



NEW ZEALAND
FOREIGN AFFAIRS & TRADE
Manatū Aorere

2023

New Zealand Disarmament Strategy



Why a disarmament strategy?

Aotearoa New Zealand has long been active on disarmament and non-proliferation issues, often playing a leadership role in the region and globally. Through this work we have sought to achieve a safer and more secure world, free from nuclear weapons and other weapons of mass destruction, where international humanitarian law is respected and civilians in conflict zones are protected from harm.

Our work has served Aotearoa New Zealand's national interest and made a contribution to the global public good. Our principled approach to disarmament and non-proliferation issues is well respected internationally and is a practical demonstration of our independent foreign policy. It aligns with our values, including the role we play as kaitiaki (protectors and stewards of our intergenerational well-being) in the interests of our global whanaunga (connectedness or shared sense of humanity).

Although disarmament is never easy, the current global context is challenging. Russia's invasion of Ukraine is a direct challenge to the international rules-based order, including fundamental principles of international law, and risks provoking the further entrenchment of nuclear deterrence and the escalation a new arms race. Important and long-standing disarmament frameworks including the Intermediate Nuclear Forces Treaty have collapsed, and others such as New START are at a critical juncture.

Russia's decision to block an outcome at the 2022 Nuclear Non-Proliferation Treaty (NPT) Review Conference has put further stress on the NPT, which was already under pressure given the ongoing modernisation and expansion by the nuclear weapon states of their nuclear arsenals, the extension of nuclear alliances, and major proliferation challenges. Russia and Syria have used chemical weapons, obstruct all accountability efforts and seek to undermine the international architecture dedicated to their elimination. Recent conflicts have seen flagrant violations of international humanitarian law, with devastating and long-term consequences for civilians. The prospect of conflict in outer space, and of the development and use of weapons not controlled by humans, are additional complex challenges.

Disarmament and non-proliferation must continue to compete for necessary resources and political attention with other important global challenges such as the COVID-19 pandemic and climate change. At the same time, global tensions have compounded the divisions and inefficiencies of key disarmament fora just when they are needed most. With the exception of the successful first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW) in June 2022, and the conclusion of negotiations on the Political Declaration on Explosive Weapons in Populated Areas, there has been little to celebrate in recent months.

While acknowledging this difficult environment, Aotearoa New Zealand remains steadfast in its view that forward movement on disarmament is not conditional on an improved international situation but can contribute to its achievement. Indeed, the current environment makes progress on disarmament even more imperative. The Government has been clear that the legacy of Russia's invasion of Ukraine must not be an escalating arms race but a renewed effort in support of peace and of the international rules-based order, and has identified nuclear

disarmament as a multilateral priority. Given the volume of challenges ahead and the resource constraints we face, however, there is a need to remain deliberate about where we put our effort. The continued need for a disarmament strategy is clear.

This updated strategy draws on our existing reputation, experience and relationships to continue pursuing long-standing objectives, while also recognising the need to look further afield – and to the future – to ensure we take advantage of new opportunities and are ready for new challenges. It identifies our priority objectives for 2023, the context in which we are pursuing them, and the means through which we aim to achieve them.

Nuclear disarmament and non-proliferation

What is the issue?

Eliminating nuclear weapons is the most urgent item on the international disarmament agenda and is our top disarmament priority. The entry into force of the TPNW in January 2021, and the outcomes of its first Meeting of States Parties in June 2022, injected some much-needed optimism and momentum into nuclear disarmament efforts and has refocused political attention on the need for further progress. It provides the legal framing for a world free of nuclear weapons and represents a necessary step on the pathway towards their abolition. But the Treaty does not enjoy universal support, and continues to face opposition or scepticism by all the nuclear weapon states and those who remain reliant on nuclear weapons for their security.

