

# Australia ‘worried’ about ‘growing momentum’ towards global treaty banning nuclear weapons

BY TIM WRIGHT

The Australian government has become increasingly “worried”<sup>1</sup> about the “growing momentum”<sup>2</sup> behind an Austrian-led initiative aimed at setting the stage for negotiations on a global treaty banning nuclear weapons, diplomatic cables and ministerial briefings reveal. The previously classified documents were obtained by ICAN from Australia’s foreign ministry under freedom of information laws on 7 September 2015.<sup>3</sup>

## Introduction

Australia fears that the so-called “Humanitarian Pledge”<sup>4</sup> put forth by Austria – and endorsed by 116 nations<sup>5</sup> – could lead to the launch of a diplomatic process in the near future that would pose a fundamental challenge to Australia’s continued reliance on US nuclear weapons. In an effort to mount a coordinated multi-nation response to the initiative, Australia convened a special meeting at its mission in Geneva on 9 February 2015 with other governments that oppose a ban on nuclear weapons.<sup>6</sup>

Austria had issued the pledge on 9 December 2014 at the conclusion of a

major inter-governmental conference examining the catastrophic humanitarian impact of nuclear weapons, attended by 158 nations,<sup>7</sup> including Australia. It later circulated a diplomatic note to all governments inviting them formally to endorse the pledge<sup>8</sup> – prompting

Australia to convene the Geneva meeting, with mostly NATO members and Japan.<sup>9</sup>

Australia feared that, if the month-long review conference of the Non-Proliferation Treaty (NPT) in May

failed to adopt a consensus outcome document, “the pursuit of a ban treaty becomes the next cab off the rank”.<sup>10</sup> In a June submission reflecting on the

**‘If there is no agreed [NPT review conference] outcome, then the pursuit of a ban treaty becomes the next cab off the rank.’**

– Australian Government, February 2015

unsuccessful conference, officials warned Foreign Minister Julie Bishop that the lack of an outcome “will embolden those arguing that the current disarmament machinery is broken and that a nuclear weapons ban treaty must be negotiated outside the NPT” review process.<sup>11</sup>

The Humanitarian Pledge is a political commitment by nations to

cooperate with all relevant stakeholders “in efforts to stigmatise, prohibit and eliminate nuclear weapons in light of their unacceptable humanitarian consequences and associated risks”. More specifically, the 116 endorsing nations have undertaken “to fill the legal gap” for the prohibition and elimination of nuclear weapons.<sup>12</sup>

## Reaction to the Vienna conference

The declassified diplomatic cables show that Australia came away from the Vienna conference feeling confident that proponents of a ban treaty had been reined in. “It was a reality check for those pursuing a ‘nuclear ban treaty’, partly because the US, UK and China took part, and India and Pakistan spoke of the need to address security dimensions of nuclear weapons,” officials reported.<sup>13</sup> However, other delegations they consulted “regarded the outcome as positive for the ‘nuclear ban treaty’ agenda”.<sup>14</sup>

Australia was pleased that NATO members had been “more vocal” than at an earlier conference on the same topic in Mexico in February 2014.<sup>15</sup> They were effective, Australia said, in “raising common themes” and arguing for the so-called “step-by-step” approach<sup>16</sup> – which has been pursued for the past two decades to little or no avail.<sup>17</sup> Several delegations repeated Australia’s mantra that “there was ‘no quick fix’ to disarmament, and that the road was long and required practical, hard work”.<sup>18</sup>

The Vienna gathering was the third in a series of conferences held since March 2013 with the aim of reframing the nuclear disarmament debate to focus on the catastrophic humanitarian effects of nuclear weapons rather than abstract geopolitical and military concepts. Australia’s primary objective throughout has been to promote the idea that humanitarian concerns must be balanced against the supposed “security” benefits of possessing nuclear weapons.

