

ISODARCO 2019 SYNOPSIS OF THE PRESENTATION BY AMBASSADOR CARLO TREZZA ANDALO JANUARY 12 2019

SUBJECT: TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS - NUCLEAR NON-PROLIFERATION
TREATY: CHALLENGES AND OPPORTUNITIES

1) Why pursue nuclear disarmament ?

- catastrophic humanitarian consequences of use
- catastrophic environmental consequences of use
- uncertainty about effective functioning of nuclear deterrence in the future
- many instances in which the world was on the verge of nuclear catastrophe
- unlike other WMDs, nuclear weapons are still not totally forbidden

2) Two possible paths to reach nuclear disarmament

a) **a step by step approach.** The credibility of such an approach is being questioned on the basis of its results widely considered as insufficient. However the dramatic reduction achieved since the peak of the Cold War (from 70,000 to 1,500 nuclear warheads) cannot be dismissed. The Southern Hemisphere has almost become a single full Nuclear Weapons Free Zone. Unilateral, bilateral, multilateral arrangements and agreements in the field of nuclear disarmament and non proliferation (in particular the NPT) have at least prevented the "law of the jungle" from becoming the prevailing law dealing with nuclear weapons.

b) **a single multilateral treaty totally prohibiting all nuclear weapons.** Such an international instrument should have been negotiated, like other multilateral disarmament treaties, at the Conference on Disarmament in Geneva, supposedly "the single multilateral disarmament forum" dealing with disarmament issues. No consensus has ever reached at the CD to negotiate a full fledged nuclear disarmament treaty. This explains the drive by the international community to seek an alternative path based not on the consensus rule but rather on the majority rule. Three preliminary conferences were called to establish the conceptual premises of the multilateral conference which took place under the auspices of the UN General Assembly to negotiate a "Treaty on the Prohibition of Nuclear Weapons" (TPNW) in 2017.

3) Compatibility/ incompatibility between the TPNW and the NPT.

Despite the fact that the TPNW recognizes the "vital role of the NPT", some of its provisions seem to be incompatible with the NPT. The main problem that may emerge is that NPT countries having ratified the TPNW might, in the future, no longer legally recognize the nuclear status of the 5 NPT Nuclear weapon States (N5). Also, nuclear stationing, which is tolerated by the NPT, is now explicitly forbidden by the

TPNW. TPNW countries might challenge more strongly than in the past, the stationing of nuclear weapons in non nuclear weapons states' territory. These discrepancies will probably emerge during the present NPT review process and in particular at the 2020 Review Conference. They may further deepen the divisions already existing among NPT member states and make it even harder to reach a final consensual document.