Reductions in global nuclear arsenals have slowed – and in some cases reversed – in recent years, with estimated stocks continuing to hover around 13,400 (the vast majority of which are held by the US and Russia). Modernisation programmes continue, and nuclear weapons remain a central aspect of the military doctrines of nuclear weapon states and their allies. The risks of a nuclear detonation, whether by accident, miscalculation or design, continue to grow. The catastrophic humanitarian consequences of any use of nuclear weapons are well known, and were the subject of focused attention at the Vienna Conference on the Humanitarian Impact of Nuclear Weapons in June 2022, and a statement at the NPT Review Conference supported by 144 states.

Trust and confidence within and between nuclear weapon states and non-nuclear weapon states is in deficit, with concerns growing that those with nuclear weapons never intend to fulfil the grand bargain enshrined in the NPT and relinquish them. Russia's decision to block consensus at the 2022 NPT Review Conference, and the low ambition outcome that was on offer even if it had been adopted, has not restored any confidence. The NPT also continues to face serious proliferation challenges from Iran and North Korea, and as a result of the ongoing absence of India, Pakistan, and Israel.

All the while, the effects of nuclear testing continue to be felt, generations later, in the Pacific and other regions. At the request of leaders, the Pacific Island Forum (PIF) launched work in 2019 to focus attention on the issue, and to draw together the information and resources

needed to try and address the legacy of historical testing in the region. The importance of these issues for the Pacific has been reiterated at recent meetings of PIF Leaders, and of parties to the Treaty of Rarotonga, the TPNW, and the NPT.

Why do we care and what can we do?

Our ongoing prioritisation of nuclear disarmament is a continuation of Aotearoa New Zealand's historical leadership role in this area, borne out of the New Zealand public's horror at the use of the Pacific as a nuclear testing ground and their clear rejection of nuclear weapons as unlawful and illegitimate. It reflects our firm belief that the elimination of nuclear weapons is the only way to address their risks and catastrophic humanitarian consequences, and underpins our support for a broad range of initiatives – both in law and policy – determined to achieve this result.

The content and consistency of Aotearoa New Zealand's approach to both nuclear disarmament and non-proliferation is one of our biggest assets, providing clear evidence of our belief that nuclear weapons should be abolished for *all* states and not just some. This reputation, and our decades of advocacy, diplomacy and negotiation on nuclear disarmament and non-proliferation, have enabled us to build up deep knowledge of the issues as well as an extensive network of partner states, international organisations and civil society groups who share our commitment and aspirations. Importantly, the New Zealand public remains strident in its opposition to nuclear weapons and takes pride in the Government's ongoing advocacy on this issue.

Against this backdrop, we will pursue four major nuclear disarmament and non-proliferation objectives in 2023, focusing attention on the following activities:

- **OBJECTIVE ONE:** Play an active role in implementing the Vienna Action Plan, agreed at the first Meeting of States Parties to the TPNW:
 - As co-chair of the workstream on verification with Mexico, lead inter-sessional efforts to progress implementation of Article 4 of the TPNW ahead of the second Meeting of States Parties in 2023;
 - Continue to work with partner states and civil society to promote uptake of the TPNW, and to encourage implementation of Articles 6 and 7 on positive obligations.

➤ **OBJECTIVE TWO:** Engage in the new review cycle of the NPT to promote both the urgent implementation of existing nuclear disarmament commitments and increased accountability for the nuclear weapon states:

- Work with our New Agenda Coalition and other likeminded partners, and with civil society, to pursue concrete nuclear disarmament outcomes over the course of the current NPT review cycle;
- Develop initiatives to increase transparency and accountability of the nuclear weapon states to implement their nuclear disarmament-related obligations and commitments.

➤ **OBJECTIVE THREE:** Achieve progress on nuclear legacy issues in the Pacific, supporting the work of the Pacific Island Forum Secretariat and other regional initiatives:

- Support efforts to raise the profile of Pacific nuclear legacy issues, including through the PIFS Task Force, engaging with the International Atomic Energy Agency (IAEA) and relevant states to identify and achieve key outcomes.

