



# The UN Nuclear Weapons Ban Treaty Obligations, opportunities and Next Steps



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# Extinction Threats: Nuclear weapons and climate destruction



Whether through fossil-fuelled **greed** and **planetary overheating** or nuclear **war, mass murder**, radiation and planetary freezing, humanity faces **extinction** if we do not pull back from the insane **military-industrial dominance** of our lives and economies

## **Imperative to ban and eliminate nuclear weapons? What the TPNW says:**

***"Cognizant that the catastrophic consequences of nuclear weapons cannot be adequately addressed, transcend national borders, pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security and the health of current and future generations, and have a disproportionate impact on women and girls, including as a result of ionizing radiation..."***

Preambular paragraph 4, Treaty on the Prohibition of Nuclear Weapons,

<https://undocs.org/A/CONF.229/2017/8> ]



**The TPNW entered into international legal force on 22 January 2021**

**NOW: 86 Signatories  
61 States Parties (18.6.2022)**

## **THE BAN IS THE PLAN**

**Who needs to do what?**

**What will take the abolition of nuclear weapons forward and what will harm world security?**



**BE WHO YOU ARE AND  
SPEAK TRUTH TO POWER**

**INTERGENERATIONAL  
EVIDENCE-BASED  
STRATEGIES**

**COMMITMENT,  
PERSEVERENCE,  
CREATIVITY AND  
RESILIENCE**

**Setsuko Thurlow  
Hibakusha, 13 years old  
in Aug 1945 in Hiroshima  
Speaking for ICAN during the  
2017 negotiations in the UN GA**

**NEVER GIVE  
UP!**

**LET GO, LISTEN MORE, AND  
USE WHATEVER DOESN'T  
HARM OR UNDERMINE THE  
VULNERABLE**

# TPNW Article 1 Prohibitions

1. Each State Party undertakes never under any circumstances to:

(a) Develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;

(b) Transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly or indirectly;



## **TPNW Article 1 Prohibitions [continued]**

- (c) Receive the transfer of or control over nuclear weapons or other nuclear explosive devices directly or indirectly;
- (d) Use or threaten to use nuclear weapons or other nuclear explosive devices;
- (e) Assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Treaty;
- (f) Seek or receive any assistance, in any way, from anyone to engage in any activity prohibited to a State Party under this Treaty;
- (g) Allow any stationing, installation or deployment of any nuclear weapons or other nuclear explosive devices in its territory or at any place under its jurisdiction or control.

# TPNW Articles 2-5: Towards the total elimination of nuclear weapons

- a) **Sign and eliminate** by negotiating with TPNW states parties a timetable, requirements and conditions for elimination; or
- b) **Eliminate and then join** (South Africa/NPT/1992)
  - => remove weapons from operational deployment
  - => safeguards requirements

**Meetings of states parties and responsibilities**  
=> decide/establish **rules and institutions**, such as competent international authority, verification and enforcement mechanisms, reviews etc...



# TPNW Article 6: positive obligations on victim assistance and environmental remediation

**The TPNW is the first nuclear treaty to put victim assistance and environmental remediation into its obligations**

Article 6 requires states that have been affected by the use or testing of nuclear weapons to assist the survivors, recognising the importance of 'age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support'.

Article 6 also addresses environmental remediation, and requires that states parties that have been contaminated by nuclear testing or use must take "necessary and appropriate measures" to remediate – i.e. clean up and restore – the environment.



# TPNW Article 7: International Cooperation and Assistance

Article 7 enshrines the **right to seek and receive assistance** from others, plus

→ **legal obligation on states parties that used or tested nuclear weapons/devices to provide 'adequate assistance' to take forward assisting victims and remediating affected environments.**

**TPNW**

→ **legal obligation on all states parties to cooperate with each other in facilitating the implementation of the TPNW.**

Assistance may be technical, material, humanitarian and financial, and shall be provided by states parties 'in a position to do so', bilaterally and/or through the UN system and/or various international organisations or NGOs.

# TPNW Entry into force means IMPLEMENTING

## → Legal and normative

- Nuclear weapons are illegal under International Humanitarian Law since TPNW entered into force on 22 January 2021.

## → Post EIF Campaigning

- TPNW universalisation – increase states parties and signatories
- Practical steps to implement and promote treaty's humanitarian aims, stigmatise, ban and eliminate nuclear weapons + their support systems e.g. divestment (+ Don't Bank on the Bomb), ICAN Cities Appeals (Nuclear Ban Communities), faith leaders and communities, unions, parliamentations, scientists, medics, activists...

# How do we implement?

Some **but not all** long-advocated steps that have been on anti-nuclear agendas for decades are compatible with the TPNW...

→NFU (no first use) calls – **problematic**: WHY?

TPNW bans all nuclear use because even one bomb causes humanitarian suffering. Of course we don't want anyone to use nuclear weapons first, and should clearly demand no use. But if nuclear-armed states agree to 'declare' NFU it would only be to justify nuclear arsenals and retaliatory/second and further nuclear strikes. Don't waste energy

→**De-alerting and reducing NW to zero – YES!** Encourage these steps which can be delivered unilaterally, bilaterally or plurilaterally.

