Violations must be punished. Words must mean something. The world must stand together to prevent the spread of these weapons. Now is the time for a strong international response -- *(applause)* -- now is the time for a strong international response, and North Korea must know that the path to security and respect will never come through threats and illegal weapons. All nations must come together to build a stronger, global regime. And that's why we must stand shoulder to shoulder to pressure the North Koreans to change course.

Iran has yet to build a nuclear weapon. My administration will seek engagement with Iran based on mutual interests and mutual respect. We believe in dialogue. *(Applause.)* But in that dialogue we will present a clear choice. We want Iran to take its rightful place in the community of nations, politically and economically. We will support Iran's right to peaceful nuclear energy with rigorous inspections. That's a path that the Islamic Republic can take. Or the government can choose increased isolation, international pressure, and a potential nuclear arms race in the region that will increase insecurity for all.

So let me be clear: Iran's nuclear and ballistic missile activity poses a real threat, not just to the United States, but to Iran's neighbors and our allies. The Czech Republic and Poland have been courageous in agreeing to host a defense against these missiles. As long as the threat from Iran persists, we will

go forward with a missile defense system that is cost-effective and proven. *(Applause.)* If the Iranian threat is eliminated, we will have a stronger basis for security, and the driving force for missile defense construction in Europe will be removed. *(Applause.)* So, finally, we must ensure that terrorists never acquire a nuclear weapon. This is the most immediate and extreme threat to global security. One terrorist with one nuclear weapon could unleash massive destruction. Al Qaeda has said it seeks a bomb and that it would have no problem with using it. And we know that there is unsecured nuclear material across the globe. To protect our people, we must act with a sense of purpose without delay. So today I am announcing a new international effort to secure all vulnerable nuclear material around the world within four years. We will set new standards, expand our cooperation with Russia, pursue new partnerships to lock down these sensitive materials.

We must also build on our efforts to break up black markets, detect and intercept materials in transit, and use financial tools to disrupt this dangerous trade. Because this threat will be lasting, we should come together to turn efforts such as the Proliferation Security Initiative and the Global Initiative to Combat Nuclear Terrorism into durable international institutions. And we should start by having a Global Summit on Nuclear Security that the United States will host within the next year. *(Applause.)* Now, I know that there are some who will question whether we can act on such a broad agenda. There are those who doubt whether true international cooperation is possible, given inevitable differences among nations. And there are those who hear talk of a world without nuclear weapons and doubt whether it's worth setting a goal that seems impossible to achieve.

But make no mistake: We know where that road leads. When nations and peoples allow themselves to be defined by their differences, the gulf between them widens. When we fail to pursue peace, then it stays forever beyond our grasp. We know the path when we choose fear over hope. To denounce or shrug off a call for cooperation is an easy but also a cowardly thing to do. That's how wars begin. That's where human progress ends.

There is violence and injustice in our world that must be confronted. We must confront it not by splitting apart but by standing together as free nations, as free people. *(Applause.)* I know that a call to arms can stir the souls of men and women more than a call to lay them down. But that is why the voices for peace and progress must be raised together. *(Applause.)* Those are the voices that still echo through the streets of Prague. Those are the ghosts of 1968. Those were the joyful sounds of the Velvet Revolution. Those were the Czechs who helped bring down a nuclear-armed empire without firing a shot.

Human destiny will be what we make of it. And here in Prague, let us honor our past by reaching for a better future. Let us bridge our divisions, build upon our hopes, accept our responsibility to leave this world more prosperous and more peaceful than we found it. *(Applause.)* Together we can do it.

Thank you very much. Thank you, Prague.

Draft Recommendations on the Nuclear Non-Proliferation Treaty

Third session

New York, 4-15 May 2009

Draft Recommendations to the Review Conference

The Preparatory Committee conveys to the 2010 Review Conference the following recommendations concerning the implementation of the Treaty, which build upon the three Decisions as well as the Resolution on the Middle East adopted at the 1995 Review and Extension Conference, and the Final Document adopted at the 2000 Review Conference. The Preparatory Committee believes that these recommendations, which were based on statements and working papers by States parties, identify practical initiatives that stand a reasonable prospect of producing a consensus. These recommendations are conveyed without regard to their priority, without prejudice to other initiatives that States parties may wish to offer, and without any intention to represent a comprehensive summary of all initiatives proposed in Preparatory Committee sessions.

