



The Nuclear Weapons Prohibition Treaty: Springboard for the 2018 Disarmament Conference?

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Summary

Next year the United Nations will be convening a high-level conference to review the progress made in nuclear disarmament. The decision has its origin in a 2013 UN General Assembly resolution that was sponsored by the Non-Aligned Movement but opposed by most nuclear weapons states and their allies. The latter also opposed another initiative which mandated the negotiation and adoption, this year, of the Nuclear Weapons Prohibition Treaty. This treaty, too, came into being as a result of a decision at the UN. To counter these initiatives the nuclear-armed states and their allies advocate a “step-by-step” approach that envisages incremental measures within the existing Nuclear Non-Proliferation Treaty framework. These approaches, however, lack credibility in the eyes of the non-nuclear states who point to their slow pace or outright absence of any progress in nuclear disarmament. The divide between the two groups of states has kept growing and, if left unattended, may well come to a point of threatening the non-proliferation regime. Under these circumstances, the UN high-level conference should look for ways to bridge the divide and devise ways to end the impasse by focusing on points of convergence rather than divergence. All UN member states should attend the conference at the highest level and demonstrate their commitment to the goal of the elimination of nuclear weapons.

Introduction

1. In 2013, the United Nations General Assembly decided to convene a UN high level conference on nuclear disarmament “no later than 2018” to review the progress made in achieving the objective of the total elimination of nuclear weapons, including via negotiation of a comprehensive nuclear weapons convention (NWC).¹ It also established 26 September as the International Day for the Total Elimination of Nuclear Weapons. The agenda for the conference and the date for it are to be set at the 72nd UN General Assembly now in session. A preparatory committee is expected to be created to set forth the objectives of the conference. The General Assembly convenes high level conferences on a specific issue to elevate its political significance and give impetus to governments’ and civil society’s efforts to achieve progress in addressing the issue in question. This evidently will be the purpose of the UN high level conference on nuclear disarmament as well.

2. The high level conference will take place in the midst of the review cycle for the 2020 Nuclear Non-proliferation Treaty (NPT) Review

¹ A/68/32 (5 December 2013), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/32

Conference. It provides an opportunity for the international community to take stock of the current state of affairs in the field of nuclear disarmament; and to identify the ways and means of advancing nuclear disarmament through cooperation between the NPT-recognized nuclear weapons states (NWS), nuclear deterrence-reliant states, non-NPT nuclear armed states (India, Pakistan, Israel and North Korea) and non-NWS. In addition, the conference participants could reflect on:

- the outcomes of the past year which saw the adoption of the Nuclear Weapons Prohibition Treaty (NWPT);²
- the first session of the Preparatory Committee (PrepCom) meeting for the next NPT Review Conference in 2020;
- the agreement at the Open Ended Working Group on the Fourth Special Session of the General Assembly Devoted to Disarmament on the objectives and agenda for the Special Session;
- the tensions on and around the Korean peninsula due to North Korea's continued nuclear and missile provocations;
- the heightened rhetoric around the Joint Comprehensive Plan of Action (JCPOA) concerning Iran's nuclear issue;
- tensions in South Asia; and
- further deterioration in relations between Russia and the North Atlantic community.

3. Most importantly, the conference will be an opportunity to bridge the growing divide between the non-NWS on one hand, and on the other, the NWS and their allies and the nuclear-armed states not party to the NPT, on their respective approaches to nuclear disarmament.

4. This will not be an easy task, and has never been. But at a time when the continued divergence of views on achieving nuclear disarma-

ment could well come to a point of threatening the NPT, it would make sense to focus at the high level conference on the points of convergence rather than making divisive issues its overarching themes. Only then can the high level conference live up to its ambition and contribute to multilateral efforts towards the total elimination of nuclear weapons.

Divergent Interests in the NPT

5. The divergence of views on nuclear disarmament is nothing new. Ever since the adoption of the NPT, NWS and non-NWS have attached varying degrees of importance to the treaty's provisions on nuclear disarmament and nuclear non-proliferation. Along with peaceful uses of nuclear energy these have been called the "three pillars" of the NPT. Legally and rhetorically, all three are deemed co-equal parts of the NPT's "grand bargain." The latter is generally interpreted as a commitment by non-NWS to forfeit nuclear weapons while retaining their right to peaceful uses of nuclear technologies in exchange for the commitment to nuclear disarmament by the NWS. In this way the "grand bargain" imposes obligations on both sets of parties, NWS and non-NWS, and is meant to balance the interests of both sides and thus ensure the effectiveness of the NPT.

