Humanitarian consequences of nuclear weapons – What has happened since 2010?

“The Conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.”

While the 2010 NPT action plan has 64 specific actions, it is part of a bigger framework of the entire outcome document of the 2010 Review Conference. Implementation of the action plan therefore needs to be considered in light of the outcome document as a whole.

One of the most significant achievements of the 2010 outcome document was the specific acknowledgement of the catastrophic humanitarian consequences that any use of nuclear weapons would cause. The review section of the outcome document refers to “deep concern at the continued risk for humanity represented by the possibility that these weapons could be used and the catastrophic humanitarian consequences that would result from the use of nuclear weapons.”

In the section on the “Conclusion and recommendations for follow-on actions” for nuclear disarmament, the document also reaffirmed “the need for all States at all times to comply with applicable international law, including international humanitarian law.”

Since the 2010 Review Conference, attention to the humanitarian consequences of nuclear weapons has garnered an increasingly prominent place in multilateral nuclear disarmament discussions. Support for the humanitarian dimension has radically increased among governments, international organisations, and civil society representatives. It has become the dominant theme of any discussion around nuclear weapons and will likely be one of the main topics of the 2015 Review Conference.

Governmental conferences

In March 2013, the Norwegian government hosted a conference on the Humanitarian Impact of Nuclear Weapons attended by 127 states, many international organisations, and civil society representatives. The conference brought states and other actors together to discuss and review the devastating effects that would be caused by the use of nuclear weapons to human health, the environment, economies, development, infrastructure, and more. The Chair’s summary concluded that there is no possibility of an adequate national or international response to such a catastrophe; and that this fundamental challenge to human and planetary survival must be addressed through preventative measures. While the five nuclear-armed states of the NPT did not participate in this conference, India and Pakistan did.

At the Oslo conference, governments for the first time focused on the humanitarian consequences of nuclear weapons, which was instrumental in reframing the discourse around these weapons. It consequently resulted in a significant change in perspective for many non nuclear-armed states. The Chair's summary reflected the increasing global concern regarding the effects of nuclear weapons detonations and recognized that this is an issue of fundamental significance to us all.

A second conference to build on and deepen the discussions on that topic was held in Nayarit, Mexico, on 13-14 February 2014, to which 146 governments, and numerous international organisations and civil society attended. The focus was on further discussions around the long-term effects of nuclear weapons, including public global health consequences, displacement of people, and the impact on transports, communications, and economic development. It also included a discussion on existing risks with current stockpiles of nuclear weapons. International organisations and research institutes such as the World Health Organisation, United Nations Development Programme, International Office for Migration, Chatham House, and United Nations Institute for Disarmament Research delivered
presentations at the conference. The five nuclear-armed states of
the NPT did not participate in the conference.

The Chair’s summary concluded that the discussion in Nayarit
should lead to the commitment of states and civil society to
reach new international standards and norms, through a legally
binding instrument, and that a diplomatic process conducive to
this goal should be initiated. Calling for this process to conclude
by the 70th anniversary of the bombings of Hiroshima and
Nagasaki, the Chair described the Nayarit conference as “the
point of no return”.

The third conference addressing the humanitarian impact of
nuclear weapons was held the same year in Vienna, Austria, from
8-9 December. 158 states, including the United Kingdom and
the United States, as well as various international organisations
and civil society representatives attended. In addition to building
on the discussions in Oslo and Nayarit in panels examining the
effects of nuclear weapons explosions and testing, the risks for
deliberate or accidental use, and the challenges of responding,
the Vienna conference also saw a discussion of the existing
legal framework and gaps with regard to nuclear weapons
development, use, possession, and stockpiling. It also explored
views on the ethics and morality of nuclear weapons, including a
deontological perspective, which suggests looking at the inherent
immorality of nuclear weapons rather than the moral status of its
consequences, and featured testimonies from survivors of nuclear
weapons use and testing.

As for the previous conferences, a Chair’s summary reflecting the
main themes that arose during the discussions was issued. In
addition, Austria pledged nationally to pursue effective measures
to fill the “legal gap” for the prohibition and elimination of
nuclear weapons as well as to cooperate with all stakeholders to
achieve this goal.

Based on “inescapable conclusionws” resulting from the three
conferences on the humanitarian impact of nuclear weapons,
such as the increasing nature of the risk of a nuclear weapon
explosion, due to proliferation, modernisation, and the role
attributed to nuclear weapons in security doctrines or the
conviction that nuclear weapons raise profound moral and
ethical questions that go beyond debates about their legality, the
Austrian government underlined that efforts are needed now to
stigmatise, prohibit, and eliminate nuclear weapons “in light of
their unacceptable humanitarian consequences and associated
risk.” In January 2015 the Austrian government reached out
to governments with an invitation for interested states to
associate themselves to this pledge. Until 1 March 2015, 40 states
had done so.