➤ **OBJECTIVE FOUR:** Support the IAEA in the implementation of its critical mandates on nuclear safeguards, safety and security:

- Support efforts to address major nuclear non-proliferation challenges and to strengthen the nuclear safeguards system;
- Support the IAEA's central role in addressing nuclear safety and security issues, including in Ukraine and the Pacific region.

Strengthening international humanitarian law

What is the issue?

While the strategic and security implications of our weapons policies are critical factors to be taken into account, humanitarian considerations are at the heart of Aotearoa New Zealand's approach to disarmament. It is no surprise, then, that we place such significant value on upholding, and where necessary, strengthening international humanitarian law (IHL) – the body of international law that restricts and regulates the means and methods of warfare available to combatants in order to limit the effects of armed conflict and protect civilians.

It is clear that the biggest challenge to IHL is a lack of respect for it. Recent conflicts including Russia's invasion of Ukraine provide overwhelming evidence of blatant violations of IHL; ratifications of key IHL treaties have slowed and implementation is patchy; and states have

been slow to respond to technological and other developments in a way that ensures IHL remains responsive to new challenges.

Why do we care and what can we do?

Aotearoa New Zealand is deeply concerned about the ongoing use of prohibited weapons, including chemical weapons, as well as the prohibited use of otherwise lawful weapons. We are also keen to help increase the rate of ratification and national implementation of a number of disarmament treaties that form an important part of IHL.

New Zealand has long been a champion of IHL and has played an active part in the development of several major conventional arms initiatives, including on the Convention on Cluster Munitions (CCM) and the Arms Trade Treaty (ATT). We have a history of working closely and constructively with international partners and organisations, and with civil society at home and abroad, to contribute to the strengthening of IHL. Drawing on this experience, we will prioritise the following activities alongside our regular engagement in conventional weapons treaties, including as national implementation measures coordinator within the CCM:

- **OBJECTIVE FIVE:** Promote uptake and implementation of the Political Declaration on Explosive Weapons in Populated Areas:
 - Promote uptake of the Political Declaration, in particular in the Indo-Pacific region, and play an active role in the follow-up process to maintain momentum and ensure implementation.
- **OBJECTIVE SIX:** Contribute to a successful Review Conference of the States Parties to the Chemical Weapons Convention in May 2023, which preserves and strengthens the global norm against the use of chemical weapons:
 - Engage alongside likeminded states and civil society partners to support a meaningful outcome at the CWC Review Conference.

Shape the future: Outer space and autonomous weapons

What is the issue?

As the benefits flowing from space increase, there is growing competition amongst space actors to accrue those benefits, and growing evidence of irresponsible state behaviour in space designed to place select space systems at risk. It is clear that the greater competition brings with it challenges to the sustainable and peaceful use of outer space. Disruption to space-based systems could have severe, and far-reaching consequences on Earth. Further, the rapid increase in the number of state and non-state actors in space raises the risk of misunderstandings or miscalculations that may have severe consequences on states and their populations.

There is an urgent need for the continuation and acceleration of inclusive and transparent multilateral engagement on addressing threats and risks in space, and for related New Zealand policy, including on responsible behaviours and issues pertaining to space weaponisation.

At the same time, there is increasing awareness of the legal, political and ethical implications of autonomous weapons systems (AWS) where decisions to kill could be made without human control or involvement. The development of autonomous technologies, including those linked to artificial intelligence, is outpacing government policy and regulation, and there is a need to ensure that the development and deployment of any such weapons systems complies with IHL and is ethically acceptable. Building on the adoption of Aotearoa New Zealand's domestic policy on this issue, and reflecting the stalemate of existing multilateral fora on this issue, New Zealand needs to continue its active engagement in efforts to urgently progress national and international efforts to prohibit and regulate AWS.

Why do we care and what can we do?