Australia thanked Austria for ensuring that the chair’s summary of the conference – presented in addition to the pledge – accommodated the more marginal views in the room.<sup>19</sup> Australia was critical of the Mexican and Norwegian governments, which hosted the previous two conferences, for not reflecting in their summaries those views that gave legitimacy to nuclear weapons.<sup>20</sup>

Australia was pleased, too, that ICAN – a coalition of NGOs in more than 90 nations, with its roots in Australia – had not been permitted to act as “the ‘gate-keeper’ for civil society participation” in the Vienna conference as had allegedly been the case in Mexico, where it “pushed hard on the ban treaty agenda”.<sup>21</sup> The participation in Vienna of a number of more conservative US-based arms control NGOs had “diluted the clamour for a headline outcome”, Australian officials reported.<sup>22</sup>

Australia regarded the attendance of the United States and United Kingdom – which boycotted the first two conferences, considering them a distraction<sup>23</sup> – as “a positive development”.<sup>24</sup> “The US forcefully put its views on the table at the conclusion of the first agenda item,” Australia noted approvingly.<sup>25</sup> However, many nations – including allies – perceived the US intervention as over-the-top and poorly timed, coming just after the personal testimonies of victims and survivors of US nuclear testing and the US atomic bombing of Hiroshima.

In general, Australia was upbeat about the outcome of the Vienna conference, believing that the push for a ban on nuclear weapons had failed to gain the kind of traction that its proponents had hoped for. It dismissed the Austrian pledge as amounting to little

more than “a promise to take the outcomes of the conference to the 2015 NPT [review conference] and other relevant UN bodies”.<sup>26</sup> But as global support for the pledge surged, the mood in Canberra quickly shifted.

## A galvanising force for change

Following a meeting with the United States’ most senior arms control and international security official, Rose Gottemoeller, to discuss the imminent NPT review conference, Australian officials reported: “Like the US, Australia is worried about the Austrian pledge.”<sup>27</sup> It “is a not-too-subtle attempt to build momentum for negotiations on a nuclear weapons ban treaty”, they later wrote.<sup>28</sup> The US had publicly derided the pledge as “dangerous” at a disarmament forum in Geneva on 28 January.<sup>29</sup>

“We will need to monitor the progress of the pledge, and at a minimum, ensure that the focus on the implementation of article VI of the NPT” – which compels all parties to pursue negotiations in good faith for nuclear disarmament – “does not become synonymous with a nuclear weapons ban treaty,” Australian diplomats wrote.<sup>30</sup> “The Austrian pledge is fast becoming a galvanising focus for those pushing the ban treaty option.”<sup>31</sup>

“A number of countries and high-profile Australian NGOs are seeking to focus attention on the humanitarian consequences of nuclear weapons in order to promote a near-term nuclear weapons ban,” the government said.<sup>32</sup> Many see the pledge as “a key document for bringing together the proponents of a ban treaty, and providing guidance for how to progress it”.<sup>33</sup>

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– Australian Government

They expressed concern about the “extensive lobbying efforts”<sup>34</sup> of ICAN and others: “Not unexpectedly, civil society are pushing the Austrian pledge at every opportunity ... including at the Australian parliamentary level, and these lobbying efforts will intensify.”<sup>35</sup> They noted the rapid sign-up by many nations: “While the pledge may have fallen on fallow ground in Europe” – where official support for nuclear weapons is

strong – it “has been warmly received in Latin America and the Caribbean”.<sup>36</sup>

Australia said that other nations under the US “nuclear umbrella” shared its fear that the pledge could lead to

negotiations on a ban treaty. “Concern is growing among like-minded in Geneva that the Austrian pledge, notwithstanding it was framed originally by Austria as a national undertaking, has the capacity to galvanise a large number of delegations to pursue an alternate legal pathway to nuclear disarmament beyond the NPT,” diplomats reported.<sup>37</sup>

In a cable speculating on Austria’s intentions, they wrote that Austria had adopted an “increasingly combative”<sup>38</sup> position on nuclear disarmament, and “it is difficult not to see Austria playing a long game on this issue, developing a narrative that a nuclear weapons ban treaty ... would be the logical next step in disarmament in the event that the NPT [review conference] was a failure”.<sup>39</sup>

