

pp. 54-56 exempt in full under s  
22(1)(a)(ii), s 33(a)(iii), s 33(b)

REDACTED

**F-45, S-33**

**FOREIGN AFFAIRS AND TRADE**

**Nuclear - Nuclear Weapons: Humanitarian  
Consequences of Nuclear Weapons**

**Possible Question**

Given the humanitarian consequences of nuclear weapons, why does the Government not support a near-term nuclear weapons ban? Will the Government support the Austrian Pledge?

**Talking Points**

- Effective disarmament can only be achieved by engaging all the nuclear armed States
  - simply banning nuclear weapons would not lead to their elimination
  - a building block or step-by-step approach adopting practical, realistic measures is the most effective way to achieve disarmament
  - the Action Plan from the 2010 NPT Review Conference provides a roadmap to this goal
  - other key measures include negotiating a Fissile Material Cut-off Treaty; entry into force of the Comprehensive Nuclear-Test-Ban Treaty; and development of real and effective disarmament verification processes
  - there are no short cuts.
- There is much in the Austrian Pledge we can agree with
  - but it ignores the need to address the security as well as the humanitarian dimensions of nuclear weapons
  - and it ignores the reality that only through sustained, practical measures to enable nuclear armed States to disarm, can we eliminate nuclear weapons
  - it is thus not representative of a broad range of views of NPT member States
  - for these reasons we cannot associate with the Austrian Pledge.

## **Background**

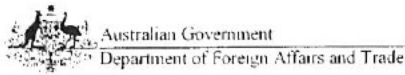
A number of countries and high-profile Australian NGOs are seeking to focus attention on the humanitarian consequences of nuclear weapons in order to promote a near-term nuclear weapons ban. Australia participated in the third conference on the humanitarian impact of nuclear weapons in Vienna on 8-9 December 2014, at which we stated our view that simply banning nuclear weapons would not lead to their elimination, and that a step-by-step approach adopting practical, realistic measures is the most effective way to achieve disarmament. At the Vienna Conference, we were pleased to see a more balanced range of views reflected in the Chair's Statement than at the previous such event (February 2014, Mexico) and also participation by the US and UK for the first time. However, at the end of the conference, the Austrian Deputy FM read the 'Austrian Pledge', a document prepared without consultation and delivered as a national statement by Austria. The Pledge expresses some sentiments we could agree with, but it states that nuclear weapons should never be used again, 'under any circumstances'. This ignores the need to address the security dimensions of nuclear weapons and rules out the deterrence role of nuclear weapons which underpins our security doctrine.

While sharing the goal of nuclear disarmament, and recognising the consequences for humanity of nuclear war, Australia does not agree with proponents of a ban treaty on the most effective means for achieving universal disarmament. Eliminating nuclear weapons is unrealistic without engaging the nuclear-weapon states, recognising their security concerns and taking a practical step-by-step approach towards effective disarmament (e.g. through an CTBT and FMCT). While this will be very challenging, there are no short-cuts. In an op-ed ('We must engage, not enrage nuclear countries') on the humanitarian consequences of nuclear weapons on 14 February 2014, Ms Bishop made the case that disarmament cannot be imposed simply by 'banning the bomb', and that the existential challenge of nuclear weapons needed sustained, practical steps and engagement by nuclear-weapon states. In a joint ministerial statement issued at the April 2014 meeting in Hiroshima of the Non-Proliferation and Disarmament Initiative, Ms Bishop and fellow NPDI ministers made clear that the catastrophic humanitarian impact of nuclear weapons fundamentally underpinned all our work on non-proliferation and disarmament.

### **Prepared By:**

s 22(1)(a)(ii)  
Executive Officer  
ISD/ACB/NPS  
Phone: s 22(1)(a)(ii)  
Edit Date: 18 March 2015 04:25:42 PM

Richard Mathews  
A/g Assistant Secretary  
ISD/ACB/  
Phone: s 22(1)(a)(ii)



# Ministerial Submission

15-345  
18/03/2015

**FOR:** MS J BISHOP (ACTION) MR ROBB (INFO)  
**From:** Peter Tesch, FAS ISD, s 22(1)(a)(ii) **Contact:** s 22(1)(a)(ii) Director NPS, s 22(1)(a)(ii)  
**Subject:** THE 2015 NON-PROLIFERATION TREATY REVIEW CONFERENCE (NPT REVCON)

**Urgency:** By 10 April to enable placement of op-ed.

**Key Issues:**

The 2015 NPT Review Conference will be difficult, given bleak prospects for progress in multilateral arms control in the next few years. s 33(a)(iii) the growing momentum for a nuclear weapons ban treaty, the spectre of a nuclear Iran and Middle East issues mean there may not be a consensus outcome. But the NPT provides real security benefits. Our objective is to protect the treaty from damage and buttress it as the cornerstone of global non-proliferation and disarmament. A well-timed op-ed by you (Ms Bishop) will set out our policy position.

**Recommendation:**

That you:

- (a) agree to our broad objectives for the 2015 NPT Review Conference (Attachment A);
- (b) agree to the attached draft op-ed which we aim to place before the Review Conference (Attachment B); attachment B omitted as request excludes draft documents
- (c) note we will make a statement on the humanitarian consequences of nuclear weapons at the Review Conference which also emphasises security realities.

**Decision:**

Agreed/Not Agreed

Agreed/Not Agreed

Noted

Please Discuss

**Domestic/Media Considerations:** Yes, (see Attachment - draft Op-ed on centrality of NPT)

**Action:**

Julie Bishop  
/ /

**Information:**

Noted

Andrew Robb  
/ /

**Background:**

This submission comes to you at a time when **prospects are bleak for meaningful progress in multilateral arms control.**

s 33(a)(iii)

2. **It is unclear whether the RevCon will produce a consensus outcome** and whether, and how seriously, this might damage the NPT. Our overarching aims are: (i) to preserve the NPT and the norms it enshrines as the cornerstone of multilateral disarmament and non-proliferation; and (ii) to counter simplistic arguments that the 'grand bargain' it represents (non-proliferation in exchange for disarmament and promotion of peaceful uses of nuclear energy) has been broken and effort therefore should shift to alternatives like a treaty banning nuclear weapons. We seek your endorsement of our broad RevCon objectives (Attachment A, which also includes for your reference our specific objectives under each NPT pillar). We also seek your endorsement of an op-ed for placement prior to the RevCon which will help register our policy position on the centrality of the NPT (Attachment B).

3. **Austria will lead the push for a ban treaty** at the RevCon with a statement on the humanitarian consequences of nuclear weapons, similar to New Zealand's statement at last year's UNGA, which 155 states supported. While acknowledging the disastrous consequences of a nuclear conflict, our own statement will stress the need to weigh current security realities and the impracticality of not involving the nuclear weapon states in a step-by-step approach to disarmament.

4. **Tensions extraneous to the NPT will affect the RevCon.**

s 33(a)(iii)

5. Some fear that **Middle East Issues could derail** the RevCon.

s 33(a)(iii)

6. s 33(a)(iii)

the NPDI has submitted a detailed working paper to the RevCon which balances the three pillars of the NPT (Attachment C). **Australia will chair NPT Main Committee III on peaceful uses**, enabling us to highlight the strong contributions we have made to this part of the NPT 'grand bargain'. Thus **we will forcefully underline that the NPT delivers practical security and other benefits** and remains fundamental to global peace, security and prosperity.

But

Peter Tesch  
First Assistant Secretary  
International Security Division,

## Australia's Objectives for the 2015 NPT Review Conference

### Broad Objectives

- . To buttress the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the global nuclear non-proliferation and disarmament regime.
- . To promote strong political support for and financial commitments to the International Atomic Energy Agency (IAEA).
- . To strengthen implementation of member States' commitments under the Non-Proliferation Treaty and the 2010 NPT Review Conference (RevCon) Action Plan across all three pillars of the NPT (disarmament, non-proliferation and the peaceful uses of nuclear energy).
- . To work for a balanced outcomes document at the 2015 NPT RevCon that strengthens nuclear disarmament and non-proliferation, bearing in mind our ultimate objective of a world without nuclear weapons.
- . To support new initiatives which progress nuclear disarmament and non-proliferation and reduce nuclear risks, thus contributing to enhanced global security.

