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NYCAN marches in Extinction Rebellion protest in NYC, 2022. Photo © Ken Lopez

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Disarming the Debates About “Realism” Through Real Action

Ray Acheson | Women’s International League for Peace and Freedom

On the second day of the First Meeting of States Parties (1MSP) to the Treaty on the Prohibition of Nuclear Weapons (TPNW), participants concluded the general exchange of views in the morning before turning to discussions about the working papers and possible action plan items related to specific articles of the treaty. The seriousness and determination of TPNW supporters to turn the goals of the treaty into reality was well-reflected in these discussions. Their interventions about advancing the treaty’s implementation stood in sharp contrast to those of some of the so-called TPNW skeptics, which focused instead on what they see as the treaty’s shortcomings. However, even among this group, perspectives on the treaty vary widely, and for some are clearly in flux.

1MSP held discussions on several of the treaty’s articles today, including article 12 (universalisation), article 4 (deadlines for disarmament and institutional mechanisms), articles 6 and 7 (victim assistance, environmental remediation, and international cooperation), and article 5 (national implementation measures). As the reports in this edition show in more detail, participants in these discussions largely focused on the working papers provided by co-facilitators and on decisions proposed for the draft action plan.

States parties adopted some decisions today already, most notably the deadline for the destruction of nuclear weapon programmes. Based on research from Princeton University’s Program on Science and Global Security and other expert advice drawn from those engaged with other disarmament treaties, 1MSP decided upon a ten-year deadline with a possible five-year extension. States parties also shared ideas to advance universalisation of the TPNW, as well as to establish a trust fund and needs-assessment mechanisms in relation to the positive obligations.

Within these discussions, the cooperative spirit of those wanting to work together to make real change was clear. It stood in sharp contrast to the painful and exhausting process of negotiating action plans—or even agendas—in other nuclear disarmament forums.

Yet, despite this overwhelmingly constructive atmosphere, media attention in the room seemed to be directed exclusively toward the nuclear-armed state allies that have not yet signed or ratified the treaty. A scrum of cameras formed around the German delegation as it delivered its remarks, suggesting that of all the states participating in 1MSP, it was the most important.

That said, Germany’s statement was refreshingly conciliatory. Given the years of active hostility towards the TPNW from North Atlantic Treaty Organisation (NATO) states, Germany’s acknowledgement that TPNW supporters and skeptics can “work shoulder to shoulder” to ensure nuclear arsenal reductions and the maintenance of strong norms against proliferation and nuclear weapon use was welcome. Germany also said that it “fully shares the goal of achieving a world free of nuclear weapons and we recognize the motives and the engagement of TPNW States Parties in this regard. We especially value the humanitarian perspective put forward.”

This is still a far cry from acknowledging the imperative of nuclear abolition, or the TPNW’s obvious role in achieving that goal. But Germany clearly recognised that the NPT is under strain as stockpile reductions stall and nuclear doctrines remain stagnant. This perhaps signals its understanding that the current architecture—which was primarily built by the nuclear-armed states to suit their interests—is not working to achieve and maintain international peace and security.

In addition to Germany, Netherlands, **Norway**, **Sweden**, and **Switzerland** also spoke. Each of the three NATO members reiterated the claim that as long as nuclear weapons exist, NATO will remain a nuclear alliance. Norway asserted that joining the TPNW would be incompatible with its NATO obligations—a belief that has been **found to be incorrect** by many experts—and said it “stands fully behind NATO’s nuclear posture.”

Sweden critiqued the TPNW because it “does not include any of the countries that possess nuclear weapons, which we do not see as a realistic or effective way forward.” Of course, this is not a flaw in the TPNW. Rather, this speaks to the flaw of the policies of those possessing nuclear weapons: they speak of disarmament but play a game of domination. To say that a treaty prohibiting nuclear weapons and working for justice for survivors is problematic because states that have committed grave nuclear violence won’t join it is like critiquing laws against domestic violence because abusers refuse to abide by it. Rather than ridiculing the victims or saying that those who are trying to create a framework for change are being unrealistic, allies of the nuclear-armed states should instead work to build pressure to hold their friends to account for their violations of law and morality and bring them into the normative and legal fold.