Multilateral discussions
Since the adoption of the 2010 outcome document, the
humanitarian discourse on nuclear weapons has been
consolidated in a number of joint statements.

During the 2012 NPT Preparatory Committee (PrepCom)
in Vienna, 16 governments delivered a Joint Statement on
the Humanitarian Impact of Nuclear Weapons. The Swiss-
lead statement highlighted the catastrophic humanitarian
consequences of any use of nuclear weapons and called for efforts
to outlaw and eliminate nuclear weapons. Six months later, at the
2012 General Assembly’s First Committee, a similar statement
was signed by 35 states.

At the 2013 NPT PrepCom in Geneva, a similar statement
the South African delegation delivered a similar statement on
behalf of 80 states. In October, during the 2013 UNGA First
Committee 125 states joined a statement delivered by New
Zealand. A year later, at the 2014 UNGA First Committee, New
Zealand again delivered a similar statement, this time on behalf
of 155 states.

Australia also delivered joint statements on this subject at the
2013 and 2014 UNGA First Committee. While stressing
similar concerns about the humanitarian consequences of
nuclear weapons, the Australian statement also drew attention
to the security dimensions of these weapons. Adding up the
20 States supporting the Australian Statement to the 155 States
supporting the New Zealand Statement, a total number of 175
States stressed their humanitarian concerns about nuclear
weapons at the 2014 UNGA First Committee.

In addition to these joint statements, many additional states
and groups of states such as the New Agenda Coalition (NAC),
the Non-Aligned Movement, and the Non-Proliferation
and Disarmament Initiative (NPDI) have raised concerns
individually about the humanitarian impact of nuclear weapons
for example at the NPT PrepComs, during the high-level meeting
on nuclear disarmament in September 2013, or at the UNGA
First Committees in New York. While this has been the case
since the first NPT PrepCom in 2012, over time, the number of
states referring to the humanitarian consequences has gradually increased to the majority of states mentioning them at the at the 2014 UNGA First Committee.

Further, the eighth NPDI Ministerial Meeting took place on 11-12 April 2014 in Hiroshima and the subsequent joint statement called on states to reiterate their concern at the catastrophic humanitarian consequences of the use of nuclear weapons and extend the “nearly 69 year record of non-use of nuclear weapons … forever.”

The Chair’s summaries of all three NPT PrepComs include references to this increased attention to the catastrophic humanitarian consequences of any use of nuclear weapons. Additionally, in the Chair’s summary from the 2013 NPT PrepCom, references to the Oslo conference, its conclusions, and the follow-up conference in Mexico are also included.

For the 2014 NPT RevCon, the NAC submitted a working paper on the implementation of Article VI. It begins by outlining the failure to implement the various outcome agreements of NPT Review Conferences, especially those relating to nuclear disarmament. It then discusses options of “effective measures” that are envisaged and required by article VI of the Treaty; namely, a nuclear weapons convention, a ban treaty, a framework agreement, and a hybrid. In closing the NAC calls for all options to be discussed, examined, and tested; however, it does not express preference for on particular option. It has served as an important basis for the ensuing debates and has triggered further research.

During the meetings of the 2013 Open-Ended Working Group (OEWG) to “develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons,” the humanitarian impact of nuclear weapons was put forward as “a cross-cutting issue that affects all elements of the disarmament agenda.”

Similarly, many of the resolutions introduced to the 2013 and 2014 First Committee of the General Assembly include references to the humanitarian consequences of any use of nuclear weapons.

This rapid increase of attention indicates a growing concern among states about the humanitarian impact of nuclear weapons. It also reflects the change towards a more humanitarian-focused discourse among governments in multilateral disarmament and arms control fora.

However, the shared views on the necessary next steps exist. While some have drawn “inescapable conclusions” on the need for a new legally binding instrument to prohibit nuclear weapons, others advocate for using the conclusions drawn in the context of the debate on humanitarian impact of nuclear weapons as an instrument of pressing nuclear-armed states into fulfilling their disarmament-related obligations.

International organisations

Not only governments, but also many international organisations are pursuing this topic.

In 2011, the Red Cross/Red Crescent movement, supported by the International Committee of the Red Cross (ICRC), adopted a resolution which stated that the movement “finds it difficult to envisage how any use of nuclear weapons could be compatible with the rules of international humanitarian law, in particular the rules of distinction, precaution and proportionality,” and urges states to abolish nuclear weapons. In November 2013, a follow-up resolution was adopted, containing a four-year action plan towards the prohibition and elimination of nuclear weapons. The resolution outlines activities for every section of the global Red Cross and Red Crescent movement to take in support of its implementation at national, regional and international levels.

