

Quinn, John

From: Quinn, John
Sent: Wednesday, 9 December 2015 4:31 PM
To: s 33(a)(iii)
Subject: RE: OEWG: Brainstorming [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear s 33(a)(iii)

Many thanks for your message. Yes, I did indeed receive your email after I sent my message attaching the earlier building blocks paper.

I think you have captured well in your paper the core issues we discussed over the enjoyable lunch you kindly hosted. Your note provides a good basis for further planning, s 33(b)

I shall be attending Wilton Park next week, which might also throw up some ideas. Will you be there? If not, I shall relay anything useful which emerges.

Kind regards
John

John Quinn
Ambassador and Permanent Representative to the United Nations, Geneva
Ambassador for Disarmament

From: s 33(a)(iii)
Sent: Monday, 7 December 2015 2:37 PM
To: Quinn, John
Subject: WG: OEWG: Brainstorming [SEC=UNCLASSIFIED]

s 33(b)

Von: Quinn, John [mailto:John.Quinn@dfat.gov.au]
Gesendet: Donnerstag, 3. Dezember 2015 13:06
An: s 33(a)(iii)

Cc: s 22(1)(a)(ii)
Betreff: OEWG: Brainstorming [SEC=UNCLASSIFIED]

Dear s 33(a)(iii)

Let me first of all thank s 33(a)(iii) most warmly for taking the initiative in hosting our very useful brainstorming lunch on the proposed OEWG on Tuesday.

I have given my colleagues s 22(1)(a)(ii) a de-brief. s 22(1)(a)(ii) has helpfully highlighted the relevance of the attached building blocks paper which was circulated s 33(b) by a few delegations, including all of us, in 2014. s 22(1)(a)(ii) tells me that an earlier version of this paper was pivotal to the establishment of the BLM back in 2013.

This might be a useful starting point in considering what the BLM might be able to sign on to as a first step in preparations for the OEWG - in the form of a joint statement, or even as the basis of a formal paper which could be submitted to the OEWG.

This paper needs updating of course, and a sharper focus.

s 33(a)(iii)

Many thanks also to s 33(a)(iii) for offering to prepare a short paper before Christmas to map out the key ideas we canvassed over lunch.

We are giving further thought - both to how best to refresh our narrative, and to possible "luminaries" who could help us to connect better the political-military and disarmament tracks.

Regards
John

John Quinn
Ambassador and Permanent Representative to the United Nations, Geneva
Ambassador for Disarmament

attachment omitted as publicly
available NPT paper circulated 15
April 2014

Quinn, John

From: Quinn, John
Sent: Friday, 4 March 2016 11:28 AM
To: s 33(a)(iii) s 22(1)(a)(ii)
s 33(a)(iii)
Cc: GEV-CD
Subject: RE: BLM meeting [DLM=For-Official-Use-Only]
Attachments: Archived attachment list.txt

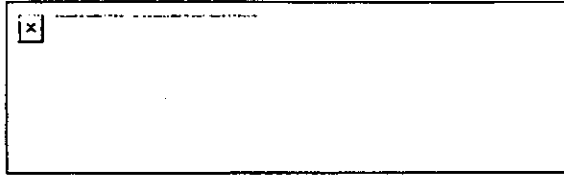
Dear s 33(a)(iii)

Super, many thanks.

Regards
John

Sent with Good (www.good.com)

s 33(b)



[Website](#) | [Twitter](#) | [Facebook](#)

From: Quinn, John [mailto:John.Quinn@dfat.gov.au]
Sent: donderdag 3 maart 2016 15:16
To: s 33(a)(iii)
Cc: GEV-CD
Subject: RE: BLM meeting [DLM=For-Official-Use-Only]

s 22(1)(a)(ii)

For-Official-Use-Only

Dear s 33(a)(iii)

Many thanks for your message.

Yes, we agree that the BLM input to the OEWG was very useful, not only in ensuring more balance, but also in drilling into some important substantive issues where views of OEWG participants are not monolithic. s 22(1)(a)(ii)

I was only able to drop into a couple of sessions, but I was in close contact

with throughout, s 33(a)(iii)

22(1)(a)(ii)

We are comfortable with your proposed timing of the BLM meeting. Unfortunately, I am not sure I can make it s 22(1)(a)(ii)

s 33(b)

Indeed, our NPDI Senior Official is making a

brief, late notice visit to Geneva next Monday and Tuesday, but will have departed before the BLM meeting. s 33(a)(iii)

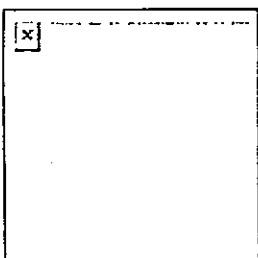
Kind regards

John

John Quinn

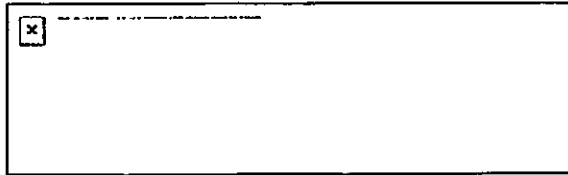
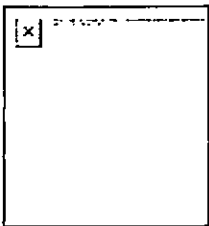
Ambassador and Permanent Representative to the United Nations, Geneva

Ambassador for Disarmament



Candidate for the
United Nations Human Rights Council

s 33(b)



[Website](#) | [Twitter](#) | [Facebook](#)

Quinn, John

From: Quinn, John
Sent: Monday, 8 February 2016 6:28 PM
To: s 33(a)(iii) s 22(1)(a)(ii) s 33(a)(iii)
Cc:
Subject: RE: Stand der Zusagen BLM Retreat 12.02 [DLM=For-Official-Use-Only]
Attachments: Archived attachment list.txt

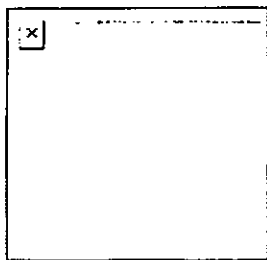
For-Official-Use-Only

s 33(a)(iii)