Instead, Norway, Sweden, and Netherlands focused their remarks on strengthening the nuclear Non-Proliferation Treaty (NPT), and on calling for the development of other treaties that have been under consideration to no avail for decades. Netherlands and Sweden also raised concerns about the compatibility of the TPNW with the NPT. Switzerland, on the other hand, “welcomed the various statements to the effect that the purpose of the TPNW is to contribute to the implementation of the NPT provisions, in particular its Article VI.” It also said it is “convinced that efforts within the framework of the TPNW can complement those undertaken within the NPT,” and highlighted the TPNW’s provisions on assistance to victims and environmental remediation as areas where synergies may be realised. It also said it would be undertaking another assessment about whether to join the TPNW.

This constructive approach is what’s needed as TPNW states are advancing the treaty’s implementation, especially in this moment when some states with nuclear weapons are actively threatening to use them and when all have doctrines envisioning and planning for their use. Nuclear weapons have already created what Association 193 described as a “poisoned heritage”—a heritage, an ICAN France representative said, that consists of “a lottery where the prizes are radiation-exposure diseases.” For all their talk of sharing concerns about the humanitarian impact of nuclear weapons and the goal of nuclear disarmament, some of the nuclear-allied states participating in 1MSP do not seem to be willing to undertake the hard but necessary stand against the bomb.

After watching so many TPNW states parties and signatories, as well as affected communities and other civil society groups, deliver powerful statements highlighting the determination of those who prioritise peace and justice over nuclear violence, it was frustrating to see the disproportionate attention paid to non-state parties today. Of course, in an attempt to share this frustration, this editorial has also spent a disproportionate amount of time on their statements! But that is easily overcome by the extensive reporting on the meaningful conversations in the article-by-article reports in this edition.

The bottom line is that it’s great that NATO members and other nuclear-supportive states are participating at 1MSP as observers, but any state that says it abhors Russia’s invasion of Ukraine or threats from other nuclear-armed states, or are concerned with the humanitarian impacts of nuclear weapons, should join the work to fulfill the promises of the TPNW, not critique it in defence of nuclear-armed state policy. This meeting, this treaty, is a chance to change the world. We should all do our utmost to seize this chance.

For details of books, journal articles, NGO reports, and workshop and conference videos on the humanitarian initiative and the TPNW, please visit this database curated by Dr Nick Ritchie, University of York, UK at <https://tinyurl.com/TPNWdatabase>.

The Commonwealth and the TPNW

Dr. Nick Ritchie | University of York, UK

Right now, the 54 members of the Commonwealth are meeting in Kigali, Rwanda, for the first Commonwealth Heads of Government Meeting, or CHOGM, since 2018. Its membership includes three nuclear-armed states (UK, India, and Pakistan), two nuclear alliance states (Canada and Australia), and 46 states that are members of the Raratonga, Pelindaba, Bangkok, or Tlatelolco nuclear weapon-free zone.

The majority of Commonwealth states support the Treaty on the Prohibition of Nuclear Weapons (TPNW). 40 voted in support of the treaty at its negotiating conference in 2017, 28 have ratified the treaty, and another six have signed it. Moreover, it includes states directly **affected** by nuclear testing and fallout such as Kiribati, Samoa, and Tuvalu and some of the champions of the TPNW like South Africa, New Zealand, and Malaysia.