→**No use of nuclear weapons – YES: in TPNW so reinforce.**

→**No military attacks on nuclear facilities – YES, could be negotiated**

→**Legally binding 'negative' and 'positive' SECURITY ASSURANCES are universally applicable through the TPNW – so reinforce.**

→**Victim assistance and environmental remediation- YES, reinforce using the TPNW.**

# **How do we make sure?**

**PAY ATTENTION** to the **EVIDENCE** and what survivors say they need, and get your governments to take responsibility and **ACT**

**Grassroots actions – put pressure on governments and elected reps**

**Parliamentary pledges and actions**

**Cities Appeals – commitments and actions**

**Divestments: Use TPNW to defund nuclear weapons + fossil fuels**

# Campaign for NW elimination

- **Use TPNW** to increase pressures on nuclear armed and nuclear endorsing (host, umbrella, complicit) states to eliminate NWs from bases and policies and build non-nuclear security + peace
- **Build on different initiatives with elected and civic entities** to adopt motions to support the TPNW and then to IMPLEMENT
- Increase practical engagement with **parliamentarians**, not just to sign ICAN Pledge for the TPNW but **to push for Treaty up-take and implementation at all levels**
- Persuade **banks, universities, companies, religious funds, unions** etc... to divest and distance themselves from nuclear weapons production, funding etc (e.g. Don't bank on the Bomb, Move the money etc.)



# For universality of TPNW and sustainable security

- Keep up pressure for more signatures and ratifications to strengthen TPNW effectiveness, authority and credibility
- Reframe security -- focus on human and environmental security, humanitarian impacts of nuclear weapons, tackling real threats e.g. climate destruction, pandemics, violent extremists... and preventing nuclear war and future threats (new pandemics, cyber, AI and autonomous weapons, space weapons...)
- Be strategic – mobilise key actors to support and implement TPNW in government, among elected reps, scientists, health, and military professionals, academia, law... as well as public
- Work together on climate, human rights, racial and sexual rights and justice, human security, peace and global health campaigns

# Additional Legal Issues

- The TPNW outlaws nuclear weapons under International Law and creates political-normative pressures
- But as with all treaties, States that do not sign are not legally bound to comply (but normative pressures build over time, increasing incentives to sign)
- TPNW prohibitions and provisions bind all states parties and extend to their citizens and companies via national implementation measures and Article 1.1 (e) not to “assist, encourage or induce... *anyone* to engage in any activity prohibited to a State Party...” (This applies to individuals and companies.)





**KEEP REMINDING: nuclear weapons are inhumane, unacceptable, unlawful, immoral, risky, dangerous, foolish... and now illegal**

