

Memo to Permanent Missions to the United Nations

Submissions to the United Nations Office of Disarmament Affairs of views on taking forward multilateral nuclear disarmament negotiations pursuant to UNGA resolution 68/46

Deadlines:

- *June 1, 2014 to be included in the UN Secretary-General's report to the UNGA*
- *September 15, 2014 to be included in the addendum to this report*

Your Excellencies,

We encourage you to take the opportunity of the invitation in UNGA resolution 68/46 to submit your views on taking forward multilateral nuclear disarmament negotiations and on the role of the United Nations Open Ended Working Group to assist this process.

It is our view that:

1. The UN Open Ended Working Group (OEWG), which met in May, June and August of 2013, provided a fresh and productive forum for governments and civil society experts to examine key issues, share ideas and develop practical proposals to bridge differences and take forward multilateral nuclear disarmament negotiations;
2. The OEWG forum benefited from being open to all States and to civil society, and from following a non-confrontational and exploratory model of operation;
3. The working papers to the OEWG, and the OEWG consensus report, offer an overview of useful elements and practical approaches to taking forward multilateral negotiations that provide valuable input into deliberations in other forums including the Conference on Disarmament, Disarmament Commission, UN General Assembly and the 2014 NPT Preparatory Committee Meeting. These include exploration of the elements of a nuclear weapons convention or package of agreements, the building blocks approach, the role of international law, the value of regional measures such as nuclear-weapon-free zones, the importance of disarmament education, the importance of considering the humanitarian and environmental consequences of nuclear weapons, and the vital role of civil society, including parliamentarians and academia.
4. Despite the valuable contribution by the UN OEWG on bridging the gap between approaches for nuclear disarmament, there continue to be blocks to the commencement of multilateral negotiations for nuclear disarmament that do not yet appear to be overcome. In particular, the division between a step-by-step approach and a comprehensive approach to nuclear disarmament continue to prevent progress and could lead to an erosion of the existing nuclear non-proliferation and disarmament regimes including the NPT;
5. The OEWG identified areas and issues that could benefit from further exploration and development in the non-confrontational format provided by the OEWG. These included a further exploration of the contribution that law and legal mechanisms can play, and an examination of the current security roles provided by nuclear weapons and how these roles could be fulfilled by non-nuclear means.
6. Further exploration and development of compromise approaches such as a set of agreements (or framework agreement), and of measures to reduce the role of nuclear weapons in security doctrines such as a prohibition on use, could effectively bridge the continuing differences and enable the

commencement of negotiations. The OEWG appears to be the best forum to enable such exploration and development to occur;

7. Although the five States defined under the NPT as Nuclear Weapon States did not participate in the OEWG in 2013, the issues and proposals discussed in the OEWG sought to include the security perspectives of these States in order to be realistic and in order that the OEWG remain open to their participation;
8. The NPT is approaching a critical junction in the 2015 NPT Review Conference. One non-nuclear member State has already expressed a lack of confidence in the good faith of the NWS by walking out of the second week of the 2013 NPT prep com. It might thus be possible to move the NWS to agree to engage in resumed OEWG deliberations in order to achieve full affirmation by all non-NWS to the NPT at the NPT Review Conference.

As such we would recommend:

1. States making submissions to the UNODA (whether by June 1 or later) highlight the value of the OEWG in developing proposals to take forward multilateral nuclear disarmament negotiations, and the need to resume the OEWG in order to further develop these proposals and break the current deadlock in other forums;
2. The OEWG meetings resume after the 2015 NPT Review Conference;
3. The OEWG be tasked specifically to:
 - a. Explore further the contribution that law and legal mechanisms can play to supporting multilateral negotiations and to achieving a nuclear weapon free world;
 - b. Examine current security roles provided by nuclear weapons and how these roles could be fulfilled by non-nuclear means;
 - c. Explore further the framework for establishing and maintaining a nuclear-weapons-free world, paying attention to, *inter alia*, the elements outlined in the Model Nuclear Weapons Convention, the building blocks approach and the proposal for a framework agreement;
 - d. Explore the viability and utility of a global prohibition on use as a concrete step to reduce the role of nuclear weapons in security doctrines and build confidence needed for the start of negotiations on elimination.

Attached please find a copy of the United Nations ODA letter to Permanent Missions to the United Nations of 20 February 2014 ([ODA Document 29-2014/MNDN](#)) inviting governments to submit their views to the UNODA on how to take forward multilateral nuclear disarmament negotiations pursuant to UNGA resolution 68/46 paragraph 8 by June 1, 2014.

We look forward to discussing these ideas further with you at your convenience.

Yours

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