Many thanks. Please accept my apologies due to a prior commitment then s 22(1)(a)(ii)

Kind regards
John

John Quinn
Ambassador and Permanent Representative to the United Nations, Geneva
Ambassador for Disarmament



—
Candidate for the
United Nations Human Rights Council

s 33(b)

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: Tuesday, 24 May 2016 4:54 PM
To: s 33(a)(iii)

Cc: s 22(1)(a)(ii) Quinn, John (John.Quinn@dfat.gov.au)
Subject: BLM Meeting - 10am Friday 27 May [SEC=UNCLASSIFIED]

hptrimdataset: GE
hptrimfileref: s 22(1)(a)(ii)

hptrimrecordref: GED16/86009

Dear colleagues

We are pleased to confirm that the next BLM meeting will be at 10am on Friday 27 May at the Australian Mission (Chemin des Fins 2). Please send your RSVP, including your name/position/mission to s 22(1)(a)(ii) @dfat.gov.au / 022 799s 22(1)(a)(ii)

The agenda for the meeting is as follows:

- Update on the OEWG
- Consideration of possible OEWG recommendations.

We look forward to a productive discussion.

Kind regards

John Quinn

Sent by:

s 22(1)(a)(ii)

Executive Assistant to the Ambassador

Australian Permanent Mission to the United Nations in Geneva

s 22(1)(a)(ii)

E: s 22(1)(a)(ii) | W: geneva.mission.gov.au | T: twitter.com/AustraliaUN_GVA

A: Chemin des Fins 2, CP 102, 1211 Geneva 19 Switzerland



australia.
2018-2020

Candidate for the United Nations Human Rights Council

From: s 22(1)(a)(ii)
Sent: Friday, 20 May 2016 4:20 PM
To: s 33(a)(iii)

s 33(a)(iii)

Cc: Quinn, John; s 22(1)(a)(ii)

Subject: Meeting of BLM - Save the Date - 10am Friday 27 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

Colleagues

Australia will host a meeting of the BLM at 10am on Friday 27 May at the Australian mission. I would be grateful if you could save the date.

We will be in touch early next week with an invitation, and will provide a draft agenda.

Regards, s 22(1)(a)(ii)

s 22(1)(a)(ii)

First Secretary

Australian Delegation to the Conference on Disarmament

s 22(1)(a)(ii)

Quinn, John

From: Quinn, John
Sent: Wednesday, 1 June 2016 3:39 PM
To: s 33(a)(iii)
Cc: s 22(1)(a)(ii)
Subject: RE: catching up today ~~(D.M. For Official Use Only)~~

~~For Official Use Only~~

s 33(a)(iii)

Fine, many thanks. I've also copied in my EAS 22(1)(a)(ii)

Regards
John

John Quinn
Ambassador and Permanent Representative to the United Nations, Geneva
Ambassador for Disarmament



australia.
2020

—
Candidate for the
United Nations Human Rights Council

s 33(b)

s 33(b)

From: Quinn, John [<mailto:John.Quinn@dfat.gov.au>]
Sent: woensdag 1 juni 2016 14:13
To: s 33(a)(iii)

Subject: RE: catching up today [~~DLM - For Official Use Only~~]

~~For-Official-Use-Only~~

s 33(a)(iii)

Yes, fine, many thanks.

Regards
John

John Quinn
Ambassador and Permanent Representative to the United Nations, Geneva
Ambassador for Disarmament



australia.
2018-2020

—
Candidate for the
United Nations Human Rights Council

s 33(b)

From: Quinn, John [<mailto:John.Quinn@dfat.gov.au>]
Sent: June-01-16 1:58 PM
To: s 33(a)(iii)
Subject: RE: catching up today [~~DLM - For Official Use Only~~]

~~For-Official-Use-Only~~

s 33(a)(iii)

Thanks for your message. Happy of course to talk. s 22(1)(a)(ii)

I haven't yet spoken to my expert who attended this morning's working group meeting. Perhaps we could talk by phone later this afternoon? s 22(1)(a)(ii)

Kind regards
John

John Quinn
Ambassador and Permanent Representative to the United Nations, Geneva
Ambassador for Disarmament



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2018-2020

—
Candidate for the
United Nations Human Rights Council

s 33(b)

WMD non-proliferation and counter-proliferation

Key issues

s 22(1)(a)(ii)

Background

s 22(1)(a)(ii)

Australia is participating in the **UNGA-mandated Open-Ended Working Group (OEWG) on Nuclear Disarmament** and working with like-minded countries to advocate our interests in a practical, 'building-blocks' approach to disarmament. We are concerned that the group is tracking towards recommendations supporting a nuclear weapons 'ban treaty' which we do not support. s 33(a)(iii) is not participating in the OEWG.

WMD Proliferation and Disarmament

Talking Points

s 22(1)(a)(ii)

- The increased momentum of the humanitarian consequences agenda this year has exacerbated differences on nuclear disarmament
 - with competing proposals for an Open Ended Working Group (OEWG) at UNGA First Committee
 - keen to know how s 33(a)(iii) perceives the future direction of the humanitarian consequences discourse.

s 22(1)(a)(ii)

Background

s 22(1)(a)(ii)

The increased momentum for the humanitarian consequences agenda this year has been divisive, with Austria, Mexico, and South Africa submitting four

resolutions to build support for a **nuclear weapons ban treaty**. Mexico and Iran tabled competing resolutions calling for the convening of an open-ended working group (OEWG) to take forward nuclear disarmament. s 33(a)(iii)

s 22(1)(a)(ii)

Open-Ended Working Group (OEWG) on Nuclear Disarmament

- Key messages

- . An undercurrent of support for a ban treaty or a nuclear weapons convention is not surprising given the composition of the OEWG
 - Australia went into the OEWG open-eyed about the New Agenda Coalition members' strategy for establishing a foundation for commencing negotiations on such a treaty or convention
 - s 33(a)(iii)

 - our consistent position that exploring effective measures for disarmament must involve the nuclear possessor states, s 33(a)(iii)
 - and that sustainable disarmament can only be achieved through a building-block approach - a position which we and 23 other like minded states have promulgated within the Geneva OEWG.