6. In reality, however, the NWS have emphasized the non-proliferation aspect of the NPT as its ultimate purpose while the non-NWS have attached equal importance to the treaty's nuclear disarmament goal. This tension has accompanied the entire NPT-related diplomacy of the past several decades and reflects, in fact, the underlying reality of a world where no nuclear weapons NPT State Party is seriously contemplating complying with – one could say, taking seriously – the treaty's Article VI, its disarmament provision, let alone pursuing good faith negotiations on nuclear disarmament. The NPT continues to operate in a world where competing security considerations of the NWS and, more broadly, of all nuclear-armed states override whatever concerns there may be over the consequences of the use of nuclear weapons.

7. Still, the non-NWS and proponents of disarmament in civil society have persevered in

² See <https://www.un.org/disarmament/publications/library/ptnw/> for all documentation relating to the NWPT.

seeking nuclear disarmament. As the NWS - non-NWS frictions within the NPT have laid bare its ineffectiveness as a disarmament tool they have pursued paths outside the NPT, including via the General Assembly, to promote the implementation of the NPT Article VI.

A Minimalist Path: Treaty on the Prohibition of Nuclear Weapons

8. Two such paths stand out. The first is associated with the General Assembly resolution entitled “*Taking forward multilateral nuclear disarmament negotiations*” which was first adopted in December 2012 and established an open-ended working group tasked with “develop[ing] proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons.”³ The resolution was sponsored by Austria and other like-minded countries concerned with the humanitarian consequences of the use of nuclear weapons. France, Russia, the United Kingdom and the United States voted against it. The resolution was given a boost when, in 2013–14, countries assembled in what came to be known as the Humanitarian Initiative held three rounds of governmental conferences on the humanitarian impact of nuclear weapons and were successful in including in the above resolution a provision establishing a second open ended working group “to substantively address concrete effective legal measures, legal provisions and norms that will need to be concluded to attain and maintain a world without nuclear weapons.”

9. In late 2016, in the latest iteration of this resolution, the General Assembly decided to convene in 2017 a United Nations conference to “negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination.”⁴ Thirty-five states voted against the resolution, mostly US allies; China, India and Pakistan abstained. The adoption this past July of the NWPT was the culmination of this effort.

10. The path pursued via the resolution “*Taking forward multilateral nuclear disarmament negotiations*” that paved the way to the NWPT could be described as the “minimalist path” towards nuclear disarmament since it does not detail specific effective legal measures for the elimination and destruction of nuclear weapons and leaves the issue for future consideration. The treaty prohibits nuclear weapons and was hailed as an important step towards the elimination of nuclear weapons but this prohibition falls short of a global norm and as with any treaty constitutes a legal obligation for States Parties only. Incidentally, the latter will all likely be the non-NWS not engaged in the activities banned by the treaty. The NWS and their allies have vehemently opposed the NWPT and, as non-parties, will not be bound by the treaty’s prohibition provisions. Should they choose to join it, they will either have to eliminate their nuclear weapons and materials first (destroy-and-join), or else sign the treaty and then engage in elimination and destruction activities according to a time-bound plan (join-and-destroy). But most recently, the opponents of the NWPT have reiterated their criticisms of the new treaty at the First Committee of the General Assembly and the prospects for them joining it seem remote.

11. The proponents of and signatories to the NWPT have pointed to its moral import expressing the hope that the legal prohibition of nuclear weapons could contribute to their further stigmatization in light of the humanitarian consequences of nuclear explosions and could, *eventually*, lead to multilateral measures leading towards their total elimination. But in a situation where all nuclear-armed states have boycotted the negotiations of the NWPT and have vowed to stay out of it, and where the world’s security landscape is marked by greater unpredictability that only increases the salience of nuclear weapons in the policies of nuclear-armed states and their allies, elimination of nuclear weapons via their stigmatization and prohibition appears to be, at this stage, an optimistic proposition.

12. At the recent debate in the First Committee of the General Assembly, Russia, for example, described the nuclear ban as “premature” and the treaty “contrary to its national interests”

³ A/67/56 (3 December 2012), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/67/56

⁴ A/71/258 (23 December 2016), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/258

and, citing a preambular provision of the NPT, expressed a view that nuclear disarmament should occur in the context of the negotiation of a treaty on general and complete disarmament.⁵ The US described the NWPT as “counterproductive” and “undermining” the legitimacy of the existing institutions and creating a potential alternative forum to the NPT review process, and also pointed to its “insufficient” safeguards standards and absence of a “credible verification mechanism.” It even called on all states not to sign the NWPT. China for its part argued that disarmament should occur in a practical and gradual manner for it to be “steady and durable.”