## Coordinating resistance to the pledge

Amid growing concern in Geneva among diplomats from nations opposed to a ban on nuclear weapons, Australia convened the closed-door meeting of “broadly like-minded” nations at its mission “to discuss the implications of the Austrian pledge”.<sup>40</sup> In a report back to Canberra, diplomats wrote: “There was broad agreement that Austrian intentions with the pledge remained opaque.”<sup>41</sup>

The nations present were concerned, in particular, that Austria would “push for some acknowledgment” at the NPT review conference “that there exists a legal gap that needs filling” in order to prohibit and eliminate nuclear weapons.<sup>42</sup> They questioned whether it might be necessary collectively “to register an alternate perspective”.<sup>43</sup>

The pledge had moved the discussion away from simply the “humanitarian consequences [of nuclear weapons] per se”, Australia observed, and “channelled [it] into finding effective measures” to achieve nuclear disarmament.<sup>44</sup> There is “a real risk” that the Austrian pledge would offer nations “a Plan B in the event of failure” at the NPT review conference – namely, “the pursuit of a ban treaty”.<sup>45</sup>

Australia developed a series of talking points on the pledge to use in response to possible parliamentary

questions. In accompanying background material, it wrote: “The pledge expresses some sentiments we can agree with, but it also states that nuclear weapons should never be used again, ‘under any circumstances’ ... [which] rules out the deterrence role of nuclear weapons which underpins our security doctrine.”<sup>46</sup>

When Austria’s ambassador to Australia, Dr Helmut Böck, contacted the foreign ministry on 11 February to encourage the government to endorse the pledge, Australia made clear its firm opposition.<sup>47</sup> Officials reported: “The Austrian government is lobbying hard to increase the number of countries associating themselves with the pledge.”<sup>48</sup> Ireland, Mexico and Brazil had also promoted the pledge at an International Atomic Energy Agency board of governors meeting in March, they said.<sup>49</sup>

“A core constituency of countries, including Austria, Mexico, Brazil and Cuba, and NGOs are leveraging both disappointment over slow progress on nuclear disarmament and increased focus on the humanitarian consequences of nuclear weapons to lay the groundwork for a ban treaty on nuclear weapons,” officials wrote.<sup>50</sup> “Proponents of a treaty to ban nuclear weapons are rallying round the ‘Austrian Pledge’.”<sup>51</sup>

## Bleak prospects for disarmament

In a briefing note to the foreign minister on 18 March, Australian officials deemed it unlikely that the NPT review conference would succeed, “given bleak prospects for progress in multilateral arms control in the next few years”.<sup>52</sup> Despite this, one of Australia’s “overarching aims” for the conference would be to counter the argument that it is necessary to pursue negotiations on a treaty prohibiting the use, production and stockpiling of nuclear weapons.<sup>53</sup>

As predicted, the review conference concluded on 22 May unable to adopt a consensus outcome document.<sup>54</sup> Throughout the month-long gathering, the vast majority of nations had been highly critical of the lack of progress made towards implementing past disarmament promises, particularly those made in 2010, and the huge upgrades to existing arsenals. Many nations condemned the practice of stationing nuclear weapons on foreign

soil and adherence to the doctrine of “extended nuclear deterrence”.

In a cable reflecting on the failed conference, Australian officials outlined some “next steps on disarmament”. “We ... need to consider how best to deal with Austria’s ‘humanitarian pledge’,” they wrote, “and in particular the narrative that there is in fact a ‘legal gap’ to fill to prohibit and eliminate nuclear weapons”, which “is being pushed hard” by ICAN.<sup>55</sup> “The ‘pledge’ supporters are already portraying the only real outcome ... as confirming the critical role of the humanitarian consequences agenda, and the fact that a ‘legal gap’ has been established,” they warned.<sup>56</sup>

Advocates for a nuclear weapons ban treaty, including ICAN, have argued that negotiations should take place now, despite resistance from nuclear-armed nations.<sup>57</sup> The Australian government, however, asserts that any successful disarmament initiative must involve *all* nine nuclear-armed nations<sup>58</sup> – an entirely unrealistic proposition given the divisions among these nations.

