Addressing the threat of nuclear weapons: a new approach

Submission by the International Campaign to Abolish Nuclear Weapons to the Foreign Policy White Paper Consultation

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About ICAN

1. The International Campaign to Abolish Nuclear Weapons (ICAN) is a coalition of NGOs in one hundred countries advocating for a strong and effective nuclear weapon ban treaty. The campaign originated in Melbourne in 2007. By engaging a diverse range of organisations, and working alongside the Red Cross and like-minded governments, we have helped reframe the debate on nuclear weapons and build momentum towards a ban.

Introduction

2. Nuclear weapons pose a grave threat to all nations. Prohibiting and eliminating them should be a top foreign policy objective for Australia. Meaningful progress towards total nuclear disarmament is essential for national, regional and global security. Australia’s current policy on nuclear weapons has been ineffective in advancing this goal. The Foreign Policy White Paper is an opportunity for Australia to reconsider its approach.

3. In December 2016, the UN General Assembly adopted a historic resolution to begin negotiations on a legally binding instrument to prohibit nuclear weapons. Regrettably, Australia was one of 35 nations (out of 193 UN member states) to vote against the resolution. It did so based on the belief that nuclear weapons, for the time being, are a legitimate and necessary source of security. ICAN strongly disagrees with this position.

4. The forthcoming UN negotiations offer Australia a chance to contribute positively to the development of a strong and effective norm-based framework for advancing a world free of the worst weapons of mass destruction. Just as Australia has joined global bans on chemical weapons, biological weapons, anti-personnel landmines and cluster munitions, it should now embrace a ban on nuclear weapons.
Australia’s current approach

5. As a state party to the Non-Proliferation Treaty (NPT), Australia is forbidden from ever manufacturing or otherwise acquiring nuclear weapons, and it is obliged to pursue negotiations in good faith for nuclear disarmament. However, to date Australia has strongly opposed the negotiation of a treaty prohibiting nuclear weapons, casting doubt on its commitment to implementing the disarmament provision (article VI) of the NPT.

6. Australia argues that, so long as nuclear weapons exist in the world, it must rely on US nuclear forces for its security and prosperity. It subscribes to the doctrine of “extended nuclear deterrence”. Largely because of this policy, Australia has opposed steps towards disarmament that would challenge the perceived legitimacy of nuclear weapons. Australia has also refused to declare that nuclear weapons should never again be used.

7. Australia, like all other NPT parties, has acknowledged that any use of nuclear weapons would have catastrophic humanitarian consequences, and it participated in the three intergovernmental conferences on the humanitarian impact of nuclear weapons in 2013 and 2014. However, it has argued that the humanitarian consequences of nuclear weapons are precisely why they are effective as a deterrent and thus provide security.

8. Over the past few years, Australia has worked to undermine the humanitarian-based movement towards a prohibition on nuclear weapons – most notably by forcing a vote on a key UN report in August 2016 that recommended negotiations begin on a ban. Its stance has put it at odds with its neighbours in Southeast Asia and the Pacific, and has tarnished its reputation in the field of nuclear disarmament and non-proliferation.

9. By claiming protection from nuclear weapons and rejecting a ban, Australia has not only undermined disarmament efforts; it has also undermined non-proliferation. If these weapons are vital for Australia’s security, why should other nations, in far less stable regions of the world, not seek to acquire them? Advancing disarmament and preventing proliferation are mutually reinforcing – and fundamentally in Australia’s security interests.

10. Australia has failed to present a convincing case as to why states should pursue an alternative route to a world free of nuclear weapons that does not involve the negotiation of a prohibition instrument prior to reaching elimination. Its so-called step-by-step approach – recently rebranded as the “progressive approach” – has been pursued for decades without achieving significant results. Success in the foreseeable future appears highly unlikely.

A new approach

11. Australia should participate constructively in the forthcoming UN negotiations on a “legally binding instrument to prohibit nuclear weapons, leading towards their total elimination”, scheduled to take place in New York over four weeks, from 27 to 31 March and 15 June to 7 July 2017. It should work to achieve a robust and effective treaty that fills the legal gap in the existing international framework governing nuclear weapons.
12. Australia has participated in all other multilateral disarmament processes and has generally supported UN disarmament efforts, including by financing the UN Office for Disarmament Affairs. Boycotting the forthcoming negotiations would be an unprecedented move, casting doubt on Australia's commitment to the NPT, to the United Nations and to multilateralism more broadly, and raising the ire of its neighbours in Southeast Asia and the Pacific.

13. Signing and ratifying the treaty will require Australia to renounce any role for nuclear weapons in its defence. The vast majority of the world's nations – including all of Australia's nearest neighbours – neither possess nuclear weapons nor claim a security "benefit" from them as part of an alliance. Australia will also need to ensure that, as an ally of the United States, it in no way assists with preparations for the possible use of nuclear weapons.

14. The decision of the UN General Assembly to negotiate a global prohibition on nuclear weapons in 2017 was a response to the growing concern among UN member states about the risks and consequences of the use of nuclear weapons. It was based on the principle that weapons that are intended to inflict catastrophic harm on civilians ought to be prohibited under international law in a comprehensive and universal manner.

15. Underpinning the movement towards a ban is the firm belief that changing the “rules” regarding nuclear weapons will have a significant impact beyond those states that may formally adopt such an instrument at the outset. The treaty, once in force, will powerfully challenge the notion that possessing nuclear weapons is legitimate and acceptable for certain states. It will stigmatize the weapons and generate momentum for disarmament.

Conclusion

16. There is no logical, justifiable reason for Australia to continue opposing a ban on nuclear weapons. The vast majority of Australians – 84 per cent, according to a Nielsen poll in April 2014 – want the government to support global efforts to outlaw nuclear weapons. Achieving an effective prohibition treaty will provide the basis for long-overdue and urgent progress towards disarmament. Supporting this initiative should be a foreign policy priority.

17. The threat of nuclear weapons is too serious to ignore or to address in a partial and haphazard manner. The Foreign Policy White Paper is an opportunity for Australia to embrace a new approach to eliminating this paramount danger – one based on an unequivocal acknowledgement that these are unacceptable, immoral weapons, the possession or use of which can never, under any circumstances, be justified.

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