. s 33(b)

. s 33(a)(iii)

. We will also work closely with s 33(a)(iii) and like-mindeds on a strong narrative in First Committee in light of any resolutions that arises from the OEWG process.

. We welcome ongoing close coordination/consultation with s 33(a)(iii) on these issues, including during s 33(a)(iii) visit to Geneva in June and Australia in September.

- *The Open-Ended Working Group (OEWG) on Nuclear Disarmament*

: Key messages

s 22(1)(a)(ii)

- . Australia is participating in the UN General Assembly-mandated Open-Ended Working Group (OEWG) on Nuclear Disarmament in Geneva
 - which was set up to consider effective legal and non-legal measures to achieve a world free of nuclear weapons.
- . Australia continues to support the practical, realistic measures necessary to achieve nuclear disarmament
 - as outlined in a working paper submitted by us together with 23 other participating States to the OEWG.

If asked: Does Australia support Indonesia's proposed conference in 2017 to negotiate a legally-binding instrument to prohibit nuclear weapons?

- . The proposed conference is one of many ideas suggested to the OEWG for further discussion.
- . Australia continues to support the practical, realistic measures necessary to achieve nuclear disarmament.

If asked: Does the Government oppose a 'nuclear ban treaty' due to 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 the proliferation of nuclear weapons and other weapons of mass destruction.
- . While maintaining this responsible approach to Australia's national security, the Australian Government will continue 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 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and our membership of the Non-Proliferation and Disarmament Initiative (NPDI).

Background

Countries such as s 33(a)(iii) and international NGOs including the International Campaign to Abolish Nuclear Weapons (ICAN) are promoting a near-term nuclear weapons ban in the UN General Assembly-mandated Open-Ended Working Group (OEWG) on Nuclear Disarmament. The OEWG was set up to address effective legal and non-legal measures to achieve a world free of nuclear weapons, not as a vehicle for negotiating a nuclear weapons ban treaty. At the May session in Geneva, s 33(a)(iii)

suggested that the UN General Assembly convene a conference in 2017 to negotiate a legally-binding instrument to prohibit nuclear weapons.

US President Obama made a historic visit to Hiroshima with Japanese Prime Minister Abe on 27 May to highlight his continued commitment to pursuing the peace and security of a world without nuclear weapons. In the context of this historic visit, some Australian media (Daniel Flitton, the Age) reported Australia's opposition to a nuclear ban treaty, with reference to Indonesia's former foreign minister Marty Natalegawa's remarks that "Even a discussion on a treaty to ban nuclear weapon, setting aside for a moment its actual achievement, would I believe help create positive dynamics and norms that help delegitimise nuclear weapons".

We are participating in the OEWG to pursue the practical, realistic measures necessary to achieve nuclear disarmament. Together with 23 other participating States, we presented to the OEWG a working paper, titled "A progressive approach to a world free of nuclear weapons: revisiting the building blocks paradigm" which set out a range of practical steps for further discussion. Australia's disarmament priorities are entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the commencement of negotiations of a Fissile Cut-off Treaty.

: Draft Broadly-like minded (BLM) inputs to Chair's final report

The OEWG recommends that:

- Future nuclear disarmament negotiators take into account the work of the Group, as appropriate in their negotiations.
- Any process to take forward multilateral nuclear disarmament shall address national/international security considerations, amongst others.
- As the NPT remains the central pillar for nuclear disarmament and non-proliferation, all states should reaffirm their commitment to the full implementation of the 2010 NPT action plan and the 13 practical steps to disarmament agreed at the 2000 NPT review conference, and that NWS states demonstrate tangible, regular progress in fulfilling their NPT obligations.
- States that possess nuclear weapons and non-possessor states should participate in any process to determine effective legal measures to achieve a world free of nuclear weapons.
- All states and regional groups should step up efforts to promote and initiate confidence-building measures to establish the necessary trust for progress on nuclear disarmament in the prevailing international environment.
- The following effective measures should be implemented:
 - (a) Achieving the early entry into force of the CTBT;
 - (b) Negotiating a verifiable and non-discriminatory treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices which deals with all relevant questions for the achievement of its purpose, building on the 2015 GGE report;
 - (c) Commencing negotiations on a post-New Strategic Arms Reduction Treaty (START) between the United States and the Russian Federation, as proposed by US President Obama in Berlin in 2013;
 - (d) Universalizing the International Convention for the Suppression of Acts of Nuclear Terrorism;
 - (e) Promoting full implementation of the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material;
 - (f) Providing support for the practical implementation of United Nations Security Council resolution 1540;
 - (g) Strengthening nuclear-weapon-free zones and creating new nuclear-weapon-free zones and WMD free zones on the basis of arrangements freely arrived at among States of the region concerned;

- (h) Supporting and strengthening the International Atomic Energy Agency (IAEA) safeguards system, including universal adherence to and implementation of comprehensive safeguards agreements and additional protocols.
- (i) Promoting the implementation of the Hague Code of Conduct (HCOC) and contributing to its universal adoption.
- (j) Helping to create the conditions that would facilitate further major reductions in nuclear arsenals, including confidence building measures and efforts to reduce levels of hostility and tension between States – particularly among those possessing nuclear weapons.
- States possessing nuclear weapons, while taking into account relevant security considerations, should take practical concrete measures towards the total elimination of their nuclear weapons, including:
 - (a) Increasing transparency measures in relation to their nuclear arsenals and fissile material holdings, including greater specificity on nuclear warheads reductions and improving the quality and frequency of reports.
 - (b) Dismantling or converting for peaceful uses facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.
 - (c) Pending negotiations and the entry into force of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, maintaining and declaring moratoria on the production of fissile material for nuclear weapons purposes.
 - (d) Designating fissile material no longer required for military purposes and the development of legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of such fissile material;
 - (e) Reducing the risk of accidental or unauthorized use of nuclear weapons through further practical measures to reduce the operational status of nuclear weapons systems in ways that promote international stability and security.
 - (f) Reducing the number of deployed strategic nuclear weapons.
 - (g) Reducing the number of non-strategic and non-deployed nuclear weapons.
 - (h) Reducing, and at least freezing, the number of nuclear weapons in holding pending the commencement and conclusion of a plurilateral negotiations on nuclear weapons reductions.
 - (i) Continuing to respect fully their commitments with regard to security assurances or to extend such assurances if they have not yet done so.
 - (j) Pending the entry into force of the CTBT, maintaining and declaring moratoria on nuclear weapons tests, as well as restraint from the use of new nuclear

weapons technologies and from any action that would defeat the object and purpose of that Treaty.