1. Declaration on the universality of disarmament and non-proliferation principles.

- a. Declare that the Treaty is an expression of fundamental principles of nuclear disarmament and non-proliferation that are universal in scope. Affirm the legally binding nature of the obligations of the treaty. Recognize the fundamental importance of full compliance with all the provisions of the Treaty and the relevant IAEA safeguards agreements. Emphasize that responses to concerns over compliance with obligations under the Treaty should be pursued by peaceful diplomatic means.
- b. Declare that the Treaty remains the cornerstone of the global nuclear disarmament and non-proliferation regime and that its full implementation is vital to international peace and security. Further declare that the Treaty provides a legal foundation for the strengthening of the international nuclear non-proliferation regime, and for the achievement of nuclear disarmament and the ultimate objective of general and complete disarmament under effective international control.
- c. Reaffirm the commitment shared by States parties to achieving universal membership and call upon all states that are not parties to adhere to the Treaty promptly and without preconditions. Resolve to engage non-parties with a view to achieving this goal.

2. An action plan to achieve nuclear disarmament, including specific practical measures.

- a. Reaffirm the commitments of States parties under Article VI relating to nuclear disarmament, and to general and complete disarmament. Recognize growing expectations for progress to achieve nuclear disarmament, and indicate support for ongoing and future efforts in these fields.
- b. Acknowledge that several commitments relating to disarmament made at the 1995 Review and Extension Conference and at the 2000 Review Conference have not yet been fulfilled. Consider the adoption of an action plan, drawing inter alia upon commitments made at these earlier Conferences, setting practical, achievable and specified goals, and measures leading to the elimination of nuclear weapons.
- c. Identify several practical disarmament initiatives, including: the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and, pending its achievement, maintaining the moratoria on nuclear testing; commencing negotiations at the Conference on Disarmament on a verifiable fissile material treaty and, pending the conclusion of negotiations, encouraging a moratorium on the further production of weapon-usable fissile material; achieving deep and verifiable reductions in the nuclear arsenals; expanding the transparency in implementing disarmament commitments; ensuring the irreversibility of disarmament activities; reducing the operational status of the nuclear forces; diminishing further the role of nuclear weapons in security policies; refraining from the qualitative improvement of nuclear weapons; reducing non-strategic nuclear weapons pending their elimination; and placing fissile material recovered from dismantled nuclear weapons under IAEA monitoring and verification. 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. Ways and means to strengthen non-proliferation; promote and strengthen safeguards.

- a. Reaffirm that the proliferation of nuclear weapons is a global challenge requiring a global response and underscore the urgent need for States parties to pursue strengthened ways and means to achieve the objectives of articles I, II, and III.
- b. Reaffirm that IAEA safeguards are a fundamental pillar of the nuclear non-proliferation regime, play an essential role in the implementation of the Treaty and contribute to create an environment conducive to achieving nuclear disarmament and cooperation in the peaceful uses of nuclear energy.
- c. Reaffirm that the International Atomic Energy Agency is the sole competent authority responsible for verifying and assuring compliance with its safeguards agreements undertaken in fulfilment of article III, paragraph I, of the Treaty. Welcome the efforts of the Agency to strengthen safeguards as well as the steps taken to assist states in their application. Identify specific measures that would serve to promote the universalization and strengthening of the IAEA safeguards system.
- d. Affirm the need for additional multilateral cooperation to prevent the establishment, perpetuation, or growth of clandestine nuclear supply networks, in accordance with international law.
- e. Affirm that export controls are best addressed and implemented in a transparent and non-discriminatory manner, and without hampering the development of nuclear energy for peaceful uses, in conformity with articles I, II, III, and IV of the Treaty.