### Specific Objectives (by Pillar)

#### Pillar I: Disarmament

- . To build support for practical, realistic measures for nuclear disarmament, (through the step-by-step or building block approach)
  - and to discourage simplistic approaches to disarmament which ignore the security dimensions of nuclear weapons (such as calls to negotiate a nuclear weapons ban treaty before implementing the practical steps necessary to enable disarmament).
- . To recognise the positive steps that have been achieved under New START and to urge the United States and the Russian Federation to continue to negotiate further reductions in arsenals.
- . To encourage the nuclear weapon states to continue their P5 dialogues and to urge the P5 to:
  - make increasingly transparent base-line declarations on nuclear warheads and arsenal sizes, including using the proposed P5 glossary as a key tool for increasingly transparent declarations on arsenal sizes
  - collectively and individually move towards more open security doctrines, such as declarations on sole-purpose use of nuclear weapons, negative security assurances and support for nuclear weapon free zones
  - engage in high level, frank and constructive dialogue with a view to reducing global tensions, so as to create conditions conducive for further negotiations of arsenal reductions – including at an appropriate stage, multilateral negotiations.
- . To encourage all nuclear-armed States to cease the development and production of non-strategic nuclear weapons, and eliminate reliance on the use of such weapons in their security doctrines.

- . To urge Annex 2 States to the Comprehensive Test-Ban Treaty which have yet to sign and/or ratify the treaty to do so as soon as possible, and to commit to continue the moratorium on nuclear testing.
- . To urge all states participating in the Conference on Disarmament to agree as soon as possible on a substantive and effective Program of Work, and
  - to agree to commence negotiations for a Fissile Material Cut-off Treaty (FMCT) including through supporting the work of the Group of Government Experts
  - to call on all states (including non-NPT states) to agree in the interim, to a moratorium on the further production of fissile (nuclear weapons grade) material.
- . To encourage all NPT states to participate in new and practical initiatives to progress disarmament, including the International Partnership for Nuclear Disarmament Verification.

### **Pillar II: Non-Proliferation**

- . To urge all States yet to do so to conclude a Comprehensive Safeguards Agreement and Additional Protocol with the IAEA without delay and to reassert this as world best practice in nuclear safeguards implementation.
- . To strongly support the efforts of the IAEA to strengthen the efficient and effective implementation of safeguards (including the State Level Concept).
- . To urge all States to establish, maintain and implement effective export controls over nuclear and nuclear-related dual-use items and technology
  - and to encourage all States to harmonise their export controls with those of the Nuclear Suppliers Group and Zangger Committee guidelines.
- . To support the establishment and implementation of Nuclear Weapon Free Zones
  - and encourage all interested States parties to constructively assist the process to convene a Middle East Weapons of Mass Destruction Free Zone conference.
- . To urge Iran's full cooperation with the IAEA to resolve outstanding questions over the possible military dimensions of its nuclear program.
- . To signal strong support for the P5 + 1 negotiations with Iran for a comprehensive settlement which would guarantee to the international community the exclusively peaceful nature of Iran's nuclear program
- . To strengthen global resolve to counter the DPRK's weapons of mass destruction proliferation activities, and to contribute to global efforts to pressure the DPRK to abandon its nuclear weapons program and place its nuclear facilities and material under IAEA safeguards.
- . To support new initiatives to strengthen the global non-proliferation regime and ensure that no more States or non-State actors ever acquire nuclear weapons.

### **Pillar III: Peaceful Uses of Nuclear Energy**

- . To support the IAEA in carrying out its Technical Cooperation Program, and to provide in-kind and financial support to the Peaceful Uses Initiative
  - with a special focus on projects in our region.

- . To promote the positive outcomes of the IAEA's work in spreading the benefits of the peaceful uses of nuclear energy to all States
  - and support Ambassador Vienna UN as Chair of Main Committee III at the 2015 NPT RevCon.
- . To support the global trade in uranium for fuelling nuclear power plants under world-best practice safeguards agreements and in accordance with IAEA safeguards.
- . To encourage States to minimise stocks of Highly Enriched Uranium and use non-HEU technology where possible, including converting research reactors to Low Enriched Uranium.
- . To promote best practice in nuclear safety and urge all States to apply IAEA Safety Standards, use IAEA peer review services and actively implement all obligations under the nuclear safety conventions.
- . To support the activities of the Global Initiative to Combat Nuclear Terrorism, the Nuclear Security Summit process, and the IAEA's Nuclear Security Fund.

#### **Other**

- . To support and strengthen the NPDI as a cross-regional and broadly representative group of NPT States, especially in its advocacy role on NPT issues talking to all NPT members, the RevCon Presidency, and all NPT groupings (P5, NAM, NAC etc).
- . To promote and strengthen NPT member States' awareness and acceptance of the NPDI's recommended steps (eg in Working Papers) for implementing the 2010 NPT RevCon Action Plan and other NPT actions.
- . To support strengthened principles governing the right of withdrawal under Article X of the NPT (in particular the NPDI's five recommended principles).
- . To promote the views of the Vienna Group of 10 on NPT-related issues (including nuclear safety, security, safeguards and NPT withdrawal provisions).



GU31926H

**Title:** Geneva : State of Play for the NPT Review Conference  
**MRN:** GU31926H 19/03/2015 08:00:27 PM CET  
**To:** Canberra  
**Cc:** RR : Beijing, London, Moscow, NPDI, Paris EMB, UN New York, Vienna  
UN, Washington, Wellington  
**From:** Geneva UN  
**From File:** ge13/390  
**EDRMS Files:**  
**References:** GU31768H  
The cable has the following attachment/s - Attachment omitted as request  
state of play.pdf excludes publicly available material  
**Response:** Routine, Information Only

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[REDACTED]

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**Summary**

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

[REDACTED]

s 22(1)(a)(ii)

Public discussion: “Monitoring Commitments in Nuclear Disarmament and Non-Proliferation”

7. Two other monitoring reports were presented at the GCSP event on 11 March 2015. The Reaching Critical Will (RCW) report similarly reviewed and assessed the 2010 Action Plan. Mia Gandenberger, RCW convenor, noted that states needed to change their thinking. Rather than looking to roll over the Action Plan, states should focus on where progress had been clearly lacking, particularly in nuclear disarmament. Gandenberger also emphasised the growing momentum of the humanitarian consequences initiative, and the importance of the Austrian Pledge calling for the pursuit of legal measures for the total elimination of nuclear weapons.

s 22(1)(a)(ii)

**GU31926H**

s 22(1)(a)(ii)

text ends

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s 22(1)(a)(ii)

GU31927H

**Title:** Article VI issues update : NPT Review Conference  
**MRN:** GU31927H 19/03/2015 08:09:13 PM CET  
**To:** Canberra  
**Cc:** RR : Brussels, EU Posts, Geneva UN, London, NPDI, Tokyo, Vienna UN,  
Washington, Wellington  
**From:** Geneva UN  
**From File:** GE13/390  
**EDRMS Files:**  
**References:** UN45964H, GU31912H, GU31882H, GU30421H  
The cable has the following attachment/s - Attachment omitted as request  
s 22(1)(a)(ii) excludes publicly available material  
**Response:** Routine, Information Only

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**Summary**

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

GU31927H

s 22(1)(a)(ii)

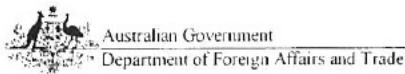
4. Separately, Austria (not a member of NAC) briefed lunch attendees on its working paper which was aimed at bringing the conclusions to the NPT RevCon of the three conferences on the humanitarian impact of nuclear weapons to the NPT RevCon. The Austrian delegation s 33(a)(iii) advised that they now had 60 states signed up to the Austrian pledge (see third reftel) which focused on the need to fill the legal gap. s 33(a)(iii) also confirmed that the Austrians would be seeking support from all NPT states for the updated humanitarian consequences statement (see second reftel).

s 33(a)(iii)

text ends

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s 22(1)(a)(ii)



## Ministerial Submission

15-385  
25/03/2015

**FOR:** MS J BISHOP (ACTION) MR ROBB (INFO)  
**From:** Richard Mathews, A/g AS, ACB, s 22(1)(a)(ii) **Contact:** s 22(1)(a)(ii) Executive Officer, s 22(1)(a)(ii)  
**Subject:** CREDENTIALS FOR THE 2015 NPT REVIEW CONFERENCE

**Urgency:** By 1 April to allow credentials to be sent to post for official registration

**Key Issues:**

The 2015 NPT Review Conference (RevCon) will be held at the UN Headquarters, 27 April – 22 May. We recommend Gillian Bird, HOM New York UN, be accredited as head of the Australian delegation, with HOM Geneva UN and DHOM New York UN accredited as alternate representatives. This is a smaller delegation than at previous RevCons and includes only five Canberra-based officers attending at different times during the conference. We recommend you sign the attached letter of credentials for the delegation.

**Recommendation:**

That you:

- (a) agree that Gillian Bird be accredited as Australia's head of delegation to the ninth Review Conference of the Parties to the NPT; and
- (b) sign and date - in words - the credentials at Attachment A.