It is an argument invoked purely for the purpose of promoting continued inaction.

In a departmental “policy snapshot”, Australia contended that “a ban treaty would achieve nothing” unless it involved all nuclear-armed nations.<sup>59</sup> “A state retaining nuclear weapons continues to pose an existential threat to regional and global communities.”<sup>60</sup> However, it is worth recalling that the NPT itself was negotiated in the 1960s without the participation of two of the five nuclear-armed nations at the time: France and China – which acceded in 1992. And today four nuclear-armed nations are not parties: Israel, India, Pakistan and North Korea (which withdrew in 2003).

Similarly, conventions banning anti-personnel mines and cluster munitions have achieved significant

results despite the absence of some of the major users and producers of those weapons. But Australia is dismissive of both those conventions on the basis that they are not yet “universal”,<sup>61</sup> and it argues that they are “inappropriate models”<sup>62</sup> for banning nuclear weapons given that nuclear weapons “are fundamentally different in nature”<sup>63</sup> and important for “key strategic reasons”.<sup>64</sup>

However, Australia’s true objection to a treaty banning nuclear weapons is not that it would be ineffective once negotiated: on the contrary, it understands well that its impact would be profound, compelling many nations, including Australia, to remove any role for nuclear weapons from their military doctrines and to refrain from facilitating nuclear war preparations.<sup>65</sup> It would challenge “Australia’s long-held position on nuclear deterrence ... that as long as nuclear weapons continue to exist, Australia will rely on the nuclear forces of the United States to deter nuclear attack on Australia”.<sup>66</sup>

**‘As long as nuclear weapons continue to exist, Australia will rely on the nuclear forces of the United States to deter attack on Australia.’**

– Australian Government

Anticipating possible skepticism from journalists about the enduring relevance of nuclear weapons to Australia’s defence, the government posed the question: “Isn’t nuclear deterrence an outdated

concept?”<sup>67</sup> To which an official, or the foreign minister, was advised to respond: “As long as the threat of nuclear attack or coercion exists, and countries like the DPRK seek these weapons and threaten others, Australia and many other countries will continue to rely on US extended nuclear deterrence.”<sup>68</sup>

The government argued, too, that “emotional appeals” by organizations such as Australian Red Cross – which released an opinion poll ahead of the Vienna conference showing that more than 80 per cent of Australians support a legal instrument to ban nuclear weapons – “do not change the current, real

security concerns of states with nuclear weapons and those states, like Australia, that rely on extended nuclear deterrence as part of their security doctrine”.<sup>69</sup>

It is more and more apparent that such reliance on nuclear weapons severely limits Australia’s effectiveness in disarmament diplomacy, though it insists “that policies of deterrence and disarmament [are] not mutually exclusive”.<sup>70</sup> Officials reported that the Non-Proliferation and Disarmament Initiative (NPDI) – a deeply divided cross-regional group of 12 nations set up by Australia in 2010<sup>71</sup> – had “played a positive role” at the NPT review conference, “but it remains to be seen what role it may be able to play in the future”.<sup>72</sup> “The likelihood of the ‘humanitarian pledge’ initiative gathering

momentum will test NPDI.”<sup>73</sup> To date, five of its members have endorsed the pledge – the five that do not claim the protection of US nuclear weapons.<sup>74</sup>

Reporting on the review conference to the foreign minister, Australian officials argued, rather optimistically, that the action plan adopted at the previous review conference, held in May 2010, “is still the key consensus-based road map forward”<sup>75</sup> – even though no real progress has been made by the NPT’s five nuclear-armed nations towards implementing the disarmament commitments it contains.<sup>76</sup> Therefore, increasingly, the Humanitarian Pledge is seen by the nuclear-free majority of nations as the best – if not the only – pathway forward.