- All states to commit to the additional measures of:
 - (a) Reducing the role of nuclear weapons in security doctrines.
 - (b) Promoting disarmament and non-proliferation education, including on the humanitarian consequences of the use of nuclear weapons.
 - (c) Continuing work on developing verification capabilities, such as through the International Partnership for Nuclear Disarmament Verification, to meet the present and future challenges of transparent, irreversible and effectively verifiable nuclear disarmament.
 - (d) An immediate return to substantive work in the Conference on Disarmament, including on negotiations for a treaty banning the production of fissile materials for nuclear weapons and other nuclear explosive devices as well as other nuclear-related core issues, notably dealing with nuclear disarmament, and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Meeting with s 33(a)(iii)

Key Issues

s 22(1)(a)(ii)

Concerned the **Open-Ended Working Group (OEWG)** on Nuclear Disarmament is tracking towards recommendations on a nuclear weapons 'ban treaty'

- Australia is working with like-minded countries to advocate the building blocks approach and ensure that priorities like the CTBT and advancing Fissile Material Cut-Off Treaty are given serious consideration

: s 33(a)(iii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Background

s 22(1)(a)(ii)

s 22(1)(a)(ii)

are in close contact s 33(a)(iii) about our shared concerns that the Geneva **OEWG** ^{We}
on Nuclear Disarmament is likely to recommend negotiations on a 'ban treaty': s 33(a)(iii)

s 22(1)(a)(ii)

OTHER KEY ISSUES:

s 22(1)(a)(ii)

Open-Ended Working Group (OEWG) on Nuclear Disarmament

- . Nuclear disarmament is a fundamentally collective endeavour in which the nuclear armed states must be engaged
 - it is only through taking practical, step-by-step measures such as ending nuclear testing that effective progress on nuclear disarmament is possible.
- . The global discourse on nuclear disarmament is becoming worryingly polarised

- exacerbated by the inability of the 2015 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons to produce a consensus outcomes document.
- . The OEWG is an opportunity to build bridges
 - but this is only possible if it is an open, transparent and inclusive process that reflects all viewpoints.
- . Australia looks forward to working closely with the Thai Chair^s 33(a)(iii) to achieve an outcome which brings all sides together.

s 22(1)(a)(ii)

Background

s 22(1)(a)(ii)

Open-Ended Working Group (OEWG) on Nuclear Disarmament

The Open-Ended Working Group (OEWG) on nuclear disarmament was established as a subsidiary body of the General Assembly and under its rules of procedure. It is expected to meet in Geneva over 15 days in three sessions (February, May and August) in 2016.

Australia participates in the OEWG (together with likemindeds, s 33(a)(iii) to build understanding of the practical and realistic measures necessary to achieve nuclear disarmament. Our involvement allows us to provide a strong alternate viewpoint, notably against those states who wish to push a near-term Ban Treaty. We will also emphasise that any realistic path to disarmament must engage substantively and constructively with the States which possess nuclear weapons to address both the humanitarian and security dimensions of nuclear weapons. We will leverage the group as a vehicle to promote

Australia's priorities such as Fissile Material Cut-Off Treaty and the Comprehensive Nuclear-Test-Ban Treaty.

s 22(1)(a)(ii)

s 22(a)(ii)

Australia-Thailand Senior Officials Talks
WMD proliferation and nuclear disarmament

Talking Points

- . Pleased Thai Ambassador Thani Thongphakdi [*pron. ta-nee tong-puck-dee*] is chairing the **Open-Ended Working Group (OEWG) on nuclear disarmament** in Geneva
 - good to have a friend from our region in that critical role.
- . The global discourse on nuclear disarmament is becoming worryingly polarised
 - exacerbated by the inability of the 2015 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons to produce a consensus outcomes document.
- . The OEWG is an opportunity to build bridges
 - but this is only possible if it is an open, transparent and inclusive process that reflects all viewpoints.
- . Australia looks forward to working with Ambassador Thani and s 33(a)(iii)
to achieve an outcome which brings all sides together.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Background

The Open-Ended Working Group (OEWG) on nuclear disarmament was established as a subsidiary body of the General Assembly and under its rules of procedure. It is expected to meet in Geneva over 15 days in three sessions (February, May and August) in 2016.

Australia will participate in the OEWG (together with likemindeds,s 33(a)(iii) to build understanding of the practical and realistic measures necessary to achieve nuclear disarmament. Our involvement will allow us to provide a strong alternate viewpoint, notably against those states who wish to push a near-term Ban Treaty. We will also emphasise that any realistic path to disarmament must engage substantively and constructively with the States which possess nuclear weapons to address both the humanitarian and security dimensions of nuclear weapons. We will leverage the group as a vehicle to promote Australia's priorities such as Fissile Material Cut-Off Treaty and the Comprehensive Nuclear-Test-Ban Treaty.