4. Measures to advance peaceful uses of nuclear energy, safety, and security.

- a. Reaffirm the inalienable right of States parties under article IV to develop research, production and use of nuclear energy for peaceful purposes, without discrimination and in conformity with articles I, II and III of the Treaty. Welcome growing applications of nuclear technology in health care, industry, agriculture, and environmental protection.
- b. Reiterate that restrictions on the peaceful uses of nuclear energy should not be applied for political purposes.
- c. Commend the importance of the IAEA's Technical Cooperation Programme, underlining that such cooperation has played an important role in facilitating the application of nuclear energy for peaceful purposes especially in developing countries. Stress the need to support such cooperation with adequate financial and human resources in an assured and predictable manner.
- d. Stress the need to intensify consideration of multilateral approaches to the nuclear fuel cycle and assurances of the supply of nuclear fuel and technology. Indicate that such proposals should be addressed in a multilateral, economically viable and non-discriminatory manner under the auspices of IAEA, without restrictions on access to nuclear material, equipment, and technology for peaceful purposes as provided for in the Treaty. Confirm that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies.
- e. Highlight the importance of strengthening nuclear safety, radiation protection, the safety of radioactive waste management, and the safe transport of nuclear and radioactive materials, including maritime transport. Underscore the need to maintain the highest standards of safety at civilian nuclear installations through national measures and international cooperation.
- f. Emphasize that the acquisition of nuclear weapons or related materials by non-State actors would constitute a threat to international peace and security that could potentially jeopardize the Treaty. Affirm the importance of the full implementation of Security Council resolutions 1540 (2004), 1673 (2006) and 1810 (2008), as well as the International Convention for the Suppression of Acts of Nuclear Terrorism.
- g. Stress the importance of combating nuclear terrorism and endorse the IAEA action plan on protection against nuclear terrorism. Endorse the IAEA's work in support of States' efforts to prevent the illicit trafficking in nuclear and other radioactive material and underscore the importance of contributions to the Nuclear Security Fund of IAEA. Urge the careful consideration of measures of control and monitoring of global stocks of materials directly usable in nuclear weapons and the capacity to produce such materials.
- h. Welcome the contributions of the IAEA in the promotion of the physical protection of nuclear material and safety in all its aspects. Call upon all states that had not yet done so to accede to all relevant conventions on nuclear safety, safe waste management and physical protection of nuclear material and the IAEA Code of Conduct on the Safety and Security of Radioactive Sources. Support efforts to enhance the security of stockpiles of weapon-usable fissile materials, while minimizing their use in the civilian nuclear sector. Stress the importance of maintaining dialogue on facilitating safe maritime transport of radioactive material.

NPT/CONF.2010/PC.II/CRP.4

5. Ways and means to implement regional non-proliferation and disarmament initiatives, including the 1995 Resolution on the Middle East, and to explore future initiatives.

- a. Reaffirm that nuclear-weapon-free zones have made and continue to make an important contribution to the strengthening of the international nuclear non-proliferation regime in all its aspects, and to the achievement of nuclear disarmament and the ultimate objective of general and complete disarmament under effective international control. Support increased cooperation among the parties to all the zones. Consider calling for the consideration of the establishment of new zones in regions with nuclear facilities or materials. Recognize the importance of the establishment of regional zones free of weapons of mass destruction.
- b. Welcome the establishment of the Central Asia Nuclear-Weapon-Free Zone and also recognize and affirm the nuclear-weapon-free status of Mongolia. Endorse and reaffirm the goal of achieving the early entry into force of the Pelindaba Treaty. Encourage the nuclear-weapon States to adhere to the Protocols of all treaties establishing nuclear-weapon-free zones. Note the existence of strong support for the creation of a nuclear-weapon-free zone in the Southern Hemisphere, consistent with international law and the law of the sea.
- c. Recall that the Resolution on the Middle East was integrally linked to the Decision by the 1995 Review and Extension Conference to extend indefinitely the duration of the Treaty. Underscore the need for increased efforts to implement the Resolution. Consider the proposal to call upon the nuclear-weapon States to convene a conference of all states of the Middle East region to address ways and means to implement the Resolution. Invite all States parties to undertake consultations with a view to facilitating the convening of such a conference. Call upon all States parties to issue periodic reports to each of the Preparatory Committees and the Review Conference on their efforts implement the Resolution.

6. Measures to address the risk of Treaty withdrawals.

- a. Acknowledge the right to withdraw from the Treaty, in accordance with article X.
- b. Consider the proposals presented in the Preparatory Committee that identified modalities under which States parties could collectively respond to notifications of withdrawal.