Like many countries, Aotearoa New Zealand is growing increasingly dependent on space technologies. We already depend on space-based infrastructure to support our daily lives and to help us tackle other challenges more effectively, such as climate change, illegal fishing, or disaster response. An existing regulatory system governs New Zealand's domestic approach to space launches and the payloads they can deliver. These regulations uphold our existing domestic and international legal obligations while supporting our vibrant and growing space industry.

As we have done for other aspects of space use, New Zealand must also address the complexities surrounding the militarisation and weaponisation of space. Navigating these issues is unquestionably important for New Zealand but is challenging and complex. Any new national policy will need to consider the interests of numerous stakeholders, including government agencies, commercial actors, the defence force and civil society. Developing policy at the national level will be important, but it is not enough. Space is a great commons, and it will take a multilateral approach to protect it for the future.

As one of only 11 countries with space launch capabilities, New Zealand has an opportunity to show leadership in the development of new norms and rules around the use of outer space. We are well placed to draw on our previous experience on disarmament issues, and our constructive engagement in the elaboration of new norms (for example on cyber security), to ensure that the governing international framework for outer space activities is fit for purpose.

With respect to AWS, New Zealand adopted a national policy in November 2021 which committed us to the pursuit of new legally-binding measures to prohibit and regulate such systems, while also supporting interim measures that help move consideration of this issue forward. We have subsequently engaged in the multilateral process under way within the Convention on Certain Conventional Weapons in Geneva, and are deeply disappointed that it has failed to deliver concrete results.

Drawing on national and international expertise on these issues, and ensuring that a diversity of voices are heard, our work will focus on the following priorities:

- **OBJECTIVE SEVEN:** Develop a national policy on responsible behaviours in space and related issues:
 - Develop a robust national policy on space security issues, drawing on existing expertise and perspectives and taking into account New Zealand's broad range of interests in space;
 - Engage actively in multilateral processes aimed at achieving international agreement on responsible behaviours in space and on other normative and legislative frameworks to ensure the safe, secure, sustainable and peaceful use of outer space.
- **OBJECTIVE EIGHT:** Continue to elaborate New Zealand's national policy on AWS and collaborate with international partners to progress effective multilateral efforts to prohibit and regulate them:
 - Ensure New Zealand's national policy on AWS remains fit for purpose by evolving positions as required, including through collaboration with domestic stakeholders and with bilateral and civil society partners;
 - Recognising the evident limitations of the CCW, and consistent with our national policy, continue to lay the foundation with likeminded partners for multilateral negotiations on AWS in other effective fora.

How will we achieve our strategy?

A foundation of Aotearoa New Zealand's approach to disarmament is that it is only through mahi tahi (working together) and kotahitanga (unity or shared aspiration) that we can make the world safer for everyone.

Domestic outreach will be central to our work. This strategy represents a commitment by the Government to continue to work closely with key national stakeholders including civil society, academia, think tanks and the public to ensure we involve and reflect diverse perspectives. We will ensure that Māori views are taken into account and that we consider disarmament issues through a gender lens. Our engagement will also include young people, given the profound importance of this issue to future generations.

Aotearoa New Zealand's stance on disarmament forms a critical part of our multilateral engagement and an important element of our international profile. New Zealand has always been a champion for the international rules based order and this will be more important than ever as we respond to the particular security challenges of the 21st century.

As we have done in the past, we will work closely with partner governments and international organisations, drawing on our decades of experience to play a meaningful role in the elaboration and implementation of global norms and rules. We aim to be a creative,

constructive and credible contributor on both long-standing and emerging disarmament issues, drawing on our traditional disarmament partners and striving to build new relationships. Our collaborative approach is one of the key sources of our success in disarmament and will remain central to our work.

Staying on track

This strategy will guide Aotearoa New Zealand's work in 2023, and will provide the basis for regular reporting back to the Minister of Disarmament and Arms Control. It may be updated as new opportunities and/or challenges unfold, and in consultation with the Minister.