13. The preservation of “strategic stability” of the international security environment has also been referred to by the NWS as a major reason that holds them back from engaging with the NWPT. Nuclear-reliant states, mostly US allies, also spoke against the legal ban stressing the importance of progressively building parallel and simultaneous “blocks” that would eventually lead to a final verifiable disarmament framework. To them a major flaw with the NWPT lies in its attempts to “delegitimize” extended deterrence, that is, their protection by US nuclear weapons.

14. Views have been expressed that the global security environment should not be cited as an excuse for inaction on nuclear disarmament.⁶ But sadly, North Korea’s nuclear and missile ambitions, the nuclear situation in South Asia, and the worsening relations between Russia and the US, the possessors of over 90 percent of the world’s nuclear weapons, are closely intertwined with security, and in these circumstances calls on the NWS to reduce their reliance on nuclear weapons do indeed fall on deaf ears. In the meantime, it is hard to see how any meaningful progress in nuclear disarmament, let alone the elimination and destruction of nuclear weapons, can occur without the en-

gagement of nuclear-armed states, particularly without further progress in arms control between the US and Russia which, in turn, can only happen if and when some degree of détente is agreed between them.

15. The NWS remain adamant that the best way to achieve a world without nuclear weapons is through what has been called a “step-by-step approach,” that is through incremental measures within the existing global regime of the NPT. Many non-NWS point out, however, that this approach lacks credibility and point to such languishing “steps” as negotiation of a fissile materials cut-off treaty (FMCT), or ratification of the Comprehensive Nuclear Test Ban Treaty (CTBT). Besides, no bilateral or multilateral talks are currently being held between or among nuclear-armed states on nuclear reductions, not to mention any unilateral disarmament initiatives.

16. Despite all these criticisms, the NWPT presents a valuable instrument in that it reaffirms, in legal terms, the international norm expressed in the Advisory Opinion of the International Court of Justice (ICJ) that “the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law.”⁷ It provides a legal framework that, along with the existing treaties on nuclear-weapon-free zones, should facilitate work on a legally binding codification of the effective measures required for the implementation of the global legal obligation to disarm, enshrined in Article VI of the NPT. The negotiators of the NWPT have been able to fulfil the UN mandate to negotiate a legally binding instrument to prohibit nuclear weapons. What is left is the unfinished business of making it an instrument “leading towards their total elimination.”

⁵ Respective statements at <https://papersmart.unmeetings.org/ga/first/72nd-session/statements/>.

⁶ Statement by Mexico (on behalf of New Agenda Coalition) at: <http://statements.unmeetings.org/media2/16152255/statement-by-mexico-on-behalf-of-the-new-agenda-coalition.pdf>.

⁷ Advisory Opinion of the ICJ, “Legality of the threat or use of nuclear weapons” (8 July 1996), <http://www.icj-cij.org/files/case-related/95/095-19960708-ADV-01-00-EN.pdf>

A Divergent Approach: Nuclear Weapons Convention

17. A second path pursued by the UN majority, predominantly the non-NWS, is associated with the General Assembly resolution passed in 2013 entitled “*Follow-up to the 2013 high level meeting of the General Assembly on nuclear disarmament.*”⁸ The resolution was sponsored by the Non-Aligned Movement (NAM) and called for “the urgent commencement of negotiations in the Conference on Disarmament (CD) for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction.” The path taken by the non-NWS to achieve nuclear disarmament via an NWC can be described as the “maximalist” path towards disarmament since, unlike the NWPT, it advocates a time-bound, irreversible and verifiable nuclear disarmament in accordance with a phased program. It envisages concrete actions at each phase that lead to the total elimination and destruction of nuclear weapons within a specified timeframe.

18. In 2010, the NPT Review Conference also referred to the CD stating in Action 6 of its Action Plan that “all States agree that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work.”⁹ Though no mention was made then of negotiating a particular convention, the NAM’s view has been that “dealing with nuclear disarmament” via a subsidiary body should involve negotiating and concluding a comprehensive convention on nuclear weapons. The CD, however, far from being in a position to establish such a body, has remained an utter

disappointment incapable of coming to an agreement even on its program of work.

