

Speaking notes: H.E. Dell Higgle, Disarmament Ambassador

'Remembering Hiroshima and Nagasaki: From New Zealand to the World' iCAN Aotearoa New Zealand Online Event on Hiroshima Day, 6 August 2020

In the message we've all just viewed, Prime Minister Ardern has highlighted how important it is to prevent any repeat, ever, of the Hiroshima and Nagasaki bombings.

We have to *prevent*, she says, because we cannot – even in our wildest imagining - prepare in any realistic way to cope with the horrors of the even more powerful destructive force of today's nuclear bombs. UN agencies as well as the International Committee of the Red Cross have told us very plainly that there is no state nor any international body which would be able to deal with the after-effects of the use of nuclear weapons – their consequences are just too horrendous and too far-reaching – they cross borders and they cross generations.

I thought that in my presentation today I would pick up on the PM's point about the importance of *prevention* by taking a look at the global tools – the international arrangements - we have which are the primary elements in the international community's 'prevention strategy'. I'm going to go over them in chronological order. And after that, I'll finish with an update - a quick overview - of recent happenings on the more day to day issues of nuclear disarmament.

So first – prevention:

Number one. By far the longest-standing arrangement in the global prevention effort is most certainly the **Nuclear Non-Proliferation Treaty**. The NPT entered into force 25 years after the dropping of the bombs in Hiroshima and Nagasaki – so it's been in place now for 50 years. Many New Zealanders know about what we call the NPT's 'Grand Bargain'. The Grand Bargain was the undertaking given in the Treaty by the possessors of nuclear weapons – there were 5 of them at the time – to disarm in return for the promise by all the other parties to the Treaty not to acquire nuclear weapons in the first place. That promise to disarm was set out in the NPT's Article VI and most members of the international community have traditionally viewed Article VI as providing the basis for the ultimate, albeit gradual, elimination of nuclear weapons.

On its face, then, you would think that the NPT presents us with an excellent foundation for a prevention strategy (and you can see, readily enough I think, why it is invariably referred to as the "cornerstone" of the disarmament and non-proliferation regime).

But sadly, it hasn't exactly worked out that way – and there are a number of reasons why this is so. One hurdle has been that not every country has wanted to join the Treaty and renounce the possibility of developing its own nuclear weapons - or, at least, not for as long as the Five original possessors retain any of their weapons. India and Pakistan are clear examples of this: they are two of the four countries now holding nuclear weapons outside the framework of the NPT.

Another hurdle has stemmed from doubts about compliance with the Treaty's non-proliferation obligations – ie doubts about the *bona fides* of some of those who have foresworn the right to develop their own weapons by signing up to the Treaty – yet who are suspected of clandestinely working on a weapons programme. You'll all be aware about the assertions made, for example, about Iran on this.

Finally, there is what I think I might label the 'elephant in the room': the failure of the Five nuclear weapon possessors inside the Treaty to meet the expectations of other NPT parties, like NZ, about their forward movement towards elimination of their weapons. The 'rights and wrongs' of this situation is made more complex by the fact that the actual wording of Article VI, and the basis for the Grand Bargain, is anything but straightforward and clear. But suffice it to say for today's purposes that the Five Nuclear Weapon States don't seem to have any gameplan for moving forward on nuclear zero and sometimes, indeed, they seem to have hit the reverse button.

In sum, and notwithstanding some important things which the NPT *has* brought about, it's difficult to describe it as an effective bulwark against the use of nuclear weapons.

Number two in the prevention strategy is a treaty definitely beloved, at least in its early days, by New Zealanders – the **Comprehensive Nuclear Test-Ban Treaty**. When the CTBT was adopted in 1996, there was widespread euphoria that finally, now, the door was being closed formally on nuclear testing. Not surprisingly, given the decades of opposition to the testing carried out here in the Pacific, all the members of our region were hugely supportive of the Treaty.

Sadly, however, the CTBT is another very clear example of a treaty which hasn't lived up to our expectations. Because the membership of a number of key states was made a condition for the CTBT's entry into force - and because a number of those same states have chosen not to join the Treaty — now, 24 years after its adoption, the Treaty still remains legally inoperative – it has yet to enter into force. And you'd probably have to be a die-hard optimist to say that it ever will.

Again, I'm not saying that the CTBT is without value – and it has certainly played a part in establishing a global norm against nuclear weapons testing. I'm just saying it hasn't brought us the real benefit we expected and, like the NPT, we can't really view it as an effective tool in a global prevention strategy.

Given the flaws in implementation aspects of both those two Treaties, I would think it's pretty clear why there was a need – and such support - for the adoption of the *third* and last treaty I'm including in my review of our prevention toolbox.