Yet nuclear disarmament hardly ever features on CHOGM agendas or in the outcome documents of its biennial meetings. These documents take the form of a communiqué or a more substantive **Declaration**, but the last time a CHOGM Declaration said anything substantive about nuclear disarmament was at the height of the Cold War in the early 1980s. The outcome document of the 1983 CHOGM, “The Goa Declaration on International Security,” hosted by India under the leadership of Indira Gandhi, called for serious progress on nuclear disarmament and an end to the arms race. The “Nassau Declaration on World Order” issued at the subsequent CHOGM in 1985 in the Bahamas stated that “the nuclear menace imperils all peoples and nations and the very survival of our human species.” It called for a framework of collective security, reversing the arms race, and eliminating nuclear weapons.

CHOGM communiqués have referenced disarmament more recently. Disarmament was a significant issue at the CHOGM in Auckland in 1995 because of renewed nuclear testing in the Pacific. The **communiqué** emphasised

“the importance of the determined pursuit by the nuclear weapon states of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons.” It noted “the widespread anger caused by the current programmes of nuclear weapon tests” and urged the immediate cessation of nuclear testing and the urgency of completing the negotiation of the Comprehensive Test Ban Treaty. Since then, only the “**Trinidad and Tobago Affirmation of Commonwealth Values and Principles**” in 2009 has said anything about nuclear disarmament, noting “the threats posed by weapons of mass destruction, especially nuclear weapons, and reaffirm[ing] their commitment towards ridding the world of these weapons.”

Yet the **Commonwealth Charter** agreed in 2012 says, “We support international efforts for peace and disarmament at the United Nations and other multilateral institutions” and recognises “the important role that civil society plays in our communities and countries as partners in promoting and supporting Commonwealth values and principles”. The Charter builds on “The Declaration of Commonwealth Principles” agreed in 1971 in Singapore, which says:

International co-operation is essential to remove the causes of war, promote tolerance, combat injustice, and secure development among the peoples of the world; we are convinced that the Commonwealth is one of the most fruitful associations for these purposes ... a constructive example of the multi-national approach which is vital to peace and progress in the modern world.

The **website** for the current CHOGM in Rwanda states that “It aims to reinforce multilateral cooperation, explore new opportunities, and tackle common challenges for the well-being of future generations.”

All of this aligns so closely with the drivers of the humanitarian initiative on nuclear weapons and the TPNW that their absence in this forum is

striking given its membership. The International Campaign to Abolish Nuclear Weapons (ICAN) recently set out a number of **steps** that states parties can take to fulfil their obligations under Article 12 of the TPNW to “encourage States not party to this Treaty to sign, ratify, accept, approve or accede to the Treaty, with the goal of universal adherence of all States to the Treaty.” This includes advocating “for the inclusion of a call for states to join the TPNW in resolutions and communiqués issued by regional and subregional organisations.” A CHOGM is precisely the sort of place where the TPNW should be raised: a

global forum where nuclear-armed states and nuclear alliance states meet with non-nuclear-armed states from across the world’s continents and oceans and with a majority in support of the treaty.

I urge Commonwealth states to put the TPNW on the agenda of future CHOGMs, to encourage those members that have not signed and ratified the treaty to do so, and to impress upon the Commonwealth’s nuclear-armed states the importance of their constructive engagement with the TPNW.