7. Initiatives to strengthen the review process, including possible institutional measures.

- a. Affirm the essential role of the strengthened review process in ensuring the effectiveness of the Treaty in changing international security environments, in enhancing transparency, in strengthening accountability in the implementation of all the provisions of the Treaty, and in promoting its universality. View the decisions and the resolution adopted in the 1995 Review and Extension Conference and the Final Document adopted at the 2000 Review Conference as embodying principles, objectives, or means to serve this goal.
- b. Affirm that the strengthened review process has become an indispensable, dynamic mechanism for the interpretation of the Treaty and for evaluating its operation and implementation. Recognize that several proposals advocating the need for certain institutional and procedural reforms have been submitted by States parties, including the need for securing the adequate financial support for and the cost-efficiency of the review process. Give due consideration and undertake a thorough evaluation of these proposals with a view to achieving a consensus on agreed measures to strengthen further the review process.
- c. Stress that enhancing transparency and accountability among all States parties in regard to their obligations under the Treaty should remain a constant endeavor of the States parties. Consider establishing a uniform, practical and cost-efficient reporting system for the implementation of the Treaty.

8. Ways and means to promote engagement with civil society in strengthening NPT norms and in promoting disarmament and non-proliferation education.

a. Commend the contributions of the civil society and especially of Non-Governmental Organizations (NGO) to the strengthened review process of the Treaty and in the efforts to promote the vision of a world free of nuclear weapons by developing proposals on practical measures to achieve this vision. Consider the substantive proposals made during the Preparatory Committee sessions for the enhanced participation of NGOs in this process.

b. Underscore the importance of disarmament and non-proliferation education as a useful and effective means to advance the goals of the Treaty in addressing both current and emerging challenges. Encourage States parties to implement the recommendations contained in the report of the Secretary-General of the United Nations (A/57/124) regarding the UN study on disarmament and non-proliferation education.

United Nations Security Council Draft Resolution on Nuclear Non-Proliferation and Nuclear Disarmament

The Security Council,

PP1. Resolving to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-proliferation of Nuclear Weapons (NPT), in a way that promotes international stability, and based on the principle of undiminished security for all,

PP2. Reaffirming the Statement of its President adopted at the Council's meeting at the level of Heads of State and Government on 31 January 1992 (S/23500), including the need for all Member States to fulfill their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

PP3. Recalling also that the above Statement (S/23500) underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

PP4. Bearing in mind the responsibilities of other organs of the United Nations in the field of disarmament, arms control and nonproliferation, and supporting them to continue to play their due roles,

PP5. Underlining that the NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament and for the peaceful uses of nuclear energy, and calling upon all States Parties to the NPT to cooperate so that the 2010 NPT Review Conference can successfully strengthen the Treaty and set realistic and achievable goals in all the Treaty's three pillars: non-proliferation, the peaceful uses of nuclear energy, and disarmament,

PP6. Reaffirming its firm commitment to the NPT and its conviction that the international nuclear non-proliferation regime should be maintained and strengthened to ensure its effective implementation,

PP7. Calling for further progress on all aspects of disarmament to enhance global security,

PP8. Welcoming the decisions of those non-nuclear-weapon States that have dismantled their nuclear weapons programs or renounced the possession of nuclear weapons,

PP9. Welcoming the nuclear arms reduction and disarmament efforts undertaken and accomplished by nuclear-weapon States, and underlining the need to pursue further efforts in the sphere of nuclear disarmament, in accordance with Article VI of the NPT,

PP10. Welcoming in this connection the decision of the Russian Federation and the United States of America to conduct negotiations to conclude a new comprehensive legally binding agreement to replace the Treaty on the Reduction and Limitation of Strategic Offensive Arms, which expires in December 2009,

PP11. Welcoming and supporting the steps taken to conclude nuclear-weapon-free zone treaties and reaffirming the conviction that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, and in accordance with the 1999 UN Disarmament Commission guidelines, enhances global and regional peace and security, strengthens the nuclear nonproliferation regime, and contributes toward realizing the objectives of nuclear disarmament,

PP12. Recalling the statements by each of the five nuclear-weapon States, noted by resolution 984 (1995), in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon State Parties to the NPT, and reaffirming that such security assurances strengthen the nuclear nonproliferation regime,

PP13. Reaffirming its resolutions 825 (1993), 1695 (2006), 1718 (2006), 1874 (2009),

PP14. Reaffirming its resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008),

PP15. Reaffirming all other relevant non-proliferation resolutions adopted by the Security Council,