**Decision:**

Agreed/Not Agreed

Signed/Not Signed

Please Discuss

**Domestic/Media Considerations:** No

**Action:**

Julie Bishop  
/ /

**Information:**

Noted

Andrew Robb  
/ /

Richard Mathews  
Acting Assistant Secretary  
Arms Control and Counter Proliferation Branch,  
ACB

**Consultation:** New York UN, Geneva

**File No:** 14/42042

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FILE: 15/2850  
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WHEREAS it is desired that Australia be represented at the Ninth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons from 27 April - 22 May 2015:

NOW THEREFORE THESE PRESENTS CERTIFY that the persons whose names appear hereunder have been duly named, constituted and appointed by the Government of Australia to represent Australia at the said Conference in the capacities respectively indicated:

Representative

GILLIAN BIRD

Alternate Representatives

JOHN QUINN  
DAVID STUART  
CAITLIN WILSON

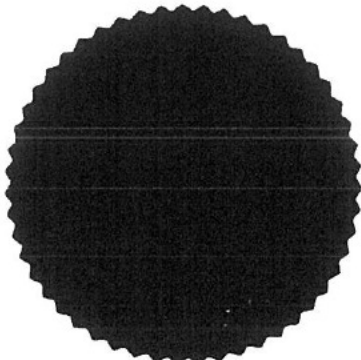
Advisers

RICHARD MATHEWS  
IAN MCCONVILLE  
DARREN HANSEN  
JI-SOO WOO  
HYUNG MIN KIM

EMILY STREET  
MARK ALEXANDER  
JOHN KALISH  
MICHAEL EAST  
STEVEN MCINTOSH

IN WITNESS WHEREOF, I, JULIE BISHOP, Minister for Foreign Affairs, have hereunto set my hand and affixed my seal.

DONE at *Canberra* this *26<sup>th</sup>* day of *March*  
Two thousand and fifteen.



*Julie Bishop*  
Minister for Foreign Affairs

BK9228H

**Title:** Nuclear: humanitarian impact of nuclear weapons: Asia-Pacific regional roundtable

**MRN:** BK9228H 10/04/2015 02:47:55 PM ZE7

**To:** Canberra

**Cc:** RR : ASEAN Posts, Beijing, Geneva UN, London, Mexico City, Middle East Posts, Moscow, NPDI, Paris EMB, Stockholm, UN New York, Vienna UN, Washington, Wellington

**From:** Bangkok

**From File:**

**EDRMS Files:**

**References:** The cable has the following attachment/s - Attachments omitted as request excludes drafts  
ILPI Draft Participants list.pdf  
ILPI Draft Programme (as of 24 March 2015).pdf

**Response:** Routine, Information Only

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## Summary

Thailand co-hosted a regional roundtable for states and CSOs on the humanitarian impact of nuclear weapons and the prospects for a ban treaty. CSOs urged states to start work towards a ban agreement.

s 33(a)(iii)

It was useful for the ASEANs to hear Australia's position - that effective disarmament required the engagement of all nuclear-armed states and that simply banning weapons would not lead to their elimination - and to get a sense that there is no easy path towards disarmament.

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As per emails s 22(1)(a)(ii) Political-Economic Counsellor Bangkok attended a regional roundtable on the humanitarian impact of nuclear weapons and the prospects for a ban treaty from 26 to 27 March in Bangkok. The meeting was co-hosted under Chatham House rules by the Thai MFA and the International Law and Policy Institute. Thanks ISD's very helpful briefing material, from which we drew heavily in interventions.

2. Thirteen countries attended, including five ASEANs (four with capital-based officials); the UN New York representatives for Tonga, Samoa and Marshall Islands; the hosts of the three humanitarian impact conferences, Austria, Mexico and Norway; and NZ. Key civil society groups advocating for a ban treaty also attended, including ICAN and Article 36, as did the International Committee of the Red Cross and UN Institute for Disarmament Research (UNIDIR). The agenda and list of participants are attached. An introductory paper has been emailed to (due to size).

s 22(1)(a)(ii)

3. Thailand said it had followed the developing international discourse on the humanitarian impact of nuclear weapons with great interest. It had called the meeting to consider how the humanitarian initiative might be taken forward and to consider possibilities for practically addressing the so-called "legal gap", particularly in the context of the upcoming Ninth Review Conference of the Nuclear Non-proliferation Treaty. A paper presented by Thailand's current representative to Taiwan, former Ambassador to Australia and legal expert,



BK9228H

Kriangsak Kittichaisaree, on the legal gap was also presented to the meeting (emailed to s 22(1)(a)(ii) due to size). Austria urged states to sign up to the pledge it had issued after December's humanitarian impact conference in Vienna.

4. CSOs dominated discussions and outlined their perspectives in familiar terms. The humanitarian initiative had created cross-regional support and empowered non-nuclear weapon states and civil society to take action away from the moribund NPT and Conference on Disarmament. The logical next step would be to develop a ban treaty. This would concentrate action and help facilitate compliance with their obligations by nuclear-armed states. CSOs urged countries to adopt the Austrian pledge (over 60 had joined up) and to begin work on a ban treaty.

5. At appropriate junctures, we outlined Australia's position. We highlighted our strong support for the elimination of nuclear weapons, our strong record in disarmament efforts and our shared concern at the humanitarian consequences of nuclear war. We said effective disarmament required the constructive engagement of all nuclear-armed states; simply banning weapons would not take into account their security concerns and would not lead to the elimination of nuclear weapons. A step-by-step approach, adopting practical and realistic measures, was necessary for achieving effective disarmament. This would be challenging but was consistent with the steps outlined in the 2010 NPT Review Conference Action Plan. We highlighted the work of the Non-Proliferation and Disarmament Initiative and its 2015 RevCon joint working paper. We were working towards a successful conference outcome that further strengthened the NPT framework. We also highlighted that policies of deterrence and disarmament were not mutually exclusive.

s 33(a)(iii)

s 33(a)(iii)  
s 33(b)

s 33(a)(iii)  
s 33(b)

BK9228H

s 33(a)(iii)  
s 33(b)

Comment

9. Although we represented the lone voice in the room on many issues, it was useful for especially those from ASEAN capitals to hear a different perspective and to get a sense that there is no easy path or short cuts towards the elimination of nuclear weapons.

text ends

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s 22(1)(a)(ii)

UN665777L

**Title:** UN: Disarmament Commission Update  
**MRN:** UN665777L 10/04/2015 07:27:21 PM EDT  
**To:** Canberra  
**Cc:** RR : Cairo, Geneva UN, Jakarta, Mexico City, Moscow, Seoul, Tel Aviv, Tokyo, Vienna UN, Washington  
**From:** UN New York  
**From File:** UN14/652  
**EDRMS Files:**  
**References:** UN665552L, GU31800H, CE125384H, WH68249H, GU31990H, CE126665H  
The cable has the following attachment/s -  
UNDC Agenda 2015.pdf Attachments omitted as request  
UNDC - Russia - National Statement.pdf excludes publicly available  
UNDC - Japan - National Statement.pdf material  
**Response:** **Routine, Information Only**

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**Summary**

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

s 22(1)(a)(ii)

3. s 22(1)(a)(ii)

CELAC expressed support for the Austrian Pledge and was of the view that the humanitarian impact of nuclear weapons needed to be part of every discussion on nuclear non-proliferation and disarmament.

s 22(1)(a)(ii)

6. s 22(1)(a)(ii)

Mexico said that dedicated conferences on the humanitarian consequences of nuclear weapons had made a significant contribution to the debate and invited all states to support the Austrian pledge already endorsed by CELAC. s 22(1)(a)(ii)

s 22(1)(a)(ii)

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FILE: 15/2850  
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UN665777L

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

GU32001H

**Title:** 2015 NPT RevCon: Humanitarian consequences of nuclear weapons:  
s 22(1)(a)(ii)

**MRN:** GU32001H 14/04/2015 05:29:38 PM CEDT

**To:** Canberra

**Cc:** RR : Ankara, Berlin, Copenhagen, NPDI, Seoul, Stockholm, UN New  
York, Vienna UN, Washington

**From:** Geneva UN

**From File:**

**EDRMS Files:**

**References:** GU31912H, CE127507H, ST122691  
The cable has the following attachment/s -  
slovakia version.docx Attachment omitted as request  
excludes publicly available material

**Response:** **Routine, Requires Action**

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[REDACTED]

s 22(1)(a)(ii)

GU32001H

s 22(1)(a)(ii)

Austrian pledge

9. Current support for the Austrian pledge remains around 60 states.

s 22(1)(a)(ii)



GU32001H

text ends

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s 22(1)(a)(ii)



VI34383H

**Title:** Arms Control: NPT Review Conference: Seminar in Algiers  
**MRN:** VI34383H 16/04/2015 06:10:02 PM CEDT  
**To:** Canberra  
**Cc:** PP : Beijing, Brussels, Canada DFAIT, Geneva UN, Jakarta, Kuala Lumpur, London, Mexico City, Middle East Posts, Moscow, NPDI, Paris EMB, Tehran, Tel Aviv, Tokyo, UKFCO, UN New York, Vienna UN, Washington  
**From:** Vienna UN  
**From File:** VI15/8  
**EDRMS Files:**  
**References:** VI34369H, GU31986H, GU31990H  
**Response:** Priority, Requires Action

