

**NGO Presentation on Nuclear Disarmament<sup>1</sup>**  
**UNGA First Committee on Disarmament and International Security**  
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Increasing knowledge of how to construct nuclear weapons, increasing availability of the materials with which to make a bomb, increasing numbers of people desperate enough to use the bomb, and, most important, a lack of international resolve to ban the bomb and banish it from the arsenals of the world, make the use of nuclear weapons inevitable if we do not act decisively.

Speaking on behalf of an organization of physicians, I am obliged to remind you what that would mean.

In December 2006, climate scientists who had worked with the late Carl Sagan in the 1980s to document the threat of nuclear winter produced disturbing new research about the climate effects of low-yield, regional nuclear war.<sup>2</sup> Using South Asia as an example, these experts found that even a limited regional nuclear war on the order of 100 Hiroshima-sized nuclear weapons would result in tens of millions of immediate deaths and unprecedented global climate disruption. Smoke from urban firestorms caused by multiple nuclear explosions would rise into the upper troposphere and, due to atmospheric heating, would subsequently be boosted deep into the stratosphere. The resulting soot cloud would block the sun, leading to significant cooling and reductions in precipitation lasting for more than a decade. Within 10 days following the explosions, there would be a drop in average surface temperature of 1.25° C. Over the following year, a 10% decline in average global rainfall and a large reduction in the Asian summer monsoon would have a significant impact on agricultural production. These effects would persist over many years. The growing season would be shortened by 10 to 20 days in many of the most important grain producing areas in the world, which might completely eliminate crops that have insufficient time to reach maturity.

To make matters even worse, such amounts of smoke injected into the stratosphere would cause a huge reduction in the Earth's protective ozone. A study published in April by the National Academy of Sciences, using a similar nuclear war scenario involving 100 Hiroshima-size bombs, shows ozone losses in excess of 20% globally, 25–45% at midlatitudes, and 50–70% at northern high latitudes persisting for five years, with substantial losses continuing for five additional years.<sup>3</sup> The resulting increases in UV radiation would have serious consequences for human health.

There are currently more than 800 million people in the world who are chronically malnourished. Several hundred million more live in countries that depend on imported grain. Even a modest, sudden decline in agricultural production could trigger significant increases in the prices for basic foods, as well as hoarding on a global scale, making food inaccessible to poor people in much of the world. While it is not possible to estimate the precise extent of the global famine that would follow a regional nuclear war, it seems reasonable to anticipate a total global death toll in the range of one billion from starvation alone. Famine on this scale would also lead to major epidemics of infectious diseases, and would create immense potential for mass population movement, civil conflict, and war.

These findings have significant implications for nuclear weapons policy. They are powerful evidence in the case against the proliferation of nuclear weapons and against the modernization of arsenals in the existing nuclear weapon states. Even more important, they argue for a fundamental reassessment of the role of nuclear weapons

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<sup>2</sup> Robock A, et.al. Climatic consequences of regional nuclear conflicts, *Atmospheric Chemistry and Physics Discussion* 2006;6:11817-11843.

<sup>3</sup> Mills MJ et al. Massive global ozone loss predicted following regional nuclear conflict. *PNAS*, 2008;105(14):5307-5312.

in the world. If even a relatively small nuclear war, by Cold War standards—within the capacity of 8 nuclear-armed states—could trigger a global catastrophe, the only viable response is the complete abolition of nuclear weapons.

Yet as we approach the end of the first decade of a new century, we are falling woefully short of this goal. Recent events have signaled grave doubts about the long term vitality of the nuclear Non-Proliferation Treaty (NPT) regime. These include the failure of the 2005 NPT Review Conference and the lackluster outcomes of the first two Preparatory Committee meetings for 2010; the Nuclear Suppliers Group waiver for nuclear trade with India; growing tensions between the US and its allies and Iran over Iran's nuclear intentions; the post-Cold War expansion of NATO; the US deal with Poland to install missile defense interceptors on Polish soil and its determination to base tracking radars in the Czech Republic; ongoing tensions on the Korean Peninsula; strained double standards in the volatile Middle East; and instability in South Asia. Thus, it would be difficult to overestimate the importance of the NPT 2010 Review Conference.