PP16. Gravely concerned about the threat of nuclear terrorism, including the provision of nuclear material or technical assistance for the purposes of terrorism,

PP17. Mindful in this context of the risk that irresponsible or unlawful provision of nuclear material or technical assistance could enable terrorism,

PP18. Expressing its support for the 2010 Global Summit on Nuclear Security,

PP19. Affirming its support for the Convention for the Suppression of Acts of Nuclear Terrorism,

PP20. Recognizing the progress made by the Global Initiative to Combat Nuclear Terrorism, and the G-8 Global Partnership,

PP21. Reaffirming UNSC Resolution 1540 (2004) and the necessity for all States to implement fully the measures contained therein, and calling upon all UN Member States and international and regional organizations to cooperate actively with the Committee established pursuant to that resolution, including in the course of the comprehensive review as called for in resolution 1810 (2008),

1. Emphasizes that a situation of noncompliance with nonproliferation obligations shall be brought to the attention of the Security Council, which will determine if that situation constitutes a threat to international peace and security, and emphasizes the Security Council's primary responsibility in addressing such threats;

2. Calls upon States Parties to the NPT to comply fully with all their obligations under the Treaty, and in this regard notes that enjoyment of the benefits of the NPT by a State Party can be assured only by its compliance with the obligations thereunder;
3. Calls upon all States that are not Parties to the Treaty on the Non-proliferation of Nuclear Weapons (NPT) to join the Treaty so as to achieve its universality at an early date, and in any case to adhere to its terms;
4. Calls upon the Parties to the NPT, pursuant to Article VI of the Treaty, to undertake to pursue negotiations in good faith on effective measures relating to nuclear arms reduction and disarmament, and on a Treaty on general and complete disarmament under strict and effective international control, and calls on all other States to join in this endeavor;
5. Calls upon all States to refrain from conducting a nuclear test explosion and to join the Comprehensive Test Ban Treaty (CTBT), thereby bringing the treaty into force;
6. Calls upon the Conference on Disarmament to negotiate a Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices as soon as possible, and welcomes the Conference on Disarmament's adoption by consensus of its Program of Work in 2009;
7. Deplores in particular the current major challenges to the nonproliferation regime that the Security Council has determined to be threats to international peace and security, and demands that the parties concerned comply fully with their obligations under the relevant Security Council resolutions,
8. Encourages efforts to advance development of peaceful uses of nuclear energy in a framework that reduces proliferation risk and adheres to the highest international standards for safeguards, security, and safety;
9. Underlines that the NPT recognizes in Article IV the right of the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I , II and III of the Treaty,
10. Calls upon States to adopt stricter national controls for the export of sensitive goods and technologies of the nuclear fuel cycle;
11. Encourages the work of the IAEA on multilateral approaches to the nuclear fuel cycle, including assurances of nuclear fuel supply and related measures, as effective means of addressing the expanding need for nuclear fuel and nuclear fuel services and minimizing the risk of proliferation, and urges the IAEA Board of Governors to agree upon measures to this end as soon as possible;
12. Affirms that effective IAEA safeguards are essential to prevent nuclear proliferation and to facilitate cooperation in the field of peaceful uses of nuclear energy, and in that regard:
 - a. Calls upon all non-nuclear-weapon States party to the NPT that have yet to bring into force a comprehensive safeguards agreement or a modified small quantities protocol to do so immediately,
 - b. Calls upon all States to adopt and implement an Additional Protocol, which together with comprehensive safeguards agreements constitute essential elements of the IAEA safeguards system,
 - c. Stresses the importance for all Member States to ensure that the IAEA continue to have all the necessary resources and authority to verify the declared use of nuclear materials and facilities and the absence of undeclared activities, and for the IAEA to report to the Council accordingly as appropriate;