### **An outcast among nuclear-free nations**

The diplomatic cables also reveal that Australia attracted the ire of nations in the lead-up to a five-yearly conference on nuclear-weapon-free zones held at the United Nations on 24 April 2015, with Indonesia as the chair. Of the 115 nations belonging to such zones – which cover all of Latin America and the Caribbean, the South Pacific, Southeast Asia, Africa, Central Asia and Mongolia – Australia is the only one to support the possible use of nuclear weapons.<sup>77</sup>

Australian diplomats “engage[d] closely” with their Indonesian counterparts ahead of the conference “to ensure that the language included in the final document [did] not cut across our interests”.<sup>78</sup> Australia not only resisted the inclusion of wording proposed by Latin American and Caribbean nations in support of “a near-term ban treaty”,<sup>79</sup> but it also rejected language declaring it in the interests of humanity that nuclear weapons are “never used again, under any circumstances”.<sup>80</sup>

Following months of often heated consultations – with Australia the lone

supporter of nuclear weapons in the room – the government accepted the final Indonesian draft but requested that a footnote be inserted to dissociate Australia from the offending paragraph, “in particular the words ‘under any circumstances’”,<sup>81</sup> which are “inconsistent with our position that as long as nuclear weapons exist, Australia will continue to rely on US nuclear forces to deter nuclear attack on Australia”.<sup>82</sup>

In the end, however, nations were unable to adopt the outcome document due to a dispute between Morocco and other African nations over the status of Western Sahara, which is a member of the African nuclear-weapon-free zone but not of the UN, and had not received an invite to the conference. This debacle saved Australia the embarrassment of having its support for nuclear weapons noted in a document on the importance of nuclear-weapon-free zones.

A month earlier, at a meeting of Asia-Pacific nations in Bangkok on “the humanitarian impact of nuclear weapons and prospects for a ban treaty”, Australia

had also found itself isolated: “Although we represented the lone voice in the room on many issues, it was useful for especially those from ASEAN [Southeast

Asian] capitals to hear a different perspective and to get a sense that there is no easy path or short cuts towards the elimination of nuclear weapons.”<sup>83</sup>

## Conclusion

The documents released by Australia’s foreign ministry paint a picture of a nation at odds with its nearest neighbours in the Pacific and Southeast Asia – a nation lacking any serious commitment to living up to its status as a member of the South Pacific nuclear-weapon-free zone. They confirm, too, that Australia has not merely refused to join the growing movement towards a global ban on nuclear weapons, but rather has led efforts to undermine the disarmament initiatives of Austria and other progressive nations.

Australia’s optimism following the Vienna conference – its apparent belief that the US and other nuclear-armed nations had succeeded in quelling the ban treaty movement – turned out to be

misplaced and short-lived, with a large majority of the world’s nations soon pledging to work together to stigmatise, prohibit and eliminate nuclear weapons. It is increasingly clear that Australia, together with NATO “like-minded”, is standing on the wrong side of history.

The government’s stark admission that the “prospects are bleak for meaningful progress in multilateral arms control”<sup>84</sup> underscores the need for a major rethink of its failed “step-by-step” approach to nuclear disarmament. It demonstrates the necessity of a norm-building process driven by non-nuclear nations that would enshrine into international law the unacceptability of nuclear weapons for all nations – including Australia.

## Timeline of events

<b>8–9 DECEMBER 2014</b>	The Vienna Conference on the Humanitarian Impact of Nuclear Weapons takes place, and Austria issues the pledge
<b>15 JANUARY 2015</b>	Austria sends a note to all governments, via their United Nations missions, inviting them to associate with the pledge
<b>9 FEBRUARY 2015</b>	Australia hosts a meeting at its mission in Geneva with other nations “to discuss the implications of the Austrian pledge”
<b>11 FEBRUARY 2015</b>	Austria’s ambassador to Australia phones the foreign ministry requesting Australia’s support for the pledge, but it declines
<b>26–27 MARCH 2015</b>	Thailand hosts a roundtable of Asia-Pacific nations on ‘prospects for a ban’, with Australia a ‘lone voice in the room’
<b>24 APRIL 2015</b>	Indonesia chairs a one-day conference of parties to nuclear-weapon-free zones at the UN in New York
<b>27 APRIL – 22 MAY 2015</b>	Parties to the Non-Proliferation Treaty (NPT) meet at the UN in New York for a five-yearly review conference