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[REDACTED]

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**Summary**

s 22(1)(a)(ii)

but it seems the NAM won't institutionally support  
HC-related initiatives like the Austrian pledge s 22(1)(a)(ii)  
s 22(1)(a)(ii)

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s 22(1)(a)(ii)

[REDACTED]

pp 81-83 omitted under  
s 22(1)(a)(ii)

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VI34383H

s 22(1)(a)(ii)

**HOM Comment**

16. s 22(1)(a)(ii)

17. s 22(1)(a)(ii)

- judging from what was said during and on the margins of the Algiers meeting - the NAM is not signing on collectively to the specific proposals that have emerged, either the Austrian pledge s 22(1)(a)(ii)  
s 22(1)(a)(ii)

s 22(1)(a)(ii)

text ends

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s 22(1)(a)(ii)

WH68273H

**Title:** Carnegie International Nuclear Policy Conference: non-proliferation regime under pressure  
**MRN:** WH68273H 17/04/2015 12:17:14 PM EDT  
**To:** Canberra  
**Cc:** RR : Abu Dhabi, Beijing, Brussels, Cairo, Dublin, Geneva UN, Honolulu, Islamabad, Jakarta, Kuala Lumpur, London, Mexico City, Moscow, New Delhi, NPDI, Paris EMB, Seoul, Tel Aviv, UN New York, Vienna UN, Wellington  
**From:** Washington  
**From File:**  
**EDRMS Files:**  
**References:** CE792967L  
**Response:** Routine, Information Only

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**Summary**  
s 22(1)(a)(ii)

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s 22(1)(a)(ii)

WH68273H

s 22(1)(a)(ii)


### **Humanitarian consequences debate**

5.s 22(1)(a)(ii)

The so-called "Austrian pledge" reflected NNWS reclaiming their place at the disarmament table and hastened the urgency of securing a world free of nuclear weapons.

6. Despite these pressures on the NPT, most agreed that few responsible states would be willing to walk away from the NPT. s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)



pp 87-88 omitted  
under s 22(1)(a)(ii)

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WH68273H

s 22(1)(a)(ii)

text ends

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s 22(1)(a)(ii)

UN46450H

**Title:** Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia: draft outcome document

**MRN:** UN46450H 21/04/2015 07:37:53 PM EDT

**To:** Canberra

**Cc:** RR : ASEAN Posts, Beijing, Brussels, Geneva UN, Islamabad, London, Moscow, New Delhi, NPDI, Paris EMB, Seoul, Vienna UN, Washington, Wellington

**From:** UN New York

**From File:** UN14/652

**EDRMS Files:**

**References:** CE124659H, UN46261H, CE123699H, UN46141H, CE119062H, UN45184H

Attachment omitted as request excludes drafts The cable has the following attachment/s -  
Draft Outcome Document CNWFZ - As of 21 April 2015.doc

**Response:** Routine, Requires Action by 22/04/2015

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[REDACTED]

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### Summary

The Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free-Zones and Mongolia (CNWFZ III) will be held in New York on 24 April. Australia participates in the Conference by virtue of being Party to the Treaty of Rarotonga.  
s 33(a)(iii)

. A footnote reflecting our differences in approaches to HC may be the best we can achieve, but compromise on ban-treaty language may be possible. Grateful for views on draft outcome document ahead of the Conference.

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Ahead of the Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free-Zones and Mongolia (CNWFZ III) on 24 April, negotiations on the proposed outcome document (attached) are reaching their final stages.s 33(a)(iii)

s 33(a)(iii) dominated the negotiations to date and pursued their interests including on the humanitarian consequences of nuclear weapons and proposal for a legally-binding treaty banning nuclear weapons. Australia, with the occasional participation of New Zealand, have been the only Treaty of Rarotonga States Parties present throughout the negotiation process.

s 33(b)

This would appear to be consistent with the approach outlined in s 22(1)(a)(ii) email of 14 April but grateful views on whether this would be acceptable. Should we proceed with this approach, we would also consider a short statement at the CNWFZ III on 24 April underlining this position.

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[REDACTED]



UN46450H

3. It is possible that some compromise will be reached on the language, in paragraph 17bis, surrounding calls for negotiations for an internationally-legally binding instrument banning nuclear weapons. s 33(a)(iii)

4. We have informed the Chair (further to s 22(1)(a)(ii) emails) that, in the interest of consensus and with a requirement that our views are taken into account on the ban-treaty language, we would be prepared to compromise on paragraph 26 Alt 1 which simply "recalls" UNGA resolution 68/32 on a comprehensive convention on nuclear weapons.

s 33(a)(iii)

As the item now refers to 'national legislation' it can be more clearly de-linked from the call for an international instrument banning nuclear weapons. Post would appreciate advice on whether, in the context of the broader statement, this language could be acceptable or whether we should request the removal of particular items listed within this point.

Comment  
s 33(a)(iii)

Post has repeatedly reminded these members that we are not negotiating a s 33(a)(iii) document and that all States Parties to the various nuclear weapons free zones need to arrive at a common ground and consensus on the document. The Conference could still see a vote take place on paragraph 16 with s 33(a)(iii)

Further informal consultations are scheduled for 22 April. The Indonesian Deputy Permanent Representative will meet with DPR ahead of these consultations to seek our views on the above outstanding points. Grateful advice.

text ends

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s 22(1)(a)(ii)

CE127862H

**Title:** Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia: draft outcome document

**MRN:** CE127862H 22/04/2015 05:55:57 PM ZE10

**To:** UN New York

**Cc:** RR : ASEAN Posts, Beijing, Brussels, Geneva UN, Islamabad, London, Moscow, New Delhi, NPDI, Paris EMB, Seoul, Vienna UN, Washington, Wellington

**From:** Canberra (CHCH/DFAT/ISD/ACB)

**From File:** UN14/652

**EDRMS Files:**

**References:** UN46450H, CE124659H, UN46261H, CE123699H, UN46141H, CE119062H, UN45184H

**Response:** Routine, Requires Action

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[REDACTED]

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### Summary

We appreciate Post's efforts to hold the line on our objection to para 11 which contains language inconsistent with our position that as long as nuclear weapons exist, Australia will continue to rely on US nuclear forces to deter nuclear attack on Australia. We agree that if necessary, you should present our different point of view through a footnote to the outcomes document. We also agree to the proposed compromise "recalling" the UNGA resolution 68/32 on a comprehensive nuclear weapons convention; and Indonesia's proposal that States implement legislation prohibiting nuclear weapons (Australia already has such legislation).

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As discussed (email s 22(1)(a)(ii) of 15 April) we would not wish to stand in the way of an outcomes document, but we would want put on the record that Australia cannot associate itself with the words "under any circumstances" as proposed in para 11. If required, you could request that a footnote to the outcomes document include the following text:

"Australia does not associate itself with para 11, in particular the words "under any circumstances" which are not consistent with the Australian Government policy on nuclear deterrence."

2. You might also feel obliged to explain from the floor that the Australian Government Defence White Paper of 2013 states our policy which is " ... as long as nuclear weapons exist, we rely on the nuclear forces of the United States to deter nuclear attack on Australia ... while strongly supporting ongoing efforts towards global nuclear disarmament."

3. As a sign of our willingness to compromise we agree that you can also offer to accept language for para 26 which "recalls" the UNGA resolution 68/32 on a comprehensive nuclear weapons convention.

4. We also strongly support the Indonesian proposal to include language promoting "national legislation" prohibiting nuclear weapons. Indeed, Australia's South Pacific Nuclear Free Zone Treaty Act 1986, prohibits *inter alia* the manufacture, production or acquisition of nuclear explosive devices; prohibits research and development relating to their manufacture or

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[REDACTED]

CE127862H

production; prohibits the possession or control over such devices; prohibits the stationing of nuclear explosive devices in Australia and prohibits the testing of such devices in Australia (see email s 22(1)(a)(ii) on Low). You may wish to take the opportunity to point this out, and to urge all Conference participants to implement similar legislation as soon as possible if they have not already done so.

