

# 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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## **The Vienna Conference on the Humanitarian Impact of Nuclear Weapons (8 and 9 December 2014) and the Austrian Pledge: Input for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

### **Working paper submitted by Austria**

1. Since the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons “expresse(d) its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirm(ed) the need for all States at all times to comply with applicable international law, including international humanitarian law”, the international community has increased its focus on addressing the humanitarian impact of and the risks associated with nuclear weapons. An ever-increasing number of States have signed up to several cross-regional statements on this issue since 2012, and three international conferences on the humanitarian impact of nuclear weapons have been held, in Oslo (March 2013), Nayarit, Mexico (February 2014) and Vienna (8 and 9 December 2014).
2. The facts-based discussions and expert presentations at these conferences generated strong interest in the international community and highly relevant input for the Treaty on the Non-Proliferation of Nuclear Weapons and its key objectives of nuclear disarmament and non-proliferation. Foremost, the evidence presented in the course of the conferences underscored the urgency of concrete progress on nuclear disarmament and the achievement of a world without nuclear weapons.
3. The Vienna Conference on the Humanitarian Impact of Nuclear Weapons ([www.hinw14vienna.at](http://www.hinw14vienna.at)) was attended by 158 States, a broad spectrum of international organizations of the United Nations system, the International Red Cross and Red Crescent Movement, many academics and experts and several hundred representatives of civil society. The Conference was opened by the Austrian Minister for Europe, Integration and Foreign Affairs, Sebastian Kurz; the Secretary-General of the United Nations, the President of the International Committee of the Red Cross and Pope Francis addressed the Conference through important statements and messages. Victims of nuclear explosions gave testimonies of their harrowing experiences.



4. The Chair's Summary of the Vienna Conference, which Austria presented under its sole responsibility, contains the following eight key conclusions, which have emerged in the context of the humanitarian initiative of the international conferences in Oslo, Nayarit, Mexico and Vienna. These are:

(a) The impact of a nuclear-weapon detonation, irrespective of the cause, would not be constrained by national borders and could have regional and even global consequences, causing destruction, death and displacement, as well as profound and long-term damage to the environment, climate, human health and well-being, socioeconomic development and social order and could even threaten the survival of humankind;

(b) The scope, scale and interrelationship of the humanitarian consequences caused by nuclear-weapon detonations are catastrophic and more complex than commonly understood. These consequences can be large-scale and potentially irreversible;

(c) The use and testing of nuclear weapons have demonstrated their devastating immediate, mid- and long-term effects. Nuclear testing in several parts of the world has left a legacy of serious health and environmental consequences. Radioactive contamination from these tests has disproportionately affected women and children. It has contaminated food supplies and continues to be measurable in the atmosphere to this day;

(d) As long as nuclear weapons exist, there remains the possibility of a nuclear-weapon explosion. Even if the probability is considered low, given the catastrophic consequences of a nuclear-weapon detonation, the risk is unacceptable. The risks of accidental, mistaken, unauthorized or intentional use of nuclear weapons are evident owing to the vulnerability of nuclear command and control networks to human error and cyberattacks, the maintenance of nuclear arsenals on high levels of alert, forward deployment and the modernization of nuclear arsenals. These risks increase over time. The dangers of access to nuclear weapons and related materials by non-State actors, particularly terrorist groups, persists;

(e) There are many circumstances in which nuclear weapons could be used in the view of international conflicts and tensions and against the background of the current security doctrines of States possessing nuclear weapons. As nuclear deterrence entails preparing for nuclear war, the risk of nuclear-weapon use is real. Opportunities to reduce risk must be taken now, such as de-alerting and reducing the role of nuclear weapons in security doctrines. Limiting the role of nuclear weapons to deterrence does not remove the possibility of their use; nor does it address the risks stemming from accidental use. The only assurance against the risk of a nuclear-weapon detonation is the total elimination of nuclear weapons;

(f) No State or international body could address in an adequate manner the immediate humanitarian emergency or long-term consequences caused by a nuclear-weapon detonation in a populated area or provide adequate assistance to those affected. Such capacity is unlikely ever to exist. Coordinated preparedness may nevertheless be useful in mitigating the effects, including of a terrorist event involving the explosion of an improvised nuclear device. The imperative of prevention as the only guarantee against the humanitarian consequences of nuclear-weapon use was highlighted;

(g) Looking at nuclear weapons from a number of different legal angles, it is clear that there is no comprehensive legal norm universally prohibiting possession, transfer, production and use. International environmental law remains applicable in armed conflict and can pertain to nuclear weapons, although it does not specifically regulate these arms. Likewise, international health regulations would cover the effects of nuclear weapons. The new evidence that has emerged in the past two years about the humanitarian impact of nuclear weapons casts further doubt on whether these weapons could ever be used in conformity with international humanitarian law. As was the case with torture, which defeats humanity and is now unacceptable to all, the suffering caused by nuclear-weapon use is not only a legal matter, it necessitates moral appraisal;

(h) The catastrophic consequences of a nuclear-weapon detonation event and the risks associated with the mere existence of these weapons raise profound ethical and moral questions on a level transcending legal discussions and interpretations.

5. It is Austria's view that these conclusions constitute a powerful set of arguments that should lead to an urgent and profound change in the nuclear weapons debate. Also, these conclusions demonstrate the interest and responsibility that all States have with regard to nuclear disarmament.

6. As host and Chair of the Vienna Conference and in the light of the important facts and findings that had been presented, Austria, solely in her national capacity, drew a number of inescapable conclusions and pledged to take them forward with interested parties in available forums, including in the context of the Non-Proliferation Treaty and the 2015 Review Conference.

