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Nuclear disarmament summits:

Building political traction for the adoption and implementation of legal measures and norms

Working Paper submitted to the 2016 Open Ended Working Group on
Taking Forward Multilateral Nuclear Disarmament Negotiations

Introduction:

1. All States are committed to the elimination of nuclear weapons, and have affirmed this commitment in a range of forums including the NPT Review Conferences;
2. However, tensions between nuclear-armed States, along with regional and international conflicts, are contributing to a freeze in bilateral, plurilateral and multilateral nuclear disarmament negotiations, the continuation of nuclear deterrence doctrines and robust programs to maintain and modernize nuclear weapons systems;
3. In addition, the nuclear armed States have, in varying degrees, put forward a range of conditions that they say must be met before they will be able to negotiate for comprehensive nuclear disarmament;
4. Despite these tensions, conflicts and conditions for nuclear disarmament, the nuclear armed States have joined with other nuclear reliant states and non-nuclear states in negotiating and implementing a range of measures on nuclear security;
5. A key factor in building cooperation and success in the nuclear security arena has been the Nuclear Security Summit process;
6. A similar Nuclear Disarmament Summit process could help to address some of the conditions, and build political traction for the adoption and implementation of additional nuclear-risk reduction measures and for negotiation of legal measures for the achievement of a nuclear-weapon-free world.

The value of summits

7. Summits bring together leaders of States in order address a key issue and come to agreement on measures to address the issue.
8. The decision to hold a summit and to participate in a summit demonstrates – and even generates - a strong commitment to addressing the issue;
9. A summit increases media exposure and elevates public attention to the issue and to the proposals for addressing the issue.

10. The increased media exposure and public attention enables or enhances the possibility of governments investing resources in order to ensure success.
11. A summit places an expectation on participating governments that a concrete and effective outcome will be achieved, and increases the possibility for achieving such an outcome.

Nuclear Disarmament Summit - background

12. The idea of a Nuclear Disarmament Summit is not new. It has been suggested by a number of the UN Secretary-General's including Ban Ki-moon, who proposed this in his Five Point Proposal for Nuclear Disarmament;
13. A UN Security Council Summit on Nuclear Non-proliferation and Disarmament was held on September 24, 2009 chaired by United States President Barack Obama. The Security Council Summit adopted Resolution 1887 which affirmed the commitment to achieve a nuclear-weapon-free world, and called for negotiations on nuclear disarmament, but made no decisions on the commencement of such negotiations or the adoption of any nuclear disarmament measures.
14. The United Nations General Assembly held a High Level Meeting on Nuclear Disarmament on September 26, 2013 and has decided to hold a High Level Conference on Nuclear Disarmament no later than 2018.
15. A more comprehensive Nuclear Disarmament Summit or series of Nuclear Disarmament Summits could continue, amplify and expand on the these previous events.

Nuclear Disarmament Summits – options

16. There are a range of options for a summit or summits. These options are not necessarily mutually exclusive. A bilateral summit of USA and Russia could, for example, be held parallel to a summit of like-minded States, or in conjunction with a UN initiated summit.
17. *Bi-lateral Summit of the USA and Russia.* These two countries have the largest stockpiles of nuclear weapons. They are the only two nuclear-armed States with launch-on-warning policies and high operational readiness to use the weapons. And they have the most expensive and robust nuclear weapon modernization programs.
18. A resumption of bilateral negotiations between the two would contribute not only to the possibility of bilateral stockpile reductions and de-alerting, but also to the possibility of pluri-lateral and multilateral negotiations on concrete disarmament measures.
19. In light of the current tensions between USA and Russia, it could be politically difficult for the leaders to agree to such a summit as they would face considerable domestic opposition in their countries. As such, a push for such a Bi-lateral Summit, by a credible group of leaders of non-nuclear countries, could encourage and give political cover for the leaders of Russia and the USA to do so.
20. *UN Security Council Summit.* Such a summit could follow-on from the UNSC Resolution 1887 and give further expression to implementation measures arising from the 2010 NPT Review Conference, especially the commitments undertaken by the P5.