At the conference on the humanitarian impact of nuclear weapons in Oslo, international organisations such as the International Committee of the Red Cross, World Food Programme, United Nations Development Programme (UNDP), and the United Nations Office for Coordination of Humanitarian Affairs (OCHA) delivered presentations on the humanitarian impact of nuclear weapons and their respective roles as responders in the event of a detonation. They all acknowledged that effective assistance to the victims of a nuclear weapon detonation is not currently available and that it would be difficult to imagine how such assistance could be developed in the future. Those participating in the follow-up conferences in Nayarit and/or Vienna, such as the United Nations Institute for Disarmament Research (UNIDIR), the World Health Organisation, the International Organization for Migration, and the Comprehensive Test Ban Treaty Organisation Preparatory Commission shared their views on possible response capacities, implications for the international community and remaining gaps in their respective fields.

UN Secretary-General Ban Ki-moon has recognised and repeatedly highlighted the growing understanding and concern with the humanitarian consequences of any use of nuclear weapons. He asserted that as long as nuclear weapons exist, “so, too will the risks of use and proliferations.” Similarly, the UN High Representative for Disarmament Affairs, Ms. Angela Kane, has welcomed the growing public awareness about humanitarian impacts as “one of the most encouraging signs of progress [in the global debate on nuclear disarmament].”

After participating in the Oslo and Vienna Conferences’ opening ceremonies, ICRC President Peter Maurer addressed the Geneva-based disarmament community on 18th February 2015 stressing that “reducing the risk of nuclear-weapon use and ensuring their elimination through a legally binding international agreement is a humanitarian imperative.” Seventy years after their first use, it is time to draw the “legal, political and operational conclusions” from the catastrophic humanitarian consequences referred to in the 2010 NPT outcome document.
Research institutes

The UNIDIR has engaged in a research project on the humanitarian impact of nuclear weapons since 2011. As part of this project, UNIDIR in cooperation with OCHA and UNDP published a study on the challenges to UN emergency preparedness and humanitarian coordination and response in the event of nuclear weapon detonations. The study finds that, among other things, a number of challenges for the humanitarian system exist and the UN "is unlikely to be able to offer much humanitarian assistance in the immediate aftermath of a nuclear weapon detonation event." It offers suggestions for improved coordination and preparation, but also concludes that while "nuclear weapons exist the risk of their detonation does too, whether deliberately or inadvertently." Many other research institutes are focusing on the humanitarian impact of nuclear weapons, such as the International Law and Policy Institute in Oslo and Chatham House in London. Various others are pursuing research projects on the topic and/or have released reports and organized workshops on the matter.

Other efforts

Aside from multilateral events and processes, the humanitarian impact of nuclear weapons has also become a central feature of the agenda of key regular meetings on nuclear disarmament, such as the Carnegie International Nuclear Policy Conference, the EU Non-Proliferation Conference, and the Wilton Park “Towards the 2015 NPT Review Conference” meeting.

In March 2013 the Inter Parliamentary Union (IPU) adopted a resolution “Towards a Nuclear-Weapons-Free World: The Contribution of Parliaments” during its 130th Assembly in 2014 in Baku, Azerbaijan. During the 129th Assembly in Geneva in October 2013, the IPU held a panel discussion on the issue in preparation for the 2014 meeting.

Reactions from NPT nuclear-armed states

Since the first conference on the humanitarian impact of nuclear weapons, the approach of the five nuclear-armed states of the NPT has developed from an en bloc response to more individual responses. In the lead up to Oslo, the five NPT nuclear-armed states jointly issued a demarche announcing their concern that the conference would “divert discussions away from practical steps to create conditions for further nuclear weapons reductions.” The five states did not attend the conference in Mexico in 2014, but did not issue any official reasons for their absence. The third conference in Vienna later that year was attended by the United Kingdom and the United States who made statements from the floor.

At the UN high-level meeting on nuclear disarmament in New York on 26 September 2013, France, United Kingdom, and the United States delivered a joint statement saying, “We fully understand the serious consequences of nuclear weapon use and will continue to give the highest priority to avoiding such a contingency … and while we are encouraged by the increased energy and enthusiasm around the nuclear disarmament debate, we regret that this energy is being directed toward initiatives such as this High-Level Meeting, the humanitarian consequences campaign, the Open-Ended Working Group and the push for a Nuclear Weapons Convention.” At the 2013 UN General Assembly’s First Committee, Russia argued that the humanitarian discourse “turns a difficult issue into public diplomacy” and is not in line with “true needs and priorities.” Similarly, during the 2014 session the United States voiced the concern that “any call to move nuclear disarmament into international humanitarian law circles” could only distract from the “practical agenda set forth in the 2010 NPT Action Plan.” The United Kingdom while recognizing the concern with the humanitarian consequences, stressed that in its view, nuclear weapons are not “per se inherently unacceptable.” France underlined the need to consider the “strategic context” in order to be able to move forward on nuclear disarmament.