### **Austrian Pledge**

Mindful of the unacceptable harm that victims of nuclear-weapon explosions and nuclear testing have experienced, and recognizing that the rights and needs of victims have not yet been adequately addressed,

Understanding that the immediate, mid- and long-term consequences of a nuclear-weapon explosion are significantly graver than was understood in the past and will not be constrained by national borders but have regional or even global effects, potentially threatening the survival of humanity,

Recognizing the complexity of and interrelationship between these consequences on health, environment, infrastructure, food security, climate, development, social cohesion and the global economy, which are systemic and potentially irreversible,

Aware that the risk of a nuclear-weapon explosion is significantly greater than previously assumed and is indeed increasing with increased proliferation, the lowering of the technical threshold for nuclear-weapon capability, the ongoing modernization of nuclear-weapon arsenals in nuclear-weapon-possessing States and the role that is attributed to nuclear weapons in the nuclear doctrines of possessor States,

Cognizant of the fact that the risk of use of nuclear weapons, with their unacceptable consequences, can be avoided only when all nuclear weapons have been eliminated,

Emphasizing that the consequences of a nuclear-weapon explosion and the risks associated with nuclear weapons concern the security of all humanity and that all States share the responsibility to prevent any use of nuclear weapons,

Emphasizing that the scope of the consequences of a nuclear-weapon explosion and the associated risks raise profound moral and ethical questions that go beyond debates about the legality of nuclear weapons,

Mindful that no national or international response capacity exists that would adequately respond to the human suffering and humanitarian harm that would result from a nuclear-weapon explosion in a populated area and that such capacity most likely will never exist,

Affirming that it is in the interest of the very survival of humanity that nuclear weapons never be used again, under any circumstances,

Reiterating the crucial role that international organizations, relevant United Nations entities, the Red Cross and Red Crescent Movement, elected representatives, academia and civil society play in advancing the shared objective of a nuclear-weapon-free world,

1. Austria regards it as its responsibility and consequently pledges to present the facts-based discussions, findings and compelling evidence of the Vienna Conference, which builds upon the previous conferences in Oslo and Nayarit, Mexico, to all relevant forums, in particular the 2015 Review Conference, and in the United Nations framework, as they should be at the centre of all deliberations, obligations and commitments with regard to nuclear disarmament;

2. Austria pledges to follow the imperative of human security for all and to promote the protection of civilians against risks stemming from nuclear weapons;

3. Austria calls upon all States parties to the Non-Proliferation Treaty to renew their commitment to the urgent and full implementation of existing obligations under article VI, and to this end, to identify and pursue effective measures to fill the legal gap for the prohibition and elimination of nuclear weapons, and Austria pledges to cooperate with all stakeholders to achieve this goal;

4. Austria calls upon all nuclear-weapon-possessor States to take concrete interim measures to reduce the risk of nuclear-weapon detonations, including reducing the operational status of nuclear weapons and moving nuclear weapons away from deployment into storage, diminishing the role of nuclear weapons in military doctrines and rapid reductions of all types of nuclear weapons;

5. Austria pledges to cooperate with all relevant stakeholders, States, international organizations, the International Red Cross and Red Crescent Movements, parliamentarians and civil society, in efforts to stigmatize, prohibit and eliminate nuclear weapons in the light of their unacceptable humanitarian consequences and associated risks.

7. Austria subsequently invited all interested States to associate themselves with this Pledge in order to further strengthen the humanitarian arguments and findings and to underscore the expectation of the international community for credible and urgent progress for the achievement of a nuclear-weapon-free world.

8. At the time of submission of the present working paper, formal endorsements and/or expressions of support for the Pledge had been received from: Afghanistan, Andorra, Angola, Antigua and Barbuda,\* Argentina,\* the Bahamas,\* Barbados,\* Belize,\* Bolivia (Plurinational State of),\* Brazil,\* Cabo Verde, the Central African Republic, Chile,\* Colombia,\* Costa Rica,\* Cuba,\* Cyprus, Dominica,\* the Dominican Republic,\* Ecuador,\* Egypt, El Salvador,\* Grenada,\* Guatemala,\* Guinea-Bissau, Guyana,\* Haiti,\* Honduras,\* Iraq, Ireland, Jamaica,\* Kenya, Lebanon, Lesotho, Libya, Liechtenstein, Malawi, Malta, the Marshall Islands, Mexico,\* Nicaragua,\* Palau, Panama,\* Paraguay,\* Peru,\* the Philippines, Saint Kitts and Nevis,\* Saint Lucia,\* Saint Vincent and the Grenadines,\* San Marino,\* Saudi Arabia, Serbia, Somalia, South Africa, State of Palestine, Suriname,\* Swaziland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago,\* Tuvalu, the United Arab Emirates, Uruguay\* and Venezuela (Bolivarian Republic of)\*. This list is available in an updated form from [www.bmeia.gv.at/update-pledge-support](http://www.bmeia.gv.at/update-pledge-support).

9. Austria herewith transmits the findings contained in the Chair's Summary of the Vienna Conference and the conclusions and commitments contained in the Austrian Pledge to the 2015 Review Conference. Austria is of the view that these findings, conclusions and commitments are of high relevance for the Non-Proliferation Treaty and should thus be a key element of the deliberations at the 2015 Review Conference and its outcome documents.

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\* These States declared their support for the Pledge through the Special Declaration of the Community of Latin American and Caribbean States on the urgent need for a nuclear-weapon-free world, which resulted from the Third Summit of the Community of Latin American and Caribbean States, held in Belén, Costa Rica, on 28 and 29 January 2015.