21. Advantages of holding a Security Council Summit are that it engages the P5 and that its decisions are binding. A disadvantage is that each of the P5 members has veto power over any decisions which limits the possibilities to adopt strong or far-reaching nuclear disarmament measures.
22. *UN Summit/s established by the General Assembly.* Such a summit, or series of summits, could address nuclear disarmament measures proposed by UN General Assembly resolutions, recommendations from UN General Assembly initiatives such as the Open Ended Working Group, obligations affirmed through other UN bodies including the Security Council and International Court of Justice, and relevant treaty bodies such as the NPT.
23. Such summits could be guided, for example, by the models of the UN Summits on Sustainable Development (2002, 2010, 2012 and 2015), World Summits on the Information Society (2005 and 2015), World Food Summit (2002) and World Summit for Children (1990).
24. Advantages of a UNGA Summit, or series of summits, are that they would be open to all UN member States and that they can adopt decisions by a vote if consensus is not forthcoming. A disadvantage is that the number of countries participating makes it much more difficult to negotiate and adopt significant measures at the Summits, although this disadvantage can be overcome by holding effective preparatory meetings and by deciding on a series of summits rather than just one.
25. The Summit, or series of summits, could be established by UN General Assembly resolution on the recommendation of the OEWG or introduced by a group of like-minded cosponsors, or as a decision of the UN High Level Conference on Nuclear Disarmament.
26. If there is sufficient support for a UNGA-established Summit by the 71st session, it might be possible to adopt a resolution which elevates the *UN High Level Conference on Nuclear Disarmament* to the level of a Summit.
27. *Summit initiated by a nuclear-armed State.* The Nuclear Security Summits were initiated by one State – the United States – and involved a select group of like-minded countries willing to cooperate on securing nuclear materials and preventing nuclear terrorism. A similar model of Nuclear Disarmament Summits initiated by a nuclear-armed State would be possible. However, the fact that President Obama’s Prague speech focused equally on nuclear disarmament and nuclear security/non-proliferation but led only to summits on nuclear security, appears to indicate that there is little enthusiasm from the other nuclear-armed States for a nuclear disarmament summit process.
28. *Summits initiated by a like-minded group.* An alternative model would be for a group of ‘middle power countries’ to initiate a summit or series of summits. This group should reflect the different geo-political groupings, and have credibility with nuclear-armed and non-nuclear States alike.
29. The group could, for example, include ‘nuclear exit States’, i.e. those who formerly had nuclear weapons programs, or hosted nuclear weapons or were under extended nuclear deterrence doctrines, but have rejected these policies and practices to become nuclear-weapon-free. Such countries have an understanding of the reasons for relying on nuclear deterrence, but also the experience of rescinding such security policies. This experience could be very useful in helping countries which currently rely on nuclear weapons to be able to find security without them.
30. An advantage of a summit or summits led by a like-minded group is that they could be initiated in the near future without necessarily having to wait for agreement by the nuclear-armed States.

31. The group could consult with nuclear-armed States prior to the initial summit in order to develop a process and agenda that would enable their participation. But if there is continued intransigence by the nuclear-armed States, the like-minded group would not allow this to prevent the summit/s from proceeding.
32. A summit without the nuclear-armed States could be valuable in building political pressure for them to act on nuclear risk-reduction and disarmament measures, and for ensuring the participation of the nuclear-armed states in subsequent summits.

Nuclear Disarmament Summits – objectives

33. The objectives of summits are in general to a) give political support to negotiations on legal measures, b) adopt legal measures, c) support national ratification and implementation of legal measures, and/or d) to build international cooperation in the implementation of legal measures.
34. A nuclear disarmament summit, or series of summits, could include a range of such measures, including, but not limited to the following;
 - a. *Political.*
 - i. Declarations on: reducing nuclear threat postures; decreasing operational readiness to use nuclear weapons; non-use of nuclear weapons; establishing additional nuclear-weapon-free zones; reducing nuclear stockpiles; supporting regional confidence-building measures, forums and processes (NATO-Russia Council, OSCE...); other nuclear disarmament measures and participation in future summits and other nuclear disarmament processes.
 - ii. Establishing cooperative initiatives on phasing out the role of nuclear weapons in security doctrines, and on establishing the conditions to achieve a nuclear-weapon-free world.
 - b. *Legal.* Adoption of measures to reduce nuclear risks, prohibit the use of nuclear weapons, prohibit production of fissile materials, and other disarmament measures possibly including a framework agreement for nuclear disarmament.
 - c. *Technical:* Agreement on further development of nuclear disarmament verification measures.
 - d. *National implementation:* Participating states can present 'gift-baskets' of national implementation measures they are taking to abolish nuclear weapons and further the goal of a nuclear-weapon-free world.

Recommendation

35. The OEWG should recommend that a series of Nuclear Disarmament Summits be initiated. These could include Bilateral Summits, a Security Council Summit, a United Nations General Assembly Summit or a series of summits initiated by a group of like-minded 'middle power' countries.