## Endnotes

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- <sup>1</sup> FOI documents, p. 106. Report on meeting with US Under Secretary for Arms Control and International Security, Rose Gottemoeller, undated.
- <sup>2</sup> FOI documents, p. 57. Submission to Foreign Minister Julie Bishop, ‘The 2015 Non-Proliferation Treaty Review Conference (NPT RevCon)’, 18 March 2015.
- <sup>3</sup> The FOI documents referred to in this report were obtained on 7 September 2015 and can be downloaded from the ICAN website: <http://www.icanw.org/wp-content/uploads/2015/09/FOI-DFAT-Sept2015.pdf>
- <sup>4</sup> The Humanitarian Pledge (initially known as the Austrian Pledge) can be downloaded at: [http://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14vienna\\_Pledge\\_Document.pdf](http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14vienna_Pledge_Document.pdf)
- <sup>5</sup> As at 3 September 2015, 115 nations had endorsed the Humanitarian Pledge: [http://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14vienna\\_update\\_pledge\\_support.pdf](http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14vienna_update_pledge_support.pdf)
- <sup>6</sup> FOI documents, p. 32. Diplomatic cable from Australia’s mission in Geneva to Canberra, ‘Austrian Pledge on the Humanitarian Impact of Nuclear Weapons: A Long Game Emerging’, 12 February 2015.
- <sup>7</sup> For information on the Vienna Conference on the Humanitarian Impact of Nuclear Weapons, 8–9 December 2014, including the list of participating nations, go to: <http://www.bmeia.gv.at/en/european-foreign-policy/disarmament/weapons-of-mass-destruction/nuclear-weapons-and-nuclear-terrorism/vienna-conference-on-the-humanitarian-impact-of-nuclear-weapons/>
- <sup>8</sup> FOI documents, p. 19. Note from the Permanent Mission of Austria to the United Nations, New York, to all permanent missions and observer missions to the United Nations, New York, 15 January 2015.
- <sup>9</sup> These nations were invited: Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Estonia, Finland, Germany, Greece, Hungary, Italy, Japan, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia and Spain.
- <sup>10</sup> FOI documents, p. 33. Above n. 6.
- <sup>11</sup> FOI documents, p. 122. Submission to Foreign Minister Julie Bishop, ‘The 2015 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference: Outcome and Future Steps’, 25 June 2015.
- <sup>12</sup> Above n. 4.
- <sup>13</sup> FOI documents, p. 11. Diplomatic cable from Canberra to Australia’s mission in Vienna, ‘Conference on the Humanitarian Impact of Nuclear Weapons 8–9 Dec: Report’, 19 December 2014.
- <sup>14</sup> Ibid.
- <sup>15</sup> Ibid., p. 12.
- <sup>16</sup> Ibid.
- <sup>17</sup> See, e.g., Hans Blix, ‘It’s Time to Ban the Bomb’, *Project Syndicate*, 29 July 2015: <http://www.project-syndicate.org/commentary/time-to-ban-nuclear-weapons-by-hans-blix-2015-07>
- <sup>18</sup> Above n. 13, p. 12.
- <sup>19</sup> FOI documents, p. 26. Diplomatic cable from Canberra to Australia’s missions in Geneva, New York and Vienna, ‘Austrian Pledge on the Humanitarian Impact of Nuclear Weapons – Representation by Austrian Ambassador’, 11 February 2015. The chair’s summary can be downloaded at: [http://www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14\\_Chair\\_s\\_Summary.pdf](http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14_Chair_s_Summary.pdf)
- <sup>20</sup> Above n. 13, p. 14.
- <sup>21</sup> Ibid., p. 13.
- <sup>22</sup> Ibid.
- <sup>23</sup> The ‘P5’ members of the Security Council – the US, UK, France, China and Russia – issued a joint statement explaining their decision not to attend the Oslo Conference on the Humanitarian Impact of Nuclear Weapons in March 2013: [http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/oslo-2013/P5\\_Oslo.pdf](http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/oslo-2013/P5_Oslo.pdf)
- <sup>24</sup> Above n. 13, p. 12.
- <sup>25</sup> Ibid.
- <sup>26</sup> Ibid., p. 13.
- <sup>27</sup> Above n. 1.
- <sup>28</sup> FOI documents, p. 103. Briefing titled ‘Strengthening Global Security Frameworks and Norms’, undated.
- <sup>29</sup> FOI documents, p. 21. Diplomatic cable from Australia’s mission in Geneva to Canberra, ‘Austrian Pledge – Humanitarian Impact of Nuclear Weapons’, 30 January 2015.
- <sup>30</sup> Ibid., p. 22.
- <sup>31</sup> Above n. 6, p. 30.
- <sup>32</sup> FOI documents, p. 56. Responses to possible parliamentary questions, ‘Nuclear – Nuclear Weapons: Humanitarian Consequences of Nuclear Weapons’, 18 March 2015.
- <sup>33</sup> FOI documents, pp. 23–4. Diplomatic cable from Canberra to Australia’s missions in Geneva and New York, ‘Austrian Pledge – Humanitarian Impact of Nuclear Weapons’, 2 February 2015.
- <sup>34</sup> Above n. 6, p. 31.
- <sup>35</sup> Ibid.
- <sup>36</sup> Ibid.
- <sup>37</sup> Ibid., p. 30.
- <sup>38</sup> Ibid.
- <sup>39</sup> Ibid.
- <sup>40</sup> Above n. 6, p. 32.
- <sup>41</sup> Ibid.