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

GU32766H

Title: UN: Disarmament: OEWG: May Session
MRN: GU32766H 01/06/2016 02:05:55 PM CEDT
To: Canberra
Cc: RR : Beijing, Cairo, Europe Posts, Jakarta, London, Moscow, New Delhi, Ottawa, Paris EMB, Pretoria, Seoul, Tehran, Tel Aviv, Tokyo, UN New York, UNSC Posts, Vienna UN, Washington, Wellington
From: Geneva UN
From File:
EDRMS
Files:
References: s 22(1)(a)(ii)
The cable has the following attachment/s -
Canada_FMCT.pdf
Chair Summary OEWG.pdf
OEWG NGO list.pdf attachments omitted as publicly available
Pacific Paper - ban treaty.pdf
Response: Routine, Information Only

~~PROTECTED~~

Summary

The second session of the open-ended working group (OEWG) on nuclear disarmament lent further momentum to an early start on multilateral negotiations on a ban treaty. The NAC ran a well-oiled campaign to this end, effectively mobilising other NAM members and civil society. The BLM Group stepped up its engagement in response, seeking to inject balance and practicality into the OEWG. This helped demonstrate the BLM's bona fides. However, no one underestimates the challenge of seeking to influence the first draft of the OEWG report inter-sessionally and securing a credible consensus final report in August.

The second session of the open-ended working group (OEWG) on taking forward multilateral nuclear disarmament negotiations was held in Geneva between 2-13 May. The OEWG attracted registrations by more than 80 civil society groups with over 60 working papers submitted by member states and civil society (civil society list attached). We have reported on the first week of the May session of the OEWG in UN47276H and GU32733H.

2. The second week of the May OEWG session - which focused on effective legal measures and provisions or norms required to maintain a world without nuclear weapons s 33(a)(iii)

civil society groups directed their criticisms over lack of progress on disarmament against umbrella and alliance states in the BLM group.

3.s 33(a)(ii)

GU32766H

s 33(a)(iii)

4. Another striking feature of the May session was the mobilisation of civil society, deftly coordinated with prohibition treaty supporting member states. The singular ban-treaty focus of these groups created a campaign-like atmosphere during the proceedings. For example, civil society groups routinely applauded statements by member states with which they agreed and their own speakers.s 33(a)(iii)

s 33(a)(iii)

8. Other s 33(a)(iii) were more conciliatory, at least in tone.s 33(a)(iii) argued that the various approaches put forward at the OEWG should not be considered to be mutually exclusive but rather complementary. At the same time, he emphasised that, whichever approach was taken, some form of prohibition treaty was required; only the timing was in question. His assessment was that the majority of states wanted to commence negotiations as soon as possible, while a minority preferred to postpone this process until a "minimisation point" had been reached. The history of disarmament treaties demonstrated that a prohibition normally came first, so, he argued, it was hard to see how the order could be reversed successfully as proposed by the Progressive Approach paper.

9. s 33(a)(iii) emphasised the failure to progress disarmament. s 33(a)(iii) said that the promises of the 2010 NPT Review Conference Action Plan had not been delivered. The

GU32766H

building blocks approach has become the "blocked approach". The best way to protect the NPT was to implement the treaty. The longer those on one side s 33(a)(iii) failed to hold up their part of the bargain, the higher the risk was to the other side. s 33(a)(iii) said that, given the failure of consensus-based approaches, the best prospects were working in accordance with standard UNGA rules.

10. The s 33(a)(iii) was unable to agree upon a formal position at the OEWG, leaving its members free to put forward their own views. s 33(a)(iii) disagreed on whether a prohibition treaty could form a useful step toward its achieving its traditional position of a comprehensive convention on nuclear weapons. s 33(a)(iii) told the OEWG that, if a comprehensive convention was not possible, it was open to commencing negotiations on a prohibition treaty that involved both nuclear weapons and non-nuclear weapons states. It added that a prohibition treaty would need to be followed by protocols to eliminate nuclear weapons. In contrast, s 33(a)(iii) strongly supported a prohibition treaty and was critical of the lack of progress on disarmament and questioned when it would be possible to achieve the measures outlined in the Progressive Approach paper. s 33(a)(iii) also supported negotiations on a prohibition treaty.

11. s 33(a)(iii) submitted a working paper (attached) which sought to address the legacy of nuclear testing in the Pacific and supported the commencement of negotiations on a ban treaty that contained victim assistance measures.

12. s 33(a)(iii) s 33(a)(iii) made efforts to play a bridge building role between the NAC and the BLM. s 33(a)(iii) floated the concept of a framework agreement with no particular sequencing in which Progressive Approach and other initiatives could be included over time. s 33(a)(iii) also suggested that an additional protocol to the NPT could be considered. This would ensure the centrality of the NPT and address concerns about the risks to it through a competing legal instrument. Like s 33(a)(iii) were less concerned with sequencing, and thought that relevant ideas could be worked on in parallel. s 33(a)(iii) also questioned the effectiveness of negotiating a prohibition treaty where the NWS were not engaged.

13. The Broadly-Like Minded (BLM) Group performed relatively effectively in the May session, stepping up its engagement in response to this well-oiled ban treaty campaign. A range of BLM members made interventions taking issue with the arguments of ban treaty proponents, raising concerns about security, claims of the existence of a legal gap which damaged the NPT, and highlighting the imperative of an inclusive approach which engaged NWS and nuclear possessing states. BLM members also submitted additional working papers (eg s 33(a)(iii) FMCT paper attached). The thrust of these efforts was to offer an alternate, practical narrative on disarmament and highlight the need to achieve several key milestones, such as entry into force of the CTBT and negotiation of a treaty on fissile material and significant nuclear stockpile reductions, before a prohibition treaty should be negotiated.

14. Beyond the member state working papers, several submitted by civil society are also worthy of review. The Arms Control Association working paper put forward a number of suggestions for taking forward disarmament, including the idea of a Nuclear Disarmament Summit along the lines of the Nuclear security Summit where States could offer 'gift baskets' of measures and initiatives. This paper also highlighted the need to reinforce and expand the 1987 Intermediate-Range Nuclear Forces (INF) Treaty between the US and Russia and resolve compliance concerns. The Netherlands Institute of International Relations working

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paper proposed that nuclear possessor states, through unilateral, bilateral or multilateral measures, should forego efforts to modernise their nuclear arsenals. The James Martin Center for Non-Proliferation Studies working paper proposed developing disarmament and non-proliferation education contact points within relevant ministries.

