

# Parliamentarians and a Nuclear Weapons Convention

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## CONVENTION

1. a way in which something is usually done. Socially acceptable behaviour
2. an agreement between States.

Concise Oxford Dictionary,  
10th edition

The international community has adopted international agreements prohibiting chemical and biological weapons, and prohibiting non-State actors from acquiring, possessing or using nuclear weapons. These are the Biological Weapons Convention, the Chemical Weapons Convention and the Convention on the Suppression of Nuclear Terrorism. The use of the word 'convention' implies that these are more than just agreements – they are the codification of an international norm – an indication of what is and what is not acceptable international behaviour, and the development of mechanisms to implement that norm with respect to weapons of mass destruction.

But what about the possession, threat or use of nuclear weapons by a State?

Terrorism has been defined as the threat or use of force against civilians for political purposes. Is the ongoing threat and

### *Nobel Laureates and nuclear abolition*

"The failure to address the nuclear threat and to strengthen existing treaty obligations to work for nuclear weapons abolition shreds the fabric of cooperative security. A world with nuclear haves and have-nots is fragmented and unstable, a fact underscored by the current threats of proliferation. In such an environment cooperation fails. Thus, nations are unable to address effectively the real threats of poverty, environmental degradation and nuclear catastrophe."

Rome Declaration of Nobel Laureates, 19 November 2006



Alexa McDonough MP and Nancy Covington at Canadian Parliament joint launch of Securing our Survival and the International Campaign for the Abolition of Nuclear Weapons

possible use of nuclear weapons by a State any less of a terrorist act than the same act committed by a non-State actor?

In 1996 the International Court of Justice (ICJ) affirmed that the threat or use of nuclear weapons by anyone – State or non-State actor – is generally illegal and that nuclear weapons should be eliminated. The United Nations General Assembly, which had lodged the nuclear weapons case at the ICJ, called for its implementation through the commencement of negotiations leading to the early conclusion of a Nuclear Weapons Convention. Yet 12 years later, the major Nuclear Weapon States maintain robust policies to threaten and use nuclear weapons, and refuse to commence such negotiations.

But our concern is not just with the Nuclear Weapon States. The importance of a norm – a convention – is that it applies universally. When it is strong, it is strong for all. When it is weak, it is weak for all. The erosion of the norm against nuclear weapons by the Nuclear Weapons States has stimulated proliferation. India's rationale for joining the nuclear club was to counter the continuing possession of nuclear weapons by the NWS. Pakistan followed India. North Korea's rationale was to protect it self from attack by the nuclear-armed US. Iran could follow suit.

A Nuclear Weapons Convention, on the other hand, would consolidate a non-nuclear norm and implement mechanisms that would prevent proliferation as well as achieve nuclear disarmament.

For these reasons, there is an escalating interest in, and cross-party support for, the abolition of nuclear weapons through a Nuclear Weapons Convention. The prestigious Commission on Weapons of Mass Destruction recommended that States "Accept the principle that nuclear weapons should be outlawed, as are biological and chemical weapons, and explore the political, legal, technical and procedural options for achieving this within a reasonable time."

*"A nuclear disarmament treaty is achievable and can be reached through careful, sensible and practical measures. Benchmarks should be set; definitions agreed; timetables drawn up and agreed upon; and transparency requirements agreed."*

Weapons of Mass Destruction  
Commission, Final Report 2006

Draft resolutions, calling for nuclear abolition and/or the achievement of a Nuclear Weapons Convention, have been introduced by PNND members and adopted in the Australian Senate, New Zealand parliament and European Parliament, along with Early Day Motions in the UK House of Commons and resolutions introduced into the US Congress.



### *Parliamentarians and a Nuclear Weapons Convention*

“Amid calls from throughout the world for new progress in global nuclear disarmament, this timely study [Securing our Survival: The Case for a Nuclear Weapons Convention] offers an updated model convention for achieving this historic goal. Parliamentarians have essential roles to play in promoting this goal, through collaborative non-partisan efforts, mobilizing support for disarmament among their constituents, and ultimately in the process of ratifying the convention. The ultimate beneficiaries of nuclear disarmament are the people, and as their representatives, parliamentarians have a unique stake in ensuring its success.”

Ambassador Sergio Duarte, United Nations High Representative on Disarmament

In January 2007, US Republicans George Schultz (Secretary of State under Ronald Reagan) and Henry Kissinger (Secretary of State under Richard Nixon) joined Democrats William Perry (Secretary of Defense under Bill Clinton) and Sam Nunn (Former Chair of the Senate Armed Services Committee) in an op ed published in the Wall Street Journal calling for an end to nuclear deterrence and leadership to establish a nuclear weapons free world.

And more recently Democratic candidate Barack Obama promised to lead an initiative to eliminate nuclear weapons if he became president. Senator John McCain followed with a similar pledge.

One of the questions however, is whether a Nuclear Weapons Convention is practically achievable or merely a utopian dream. To answer that question, the Lawyers’ Committee on Nuclear Policy in 1997 brought together a group of lawyers, scientists, diplomats and disarmament experts to draft a Model Nuclear Weapons Convention taking into consideration the legal, technical and political elements required to achieve a nuclear weapons free world. Nine months later, their product was circulated by the United Nations as UN Doc A/C.1/52/7. An updated Model NWC was submitted to the

2007 Conference of States Parties to the Non-Proliferation Treaty and 62nd United Nations General Assembly (UN Doc A/62/650), and published in the book Securing our Survival: The Case for a Nuclear Weapons Convention.

The book Securing our Survival describes a nuclear weapons convention – what it is, how it would be achieved, why it is necessary, who it would involve and when we could expect it to happen.

PNND has co-sponsored launches of the book in a number of parliaments including Australia, Canada and New Zealand, attracting support from leaders across the political spectrum including conservative former Prime Ministers Malcolm Fraser (Australia) and Jim Bolger (New Zealand), Nobel Peace Laureates such as Mairead Macguire; United Nations High Representative on Disarmament Sergio Duarte; military leaders including Romeo Dallaire former Commander of UN Forces in Rwanda; parliamentarians and civil society leaders such as Mayor Akiba of Hiroshima.

Further opportunities will arise to promote the Nuclear Weapons Convention at the 2009 Conference of States Parties to the NPT in May based on the NWC working

paper and Model NWC submitted in 2007, and at the 63rd session of the United Nations General Assembly in October 2009 when there will again be a vote to commence negotiations on a nuclear weapons convention. Parliamentarians around the world could encourage their governments to support these two initiatives.

For further information see PNND Updates 18 and 19 at [www.pnnd.org](http://www.pnnd.org)



*Hon Marian Hobbs at NZ parliament launch of SOS.*