

Statement by Jackie Cabasso, Executive Director, Western States Legal Foundation
on behalf of the Abolition 2000 Working Group on the UN Disarmament Agenda
and a Nuclear Weapons Convention

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My name is Jackie Cabasso. I am the executive director of Western States Legal Foundation, an affiliate of International Association of Lawyers Against Nuclear Arms. I am speaking on behalf of the Abolition 2000 Working Group on the UN Disarmament Agenda and a Nuclear Weapons Convention. During the 1995 NPT Review and Extension Conference, I was a “founding mother” of the Abolition 2000 Global Network to Eliminate Nuclear Weapons.

Article VI of the NPT, which entered into force in 1970, states: “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament....”¹ Five years after the end of the Cold War, there was no indication that this obligation was being taken seriously, and NGOs attending the 1995 NPT Review and Extension Conference from around the world drafted the Abolition 2000 Statement, calling upon all states, particularly the nuclear armed states, declared and de facto, to, “Initiate immediately and conclude by the year 2000, negotiations on a nuclear weapons abolition convention that requires the phased elimination of all nuclear weapons within a timebound framework, with provisions for effective verification and enforcement.”²

The NPT’s indefinite extension was coupled with a package of Principles and Objectives including, “[T]he determined pursuit by the NWS of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons....”³

The Abolition 2000 Statement inspired the drafting of a Model Nuclear Weapons Convention by international lawyers, scientists, and activists, under the auspices of the Lawyers Committee on Nuclear Policy, International Physicians for the Prevention of Nuclear War and the International Peace Bureau. The Model Convention outlines a comprehensive framework of the legal, technical, and institutional measures to achieve a nuclear-weapon-free world. It was circulated to UN Member States in 1997 by the UN Secretary-General, updated in 2007 and again circulated as an official UN document.⁴

As the year 2000 approached, with no convention on the horizon, Abolition 2000 enrolled more than 2000 organizations in some 90 countries and continued its advocacy. Indeed, the Abolition 2000 Founding Statement and the Model Nuclear Weapons Convention laid the groundwork for the Treaty on the Prohibition of Nuclear Weapons (TPNW), which entered into force on January 22, 2021.⁵

At the close of the 2000 NPT Review Conference, the nuclear-armed states committed to an “unequivocal undertaking... to accomplish the total elimination of their nuclear arsenals.” For the first time in the NPT’s then-30-year history they dropped qualifiers like “ultimate goal” regarding their nuclear disarmament obligation. They also agreed to “a diminishing role for

nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination.”⁶

The Model Nuclear Weapons Convention was submitted to the 8th Review Conference of the NPT in 2010 by Costa Rica.⁷ The agreed final outcome document declared: “All States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Conference notes the Five-Point Proposal for Nuclear Disarmament of the Secretary-General of the United Nations, which proposes *inter alia* the consideration of negotiations on a nuclear weapons convention or a framework of separate mutually reinforcing instruments backed by a strong system of verification.”⁸

The length of the NPT extension has now surpassed the original duration of the treaty, yet the 1995, 2000, and 2010 commitments remain largely unfulfilled, and disarmament has gone into reverse. The role of nuclear weapons in the security policies of the nuclear-armed and “nuclear umbrella” states has been expanding. All of the nuclear-armed states are qualitatively modernizing and upgrading their arsenals, and some are increasing the size of their stockpiles.

With Russia’s illegal war of aggression on Ukraine, which could eventually draw the militaries of the U.S., its NATO allies and Russia into direct conflict, Russia’s repeated threats to use nuclear weapons, and other festering nuclear flashpoints including Taiwan, the Korean Peninsula and South Asia, the danger of nuclear war is as high as it has ever been. The scale and tempo of war games by nuclear-armed states and their allies, including nuclear drills, is increasing. Ongoing missile tests, and frequent close encounters between military forces of nuclear-armed states exacerbate nuclear dangers.

While many nuclear-weapon-free states have demonstrated their commitment to Article VI of the NPT by joining the TPNW, the same cannot be said of the original five nuclear-armed states, who in a 2018 joint statement declared: “[W]e reiterate our opposition to the Treaty on the Prohibition of Nuclear Weapons.... The TPNW fails to address the key issues that must be overcome to achieve lasting global nuclear disarmament.”⁹

The 1995, 2000, and 2010 commitments must be reaffirmed and implemented in good faith by *all* states. It’s time to refocus on the nuclear-armed states. Against this background, a reconsideration of the Model Nuclear Weapons Convention is in order.

In our working paper, “Abolition 2000 NWC Reset: Frameworks for a Nuclear-Weapon-Free World,¹⁰” prepared for this 10th NPT Review Conference, we suggest a range of modalities and approaches to achieve and maintain a nuclear-weapon-free world. These include: negotiation of a comprehensive nuclear weapons convention or package of agreements; negotiation of a framework agreement which includes the legal commitment to achieve a nuclear-weapon-free world, identifies the measures and pathways required in general terms, and provides a process for agreeing on details over time; and negotiation of protocols to the TPNW or related instruments which nuclear armed and allied states would sign as part of a process for them to join the TPNW and build the nuclear destruction, elimination, verification and compliance process through the TPNW, particularly its Article 4.

We also call on the nuclear-armed and nuclear sharing states to commit to a timeframe of no later than 2030 for the adoption of a framework, package of agreements or comprehensive nuclear weapons convention, and no later than 2045 for full implementation. This would fulfil the NPT Article VI and other international law obligations to achieve the global elimination of nuclear weapons no later than the 100th anniversary of the first use of nuclear weapons, the 75th anniversary of the NPT and the 100th anniversary of the founding of the United Nations.

Consideration of the elements that nuclear-armed states might need to negotiate will help make “the key issues that must be overcome to achieve lasting global nuclear disarmament” (as referenced by the P-5 in their 2018 statement rejecting the TPNW) concrete—or to reveal where those key issues lie elsewhere than in the legal and technical requisites for disarmament.

Citations

¹ [Treaty on the Non-Proliferation of Nuclear Weapons \(NPT\) – UNODA](#)

² [Founding Statement | Abolition 2000](#)

³ <http://disarmament.un.org/wmd/npt/1995dec2.htm> ([reachingcriticalwill.org](#))

⁴ [SoS_Cover_blue.indd \(ippnw.org\)](#)

⁵ [Treaty on the prohibition of nuclear weapons – UNODA](#)

⁶ [2000FD.pdf \(reachingcriticalwill.org\)](#)

⁷ [W:/MSWDocs/ Finall/0732768E.doc \(ialana.info\)](#)

⁸ [Microsoft Word - NPT-CONF2010-50_Vol-I.doc \(reachingcriticalwill.org\)](#)

⁹ [P5 Joint Statement on the Treaty on the Non-Proliferation of Nuclear Weapons - GOV.UK \(www.gov.uk\)](#)

¹⁰ [NWC-working-paper-for-the-NPT-Review-Conference-Updated-25-July-2022.pdf \(abolition2000.org\)](#)