5. At the end of the day, this conference is not likely to complicate our approach on nuclear disarmament and non-proliferation, but it is important to take relevant opportunities to emphasise that security considerations are important in disarmament and that rhetoric has to be tempered by reality. s 33(a)(iii) We appreciate Post's efforts to hold the line.

text ends

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s 22(1)(a)(ii)

UN46475H

**Title:** 2015 NPT RevCon: Humanitarian consequences of nuclear weapons: outcome of Australian-led statement

**MRN:** UN46475H 01/05/2015 07:04:11 PM EDT

**To:** Canberra

**Cc:** RR : Ankara, Beijing, Berlin, Copenhagen, London, Moscow, NPDI, Seoul, Stockholm, UN New York, Vienna UN, Washington, Wellington

**From:** UN New York

**From File:** UN14/652

**EDRMS Files:**

**References:** GU32001H, GU31912H, CE127507H, ST122691, CE125384H  
The cable has the following attachment/s -  
HC working paper Group of 16.pdf Attachments omitted as request excludes  
Austrian pledge working paper.pdf publicly available material  
australian led statement.pdf  
Austrian led statement.pdf

**Response:** Routine, Information Only

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**Summary**

s 22(1)(a)(ii)

With only half that number (80 states) supporting the Austrian pledge (a more specific undertaking to "fill the legal gap" and strongly advocated by ICAN), a more qualified picture is emerging of possible Ban Treaty support. s 22(1)(a)(ii)

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s 22(1)(a)(ii)

Austrian pledge

UN46475H

3. The current total for those "supporting" the Austrian pledge is assessed by its supporters at 80. However, many of the states included in this total, including key allies of Austria from the Group of 16, namely Ireland, New Zealand and South Africa, have not formally endorsed the pledge. Rather, they have indicated qualified "support". (Attached is the Austrian working paper on the pledge submitted to the NPT RevCon.)

s 33(a)(iii)  
s 33(b)

(You will recall a key focus of the Austrian pledge is the articulation of the need to fill the "legal gap for the prohibition and elimination of nuclear weapons".)

s 22(1)(a)(ii)

text ends

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s 22(1)(a)(ii)

UN46484H

**Title:** Third Conference of States Parties to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia: No Outcome

**MRN:** UN46484H 05/05/2015 07:36:51 PM EDT

**To:** Canberra

**Cc:** RR : ASEAN Posts, Beijing, Brussels, Geneva UN, Islamabad, London, Moscow, New Delhi, NPDI, Paris EMB, Seoul, Vienna UN, Washington, Wellington

**From:** UN New York

**From File:** UN14/652

**EDRMS Files:**

**References:** UN46481H, CE127862H, UN46450H, CE124659H, UN46261H, CE123699H, UN46141H, CE119062H, UN45184H

Attachments omitted as request excludes publicly available material and drafts

The cable has the following attachment/s -  
CNWFZ III (draft outcome).pdf  
SPNWFZ statement\_2015\_3rd\_NWFZ\_Conference\_PIFS.docx

**Response:** Routine, Information Only

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[REDACTED]

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#### Summary

The Third Conference of States Parties to Treaties that Establish Nuclear-Weapons Free Zones and Mongolia in New York on 24 April failed to deliver an outcome document due to differences between s 33(a)(iii)

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The Third Conference of States Parties to Treaties that Establish Nuclear Weapon Free Zones and Mongolia was held in New York on 24 April and chaired by Indonesia's Vienna-based Permanent Representative to the UN, Rachmat Budiman. Australia was represented by DHOM and First Secretary . As foreshadowed in UN46450H, differences ultimately preventing the Conference from reaching an outcome. s 22(1)(a)(ii)

s 22(1)(a)(ii)  
s 33(a)(iii)

Conference proceedings were postponed for several hours to allow for legal advice, though this advice was inconclusive on the matter.

3. An agreement was brokered with s 33(a)(iii) by Conference Bureau members to allow for national, regional group and NGO statements to be delivered. The P5, participating as observers, delivered statements which were mostly conciliatory, and highlighted the positive role of nuclear weapons free zones. As agreed (email s 22(1)(a)(ii) ), we did not deliver a national statement. New Zealand delivered a statement on behalf of the Pacific Islands Forum (PIF) Secretariat as focal point for the Treaty of Rarotonga (attached).  
s 33(a)(iii)

UN46484H

s 33(a)(iii)

4. NGO ICAN (Wright) singled Australia out in its statement as the only party to a treaty on nuclear weapons free zones that still had a nuclear 'military posture' and urged all States to reject this posture. ICAN further took aim at Australia for failing to recognise the victims of British atmospheric tests in the statement delivered by New Zealand on behalf of the PIF Secretariat. s 33(a)(iii)

5. Following the delivery of statements, the Indonesian Chair brought the Conference to a close without any discussion or agreement on an outcome document. Attached for reference is the version of the draft outcome document as it stood at the end of the informal negotiation process. s 33(a)(iii)

#### Comment

6. Indonesia had, for the most part, prepared well for the conference, having commenced negotiations on the draft outcome document as early as December last year. Despite its former NAM coordination role, it had shown itself to be an impartial Chair throughout the negotiation process. Following the Conference, Indonesia told us s 33(b)

s 33(a)(iii)

In its national statement to the NPT RevCon Main Committee II (Non-proliferation) on 5 May, Indonesia expressed regret that an outcome document could not be agreed at the CNWFZIII.

text ends

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s 22(1)(a)(ii)

**F-77, S-59**

**FOREIGN AFFAIRS AND  
TRADE**

**N-3**

**Nuclear - Nuclear Weapons: 2015 NPT Review  
Conference**

**Possible Question**

What are Australia's objectives for the 2015 NPT Review Conference (27 April - 22 May)?

**Talking Points**

- Australia's objective is to help buttress the NPT as the cornerstone of the global nuclear non-proliferation and disarmament regime
  - the NPT is among the most successful and important treaties for global peace and security yet negotiated.
- We will work with fellow members of the Non-Proliferation and Disarmament Initiative to achieve a balanced outcome at the NPT Review Conference that contributes to global welfare and security
  - by strengthening commitments on disarmament, non-proliferation and the peaceful uses of nuclear energy.

If raised: Why isn't the Government advocating a near-term nuclear weapons ban?

- Effective disarmament can only be achieved by engaging all the nuclear armed States
  - simply banning nuclear weapons would not lead to their elimination;
  - to achieve real disarmament, we must remain focussed on implementing practical measures, including negotiating a Fissile Material Cut-off Treaty; entry into force of the Comprehensive Nuclear-Test-Ban Treaty; and development of real and effective disarmament verification processes;
  - the Action Plan from the 2010 NPT Review Conference provides a roadmap to this goal.

**Background**

A number of countries and high-profile Australian NGOs are seeking to focus attention on the humanitarian consequences of nuclear weapons in order to promote a near-term nuclear



weapons ban. While sharing the goal of nuclear disarmament, and recognising the consequences for humanity of nuclear war, Australia does not agree with proponents of a ban treaty on the most effective means for achieving universal disarmament. Eliminating nuclear weapons is unrealistic without engaging the nuclear-weapon states, recognising their security concerns and taking a practical step-by-step approach towards effective disarmament (e.g. through an CTBT and FMCT). While this will be very challenging, there are no short-cuts. In an op-ed ("We must engage, not enrage nuclear countries") on the humanitarian consequences of nuclear weapons on 14 February 2014, Ms Bishop made the case that disarmament cannot be imposed simply by 'banning the bomb', and that the existential challenge of nuclear weapons need sustained, practical steps and engagement by nuclear-weapon states. In a joint ministerial statement issued at the April 2014 meeting in Hiroshima of the Non-Proliferation and Disarmament Initiative (NPDI), Ms Bishop and fellow NPDI ministers made clear that the catastrophic humanitarian impact of nuclear weapons fundamentally underpinned all our work on non-proliferation and disarmament. The Dutch foreign minister also delivered a joint NPDI statement at the 2015 NPT Review Conference which highlighted the value of such diverse a group, outlined some of its key priorities for the NPT Review Conference and reiterated its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons.

In the lead-up to the 2015 NPT Review Conference, Austria and others supporters of a nuclear weapons ban were seeking support for the 'Austrian Pledge'. The Pledge expresses some sentiments we can agree with, but it also states that nuclear weapons should never be used again, 'under any circumstances'. This ignores the need to address the security dimensions of nuclear weapons and rules out the deterrence role of nuclear weapons which underpins our security doctrine.