19. The origins of the proposal for a NWC go back to 1996 when the General Assembly passed a resolution entitled “*Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons*” that called on states to commence in 1997 multilateral negotiations leading to an early conclusion of an NWC.¹⁰ The later iterations of that resolution dropped the reference to the year when negotiations should start but the process at the UN of advocating negotiations on an NWC was set in motion. The resolution was adopted in the context of the ICJ’s unanimous opinion that same year (in the Advisory Opinion mentioned above) that there existed “a legal obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its respects.”

20. In 1997, encouraged by this development, Costa Rica submitted a Model Nuclear Weapons Convention to the UN as a discussion document.¹¹ The document aimed to facilitate deliberation and thinking on elements of an eventual convention and was drafted by an international consortium of lawyers, scientists and disarmament experts. The Model Nuclear Weapons Convention contained legal, technical and political provisions that could serve as elements for an NWC. In 2007, Costa Rica and Malaysia submitted an updated draft of the model convention that replicated provisions of chemical and biological weapons conventions.¹²

⁸ A/Res/68/32 (5 December 2013), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/32

⁹ NPT/CONF.2010/50 (Vol.I), Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document*, [http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50%20\(VOL.I\)](http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50%20(VOL.I))

¹⁰ A/Res/51/45 (10 December 1996), Part M, “Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons,”

<http://www.un.org/documents/ga/res/51/a51r045.htm>

¹¹ A/C.1/52/7 (17 November 1997), Letter dated 31 October 1997 from Charge d’affaires a.i. of the Permanent Mission of Costa Rica to the United Nations addressed to the Secretary-General,

http://www.un.org/ga/search/view_doc.asp?symbol=A%2FC.1%2F52%2F7&Submit=Search&Lang=E.

¹² A/62/650 (18 January 2008), Letter dated 17 December 2007 from the Permanent Representatives of Costa Rica and Malaysia to the United Nations addressed to the Secretary-General,

http://www.un.org/ga/search/view_doc.asp?symbol=A/62/650

21. China is the only NWS that has voted in favour of this resolution but has been adamant that the US and Russia, as the largest possessors of nuclear weapons, need first to make deep cuts in their arsenals. Other NWS and their allies have generally voted against the resolution on the Advisory Opinion of the ICJ while nuclear-armed India and Pakistan have cast positive votes.

22. A good level of support has been maintained for successive resolutions on this issue. The 2013 Resolution noted above took matters a step further by specifically identifying the CD as the venue for the negotiations. From 2013 on however, around 30 member states have consistently voted against the resolution. Of the nuclear-armed states only India and China have chosen, as requested by the resolution, to provide their general views “on achieving the objective of the total elimination of nuclear weapons, in particular on the elements of a comprehensive convention on nuclear weapons.” China reiterated its qualified support for such a convention while India supported the call for the urgent commencement of negotiations on nuclear disarmament in the CD, in particular on a comprehensive convention. China also made known its willingness to “positively consider” attending the United Nations high level conference on nuclear disarmament.

23. Among NATO countries the Netherlands was the only one to offer its views and gave a scathing critique of the resolution for its failure to capture other proposals concerning nuclear disarmament and the lack of “clear references” to the NPT. It noted that the “insufficient” clarity and transparency of its scope and intention may prevent the participation of key states in the 2018 UN high level conference on nuclear disarmament. It is to be hoped that this negative Dutch position is not more widely held amongst the NWS and their allies that voted against the resolution.

24. If the NWPT, binding only on its parties and containing no detailed provisions relating to disarmament, is unacceptable to NWS, a comprehensive NWC, promoted by the NAM, with its ambition to achieve “total elimination” of nuclear weapons within a specified timeframe might prove to be an even harder sell. For the

proponents of the convention, namely the NAM as a group, the newly concluded NWPT is an intermediate instrument that, upon its entry into force, could contribute to furthering the objective of the total elimination of nuclear weapons via a comprehensive NWC that maintains a world without nuclear weapons.

25. The minimalist and maximalist approaches to disarmament are not mutually exclusive, they are complementary: both aim to reinforce the implementation of the legally binding multilateral nuclear disarmament obligation of Article VI of the NPT. The general legal ban of nuclear weapons will need to be followed by a verifiable NWC that sets a specific timeframe for nuclear disarmament. Both the NWPT and the initiative to negotiate a comprehensive NWC in the CD stem from the growing dissatisfaction among the non-NWS with the current state of the implementation of the NPT provision on nuclear disarmament.