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- <sup>42</sup> Ibid.
- <sup>43</sup> Ibid.
- <sup>44</sup> Ibid.
- <sup>45</sup> Ibid., p. 33.
- <sup>46</sup> FOI documents, p. 93. Responses to possible parliamentary questions, ‘Nuclear – Nuclear Weapons: 2015 NPT Review Conference’, 8 May 2015.
- <sup>47</sup> Above n. 19.
- <sup>48</sup> FOI documents, p. 102. Briefing for Senate Estimates, ‘Humanitarian Consequences of Nuclear Weapons and a Nuclear Weapons Ban’, 17 February 2015.
- <sup>49</sup> FOI documents, p. 44. Diplomatic cable from Australia’s mission in Vienna to Canberra, ‘Austrian Pledge on the Humanitarian Impact of Nuclear Weapons: Vienna’, 4 March 2015.
- <sup>50</sup> Above n. 28.
- <sup>51</sup> Above n. 1, p. 107.
- <sup>52</sup> Above n. 2.
- <sup>53</sup> Ibid., p. 58.
- <sup>54</sup> For analysis, see, e.g., Ray Acheson, ‘Uprising’, in *News in Review*, 25 May 2015, available at: <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/NIR2015/No17.pdf>
- <sup>55</sup> FOI documents, p. 118. Diplomatic cable from Australia’s mission in Geneva to Canberra, ‘NPT Review Conference: Next Steps on Disarmament’, 24 June 2015.
- <sup>56</sup> Ibid., pp. 118–9.
- <sup>57</sup> See, e.g., ICAN’s statement to the NPT review conference, 1 May 2015, available at: <http://www.icanw.org/wp-content/uploads/2015/05/ICAN-statement-NPT.pdf>
- <sup>58</sup> See, e.g., FOI documents, p. 28. Media talking points, ‘FOI: Documents Relating to the Humanitarian Impact of Nuclear Weapons’, 11 February 2015.
- <sup>59</sup> FOI documents, p. 113. International Security Division policy snapshot, ‘Nuclear Non-Proliferation and Disarmament’, undated.
- <sup>60</sup> Ibid.
- <sup>61</sup> Above n. 58, p. 28.
- <sup>62</sup> Above n. 59.
- <sup>63</sup> FOI documents, p. 108. Media talking points on the Vienna Conference, ‘Humanitarian Impact of Nuclear Weapons’, undated.
- <sup>64</sup> Above n. 59.
- <sup>65</sup> For a brief summary of what a nuclear weapons ban treaty might entail, see ‘Principles of a Treaty Banning Nuclear Weapons’, ICAN, April 2015: <http://www.icanw.org/wp-content/uploads/2015/04/principles-2.pdf>. For a more detailed discussion of the issues, see Reaching Critical Will and Article 36, *A Treaty Banning Nuclear Weapons: Developing a Legal Framework for the Prohibition and Elimination of Nuclear Weapons*, April 2014: [http://www.article36.org/wp-content/uploads/2014/04/AR06\\_TREATY\\_REPORT\\_27.4.14.pdf](http://www.article36.org/wp-content/uploads/2014/04/AR06_TREATY_REPORT_27.4.14.pdf)