**Prepared By:**

s 22(1)(a)(ii)

Executive Officer

ISD/ACB/NPS

Phone: s 22(1)(a)(ii)

Edit Date: 8 May 2015 03:58:09 PM

**Cleared By:**

Jane Hardy

Assistant Secretary

ISD/ACB/

Phone: s 22(1)(a)(ii)

UN46496H

**Title:** NPT RevCon:s 22(1)(a)(ii)

**MRN:** UN46496H 08/05/2015 07:17:40 PM EDT

**To:** Canberra

**Cc:** RR : Beijing, London, Moscow, NPDI, Paris EMB, Vienna UN,  
Washington, Wellington

**From:** UN New York


**From File:** UN14/652

**EDRMS Files:**

**References:** UN46475H, UN46473H, UN46482H, GU31927H  
The cable has the following attachment/s -  
s 22(1)(a)(ii)

**Response:** Routine, Information Only

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**Summary**

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

**Bilateral meeting with Rose**



UN46496H

3. s 22(1)(a)(ii)

s 33(a)(iii) was interested to hear that s 33(a)(iii)  
pledges 33(a)(iii) had provided only qualified support of the Austrian  
public statements from certain civil society organisations such as the International Campaign  
to Abolish Nuclear Weapons (ICAN). rather than fully "endorsing" it, contrary to  
s 22(1)(a)(ii) s 33(a)(iii)



UN46496H

s 22(1)(a)(ii)

s 22(1)(a)(ii)

**"Effective Measures" pursuant to Article VI**

12. s 22(1)(a)(ii)

We  
agreed on the need to counter the argument made by those states supporting the Austrian  
pledge that there was a "legal gap" that needed filling in the short term, and instead focus on

UN46496H

the building blocks approach (see our statement as delivered on this issue on 8 May).

s 33(a)(iii)

s 33(b)

s 22(1)(a)(ii)

text ends

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s 22(1)(a)(ii)

## **HUMANITARIAN CONSEQUENCES OF NUCLEAR WEAPONS AND A NUCLEAR WEAPONS BAN**

**Handling Note:** ISD to lead.

### ***Does Australia acknowledge the humanitarian consequences of nuclear weapons?***

- . Focus on the humanitarian consequences of nuclear weapons is not new.
- . The terrible humanitarian consequences of nuclear war are clear
  - including through the longer-term indirect effects on human health, environment, climate and the global economy.
- . Indeed, awareness of the humanitarian consequences of nuclear weapons underpins all that we do in promoting effective disarmament and non-proliferation.

### ***What is the Australian Government's stance towards the Austrian Pledge delivered at the end of the Vienna Conference on the Human Impact of Nuclear Weapons?***

- . The Australian Government holds that effective disarmament can only be achieved by engaging all the nuclear armed states
  - there is much in the Pledge we can agree to, but the Pledge fails to address the reality that only through sustained, practical measures to enable nuclear armed States to disarm, can we eliminate nuclear weapons.

### ***What did the Australian Government hope to achieve at the Vienna conference on the humanitarian impact of nuclear weapons?***

- . We contributed to a balanced, fact-based discussion which recognised the importance of educating communities about the humanitarian consequences of nuclear weapons
  - we emphasised the need to pursue the practical, realistic measures necessary to achieve nuclear disarmament.
- . Pleased to see a balanced range of views reflected in the Vienna Conference Chair's Statement
  - pleased also to see attendance by two of the nuclear weapons States (US and UK)
  - Australia has long argued that disarmament discussions must engage the nuclear weapons States if we are to take realistic, practical measures that lead to disarmament.

***Why didn't Australia join the New Zealand statement at the United Nations General Assembly First Committee last year?***

- . Australia shares widely-held concerns about the humanitarian consequences of nuclear war.
- . As in 2013, Australia delivered a complementary statement at UNGA 69 First Committee – on behalf of 20 countries
  - which also referred to the need to engage substantively and constructively with the States which possess nuclear weapons
    - : to address both the humanitarian and security dimensions of nuclear weapons in any practical moves towards disarmament.

***Is Australia undermining the humanitarian initiative and efforts of progressive governments to achieve a treaty banning nuclear weapons?***

- . Australia remains committed to the goal of a world free of nuclear weapons
  - our deep concern about the humanitarian consequences of nuclear weapons underpins everything we do to advance the process of nuclear disarmament
    - : as explicitly acknowledged in the Hiroshima NPDI Ministerial Statement (delivered at the 8<sup>th</sup> Ministerial Meeting in Hiroshima, 12 April 2014).
- . The Vienna Conference on the humanitarian impact of nuclear weapons (December 2014) which Australia attended, highlighted the importance of continuing our efforts towards this end
  - but we are realistic and see complete abolition as a goal which can only be pursued with the participation of the nuclear-armed States.
- . Australia's immediate disarmament priorities are entry into force of the CTBT and the commencement of negotiations on a FMCT.

***Doesn't the Government's stated goal of a world without nuclear weapons conflict with Australia's reliance on extended nuclear deterrence?***

- . These are not mutually-exclusive positions.
- . We must be realistic about the environment in which we operate
  - so long as the threat of nuclear attack and coercion exists, US extended nuclear deterrence will serve Australia's fundamental national security interests
  - there are states continuing to aggressively pursue nuclear threats (e.g. DPRK)
  - it is in the interest of all States to prevent nuclear proliferation activities.

- . While maintaining this responsible approach to Australia's national security, the Australian Government will continue to push hard to build the political will, and to promote the practical steps that will be necessary to bring about a world without nuclear weapons
  - notably through the NPT and our membership of the NPDI.

***Why can't nuclear weapons be banned like other weapons, such as chemical weapons, land mines and cluster munitions?***

- . Nuclear weapons are fundamentally different in nature from landmines and cluster munitions
  - neither the Mine Ban Treaty nor the Convention on Cluster Munitions is yet universal, nor do they include the major producers or users of those weapons
  - simply banning nuclear weapons will not lead to their elimination or change the current, real, security concerns of States with nuclear weapons.
- . To be effective, disarmament efforts must engage all the nuclear-armed States and must focus on practical measures that recognise both the humanitarian and security dimensions
  - consistent with the steps outlined in the 2010 NPT Review Conference Action Plan.

**Background**

A number of countries and high-profile Australian NGOs including the International Campaign to Abolish Nuclear Weapons (ICAN) are promoting a near-term nuclear weapons ban. While sharing the goal of nuclear disarmament, and recognising the consequences for humanity of nuclear war, Australia does not agree with proponents of a ban treaty on the most effective means for achieving universal disarmament. Eliminating nuclear weapons is unrealistic without engaging the nuclear-weapon states, recognising their security concerns and taking a practical step-by-step approach towards effective disarmament (e.g. through an CTBT and FMCT). While this will be very challenging, there are no short-cuts.

In recent years, some countries have sought to focus attention on the humanitarian consequences of nuclear weapons. Norway hosted a conference on the issue in March 2013. At the meeting, NGOs called for negotiations to begin on a nuclear weapons convention (NWC). At the second conference on the humanitarian impact of nuclear weapons in Mexico in February 2014, the conference Chair ignored the views expressed by Australia and others, and argued in his summary that a diplomatic process towards a nuclear weapons ban treaty should be initiated. The third conference in Vienna took place from 8 to 9 December 2014 with delegations representing 158 States, including the US and UK for the first time, the United Nations, the International Committee of the Red Cross, the Red Cross and Red



Crescent movement, and other civil society organizations and academia.

The Vienna Conference Chair's statement was balanced and reflected the wide range of views expressed at the Vienna conference. However, at the end of the conference, the Austrian Deputy FM read the "Austrian Pledge", a document prepared without consensus and consultation. The Pledge expresses some noble ideals and sentiments, but it states that nuclear weapons should never be used again, "under any circumstances", which ignores the need to address the security dimensions of nuclear weapons and rules out the deterrence role of nuclear weapons. The Austrian government is lobbying hard to increase the number of countries associating themselves with the pledge, but we expect that the number will be smaller than the 155 UN member states who supported the October 2014 UNGA First Committee statement delivered by New Zealand, given that the commitments included in the pledge are more explicit.

<b>Prepared by:</b>	<b>Cleared by AS ACB:</b>
s 22(1)(a)(ii)	Jane Hardy
Ext:s 22(1)(a)(ii)	Ext: s 22(1)(a)(ii)
Date: 17 February 2015	Date: 17 February 2015
<b>Consultation:</b>	

## **STRENGTHENING GLOBAL SECURITY FRAMEWORKS AND NORMS:**

### **Nuclear disarmament and non-proliferation**

**What we want from the NPT Review Conference:** An outcome which:

- . reinforces the primacy of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the global nuclear non-proliferation and disarmament regime;
- . strengthens commitments across the three pillars of the NPT (disarmament, non-proliferation and peaceful uses of nuclear energy); and
- . contributes to enhanced global security, bearing in mind our ultimate objective of a world without nuclear weapons.