15. Despite the clear differences between participants, the tone within the OEWG was by and large positive and thoughtful, The Thai Chair can take some credit for this. s 33(a)(iii)

16. While no one in the BLM is underestimating the challenges ahead, the BLM's constructive and unified engagement in the OEWG, coupled with its restraint in response to various provocations from ban treaty supporters including NGOs, helped to demonstrate BLM bona fides.

s 33(a)(iii)

text ends

Sent by: s 22(1)(a)(ii)
Prepared by: s 22(1)(a)(ii)/John Quinn
Approved by: HOM
Topics: INTERNATIONAL SECURITY/Arms Control, UN & COMMONWEALTH/UN Discussions

CE139409H

Title: UN: Open-ended Working Group on Disarmament - Second Session
MRN: CE139409H 09/05/2016 05:31:43 PM ZE10
To: Geneva UN
Cc: RR : Beijing, Cairo, Europe Posts, Jakarta, London, Moscow, New Delhi, Ottawa, Paris EMB, Pretoria, Seoul, Tehran, Tel Aviv, Tokyo, UN New York, UNSC Posts, Vienna UN, Washington, Wellington
From: Canberra (CHCH/DFAT/SRD/ARB)
From File:
EDRMS
Files:
References: s 22(1)(a)(ii)
The cable has the following attachment/s -
Effective Legal Measures.docx
Response: Routine, Information Only

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Summary

Grateful post take a lower profile in the 9-13 May Open-Ended Working Group (OEWG) on Disarmament during the discussions on effective legal measures. This will mean relying on other like-minded countries to be active, including in raising questions to dispel the myths around a 'ban treaty'. Australia's interventions should canvas well-established lines on effective legal measures, including CTBT and FMCT. Points attached to feed into the BLM drafting of common messages as requested.

Thanks reftel reporting on discussions to date in the second session of the Open-Ended Working Group (OEWG) on Nuclear Disarmament. We were pleased to see supportive discussion on the common reporting template developed by the NPDI. s 33(a)(iii)

Our interests are to ensure serious consideration of the effective legal measures outlined in the 'Progressive Approach' paper, particularly CTBT and FMCT as well as underlining the centrality of the NPT to global disarmament.

2. In the context of caretaker conventions, grateful post take a lower profile in the OEWG meetings from 9-13 May. We note that while the OEWG is not a negotiation, it is sensible to be less active particularly during discussions of a 'ban treaty'. This will mean relying on other like-minded countries to be active, including in raising questions and arguments to dispel the myth around a 'ban treaty'. Australia's interventions should stick closely to well-established lines on effective legal measures, as outlined in the 'Progressive Approach/Building Blocks' paper. In developing standard talking points for BLM countries, we note that several other BLM countries s 33(a)(iii) submitted working papers to the OEWG which can be drawn on in BLM messaging. paper on effective s 33(a)(iii) measures contains useful points on CTBT and FMCT - both high priorities for Australia. We provide additional points on the legal measures outlined in the 'Progressive Approach' paper for use in developing common BLM messages (attached). Consistent with taking a lower

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profile, we prefer other BLM countries to lead in developing points to dispel the myths around the ban treaty.

3. s 33(b)

4. s 33(a)(iii), s 33(b)

text ends

Sent by: s 22(1)(a)(ii)
Prepared by: s 22(1)(a)(ii)
Approved by: Richard Sadleir
Topics: INTERNATIONAL SECURITY/Arms Control, UN & COMMONWEALTH/UN Discussions

Effective Legal Measures

The "Progressive Approach" recognises that significant work remains ahead of us before we reach the point of needing additional legal measures to finally achieve and maintain a world without nuclear weapons

- much work needs to be done before getting to a minimisation point
- in time it will be necessary to consider a non-discriminatory and internationally verifiable nuclear disarmament framework such as a multilateral nuclear weapons convention, or a plurilateral arrangement among those with nuclear weapons as a final "building block"
 - : such a legal arrangement would give assurances that nuclear weapons had been destroyed, all fissile material placed under safeguards and that no new weapons were being produced
- essential all states with nuclear weapons be included in any such negotiation.

In considering effective legal measures, we must take account of the prevailing international environment

- need a clear understanding of the humanitarian impacts of the use of nuclear weapons and an objective assessment of the reality of the security environment [§ 33(a)(iii) *OEWG paper on effective measures*]
- important to address the security concerns that lead states to develop nuclear weapons, and to engage countries with nuclear weapons to persuade them to reduce and finally get rid of them.
 - : Pushing for a ban diverts attention from the sustained, practical steps needed for effective disarmament [*from Ms Bishop Op-Ed Feb 2014*]
 - : Will not be effective without the participation of states with nuclear weapons.

Our approach leverages the existing global regime, in particular the "Nuclear Non-Proliferation Treaty"

- NPT is cornerstone of global nuclear non-proliferation regime and we need to maintain our focus on its ongoing importance
 - : full implementation of the 2010 action plan and the 13 practical steps to disarmament agreed at the 2000 NPT RevCon.

NPT contains commitments on the goal of eliminating all nuclear weapons, as outlined in Article VI

- NPT contains the only generally applicable international legal rule obliging us to strive to achieve the complete elimination of all nuclear weapons

- : that objective has not been met at this point but this does not amount to a 'legal gap'
- : Need to focus on the implementation, in good faith, of Art VI of the NPT s 33(a)(iii)

The full implementation of Art VI is not obstructed by the lack of an appropriate legal norm, but by other factors, including lack of trust and political will necessary to create the conditions for negotiations s 33(a)(iii)

NPT provides the necessary foundation for IAEA monitoring and verification of nuclear programmes

- critical to continue efforts to universalise the NPT.

Existing legal regime includes the IAEA safeguards system, the Partial Test Ban Treaty, the Outer Space Treaty, the Sea-bed Arms Control Treaty, the Comprehensive Nuclear-Test Ban Treaty, the International Convention for the Suppression of Acts of Nuclear Terrorism

- and should include a Fissile Material Cut-off Treaty

Progressive approach details a range of additional legal measures.