13. Encourages States to provide the IAEA with the cooperation necessary for it to verify whether a state is in compliance with its safeguards obligations, and affirms the Security Council's resolve to support the IAEA's efforts to that end, consistent with its authorities under the Charter;
14. Undertakes to address without delay any State's notice of withdrawal from the NPT, including the events described in the statement provided by the State pursuant to Article X of the Treaty, while recognizing ongoing discussions in the course of the NPT review on identifying modalities under which NPT States Parties could collectively respond to notification of withdrawal, and affirms that a State remains responsible under international law for violations of the NPT committed prior to its withdrawal;
15. Encourages States to require as a condition of nuclear exports that the recipient State agree that, in the event that it should terminate, withdraw from, or be found by the IAEA Board of Governors to be in noncompliance with its IAEA safeguards agreement or withdraw from the NPT, the supplier state would have a right to require the return of nuclear material and equipment provided prior to such termination, noncompliance or withdrawal, as well as any special nuclear material produced through the use of such material or equipment;
16. Encourages States to consider whether a recipient State has in place an Additional Protocol in making nuclear export decisions;
17. Urges States to require as a condition of nuclear exports that the recipient State agree that, in the event that it should terminate its IAEA safeguards agreement, safeguards shall continue with respect to any nuclear material and equipment provided prior to such withdrawal, as well as any special nuclear material produced through the use of such material or equipment;
18. Calls for universal adherence to the Convention on Physical Protection of Nuclear Materials and its 2005 Amendment;
19. Welcomes the March 2009 recommendations of the Security Council Committee established pursuant to resolution 1540 (2004) to make more effective use of existing funding mechanisms, including the consideration of the establishment of a voluntary fund, and affirms its commitment to promote full implementation of UNSCR 1540 by Member States by ensuring effective and sustainable support for the activities of the 1540 Committee;
20. Reaffirms the need for full implementation of UNSCR 1540 (2004) by Member States and, with an aim of preventing access to, or assistance and financing for, weapons of mass destruction, related materials and their means of delivery by non-State actors, as defined in the resolution, and calls upon Member States to cooperate actively with the Committee established pursuant to that resolution and the IAEA, including rendering assistance, at their request, for their implementation of UNSCR 1540 provisions, and in this context welcomes the forthcoming comprehensive review of the status of implementation of UNSCR 1540 with a view to increasing its effectiveness, and calls upon all States to participate actively in this review;
21. Calls upon Member States to share best practices with a view to improved safety standards and nuclear security practices and raise standards of nuclear security to reduce the risk of nuclear terrorism, with the aim of securing all vulnerable nuclear material from such risks within four years;
22. Calls upon all States to manage responsibly and minimize to the greatest extent that is technically and economically feasible the use of highly enriched uranium for civilian purposes, including by working to convert research reactors and radioisotope production processes to the use of low enriched uranium fuels and targets;

23. Calls upon all States to improve their national technical capabilities to detect, deter, and disrupt illicit trafficking in nuclear materials throughout their territories, and to work to enhance international partnerships and capacity building in this regard;

24. Urges all States to take all appropriate national measures in accordance with their national authorities and legislation, and consistent with international law, to prevent proliferation financing, shipments, or illicit trafficking, to strengthen export controls, to secure sensitive materials, and to control access to intangible transfers of technology;

25. Declares its resolve to monitor closely any situations involving the proliferation of nuclear weapons, their means of delivery or related material, including to or by non-State actors as they are defined in resolution 1540 (2004), and, as appropriate, to take such measures as may be necessary to ensure the maintenance of international peace and security;

26. Decides to remain seized of the matter.

United Nations 64th General Assembly Statement

Rt Hon John Key

*E nga mana
E nga reo
E nga hau e wha
Tena koutou, tena koutou, tena koutou katoa*

To the powers
To the voices
To the four winds
I greet you all

Mr President; Distinguished representatives of the States of the United Nations; Mr Secretary General.

I have addressed this Assembly in te reo Maori, the indigenous language of New Zealand, and I bring warm Pacific greetings from all New Zealanders.

I am deeply honoured to lead New Zealand's delegation to this General Assembly for the first time. Like every New Zealand Prime Minister since 1945, I stand here today to reaffirm my country's commitment to this United Nations and to the United Nations Charter.

The founding members of the United Nations gathered in San Francisco in 1945 to create this Organisation out of the ashes of the most destructive war and the most debilitating economic depression in modern history. They believed in the 'larger freedom' of a world where collective action might avert common crises.

They believed in the Rule of Law, where all States would be held to a universal standard, and in a world where all peoples, faiths and cultures, could flourish.

They believed in a future where every human being would be 'free from want', and free from fear'.

And they wanted an international organisation and architecture that could deliver on those beliefs.

Distinguished representatives, New Zealand was active among those founding members in San Francisco.