### **Key Issues**

#### *Humanitarian Consequences / Ban Treaty*

- . A core constituency of countries, including Austria, Mexico, Brazil and Cuba, and NGOs are leveraging both disappointment over slow progress on nuclear disarmament and increased focus on the humanitarian consequences of nuclear weapons to lay the groundwork for a ban treaty on nuclear weapons
  - a ban treaty is not a practical step towards disarmament and support for it could polarise positions on disarmament at the 2015 NPT RevCon.
- . The Austrian Government has been asking NPT States Parties to associate themselves with an 'Austrian Pledge' in the lead-up to the NPT RevCon
  - the Pledge is a not-too-subtle attempt to build momentum for negotiations on a nuclear weapons ban treaty
  - 33 CELAC countries have endorsed the Austrian Pledge
  - Mexico – a fellow member of the Non-Proliferation and Disarmament Initiative – is actively promoting the pledge.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

## Lunch Hosted by Deputy Secretary Moriarty

### Suggested opening remarks.

*Welcome/introductions*

s 22(1)(a)(ii)

s 22(1)(a)(ii)

As you know we have been at the forefront of efforts over the past few years to ensure that the energy of the humanitarian consequences debate is channelled in constructive ways, and we have pointed out many times that the simple but for some appealing notion of a treaty banning nuclear weapons would not lead to disarmament. Indeed, our view is the NPT is the best nuclear weapons ban treaty, we have: 187 states have agreed not to acquire nuclear weapons in return for the five nuclear weapons states eventually getting rid of their nuclear weapons.

s 22(1)(a)(ii)

**MEETING WITH: *US Under Secretary for Arms Control and International Security, Rose Gottemoeller***

**Preferred outcome / Meeting objective:**

s 22(1)(a)(ii)

**Key messages**

s 22(1)(a)(ii)

Like the US, Australia is worried about **the Austrian Pledge** from last December's Humanitarian Impact conference on the imminent NPT Review Conference and, in the longer term, on the underlying bargains of the NPT. s 33(a)(iii)

s 22(1)(a)(ii)



s 22(1)(a)(ii)

**Background**

s 22(1)(a)(ii)

3. Proponents of a treaty to ban nuclear weapons are rallying round the “**Austrian Pledge**”, issued at the Third Conference on the Humanitarian Impact of Nuclear Weapons in Vienna (Dec 2014), which ignored the need to address security dimensions and the deterrence role of nuclear weapons.

s 22(1)(a)(ii)



*Humanitarian Impact of Nuclear Weapons*

: Media TPs on the Vienna Conference

**Talking Points**

- . The Australian Government will participate in the third conference on the humanitarian impact of nuclear weapons to be held in Vienna on 8-9 December
  - Australia also attended the March 2013 humanitarian impact conference in Norway and the second conference in Mexico in February 2014.
- . We will continue to contribute to a balanced, fact-based discussion about the humanitarian consequences of nuclear weapons
  - which we hope will lend impetus to the pursuit of practical, realistic measures, necessary to achieve nuclear disarmament, as set out in the Action Plan adopted at the 2010 NPT Review Conference.
- . We particularly welcome the participation in the Vienna Conference of delegations from the US and UK
  - we have long argued that disarmament discussions must engage the nuclear weapon states if we are to take realistic, practical measures that lead to disarmament.

***If raised:***

***The latest Australian Red Cross survey shows more than 80 per cent of Australians support a legally binding treaty to ban the use of nuclear weapons***

*Why does the Australian Government continue to reject these views?*

- . Successive Australian governments have worked tirelessly over many years to achieve the goal of a world free of nuclear weapons
  - the Australian Government also acknowledges the important work that the Red Cross does in raising awareness of the humanitarian consequences of nuclear war
  - while we share the same goal of achieving a world without nuclear weapons, we have different views on how best to achieve this.
- . The Government does not share the view that simply banning these weapons will lead to their elimination
  - emotional appeals do not change the current, real, security concerns of states with nuclear weapons or those states, like Australia, that rely on extended nuclear deterrence as part of their security doctrine.
- . To be effective, disarmament efforts must engage all the nuclear-armed states and must focus on practical measures that recognise both the humanitarian and security dimensions of nuclear weapons.
- . Creating the conditions and confidence necessary for nuclear-armed states to negotiate down their arsenals is complex and difficult
  - and there are no short-cuts.

*Why can't nuclear weapons be banned like other weapons, such as chemical weapons, land mines and cluster munitions?*

- . Nuclear weapons are fundamentally different in nature from landmines and cluster munitions

- neither the Mine Ban Treaty nor the Convention on Cluster Munitions is yet universal, nor do they include the major producers or users of those weapons
  - simply banning nuclear weapons will not lead to their elimination or change the current, real, security concerns of states with nuclear weapons.
- . To be effective, disarmament efforts must engage all the nuclear-armed states and must focus on practical measures that recognise both the humanitarian and security dimensions.

*Has the Australian Government worked with NGOs on nuclear disarmament?*

- . On behalf of the Non-Proliferation and Disarmament Initiative (NPDI) Australia led outreach to the NGO community in New York during the 69<sup>th</sup> UN General Assembly First Committee (disarmament and international security).
- . Prior to the Vienna Conference, officials in Canberra met the Australian Red Cross and Post in Geneva met a range of NGOs.

*Has the Australian Government considered including NGO representatives and nuclear test survivors in its delegation to the conference?*

- . NGOs have been separately invited to the Vienna Conference on the humanitarian impact of nuclear weapons, and the preceding Vienna Civil Society Forum.
- . The Austrian Government has also separately invited a representative of Australian nuclear test survivors to the conference.

***New Zealand's statement on the humanitarian impact of nuclear weapons at the 69<sup>th</sup> UNGA First Committee***

*Why did the Australian Government choose not to support the statement on the humanitarian impact of nuclear weapons delivered by New Zealand and supported by 155 countries during this year's session of the United Nations General Assembly First Committee?*

- . Australia shares widely-held concerns about the humanitarian consequences of nuclear war.
- . As in 2013, Australia delivered a complementary statement – on behalf of 20 countries – which supported the New Zealand statement but also referred to the need to engage substantively and constructively with the States which possess nuclear weapons and to address both the humanitarian and security dimensions of nuclear weapons in any practical moves towards disarmament.



### ***Nuclear deterrence***

*Isn't nuclear deterrence an outdated concept?*

- . As long as the threat of nuclear attack or coercion exists, and countries like the DPRK seek these weapons and threaten others, Australia and many other countries will continue to rely on US extended nuclear deterrence
  - at the same time Australia will continue to advocate practical, realistic steps towards nuclear disarmament, consistent with the steps outlined in the 2010 NPT Review Conference Action Plan.

### ***Legality of nuclear weapons***

*Does the Government accept the growing body of legal opinion that the use or threat of use of nuclear weapons is illegal?*

- . The 1996 ICJ advisory opinion on the threat or use of nuclear weapons noted it “cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be at stake.”
- . This opinion is often misrepresented incorrectly as unambiguously stating nuclear weapons are contrary to international law under any circumstances.
- . ICJ advisory opinions are in any case not binding under international law.

### ***Nuclear testing in Australia***

*How has the Government addressed the long-term consequences of nuclear testing in Australia?*

- . Information about the long-term effects of nuclear testing in Australia and efforts to remediate former test sites is publicly available on the Department of Industry website.

### **Background (not for public use)**

A number of countries and high-profile Australian NGOs are seeking to focus attention on the humanitarian consequences of nuclear weapons in order to promote a near-term nuclear weapons ban. At the second conference on the humanitarian impact of nuclear weapons in Mexico in February 2014 the conference Chair ignored the views expressed by Australia and others, and argued in his summary that a diplomatic process towards a nuclear weapons ban treaty should be initiated. Austria will host the third humanitarian consequences conference on 8-9 December. The United States and United Kingdom have announced they will participate in this conference. Australia will be represented by officers from Canberra and our Geneva and Vienna posts.

While sharing the goal of nuclear disarmament, and recognising the consequences for humanity of nuclear war, Australia does not agree with proponents of a ban treaty on the most effective means for achieving universal disarmament. Eliminating nuclear weapons is unrealistic without engaging the nuclear-weapon states, recognising their security concerns and taking a practical step-by-step approach towards effective disarmament (e.g. through an CTBT and FMCT). While this will be very challenging, there are no short-cuts.

The International Campaign to Abolish Nuclear Weapons (ICAN) Australia and the Australian Red Cross will send delegations to the Vienna conference and to an NGO forum taking place prior to the conference. In addition, two Perth community radio journalists from RTR FM will

attend the conference. Ms Sue Coleman-Haseldine, an aboriginal elder from Ceduna, SA, will speak at the conference on behalf of Mr Yami Lester about nuclear testing in Australia.

ICAN has also published an open letter to Ms Bishop in advance of the Vienna Conference which calls on the government to participate actively in the Vienna conference and include nuclear test survivors in the Australian delegation; to endorse the call for a treaty prohibiting nuclear weapons; and to abandon our policy of relying on extended nuclear deterrence. ICAN also held a parliamentary action week in November to promote a petition among MP's calling for a treaty banning nuclear weapons, but it failed to gather much publicity.

