

# THE INTERNATIONAL CAMPAIGN TO ABOLISH NUCLEAR WEAPONS

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## **Introduction**

Since Hiroshima and Nagasaki, we've known that nuclear weapons are the most inhumane and indiscriminate weapons of mass destruction ever to threaten human and planetary survival and to violate international humanitarian law.

We know that the possession of nuclear weapons stimulates proliferation, that the ongoing modernisation of nuclear weapons makes a mockery of national and global security, and that they literally and potentially cost the earth.

It would be naive to think that, as long as nuclear weapons exist, they would not be detonated by accident, miscalculation or intent. Not only will deterrence one day fail, but the risk of nuclear terrorism continues to grow. Climate studies also show that the use of a mere 100 nuclear warheads in a regional war could end in a nuclear winter, crop failure and widespread famine.

And yet nuclear weapons are the only weapons of mass destruction that have not been prohibited by international law. A number of civil society organisations, including ICAN, are now working with governments to correct this anomaly and fill the 'legal gap,' by putting together a treaty to prohibit nuclear weapons.

## **The Nuclear Non-Proliferation Treaty**

So, where have we been and where are we heading? Until 2007, our efforts on nuclear disarmament were concentrated for decades on the workings of the Nuclear Non-Proliferation Treaty (NPT).

Every five years, we participated in numerous NPT review conferences where the step-by-step approach only accomplished sporadic reductions in nuclear weapons - from a Cold War high of about 60,000 nuclear warheads to about 15,000 in 2016. During all that time, the nuclear weapon states (NWS) never made a genuine commitment to the abolition of nuclear weapons.

The nuclear disarmament aspects of the NPT had frequently been ignored or subverted by the intransigence of the NWS and by the absence of an unequivocal legal prohibition of nuclear weapons. A treaty to ban nuclear weapons would therefore encourage accountability and push NWS to give up their illegal weapons.

## **NPT meetings**

There was some euphoria when the 2000 NPT Review Conference reached a consensus and pledged "an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals," through a programme of 13 Practical Steps.

But it did not last long. The Bush administration took office in 2001 and declared that it could "no longer support" some of the Practical Steps, such as the Anti-Ballistic Missile Treaty and the Comprehensive Test Ban Treaty.

### **2005 NPT Review Conference**

In the five years leading up to the NPT Review in 2005, the NWS continued to renege on their previous commitments. The US envisioned a permanent nuclear arsenal and started developing a new “bunker buster” nuclear weapon. It prompted the Mayor of Hiroshima to warn that “we stand today on the brink of hyper-proliferation and perhaps of repeating the third use of nuclear weapons.”

These and other disagreements continued to undermine the 2005 NPT Review, which eventually collapsed when it failed to agree on any substantive issue. In that 25-day conference, 15 days were consumed by procedural disagreements. The conference finally derailed because decision-making was based on consensus and dissenting states were able to exercise a virtual veto.

### **International Campaign to Abolish Nuclear Weapons (ICAN)**

The unprecedented collapse of the 2005 NPT Review Conference was a wake-up call and a turning point for IPPNW.

I remember it well. I had been in New York for the first week of the Review Conference before taking myself off to the United Kingdom for a rather introspective IPPNW meeting in Reading to set up a ‘renewal’ programme for what seemed like a jaded and dispirited IPPNW.

When I returned home on 24 May 2005, I was greeted with the news of the failed 2005 NPT Review Conference. As I mulled over the paralysis of the NPT process, it became clear to me that IPPNW and the disarmament movement had once again been led up the NPT garden path. The NWS had staged another nuclear charade. Then the penny dropped! I realised that it was time to think out of the NPT box and formulate a different approach.

Four days later, I emailed the following open letter to IPPNW affiliates:

*“There are lessons to be learnt from the landmines ban campaign. As you know, I have for some time been advocating lateral thinking and a new approach to nuclear disarmament, parallel to the deadlocked NPT process, which has once again been demonstrated at the UN this month, thirty-five years after the ratification of the NPT.*

*Although I realise that nuclear weapons are not strategically similar to landmines, I nevertheless believe that IPPNW must coalesce with other groups, find the support of like-minded governments, and launch an ‘Ottawa-style process’ for the elimination of nuclear weapons by working towards a Nuclear Weapons Convention. We already have a Biological Weapons Convention and a Chemical Weapons Convention. Why not a Nuclear Weapons Convention?*

*We can call it an International Campaign to Abolish Nuclear Weapons, with the acronym ICAN. Let’s start working on this right now.”*

An extraordinary number of responses came back, most of them supporting the formation of ICAN.