And, as a small, independent, and diverse country in the Pacific, New Zealand still has a stake in this United Nations - this great meeting place of all States. I have benefited personally from efforts to secure these ideals.

My family fled persecution in Europe, and I was privileged to grow up in a new world where a child of immigrants is now accorded the extraordinary privilege of leading his country and addressing this Assembly on its behalf.

Distinguished representatives, we meet at a time of many challenges. With 130 Heads of State and Government assembled here this week, this General Assembly represents our greatest opportunity since the World Summit in 2005 to reaffirm our collective resolve.

New Zealand embraces this opportunity.

Today I will focus on some of the most pressing issues demanding our collective response.

Mr President, the crisis in the global economy continues.

We must remain resolute in our efforts to stabilize the global economy to enable a return to sustainable growth.

New Zealand welcomes the actions of the G20 over the past year. But in commending these efforts, we call on the G20 to heed the voice of the world's small economies and to ensure they are also heard in global decision-making.

Distinguished representatives, free and fair trade will be the principal engine for driving developing countries out of poverty and bringing greater prosperity to all.

An essential component in our response to the global economic crisis must therefore be a balanced and ambitious conclusion to the Doha Round of world trade talks.

A genuinely global agreement that reduces tariffs, eliminates export subsidies, reduces domestic subsidies and increases market access will see benefits flow to all States.

At a time when all countries are suffering from the brunt of the current economic crisis, further delay is inexcusable.

As one of the world's first truly open economies, New Zealand has an unwavering commitment to trade liberalization and to the pursuit of bilateral regional and global free trade agreements.

We support the call of the UN Secretary-General for the immediate suspension of price controls and other agricultural trade restrictions to reduce soaring food prices and help millions cope with the highest food prices in thirty years.

And so, I call on all those States and groupings that have broken their undertakings and reintroduced protectionist measures to reconsider. These actions are as harmful as they are unacceptable. Agriculture, which is so important for developing countries in particular, is one of the sectors most affected.

Distinguished representatives, the escalation of poverty is a result of the economic crisis.

New Zealand is naturally proud of the efforts of the UNDP to strengthen its focus as the UN's largest development agency on poverty and on the achievement of the Millennium Development Goals.

For its part, New Zealand pledges to continue to increase its Official Development Assistance, with a clear focus on the Pacific Islands region. Aid effectiveness is just as important as the quantum of aid;

and that is why, last month, we committed to the Cairns Compact that will strengthen development coordination in the Pacific Islands.

Distinguished representatives, the major focus of the General Assembly this year must be the challenge of climate change.

Climate change demands innovation and a global response. The world cannot afford to contemplate failure at Copenhagen. Political leadership is needed, and it is on display.

At the Climate Change Summit this week the leaders of the world's three biggest economies showed their determination to both make Copenhagen a success and to take action themselves.

All countries must take action that reflects our individual circumstances, responsibilities and capabilities.

For our part, New Zealand is committed to securing a durable and meaningful agreement on climate change. An agreement that is both environmentally effective and economically efficient.

I have set a target for New Zealand of reducing greenhouse gas emissions by between 10 and 20% below 1990 levels by 2020, if there is a comprehensive global agreement. This is a per capita drop of 35 to 42 percent since 1990.

New Zealand is acutely conscious that most of our greenhouse gas emissions come from livestock methane emissions, which so far no technology can reduce. At the same time we are proud of our role as a food producer to the world and the contribution we can make to assuring food-security for the world's people. Our challenge is to find a way to balance growth in agricultural production with the need to reduce emissions and reach climate change targets.

This is not just a challenge for New Zealand, but one for the world. Agricultural emissions make up 14% of all emissions worldwide. As demand for food rises, so will those emissions. Yet so far the only known way to achieve emission reductions from agriculture is through reductions in output. That is not an acceptable response. Not for New Zealand. And not for a growing world that seeks freedom from hunger.

A better response to this challenge must be found. In my view that response must draw on the power and possibility of science.

Just as New Zealand is proud of its agricultural producers, so are we proud of our role in agricultural research. This research has resulted in scientific and technological advances that have improved production and fed millions. But advancing research in the area of emission-reduction requires a commitment so broad that it is beyond the capacity of any one country. This is a challenge that requires collective action and it is collective action I call for today.