26. The UN high level conference on nuclear disarmament presents an occasion for the NWS to try to address the concerns of the non-NWS over the slow pace of disarmament. At the same time, in the face of the objections and outright opposition by nuclear-armed states and their allies to the initiatives of the non-NWS, they too, should try to find the areas of convergence. Only a two-way road complete with practical measures and concrete policies can realistically lead to progress in nuclear disarmament.

Seeking Convergence: UN High Level Conference on Nuclear Disarmament

27. At the high level conference, the divergences of views described above should encourage discussion of the factors that have impeded progress on disarmament, and of the ways and means to overcome them, in order to live up to the existing commitments and agreements on nuclear disarmament. To avoid duplication with the ongoing review cycle for the 2020 NPT Review Conference, it would make sense to leave the discussion of the progress on specific disarmament measures agreed upon at the NPT Review Conferences of 1995, 2000 and

2010 to the sessions of the PrepCom meetings under whose purview they fall.

28. There are several points of convergence that the non-NWS and the nuclear-armed states could focus on. The first is promoting multilateralism and enhancing the institutional effectiveness of the existing UN disarmament machinery. Some have argued that setting up alternative forums for the discussion of nuclear disarmament outside the NPT was not a helpful way to proceed. But one could recall that 17 years ago the 2000 NPT Review Conference came up, for example, with “the 13 practical steps” on advancing disarmament and agreed, among other steps, to establish a subsidiary body in the CD with a specific goal of dealing with nuclear disarmament. No such body was established, and this is not the only instance where the NPT members failed to live up to their agreed commitments.

29. The high level conference could agree to revive and reinvigorate the CD so institutional conditions are at least in place for engaging in a substantive dialogue on nuclear disarmament and fissile materials. The adoption this year at the UN Disarmament Commission of recommendations on conventional weapons should encourage renewed efforts for achieving the objective of nuclear disarmament and non-proliferation.

30. Second, all member states agree that deeper reductions in nuclear weapons arsenals should be pursued by the US and Russia before other nuclear-armed states will feel obliged to consider nuclear arms control measures. The high level conference should encourage the continuation of the strategic stability dialogue between these two nuclear powers. Both countries have emphasized their contribution to advancing a nuclear weapon-free world by reducing their nuclear stockpiles by 80 per cent since their Cold War peak and both are on their way of meeting the limits set by the New START Treaty by the February 2018 deadline. But at this point in time the future of any further steps in bilateral arms control remains unclear. A political call by the high level conference on the leaders of both countries to revert to responsible rhetoric and work to build foundations for mutual trust would be timely.

Any further escalation in tensions between the two nuclear superpowers will assuredly not bode well, either for the prospects for multilateral talks on nuclear weapons reduction or for the fortunes of nuclear disarmament in general.

31. Third, the high level conference would be a perfect forum for the proponents of the “step-by-step approach” to identify the practical steps that they would be willing to take to advance their gradual approach. Chief among these steps is prompt ratification of the CTBT to facilitate its entry into force. There are other steps that could also be taken such as ratification of the related protocols to the treaties establishing nuclear weapon-free zones and the withdrawal of any reservations or interpretative declarations incompatible with their object and purpose; reduction in the operational readiness of nuclear weapon systems; reduction of the role of nuclear weapons in security doctrines; confidence building and transparency and other risk reduction measures; adoption of “no first use” policy etc.

32. These steps are not in any way constrained by the adoption of the NWPT or calls for the negotiation of an NWC. On the contrary, continued reliance by the nuclear-armed states on nuclear weapons and their modernization programs have been the major factors that have added to the frustration and discontent on the part of the non-NWS. For the latter, the NPT has never been about indefinite possession of nuclear weapons by some but about eliminating them while at the same time not spreading them. The high level conference should therefore be used by the nuclear-armed states to recommit to the disarmament agreements forged over the decades. For the proponents of the so-called “progressive approach” the high level conference will be an opportunity to start redoubling their efforts in creating the “building blocks” of nuclear disarmament. These could and should include heeding the concerns and arguments of the supporters of the legal ban, the NWPT.