The NPT is in jeopardy, in large part due to the lack of good faith evidenced by the nuclear weapon states regarding compliance with Article VI of the Treaty. The NPT nuclear weapon states have systematically sought to decouple nonproliferation from disarmament, while claiming that reductions in numbers from the insane heights of the Cold War constitute meaningful disarmament. A current reality check reveals that some 25,000 weapons remain in the world's nuclear arsenals—still enough to destroy all life. But disarmament is not just about the numbers. The policies of the NPT nuclear weapon states today, in particular the US, France, and the UK, can be characterized as “fewer but newer,” and are increasingly “capacity-based”. The nuclear weapon states cling to the notion of “deterrence,” though the threat they ostensibly seek to deter is an unknown and uncertain future. Selectively threatening some states, accusing them of seeking to develop nuclear weapons under cover of “peaceful” nuclear programs, while offering others the “benefits” of nuclear energy without the obligations of NPT membership, they are modernizing and qualitatively improving their own “enduring” nuclear arsenals—both warheads and delivery systems.

The US is making plans to replace all of its nuclear warheads, upgrade its delivery systems and massively reinvest in its nuclear weapons production complex for the remainder of this century. Russia continues to deploy newer, more capable road-mobile Topol-M missiles and nuclear ballistic missile submarines, may place multiple warheads on its Topol-Ms after the expiration of START in 2009, and is considering development of a new ICBM. France, while pledging warhead reductions, is continuing to design and develop new nuclear weapons systems for deployment through 2040, and has expanded the role of nuclear weapons in its national security policy. The United Kingdom is moving ahead with plans to replace and extend its Trident system until 2055, and to upgrade its atomic weapons establishment along the way. (Even as we speak here in the UN, hundreds of British and other peace activists are protesting nonviolently at the Aldermaston nuclear bomb factory in Britain, where they are calling on the government to cancel the renewal of Trident and stop making new warheads.) China, the only NPT nuclear weapon state to maintain a no first use policy, nevertheless plans to replace its sea-launched ballistic missiles and ICBMs. These are just a few examples.

The only prospect which stands a serious chance of breaking this negative spiral towards nuclear anarchy is serious, widespread commitment to eradication of nuclear weapons, made credible by tangible progress towards this goal. Yet nuclear arms control and disarmament proposals continue to be offered in a piecemeal, disconnected fashion. Procedural disputes are used as stalling tactics. For every step forward we seem to take two steps back. The Conference on Disarmament, the world's primary multilateral disarmament negotiating body, has not undertaken any substantive negotiations for well over a decade. NPT Review Conferences and Preparatory Committee sessions are dominated by debates about whether disarmament or non-proliferation should come first, when the Treaty obligates member states to pursue both simultaneously.

And here, the First Committee sends about two dozen strongly worded resolutions on different aspects of nuclear disarmament to the General Assembly each year, and each year the General Assembly adopts them and moves to the next item on its agenda. In his opening statement on 16 September, General Assembly President Father Miguel d'Escoto Brockmann noted, “something is missing from our deliberations—namely, the effective

implementation of our decisions by constructive action.” He thus called upon member states during this sixty-third session “to adopt a results-based approach both to disarmament and to the regulation of armaments, an approach that measures progress by deeds—and not words or numbers of resolutions alone.”

Crafting a consensus in the run up to the 2010 NPT Review Conference would seem to present a formidable, if not insurmountable, challenge to governments. Yet to the ordinary citizen, it is a matter of common sense; equal application of the law, and a sense of fair play—*keep your promises*. For most people, the term “good faith” may sound rather vague and poetic, though its common sense meaning is clear. However, the nuclear weapon states’ “good faith” obligation to disarm, embedded in Article VI of the NPT and the universal disarmament obligation affirmed by the International Court of Justice (ICJ), has a precise meaning in law. At a conference held in Geneva during the 2008 NPT PrepCom, Judge Mohammed Bedjaoui, President of the ICJ when it gave its 1996 opinion on nuclear weapons, spoke publicly for the first time about the opinion. “Good faith,” he declared, “is a fundamental principle of international law, without which all international law would collapse.”<sup>4</sup>

In the spirit of good faith, international lawyers, physicians, scientists, and other civil society experts have offered a roadmap toward a nuclear weapon free world in the Model Nuclear Weapons Convention. The model NWC—a comprehensive framework for global nuclear disarmament in all its aspects—has been a working document of the General Assembly since 1997. A First Committee resolution (A/C.1/62/L.36) adopted last year and supported by 127 member states called for the commencement of “multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination.”<sup>5</sup>

We have urged the General Assembly to put this resolution into action by engaging in substantive discussion of the Nuclear Weapons Convention during the 63rd session, and by instructing the Conference on Disarmament and the participants in the 2010 NPT Review Conference to place the Convention at the center of their deliberations from this point on. A similar prompting from the First Committee would be in keeping with the very first UNGA resolution, adopted in 1946 and calling for “the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction.” This urgent task not only remains unfulfilled more than 60 years later, but, with regard to nuclear weapons, it has barely begun.