The United States announced on 7 November 2014, that it would participate in the third conference on on conference on the humanitarian impact of nuclear weapons in Vienna. On 2 December, the UK Foreign Secretary in responding to questions to the Foreign and Commonwealth Office announced the government’s decision to join the conference as well. Previously, the UK government felt “that the focus and format of the conference will not lend itself to the UK setting out our narrative and key messages around our forward leaning approach to multilateral disarmament,” as internal documents from the United Kingdom, requested through the Freedom of Information Act regarding the participation in Oslo, show.

At the conference in Vienna, both the US and UK delegations expressed their preference for advancing nuclear disarmament through a so-called step-by-step or building blocks approach and the United Kingdom called for consideration of security concerns of states in moving ahead on nuclear disarmament. The other nuclear-armed states of the NPT, China, France, and Russian Federation, did not participate in the conference.
References:

2. Ibid, p. 12.
12. Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Kenya, Marshall Islands, Mexico, Nicaragua, Palau, Panama, Paraguay, Peru, St Lucia, St Kitts and Nevis, St Vincent and the Grenadines, Serbia, Suriname, Timor Leste, Trinidad and Tobago, Tuvalu, Uruguay, and Venezuela.
13. Austria, Chile, Costa Rica, Denmark, Holy See, Egypt, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, Norway, Philippines, South Africa and Switzerland.
15. New states: Algeria, Argentina, Bangladesh, Belarus, Brazil, Colombia, Ecuador, Iceland, Kazakhstan, Liechtenstein, Malta, Marshall Islands, Peru, Samoa, Sierra Leone, Swaziland, Thailand, Uruguay and Zambia.
17. New states: Bosnia and Herzegovina, Botswana, Burkina Faso, Cambodia, Côte d’Ivoire, Cyprus, Cuba, Djibouti, El Salvador, Ethiopia, Ghana, Georgia, Grenada, Guatemala, Honduras, Iran, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Luxembourg, Maldives, Mauritius, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Palau, Panama, Papua New Guinea, Paraguay, Qatar, Serbia, Singapore, Solomon Islands, Tanzania, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, Yemen.
20. Joint Statement on the humanitarian consequences of nuclear weapons to the UNGA First Committee, delivered by Australia on behalf of 17 states on 21 October 2013. These states were: Australia, Belgium, Canada, Finland, Germany, Italy, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Spain, Sweden and Turkey.
22. Statement on behalf of the Non-Proliferation and Disarmament Initiative to the High Level Meeting on Nuclear Disarmament, delivered by the Netherlands on 26 September 2013 and Statement on behalf of the Non-Proliferation and Disarmament Initiative to the High Level Meeting on Nuclear Disarmament, delivered by Japan on 20 October 2014.
23. M. Gandenberger, Nuclear weapons, First Committee Monitor, October/November 2014.

NPT/CONF.2015/PC.II/CRP.2, par. 12.

NPT /CONF.2015/PC.III/WP.18 Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, submitted by Ireland on behalf of the New Agenda Coalition [Brazil, Egypt, Ireland, Mexico, and New South Africa], 2 April 214.


UN Document A/AC.281/2, Report of the Open-ended Working Group to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons.

For example:


Statement to the UN General Assembly First Committee, delivered by France on 20 October 2014.

Statement to the UN General Assembly First Committee, delivered by United States on 20 October 2014.


Statement to the High-Level Meeting of the General Assembly on nuclear disarmament, delivered by the UN Secretary General Ban Ki-Moon on 26 September 2013.


Ibid.


Ibid. p. 81.

For example the joint ILPI-UNIDIR "Vienna Papers" Series.


Statement to the UN General Assembly First Committee, delivered by Russian Federation on 8 October 2013.

Statement to the UN General Assembly First Committee, delivered by United States on 20 October 2014.

Statement to the UN General Assembly First Committee, delivered by United Kingdom on 20 October 2014.

Statement to the UN General Assembly First Committee, delivered by France on 20 October 2014.

House of Commons: Oral Answers to Question to the FOREIGN AND COMMONWEALTH OFFICE. The Secretary of State was asked – , UK parliament website, 2 December 2014; http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm141202/debtext/141202-0001.htm#141202-0001.htm_snew_0109 (retrieved 215-02-04), column 156.

Documents suggest UK boycott of key nuclear weapons meeting was driven by P5 partners. Source: Article 36, 4 June 2013, http://www.article36.org/nuclear-weapons/documents-suggest-uk-boycott-of-key-nuclear-weapons-meeting-was-driven-by-p5-partners/ (retrieved 2014-02-21).


Both France and Russia have repeatedly referred to these conferences as a distraction in their statements to international fora. China has not commented since the joint demarche.