Entry into force of the Comprehensive Nuclear-Test Ban Treaty

20th anniversary of CTBT in June is an opportunity to strengthen the nuclear test ban regime and progress Eif

- to reinforce the global norm against nuclear testing
 - : Friends of CTBT will meet in NY in September.

Key challenge is that the Treaty requires all Annex 2 States to ratify the Treaty for Eif to occur

- despite this, a moratorium on nuclear testing has been clearly upheld by states with nuclear weapons

- : with North Korea the only country to have conducted explosive nuclear tests this century.

Urge all States yet to ratify the CTBT to do so without delay, particularly the remaining 8 Annex 2 States, which should not wait for others to ratify

- nuclear-weapon States have a particular responsibility, as agreed in action 10 of the 2010 action plan, to encourage ratification

- : ratification by NWS that have not yet done so would provide further impetus towards Eif [*from NPDI submission to 2015 RevCon*]

- . The International Monitoring System (IMS) which lies at the heart of the CTBT's verification regime, is a successful worldwide project
 - has shown its value in practice, particularly in detecting North Korea's nuclear tests.
- . [Some of the practical steps we can take to progress CTBT Eif include:
 - before the 2020 NPT RevCon, aim to achieve additional ratifications and signatures to the CTBT among Annex 2 States
 - raise awareness of, and support for, the CTBT, including the valuable civil and scientific application of IMS data
 - reaffirm that until entry into force of the CTBT, the moratorium on testing is upheld, as well as restraint from the use of new nuclear weapons technologies and from any action that would defeat the object and purpose of the Treaty
 - actively support completion of the verification system, including by operationalising remaining monitoring stations and integrating them into the IMS
 - encourage strengthened language into the annual CTBT resolution at UNGA on recognising the norm against nuclear testing] – *from CTBT strategy*
- . Negotiating a verifiable and non-discriminatory treaty **banning the production of fissile material for nuclear weapons** or other nuclear explosive devices, building on the 2015 GGE report
 - next logical step towards a world free of nuclear weapons
 - preferably in the Conference on Disarmament [*NPDI paper*] but should not exclude other possibilities^{s 33(a)(iii)}
 - considerations over scope of the treaty hindering the commencement of negotiations within the CD can and should be effectively addressed in the course of negotiations
 - pending Eif of such a treaty, call on all NWS and other possessor States to maintain or declare moratoriums on the production of fissile material for nuclear weapons or other nuclear explosive devices [*NPDI paper*]
- . Placing fissile material no longer required for **military** purposes under IAEA safeguards, to ensure the irreversible removal of such fissile material.
- . Commencement of negotiations on a **post- New Strategic Arms Reduction Treaty (START) between the United States and the Russian Federation**, as proposed by President Obama in 2013
 - President Obama repeated this at the Nuclear Security Summit on 1 April 2016 this is a statement of publicly known fact

GU32571H

Title: Nuclear : Disarmament: Open Ended Working Group (OEWG) :
outcomes from first session

MRN: GU32571H 04/03/2016 08:17:06 PM CET

To: Canberra

Cc: RR : Bangkok, Beijing, Europe Posts, Islamabad, Jakarta, London, Middle
East Posts, Moscow, New Delhi, NPDI, Paris EMB, Pretoria, Seoul,
Stockholm, Tehran, UN New York, Vienna UN, Washington, Wellington

From: Geneva UN

From File: GE15/898

EDRMS

Files:

References: CE136687H, GU32535H, GU32509H
The cable has the following attachment/s -
Australian intervention presentation of Working Paper on a Progressive
Approach.docx attachments omitted as publicly
OEWG statement.docx available
WP09 Australian led paper.pdf

Response: Routine, Requires Action

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Summary

While diminished by the absence of any nuclear weapon or possessor state, the first session of the OEWG involved robust, interactive discussion in a constructive atmosphere. Our "Progressive approach" paper on nuclear disarmament, supported 17 other states, positioned us well in the debate and attracted significant comment. We made a series of interventions to highlight a practical, multifaceted and inclusive approach. Predictably, much of the civil society coverage focused on those states advocating a Ban Treaty. While it is early days and we remain under no illusions about the end result, discussions have highlighted faultlines s 33(a)(iii)

The first session of the OEWG took place in Geneva from 22-26 February. While the quality and substance of the discussions were diminished by the absence of any nuclear weapon or possessor state, the panel sessions ensured a good focus on specific topics (even if skewed towards the humanitarian approach). They also promoted interactive exchanges across the broad representation of non nuclear weapon states (NNWS) and civil society representatives.

2. More than in the 2013 OEWG, the twitter feeds were a feature of the process, although not reflecting impartially the robust exchanges taking place. Most tweets gave primacy to arguments advocating immediate legal measures, notably the Ban Treaty, as well as criticisms of the absent nuclear weapon states (NWS) for failing to deliver on their Article VI commitments as outlined in the Nuclear Non Proliferation Treaty (NPT), s 33(a)(iii) were another focus of the tweets, representing us as a key obstacle to progressing nuclear disarmament. We engaged actively in all the discussions.

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3. The Thai Chair, Ambassador Thongpakhdi, acquitted himself well. He kept the discussion on track, and gave the floor without fear or favour to all those that sought to make interventions. We took advantage of his approach, s 33(a)(iii) in particular. Thongpakhdi was supported effectively by capital representatives. He also reiterated that the Thai Mission in New York was engaging closely in this process and that he proposed briefing New York delegations in situ following the release of the synthesis report on the third week of April. His approach contributed significantly to a much more constructive atmosphere than at UNGA's First Committee last year.

Australian interventions

4. HOM Geneva introduced the Australian led paper, "A progressive approach to nuclear disarmament", which attracted the support of 17 other states from the broadly like minded (BLM) group. s 33(a)(iii)

(see a copy of the paper and HOM's statement). A number of BLM and some other states referred to this paper in their various interventions. We also supported a joint statement delivered by s 33(a)(iii) along with 18 other delegations (also attached).