The model NWC contains detailed provisions for national implementation and guidelines for verification; establishes an international agency responsible for enforcement and dispute settlement; and indicates procedures for reporting and addressing violations. It is comparable, in these respects, to other treaties banning entire categories of weapons, such as the Chemical Weapons Convention, the Biological Weapons Convention, and the Mine Ban Treaty. The model NWC applies the lessons of successes in nuclear disarmament with the comprehensive, universal treaty-based approach which has been the logical approach for all the successes towards abolishing other major classes of weapons to date. To assert that a similar approach to nuclear weapons is impractical or counterproductive is inconsistent and disingenuous. A nuclear weapons convention will enable nuclear weapons states to fulfill their legal obligations under the NPT, will bridge the divide between non-proliferation and disarmament, and will address the issue of universality.

The NWC does not undermine existing nuclear non-proliferation and disarmament regimes—a concern sometimes raised by governments and diplomats. It would complement, enhance and build on all of these. In short, there is no reason not to make this historic transition from a fragmented approach to a comprehensive approach, and there is every reason to do so. In fact the recent history of nuclear proliferation demonstrates unequivocally that any approach which perpetuates a double standard—that nuclear weapons are essential instruments of security in the hands of some nations, and intolerable threats to security in the hands of others, a threat so great as to warrant pre-emptive war—is doomed to failure. Widespread access to nuclear technology

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<sup>4</sup> The full text of Judge Bedjaoui’s remarks and other proceedings from the May 1, 2008 Good Faith and International Law conference will be available in the near future at <http://www.lcnp.org>.

<sup>5</sup> UNGA. Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons. Document A/C.1/62/L.36. 17 October 2007.

and materials ensures that. The only sustainable, practical approach which could gain the support of all nations is one consistent goal—zero nuclear weapons—for all.

While the Convention does not address the problem of nuclear energy, that issue is unavoidable in any discussion of disarmament and non-proliferation. The recent US-India nuclear technology deal, enabled by a controversial exemption from the Nuclear Suppliers Group, is only the most recent illustration of this link. Those promoting the global expansion of the nuclear energy industry have latched onto Article IV of the NPT, placing further strain on the non-proliferation regime. A far wiser and more effective way to ensure that global energy demand can be met in the future—while protecting the climate and removing obstacles to nuclear disarmament at the same time—would be shifting investments toward clean, safe, renewable, non-nuclear energy development as envisioned in IRENA—the International Renewable Energy Agency already supported by some 60 countries.

The Member States of the United Nations set out to achieve a nuclear-weapons-free world in the 20th century, and failed to reach that goal. This failure can be traced back, in part, to the fact that the General Assembly did not insist upon the commencement of negotiations on a timebound schedule. Mayors for Peace, under the leadership of Hiroshima Mayor Tadatashi Akiba, has called for the elimination of all nuclear weapons by 2020—the 75th anniversary of the US atomic bombings of Hiroshima and Nagasaki. This goal is achievable if negotiations on a Nuclear Weapons Convention commence no later than the conclusion of the 2010 NPT Review Conference. Mayors for Peace is campaigning to put the “Hiroshima-Nagasaki Protocol” on the agenda of the Review Conference.

The Protocol has two articles. Article I calls for a “clampdown” on all weapon-usable fissile materials—be they in weapons, reactors, or stocks—accompanied by a cessation of nuclear weapons acquisition and of all planning for the use of nuclear weapons. Article II calls for establishment of a negotiating forum, open to all states, with the sole purpose of developing a Nuclear Weapons Convention or Framework Agreement resulting in achievement of nuclear disarmament in all its aspects by the year 2020. Negotiations on the NWC are to begin immediately upon acceptance of the Protocol and continue uninterrupted until the agreement is reached.

The United Nations, through the General Assembly and its First Committee, has an opportunity and a responsibility to consider the Nuclear Weapons Convention roadmap, and to set a timeline for results. Every day of inaction further risks the chance that our collective luck will run out. We respectfully request the First Committee and the General Assembly as a whole to take up the Nuclear Weapons Convention as its highest disarmament and non-proliferation priority.