- *ISD Policy Snapshot: Nuclear non-proliferation and disarmament*

**Key issues (U)**

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s 22(1)(a)(ii)

- . A renewed global debate about the humanitarian impact of any nuclear conflict and frustration with the slow pace of nuclear disarmament has led some States to call for a Treaty banning nuclear weapons.
- . But achieving genuine nuclear disarmament – “global zero” – is complex and involves resolving key strategic, regional security, and technical problems.

s 22(1)(a)(ii)

**Key dates (U)**

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Date	Meeting	Details
s 22(1)(a)(ii)		



## What Australia does (U)

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s 22(1)(a)(ii)

Australia is committed to nuclear disarmament and has consistently argued that the five Nuclear Weapon States (China, France, Russia, the United States and the UK) must do more to implement their NPT Article VI commitments on disarmament. But Australia acknowledges that States possess nuclear weapons for key strategic reasons, so eliminating nuclear weapons is not as simple as proponents of a Ban Treaty believe. Unless it involves the Nuclear Weapon States and non-NPT nuclear armed States a Ban Treaty would achieve nothing. A State retaining nuclear weapons continues to pose an *existential threat* to regional and global communities. Other arms control treaties (eg the Land Mines Convention) are therefore inappropriate models for a treaty to eliminate nuclear weapons.

Australia argues that, to eliminate nuclear weapons, the international community must adopt a determined, practical step-by-step approach to enabling the States which possess nuclear weapons to reduce their nuclear arsenals, and to create the conditions for moving towards "global zero". Entry into force of the Comprehensive Test Ban Treaty is important to ensure no new nuclear weapons can be tested. Prohibiting the production of fissile material – weapons grade plutonium and uranium – is a vital step to prevent the production of new weapon stockpiles. This must be matched with robust international disarmament verification and compliance measures to ensure that the international community can feel confident that when States declare reductions in arsenals and dismantlement of warheads, these claims can be verified and confirmed as irreversible. All States must also commit to accepting strong comprehensive safeguards agreements with the IAEA, including the Additional Protocol, to enable IAEA inspectors to verify that States' nuclear programs are solely for peaceful purposes.

At the core of the global nuclear disarmament and non-proliferation regime sits the NPT. Australia argues that upholding and strengthening the values and commitments of the NPT is essential to making further progress in disarmament and non-proliferation. It is also vital to encourage non-NPT nuclear armed states to abide by NPT commitments and to de-alert warheads and reduce arsenals.

Australia is a strong proponent of the peaceful uses of nuclear energy. As a Board member of the IAEA, Australia supports the IAEA's work on strengthening nuclear safety and security, and in promoting the benefits of nuclear energy, including by improving the diagnosis and treatment of human and animal diseases; promoting food security and sustainable agriculture; controlling insect pest and diseases; and managing soil and water resources.

Australia's long-held position on nuclear deterrence is that as long as nuclear weapons continue to exist, Australia will rely on the nuclear forces of the United States to deter nuclear attack on Australia. This is a responsible position to take on protecting our national security, while we continue to work towards the goal of global nuclear disarmament.

UN46516H

**Title:** NPT Review Conference: Committee one update  
**MRN:** UN46516H 15/05/2015 09:13:29 PM EDT  
**To:** Canberra  
**Cc:** RR : Beijing, Geneva UN, London, Moscow, NPDI, Paris EMB, Vienna UN, Washington, Wellington  
**From:** UN New York  
**From File:** UN14/652  
**EDRMS Files:**  
**References:** UN46496H, UN46475H, UN46473H, UN46482H, GU31927H  
The cable has the following attachment/s -  
s 22(1)(a)(ii) Attachments omitted as request excludes publicly available material and drafts

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**Response:** Routine, Requires Action

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**Summary**

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

Humanitarian Consequences

s 22(1)(a)(ii)

Nevertheless, the current text drafted by the Chair gives the Austrian-led statement pre-eminence in the review section of the document, (welcoming it), while the Australian-led statement is noted, along with the Austrian pledge. s 22(1)(a)(ii)

UN46516H

s 22(1)(a)(ii)

text ends

s 22(1)(a)(ii)



GU32152H

**Title:** NPT Review Conference: Next Steps on disarmament  
**MRN:** GU32152H 24/06/2015 04:07:22 PM CEDT  
**To:** Canberra  
**Cc:** RR : Beijing, Islamabad, London, Middle East Posts, Moscow, New Delhi, NPDI, Paris EMB, UN New York, Vienna UN, Washington, Wellington  
**From:** Geneva UN  
**From File:** GE15/119#1  
**EDRMS Files:**  
**References:** GU32112H, GU32091H, CE801315L, WH68419H  
**Response:** Routine, Requires Action

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[REDACTED]

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**Summary**

s 22(1)(a)(ii)

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s 22(1)(a)(ii)





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s 22(1)(a)(ii)

14. We also need to consider how best to deal with Austria's "**humanitarian pledge**", and in particular the narrative that there is in fact a "legal gap" to fill to prohibit and eliminate nuclear weapons. This is being pushed hard by the International Campaign to Abolish Nuclear Weapons (ICAN), which reports on its website that 110 states now support the "humanitarian pledge". s 33(a)(iii)

The "Pledge"  
supporters are already portraying the only real outcome of the RevCon as confirming the



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critical role of the humanitarian consequences agenda, and the fact that a "legal gap" has been established.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

The likelihood of the  
"humanitarian pledge" initiative gathering momentum will test NPDI s 33(a)(iii)

We should also be  
ready to work with our broadly like minded grouping to address the "legal gap" argument,  
and upholding our policy goal of pursuing practical steps toward nuclear disarmament.

s 22(1)(a)(ii)

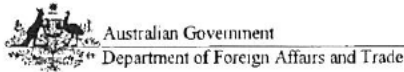
GU32152H

s 22(1)(a)(ii)

text ends

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s 22(1)(a)(ii)



## Ministerial Submission

15-772  
25/06/2015

**FOR:** MS J BISHOP (ACTION) MR ROBB (INFO)

**From:** Peter Tesch, FAS, ISD, 2625

**Contact:** s 22(1)(a)(ii) Dir NPS, s 22(1)(a)(ii)

**Subject:** THE 2015 TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS REVIEW CONFERENCE: OUTCOME AND FUTURE STEPS

**Urgency:** Routine

**Key Issues:**

The failure of the 2015 NPT Review Conference (RevCon) to agree on a consensus outcome document was not unexpected. A surprising degree of consensus was achieved at the RevCon across the three pillars of the Treaty, but ultimately key players were unable to agree on terms for a Middle East Weapons of Mass Destruction Free Zone conference. The NPDI played a positive role at the RevCon, but it remains to be seen what role it may be able to play in the future. s 22(1)(a)(ii)

**Recommendation:**

That you:

- (a) note the failure of the 2015 NPT Review Conference to agree on a consensus outcome document was not unexpected, but the 2010 NPT Action Plan is still the key consensus-based road map forward.

**Decision:**

Noted

Please Discuss

**Domestic/Media Considerations:** No

**Action:**

Julie Bishop  
/ /

**Information:**

Noted

Andrew Robb  
/ /

**Background:**

The failure of the 2015 NPT Review Conference (RevCon) to reach consensus on an outcome document was neither a surprise nor unprecedented (we foreshadowed this in Minsub 15-345 - see Attachment). Brinkmanship was the feature of the RevCon, particularly on disarmament. In the end RevCon President Feroukhi was unable to broker agreement on the proposed conference on the Middle East Weapons of Mass Destruction Free Zone. s 33(a)(iii)

2. During the RevCon a surprising degree of consensus was achieved across all three pillars of the Treaty. Most delegations were ready to adopt the 184-paragraph draft final document which the President presented on the final day, with the Middle East paragraph being the sticking point. Some states are already stepping away from the consensus achieved at the RevCon.

s 33(a)(iii)  
s 33(b)

3. Australia's pro-active role at the RevCon across the three pillars, and our practical commitment to secure a respectable outcome, resonated well with others. We chaired Main Committee III (on peaceful uses of nuclear energy); worked to achieve consensus on disarmament; and helped resolve differences over nuclear safeguards. We emphasised the need to address both the security and humanitarian dimensions of nuclear weapons.

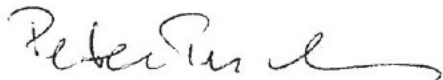
4. The lack of a RevCon consensus outcome will embolden those arguing that the current disarmament machinery is broken and that a nuclear weapons ban treaty must be negotiated outside the NPT, although pro-ban treaty groups are divided on what to do next.

s 22(1)(a)(ii)

5. We need to ensure that States parties remain committed to implementing their NPT obligations. The 2010 NPT Action Plan is still the key consensus-based roadmap, and we can draw on much that was agreed in the 2015 draft final document. We will also work through our key NPT advocacy groups including the NPDI, the Vienna Group of 10, and the like-minded group on humanitarian consequences. s 22(1)(a)(ii)

6. During the RevCon the NPDI played a constructive and prominent role, including through a joint statement delivered by the Dutch Foreign Minister. The NPDI comprehensive working paper influenced much of the language in the draft final document.

s 22(1)(a)(ii)



Peter Tesch  
First Assistant Secretary  
International Security Division,