Number three is the 2017 **Treaty on the Prohibition of Nuclear Weapons**.

You've just heard the Prime Minister mention this Treaty in her video – she's urging all States to join New Zealand and ratify it. Like the Comprehensive Test-Ban Treaty, the Prohibition Treaty is not yet in force: it needs 10 more countries to join it before that will happen. Unlike the CTBT, though, I can pretty confidently predict that it won't be very long at all before it has the necessary extra ratifications – and more after that. We're actually expecting another couple of ratifications today – Hiroshima Day – so we're really down to needing just the last few.

At the point when there are 50 States Parties, the Prohibition Treaty will enter into force and we will have a *global* prohibition in place against nuclear weapons. You can, of course, say that this prohibition is somewhat *theoretical* for as long as the current possessors won't renounce their weapons and join this Treaty. And a frequent criticism from at least some of the Five Nuclear Weapon States is that the TPNW doesn't actually get rid of a single nuclear weapon, anywhere.

Well that's right: it doesn't – how *could* it when countries such as our own have little real leverage over nuclear weapon possessors and their holdings. Let's not forget that the NPT doesn't eliminate any either (and nor for that matter does the CTBT). But the TPNW *does* establish the best possible framework for eventual elimination and for a nuclear weapon-free world. And by strengthening the legal norm against nuclear weapons we believe it will, over time, increase the pressure on the nuclear weapon possessors to reduce their reliance on nuclear weapons and nuclear deterrence.

So looking at the TPNW through the *prevention* lens, you'd have to say that it is by far the *best* line of defence we have at present. And it sends the strongest and clearest message possible about the complete unacceptability of any use of nuclear weapons.

But over and above the TPNW, I'm sure you'd all like to see a lot more in place in terms of a global prevention strategy given the sheer horror associated with the detonation of even a single warhead.

Other elements

And there *are* other things. There is a fairly extensive network of *regional* nuclear weapon-free zones in place – like our own one established in the Treaty of Rarotonga – and efforts are under way to establish another zone in the Middle East. There’s a long-standing *bilateral* process of reductions in US and Russian holdings – represented at present by the New-START Treaty – and fairly recent (unilateral) reductions in the holdings of some other nuclear weapon possessors too. There is a mechanism for reporting on the holdings and related nuclear doctrines and policies by all the Five Nuclear Weapon States under the NPT.

There are ongoing efforts by groupings of States to persuade nuclear weapon possessors to do more, for example on reducing the launch readiness of their nuclear weapons (New Zealand is part of the De-alerting Group which calls for this) and to reduce the number of their warheads as a transitional measure on the way to their total elimination. There is a real push to analyse and put in place risk reduction strategies – although you’d have to say that there’s little progress to report on this, as yet. And finally you will all be aware of the UN SG’s efforts to give impetus to nuclear disarmament pursuant to his “Agenda for Disarmament”.

I’m going to leave my survey of the ‘prevention toolbox’ there, and move now to give a quick update:

Finally – on recent developments on nuclear disarmament

TPNW – it’s now 80% of the way towards entry-into-force. We’re expecting – as I’ve already said - more ratifications today on the important 75th anniversary of Hiroshima and Nagasaki. We were delighted to welcome Fiji as a State Party just a couple of weeks ago. As part of the TPNW Core Group, we’re continuing our efforts to encourage other Pacific Island Countries to ratify the Treaty.

The 5-yearly **NPT Review Conference** is an important health check for the NPT – and the RevCon remains a leading impetus for forward movement on nuclear disarmament under the NPT. The 2020 Review Conference was meant to take place in April/May this year but was postponed on account of Covid. It may perhaps take place next January - but that’s still not set in concrete.

New Zealand was one of 17 countries to sign on to a Malaysian-led initiative to issue a **Joint Communiqué** in May this year to mark the 50th Anniversary of the NPT and to push for progress in implementing its obligation to disarm.

New Zealand joined the **Stockholm-16 Ministerial Nuclear Disarmament Initiative** when it was formed early last year. Under the leadership of the Swedish and

German Foreign Ministers, the group has identified a set of ‘stepping stones’ intended to help the NPT make better progress on its promise of nuclear disarmament. The listing of these ‘stepping stones’ was announced at a Ministerial meeting held in Berlin just before lockdown in February this year.

New Zealand has also taken part – along with around 50 other countries – in a US-led initiative called **Creating an Environment for Nuclear Disarmament** (CEND). The grouping has largely been focused to date on defining its terms of reference and it has yet to get under way with substantive discussions, but it’s expected that these will begin in September this year.