5. A key objective for us was to ensure our own perspectives were given sufficient attention during the discussions. In our interventions, we highlighted the need for an inclusive approach to nuclear disarmament (which engaged the nuclear weapon and possessor states), and the need to take into account the security dimensions to any nuclear disarmament process, not just humanitarian considerations. We also articulated our view that a near term Ban Treaty was not an effective measure, given the obligations already contained in Article VI of the NPT. In particular, we noted that the NPT already prohibits any NNWS from acquiring nuclear weapons, and at the same time, requires the five NWS to progress nuclear disarmament. Why would we support a Ban Treaty that offers less than Article VI of the NPT, given the former would not engage the NWS; yet incur additional obligations for NNWS: s 33(a)(iii) was particularly helpful in supporting our arguments, with s 33(a)(ii)

played a generally constructive role.

Not all in the Ban's favour

6. An emerging feature of the discussions was a clearly emerging narrative from s 33(a)(iii) that they opposed a Ban Treaty. Instead, their priority was a "phased program for the complete elimination of nuclear weapons, including the negotiation of a convention on nuclear weapons that prohibits the development, production, stockpiling, transfer, use or threat of use of nuclear weapons and that stipulates their destruction within a given period, negotiated in the Conference on Disarmament (CD)". With a Ban Treaty now appearing to cut across traditional s 33(a)(iii) this could pose a significant challenge for the HINW core group in pursuing their campaign to characterise a Ban Treaty as having broad NNWS endorsement.

7. A related argument used by s 33(a)(iii) was that a Ban Treaty could cut across the primacy of the NPT as the cornerstone of the nuclear disarmament architecture. s 33(a)(iii)

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s 33(a)(iii)

8. Another important outcome of this debate was the lack of agreement, even from s 33(a)(iii)

as to what a Ban Treaty entails: was it simply a prohibition, stepped around s 33(a)(iii) or would it also need to include elimination and verification elements? this problem by advocating a "hybrid" approach, whereby one starts with a simple ban, then negotiate a protocol for the NWS to join at a later point in time. Other interventions highlighted significant shortcomings in a simple prohibition text, including the ICRC intervention which questioned the value of a simple ban which did not address elimination at the same time.

Next procedural steps

9. Next steps for the OEWG will be the circulation of a synthesis paper, authored by the Chair, which will be circulated in the third week of April. Working papers presented until the end of the first week of April would be eligible for consideration in the preparation of the paper. As noted by the Chair in our discussion with him on 4 March, the synthesis paper will not include recommendations but will provide a general overview of the approaches, as well as the main issues discussed in relation to the Panel 1 discussion (effective legal measures) and Panel 2 discussion (other measures). Following the circulation of the paper, and with the addition of the views and additional papers lodged at the May session of the OEWG, the Chair will then formulate a draft final report, including agreed recommendations, in time for distribution prior to the August final session.

10. The Chair advised us on 4 March that, in light of the proposed scheduling of the Arms Trade Treaty Conference of States Parties in the week, it was likely the August session of the OEWG would take place in the week commencing 15 August. He envisaged distributing an advance copy of the draft final report in early August to enable delegations an opportunity to consult capitals in time for the final session.

A fair process?

11. s 33(a)(iii)

s 33(b)

12. s 33(a)(iii)

13. s 33(b)

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

Next steps

15. We are in the process of lodging all our interventions on the UNODA website, as well as with Reaching Critical Will which is the main public conduit on the OEWG's proceedings, to ensure that the tenor of discussions is more faithfully reflected. The Chair noted his team in Bangkok found the transcripts of the interventions particularly useful, so we will encourage other BLM delegations to submit their interventions.

16. s 33(a)(iii)

17. We will encourage our BLM group to consider generating and lodging further papers, as well as taking the floor more actively during the May session. To this end, we will be holding our next BLM meeting on 8 March where we will discuss strategy and possible topics. Some of the themes we should consider addressing include :

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- progressing FMCT negotiations and CTBT entry into force;
- emphasise the importance of promoting verification initiatives, including the IPNDV;
- highlighting the importance that the two operational paragraphs of Resolution 70/33 which set out the mandate - legal and non legal measures respectively - are of equal importance and need to be treated as such in formulating agreed recommendations;
- challenge the emerging narrative, as articulated by s 33(a)(iii)
that the step by step, or building blocks paradigm, has not worked. We need to reiterate the messages enshrined in our Progressive Approach paper of the practical, realistic and achievable measures contained within;
- underline the fundamental bargain contained in Article VI of the NPT, highlighting there is no legal gap within Article VI of the NPT;
- address the critique levelled at us s 33(a)(iii) at the February session that "multilateral nuclear disarmament negotiations" excludes non multilateral legal effective measures. We need to reiterate the building blocks paradigm encourages mutually reinforcing multilateral, plurilateral, bilateral or unilateral measure that could contribute to taking forward such negotiations; and
- advocate a range of new transparency initiatives, along the lines promoted by NPDI.

18. s 33(a)(iii)

Conclusion

19. There is an emerging reality that, while the simplicity of a ban treaty appeals to many, nothing is simple about such a treaty when practical detail is addressed. This is becoming increasingly apparent s 33(a)(iii) and even s 33(a)(iii) This has been a significant takeaway from the first week of the OEWG, and the role of our delegation, among others, has been important in highlighting the complexity of the issues at stake.

20. Additionally, the beginnings of a substantive, if at times fractious, debate on the vexed issue of progressing nuclear disarmament across a range of diverse countries is an encouraging outcome from the February session. But it is only the start of a long process to address the difficult and poisonous atmospherics that were apparent at UNGA70 and at the 2015 NPT RevCon. This will take time and effort, but the task will be necessary as we prepare for the 2017-2020 NPT intersessional process and s 33(a)(iii), s 47C(1)

21. Looking ahead, we will need to start giving consideration to our response to the OEWG outcome report. Whether this will be truly consensus in nature, s 33(a)(iii) will be revealed in the coming weeks.

text ends

Sent by: s 22(1)(a)(ii)
Prepared by: s 22(1)(a)(ii)
Approved by: HOM
Topics: INTERNATIONAL SECURITY/Arms Control, UN & COMMONWEALTH/UN Discussions

