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NPT News in Review

Gaps

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The "gap on nuclear disarmament is still wide," announced the President of the NPT Review Conference during a brief plenary meeting on Wednesday. She suggested that the informal discussions she is hosting on this subject would continue into the night. And she encouraged the Chairs of Main Committees II and III to carry on their work as long as necessary tonight as well, given that there is still no consensus on their texts either. If there is to be an outcome from this Conference, the draft text will have to be circulated to capitals by 15:00 on Thursday. Whether or not agreement is reached on a draft, however, the real outcome of this Conference will be the Humanitarian Pledge. It is the pledge that distinguishes this Review Conference from other meetings of the NPT. While traditional positions of nuclear-armed states, their allies, and the pro-disarmament countries have fallen into their usual predictable patterns, this is the first time that countries have banded together in this way to move towards a new legally-binding instrument on nuclear weapons.

With nearly 100 states so far endorsing the international pledge to fill the legal gap for the prohibition and elimination of nuclear weapons, whatever happens at this Review Conference cannot hold them back from finally achieving real progress on multilateral nuclear disarmament. States will be in a strong position to start implementing this pledge after the Conference adjourns, whether or not a document is adopted here.

What would an outcome document from this Review Conference even represent? The informal meetings being held in back rooms with only a few delegations may or may not produce some sort of agreement. But what meaning does an agreement reached amongst a handful of states hold in the context of a Conference of 189 states parties? What does it signal about democracy and transparency?

This is the way things have traditionally been done in UN forums. We have all seen it before. But just because this reflects past practice does not make it reasonable or constructive. It does not mean it is the way things should be done now, especially in "the new reality" identified by Ireland and lived by everyone attending this Review Conference.

Any agreement reached at this point will represent a process that privileges the opinions and positions of only a few states that are handpicked by the President and have the resources and stamina to continue participating as long as it takes into the night. The most contentious issues in these discussions, according to the President, are related to effective measures, humanitarian impact, and reporting by the nuclear-armed states. These are issues that concern all NPT states parties and civil society around the world.

To hear that the gaps remain wide indicates that there are clearly some very strong pro-disarmament delegations in the room fighting hard on behalf of everyone else. But what kind of pressure will they come under from the nuclear-armed states? Will they be cajoled or intimidated into accepting a weak outcome? What would such an outcome mean for the future of nuclear disarmament?

It would not necessarily have to mean anything. With the Humanitarian Pledge firmly on the table and representing the majority of states, those committed to action on disarmament can move forward after this Review Conference in the full knowledge that they came, they tried, and the path was blocked by the nuclear-armed states, who were unwilling to compromise. The non-proliferation aspects will survive to another Review Conference, whether or not an outcome is agreed here. But the disarmament aspects must be taken forward elsewhere. The nuclear-armed have refused to comply with their legal obligations under article VI, their commitments made in 1995, 2000, and 2010, and now they are refusing to agree to the demands of the majority that they accept time-bound, measurable, verifiable, and irreversible actions to disarm. While they continue to call for states to "strengthen the NPT," it is they who are undermining the Treaty with their intransigence.

Gaps

There is more than a just a gap between the nuclear-armed states and those states wanting nuclear disarmament. There is also a clearly identified legal gap when it comes to the prohibition and elimination of nuclear weapons. The solution for filling this gap is to move ahead and prohibit nuclear weapons without the nuclear-armed states. Whether a document is agreed here in New York this month or not, it is clear that those states possessing nuclear weapons are blocking the path to any meaningful progress on nuclear disarmament. Thus it is up to the committed states to take the lead and start a process to prohibit nuclear weapons, even if the nuclear-armed states oppose it and refuse to participate. The Humanitarian Pledge is the first step towards doing so and will mark an historic outcome from the 2015 NPT Review Conference.

Ray Acheson

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