33. Fourth, proponents of the legal ban could agree at the high level conference on the sequence of measures that they would be willing to undertake, upon the entry into force of the NWPT, to move from the minimalist legal

framework of the prohibition of nuclear weapons for a group of countries parties to the treaty to a more inclusive and maximalist framework for the total elimination of nuclear weapons. Will it be a comprehensive NWC as advocated by the NAM or verifiable additional protocols acceded to by the nuclear-armed states? Clarity on this issue can be helpful in building a common strategy for achieving a world without nuclear weapons. Outlining the ways and means of engaging the possessors of nuclear weapons and their allies will also be crucial, since without their cooperation the NWPT is unlikely to be able to become the hoped for legally binding instrument leading to the total elimination of nuclear weapons.

34. Fifth, the NWS, who cite the international security environment as a major reason for why they reject the NWPT, should work harder on improving that very security environment which in most instances has deteriorated as a result of their own misguided actions or inactions. We may recall that, collectively, the NWS happen to be permanent members of the UN Security Council on whom member states have conferred primary responsibility for the maintenance of international peace and security. No country rejects wholesale the security dimension of nuclear weapons, and all are aware of the importance the NWS attach to the entrenched concepts of deterrence and extended deterrence. As noted at the 1995 NPT Review and Extension Conference, "Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States."¹³

35. But the absence of these should not mean that hard work on nuclear disarmament can be put on pause. However, the current circumstances of heightened international tensions are such that it is all the more likely that the possessor states will keep clinging to their weapons despite the catastrophic consequences their use would entail. Therefore, the high

level conference should provide an opportunity to non-nuclear, nuclear-reliant and all nuclear possessor states to discuss the security issues that hinder progress on disarmament. This discussion should, however, be premised on a clear understanding that "so long as any nuclear weapons remain anywhere, they are bound one day to be used – by design, mistake or miscalculation by state or non-state actors; and any such use will be catastrophic."¹⁴

36. Sixth, the high level conference should be an occasion to discuss the dangerous situation on the Korean Peninsula and the need to preserve the JCPOA, the hard-won agreement with Iran on its nuclear program. The high level conference could signal unequivocally that diplomacy alone stands the chance of resolving North Korea's nuclear and ballistic missile program. As US Defense Secretary James Mattis has said, "if this goes to a military solution, it's going to be tragic on an unbelievable scale."¹⁵ A six-party setting for talks where all participants in the previous Six-Party Talks could be resuscitated to start discussing what realistically appears to be the most feasible first step towards denuclearization – the freezing of North Korea's nuclear and missile programs. Negotiations on rolling back North Korea's nuclear weapons program could follow as well as discussions on other issues, including peace treaty discussions. Such talks should help produce acceptable compromises that address the security concerns of all parties involved.

Conclusion

37. After a year marked by divisive debates on nuclear disarmament, heightened rhetoric and deterioration of the international security, the 2018 UN high level conference on nuclear disarmament presents an opportunity to search for ways to work together to prevent further escalation in tensions. Countries need urgently

¹³ NPT/CONF.1995/32 (Part I), Annex. Decision 2: Principles and Objectives for Nuclear Non-Proliferation and Disarmament, https://unoda-web.s3-accelerate.amazonaws.com/wp-content/uploads/assets/WMD/Nuclear/1995-NPT/pdf/NPT_CONF199501.pdf

¹⁴ Inaugural Statement by the Asia-Pacific Leadership Network for Nuclear Non-Proliferation and Disarmament (APLN), http://apln.org/statements/statements_view/Inaugural_Statement.

¹⁵ Remarks at a Pentagon press briefing on 19 May 2017, as reported by Reuters, <https://www.reuters.com/article/us-usa-northkorea-mattis/u-s-military-solution-to-north-korea-would-be-tragic-on-an-unbelievable-scale-idUSKCN18F26M>

to come to their senses and realise that urgent action is required on both nuclear non-proliferation and nuclear disarmament – or risk falling victim to short-sightedness where the world could well find itself witness to an inadvertent nuclear war. This will certainly not be the proper way to mark 50 years of the NPT.

38. All UN member states should attend the high level conference at the highest level and devise ways to end the current impasse by focusing on points of convergence rather than divergence. Only by so acting would they display the necessary seriousness of the intent to move towards the goal of the total elimination of nuclear weapons.

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The **Centre for Nuclear Non-Proliferation and Disarmament (CNND)** contributes to worldwide efforts to minimize the risk of nuclear-weapons use, stop their spread and ultimately achieve their complete elimination. The director of the Centre is Professor Ramesh Thakur. See further <http://cnnd.anu.edu.au>.

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