New Zealand has developed a proposal for a Global Alliance on the reduction of agricultural emissions. This Alliance would undertake international research and investment into new technologies and practices to help reduce agriculture-related emissions, and for greater co-ordination of existing efforts.

Through a Global Alliance we can find solutions faster, make better use of the money that is being spent around the world and encourage all countries and companies to do more. We have been delighted with the interest received in our proposal so far and we will continue working with others to explore the concept. Today, my call to other agricultural producers of the world is to rise to this challenge and join New Zealand in this research effort.

Distinguished representatives, I now want to address some of the security crises that we confront.

Yesterday I had the honour to observe the High-level Security Council meeting on disarmament and non-proliferation.

As a country with a proud record of promoting nuclear disarmament and non-proliferation, I was heartened by the expressions of support for a world free of nuclear weapons.

We must take full advantage of this historic moment to advance the nuclear disarmament and non-proliferation agenda. We owe it to our generation and to those who follow us to progress our vision for a world free from nuclear weapons.

As a proudly nuclear-free nation, and as a country that has been at the forefront of this debate since the 1970s, New Zealand stands ready to play its part.

We are optimistic about the prospects for progress.

Last week New Zealand presided over the General Conference of the International Atomic Energy Agency in Vienna. Preventing the spread of nuclear weapons through the implementation of safeguards under the Nuclear Non-Proliferation Treaty is a fundamental pillar of the Agency's work.

Next year sees the five-yearly review conference of the Nuclear Non-Proliferation Treaty.

New Zealand will actively work with our New Agenda Coalition partners for a meaningful outcome at that conference, to bring us closer to a truly secure world.

We will also continue to address the humanitarian harm of conventional weapons. We will work for a robust, action-oriented outcome later this year at the second Review Conference of the Anti Personnel Landmine Convention.

Looking back, I am proud of the role New Zealand was able to play in the negotiation of the Convention on Cluster Munitions. The government attaches priority to passing legislation to enable us to ratify this very significant treaty.

New Zealand also continues to play its part in maintaining and promoting international peace and security.

Peacekeeping remains one of this organisation's most essential tasks, and its most solemn responsibilities to its members.

While UN peacekeeping has been significantly strengthened since the testing it underwent in the 1990s, the demands now being placed on it are severe. I want to express my profound gratitude to those civilians and military personnel who place their lives at risk to support peace and live up to the ideals of the United Nations Charter.

Ensuring UN peacekeeping is as effective and responsive as possible must therefore remain one of this organization's most urgent priorities. The United Nations provides the legal mandate - and often the operational effectiveness - for our joint efforts to achieve and maintain peace and security.

New Zealand is firmly committed to supporting UN peacekeeping - both its own operations and others it has mandated such as those in which we are involved in Afghanistan, the Solomon Islands and Timor-Leste.

All too often, the UN, has however, found itself unable to respond to emerging crises.

New Zealand therefore strongly supports the concept of Responsibility to Protect. I am pleased at the solid foundation the General Assembly's recent debate on R2P has laid for its implementation.

New Zealand also strongly supports the International Criminal Court. It is a fundamental tenet of our domestic legal systems that wrong doers must be brought to justice. The ICC is the mechanism for applying that same principle to persons accused of the most serious international crimes.

Distinguished representatives, New Zealand takes very seriously its responsibilities for creating and maintaining peace and security in its region and in the world. I am therefore pleased to confirm New Zealand's candidature for the United Nations Security Council for 2015 - 2016, in elections to be held in 2014.

In advancing its candidature, New Zealand does so as a state committed to upholding the international Rule of Law, and to providing a strong and principled Pacific voice on behalf of small States like ourselves with an interest in a fairer and more secure world.

We all have a stake in a world where peace and the Rule of Law prevail, where all States are secure and can prosper, and where all people are guaranteed the human rights and fundamental freedoms promised them in the Charter.

But we also know that solutions to the problems we collectively face do not lie with aspirational goals and promises that can be - and far too often are - quickly and quietly forgotten or ignored.

Hard, pragmatic decisions must be made.

Enforceable solutions must be implemented.

We know that effective, collective action is in every country's long-term, national interest.

That is what New Zealand believed in 1945; and I recommit now to taking action to live up to the ideals of the UN Charter, here, in this great chamber, this evening