**BANNED BECAUSE:**

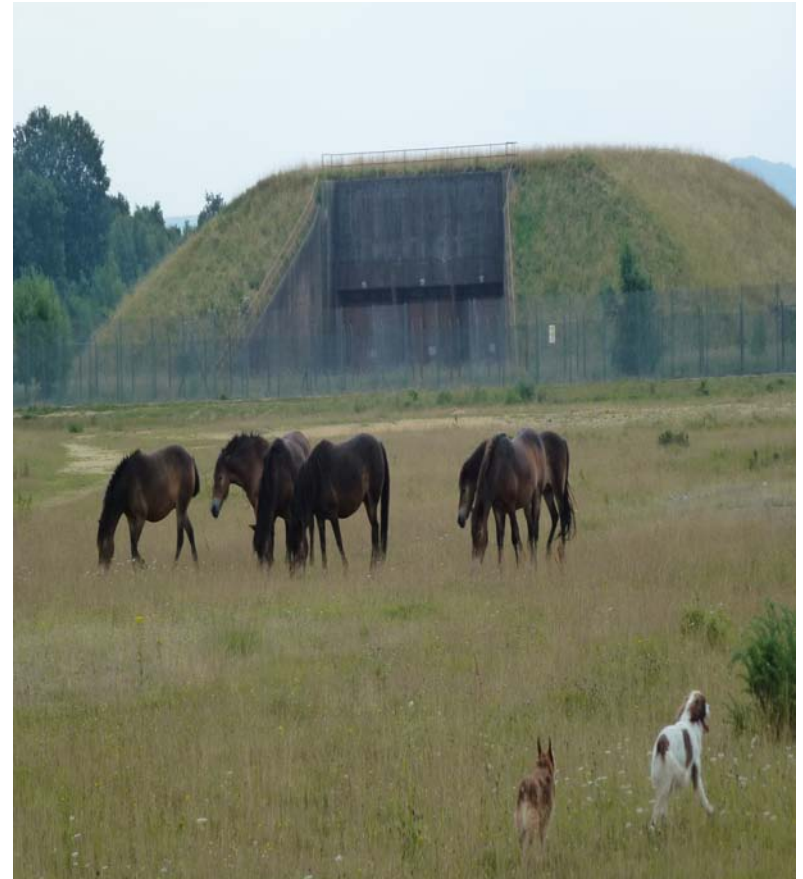
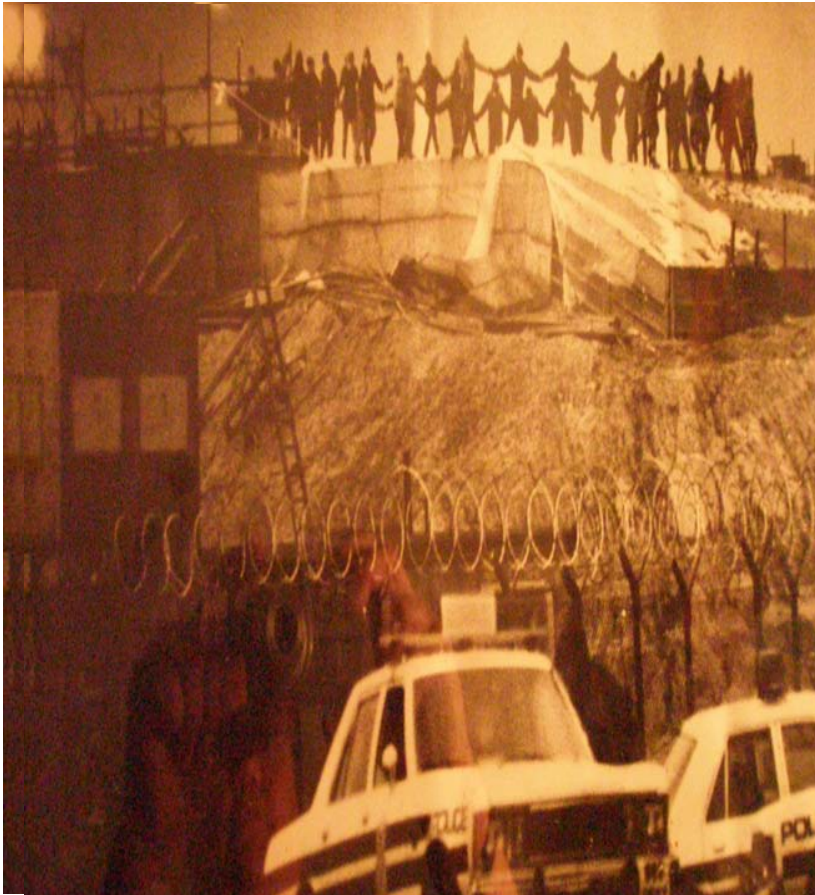
- Indiscriminate mass annihilation, mostly civilian
- Shortened decision time, heightened risk of mistakes leading to nuclear war
- Large numbers of lives incinerated instantly near the targets – cities – massive environmental damage
- Radiation as a silent contaminator, torturer and killer, damaging genes and future generations,
- Environmental catastrophe + nuclear winter and famine after multiple NW use, climate disruption, starvation

- **Treaties work not by coercion but by persuading** that the benefits of compliance outweigh costs
- **Collective responsibility is normal for all laws to work (domestic as well as international laws)**
- **No more excuses or hiding behind NPT** – TPNW is legally consistent with NPT (esp preamble + Arts I, II, III, VI, VII)
- **TPNW is now the baseline for nuclear disarmament** and has important role to tackle nuclear-armed states and regional flashpoints – Europe-Russia+Ukraine war; North-east Asia, South Asia, Middle East
- Previous examples **when states that haven't signed the relevant treaty but are still held accountable and change their behaviour to comply with that treaty: France/PTBT; North Korea/CTBT; Syria/CWC...**)

# **Framing our actions to implement nuclear disarmament, note these key parts of the TPNW preamble:**

- **Catastrophic humanitarian consequences of nuclear use and war**
- **The experience, rights and needs of survivors of nuclear use, testing (and production)**
- **Disproportionate impacts on women, girls and indigenous peoples**
- **Recognising women's rights and abilities and ensuring equal participation to attain nuclear disarmament, sustainable peace and security**
- **Role of international organisations and civil society**
- **Peace, human security and disarmament education**

# From Protest to Ban



USAF/RAF Greenham Common: Women occupy nuclear weapons bunkers 'silos action' on New Year's Day 1983; and in 2000, several years after the 1987 Intermediate-range Nuclear Forces (INF) Treaty banned and eliminated nuclear-armed cruise missiles from Europe.

## RESOURCES

# NUCLEAR WEAPONS ARE BANNED! WHAT DOES THIS MEAN FOR BRITAIN?

Rebecca Eleanor Johnson

<https://www.nuclearban.scot/nuclear-weapons-are-banned-what-does-this-mean-for-britain-report-by-dr-rebecca-johnson-published/>

Detailed commentary on TPNW articles, plus challenges and necessities for nuclear-armed and dependent states

**ALSO:**

[https://documents.unoda.org/wp-content/uploads/2022/06/TPNW.MSP\\_2022.NGO\\_33.pdf](https://documents.unoda.org/wp-content/uploads/2022/06/TPNW.MSP_2022.NGO_33.pdf)

AIDD'S 1MSP working paper on 'Ways to strengthen international security and pursue nuclear disarmament using the TPNW