When the incredibly inspiring Australian affiliate of IPPNW, the Medical Association for Prevention of War (MAPW), secured generous funding from the Poola Foundation, it put together a dynamic team and programme and organised the launching of ICAN in Vienna on 30 April 2007 to coincide with the NPT Preparatory Committee Meeting that week in Vienna. ICAN simply took off after that.

I'd like to acknowledge the stalwarts of MAPW who made ICAN into such an effective, vigorous campaign. They are Tilman Ruff, Felicity Ruby (chief coordinator), Ian Maddocks, Sue Wareham, Bill Williams, Fred Mendelsohn, Dimity Hawkins, Tim Wright, and many others.

### **The Humanitarian Pledge**

When the 2010 NPT Review Conference adopted a 64-point action plan, it agreed unanimously that any use of nuclear weapons would have catastrophic humanitarian consequences and would therefore violate international law at all times.

The International Committee of the Red Cross and the Red Crescent movement succeeded in sensitising the global conscience by declaring that the catastrophic humanitarian impact of nuclear weapons would provide a clear rationale for a ban on nuclear weapons.

This application of international humanitarian law has changed the thrust and political framework of step-by-step negotiations and has transformed nuclear disarmament from a security and military issue to a humanitarian and moral one.

It has opened up an avenue, if not a highway, for like-minded states to press for a treaty prohibiting and criminalising nuclear weapons, regardless of the participation of the NWS in the process. It has brought many governments together in a united effort to first ban and then eliminate nuclear weapons.

Three major inter-governmental conferences were held in Norway in 2013 and in Mexico and Austria in 2014. The Mexican conference concluded that it was time for a strong diplomatic initiative to prohibit nuclear weapons.

The Austrian conference generated the Austrian Pledge which has since been renamed the Humanitarian Pledge. It calls on states to put in place multilateral negotiations to fill the legal gap in existing law and adopt a treaty to ban nuclear weapons. This approach is making the nuclear weapon states nervous.

### **Lessons of the Ottawa process**

In such negotiations, we must recall the lessons of the Ottawa process which led to the Landmines Ban Treaty:

- \* Banning is simpler than regulating.
- \* It is about single-mindedness and devotion to conscientious preparatory work, and a constantly scrutinised roadmap.
- \* It is about building a strong bond of cooperation between governments and civil society.
- \* One or two small or medium-sized governments can lead and drive the process, as Canada did for landmines.

- \* Bring pro-ban governments together, but involve all governments
- \* The campaign and its strategies should be flexible and inclusive.
- \* Avoid the potential hazards of bloc alliances.
- \* The structure of the campaign must be egalitarian.
- \* Develop a consultative style of leadership, but speak with one voice.
- \* It is crucial to involve women in the campaign.
- \* Use electronic communication.
- \* Make full use of the intellectual resources of civil society.
- \* Build good working relationships with governments and journalists.
- \* The process must be transparent.
- \* There is value in working outside traditional diplomatic processes.
- \* Apply the principles of international humanitarian law.
- \* Observe deadlines as they help to focus minds.
- \* Fund-raising is important.
- \* Bring the hibakusha in as credible witnesses when speaking to governments.
- \* Resist any attempt by the NWS to suggest a weak treaty with loopholes.

### **Open-Ended Working Group**

In October 2012, the UN General Assembly established the open-ended working group (OEWG) with the task of developing “proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons.”

One of its priorities will be to ensure that the humanitarian consequences of nuclear weapons remain at the forefront of its deliberations and that it will have a working mandate to produce a ban treaty that will be presented to the UN General Assembly at the end of 2016.

The OEWG must ensure that meetings are democratic, transparent and open to all civil society organisations, and must beware that the NWS and the nuclear-umbrella states have tried but failed to impose the requirement for consensus. The OEWG must first prepare the substance of a ban treaty, with or without the support and participation of the NWS. Making nuclear weapons unlawful will compel the NWS to fulfil their disarmament obligations. A ban treaty would provide a path to abolition.

Governments and civil society must no longer be satisfied with step-by-step disarmament measures, while the NWS continue to develop new nuclear weapons. Civil society need not be apologetic for opposing nuclear double standards when nuclear weapons have the diabolic capacity to destroy civilisation.

We are here in Geneva to support and stimulate a multilateral diplomatic process for the negotiation of a legally-binding instrument for the prohibition and elimination of nuclear weapons in a transparent, irreversible and verifiable manner, within a multilaterally agreed time-frame, as was proposed at the Vienna Conference. The time for diplomatic games is over. ICAN will now get on with it and persuade governments to start negotiating a treaty to first ban nuclear weapons and then abolish them.

**A talk given at the ICAN Campaign Meeting in Geneva on 30 April 2016.**