- <sup>66</sup> Above n. 59.
- <sup>67</sup> Above n. 63, p. 110.
- <sup>68</sup> Ibid.
- <sup>69</sup> Ibid., p. 108.
- <sup>70</sup> FOI documents, p. 70. Diplomatic cable from Australia’s embassy in Bangkok to Canberra, ‘Nuclear: Humanitarian Impact of Nuclear Weapons: Asia-Pacific Regional Roundtable’, 10 April 2015.
- <sup>71</sup> Statements issued by the NPDI are available at the Australian Department of Foreign Affairs and Trade website: <http://dfat.gov.au/international-relations/security/non-proliferation-disarmament-arms-control/nuclear-weapons/Pages/steps-towards-a-nuclear-weapons-free-world.aspx#npdi>
- <sup>72</sup> Above n. 11.
- <sup>73</sup> Above n. 55, p. 119.
- <sup>74</sup> The NPDI members that have endorsed the Humanitarian Pledge are: Chile, Mexico, Nigeria, the Philippines and the United Arab Emirates. Those that have not yet endorsed it are: Australia, Canada, Germany, Japan, the Netherlands, Poland and Turkey (all of which subscribe to ‘extended nuclear deterrence’).
- <sup>75</sup> Above n. 11.
- <sup>76</sup> See, e.g., Reaching Critical Will, *The NPT Action Plan Monitoring Report*, March 2015: [http://www.reachingcriticalwill.org/images/documents/Publications/2010-Action-Plan/NPT\\_Action\\_Plan\\_2015.pdf](http://www.reachingcriticalwill.org/images/documents/Publications/2010-Action-Plan/NPT_Action_Plan_2015.pdf)
- <sup>77</sup> See, e.g., Article 36, *Nuclear Weapon Free Zones and Banning Nuclear Weapons*, April 2014, [http://www.article36.org/wp-content/uploads/2014/05/A36\\_NWFZ\\_2014.pdf](http://www.article36.org/wp-content/uploads/2014/05/A36_NWFZ_2014.pdf)
- <sup>78</sup> FOI documents, p. 3. Diplomatic cable from Australia’s mission in New York to Canberra, ‘Nuclear Weapon Free Zones: Update’, 26 June 2014.
- <sup>79</sup> FOI documents, p. 8. Diplomatic cable from Australia’s mission in New York to Canberra, ‘Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia’, 26 November 2014.
- <sup>80</sup> FOI documents, p. 87. Diplomatic cable from Canberra to Australia’s mission in New York, ‘Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia: Draft Outcome Document’, 22 April 2015.
- <sup>81</sup> Ibid.
- <sup>82</sup> Ibid.
- <sup>83</sup> Above n. 70, p. 71.
- <sup>84</sup> Above n. 2, p. 58.