State	TPNW status	2017 TPNW vote	Nuclear status
Antigua and Barbuda	Ratified	Yes	Tlatelolco NWFZ
Australia	Not signed	No	Raratonga NWFZ, Nuclear alliance
Bahamas	Not signed	Yes	Tlatelolco NWFZ
Bangladesh	Ratified	Yes	
Barbados	Not signed	No	Tlatelolco NWFZ
Belize	Ratified	Yes	Tlatelolco NWFZ
Botswana	Ratified	Yes	Pelindaba NWFZ
Brunei	Signed	Yes	Bangkok NWFZ
Cameroon	Not signed	No	Pelindaba NWFZ
Canada	Not signed	No	Nuclear alliance
Cyprus	Not signed	Yes	
Dominica	Ratified	No	Tlatelolco NWFZ
Fiji	Ratified	Yes	Raratonga NWFZ
Gambia	Ratified	Yes	Pelindaba NWFZ
Ghana	Signed	Yes	Pelindaba NWFZ
Grenada	Ratified	Yes	Tlatelolco NWFZ
Guyana	Ratified	Yes	Tlatelolco NWFZ
India	Not signed	No	Non-NPT nuclear-armed
Jamaica	Ratified	Yes	Tlatelolco NWFZ
Kenya	Not signed	Yes	Pelindaba NWFZ
Kiribati	Ratified	Yes	Raratonga NWFZ
Lesotho	Ratified	Yes	Pelindaba NWFZ
Malawi	Signed	Yes	Pelindaba NWFZ
Malaysia	Ratified	Yes	Bangkok NWFZ
Malta	Ratified	Yes	
Mauritius	Not signed	Yes	Pelindaba NWFZ
Mozambique	Signed	Yes	Pelindaba NWFZ
Namibia	Ratified	Yes	Pelindaba NWFZ
Nauru	Ratified	No	Raratonga NWFZ
New Zealand	Ratified	Yes	Raratonga NWFZ
Nigeria	Ratified	Yes	Pelindaba NWFZ
Pakistan	Not signed	No	Non-NPT nuclear-armed
Papua New Guinea	Not signed	Yes	Raratonga NWFZ
Rwanda	Not signed	No	Pelindaba NWFZ
Samoa	Ratified	Yes	Raratonga NWFZ
Seychelles	Ratified	Yes	Pelindaba NWFZ
Sierra Leone	Not signed	Yes	Pelindaba NWFZ
Singapore	Not signed	Abstained	Bangkok NWFZ
Solomon Islands	Not signed	Yes	Raratonga NWFZ
South Africa	Ratified	Yes	Pelindaba NWFZ
Sri Lanka	Not signed	Yes	
St Kitts and Nevis	Ratified	Yes	Tlatelolco NWFZ
St Lucia	Ratified	Yes	Tlatelolco NWFZ
St Vincent-Grenadines	Ratified	Yes	Tlatelolco NWFZ
Swaziland	Not signed	No	Pelindaba NWFZ
Tanzania	Signed	Yes	Pelindaba NWFZ
Tonga	Not signed	Yes	Raratonga NWFZ
Trinidad and Tobago	Ratified	Yes	Tlatelolco NWFZ
Tuvalu	Ratified	No	Raratonga NWFZ
Uganda	Ratified	Yes	Pelindaba NWFZ
United Kingdom	Not signed	No	NPT nuclear-armed
Vanuatu	Ratified	Yes	Raratonga NWFZ
Zambia	Signed	No	Pelindaba NWFZ
Zimbabwe (if it rejoins)	Signed	Yes	Pelindaba NWFZ

Report on the General Exchange of Views, continued

Allison Pytlak | Women's International League for Peace and Freedom

The general exchange of views concluded on Wednesday, with statements from signatories and observer states, international organisations, and civil society.

Nepal, the **African Commission on Nuclear Energy**, a **joint youth statement**, **Switzerland**, **Germany**, and **Sweden**, among others, raised concern about high levels of military spending and/or nuclear weapons modernisation and expansion. Switzerland also noted the recent test conducted by the Democratic People's Republic of Korea as among the unresolved and open nuclear issues. Several delegations also condemned Russian aggression in Ukraine and threat of nuclear weapons use. The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (**OPANAL**) stated that threats by one nuclear-armed state is unacceptable, as it should be by other nuclear-armed states or military coalitions relying on nuclear deterrence.

Conversely, Germany, the Netherlands, and **Norway** defended NATO as a nuclear alliance, citing and condemning Russia's aggression against Ukraine.

Many statements again reinforced the complementarity of the Treaty on the Prohibition of Nuclear Weapons (TPNW) with other nuclear weapons instruments, including those establishing regional nuclear weapon free zones, the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and the nuclear Non-Proliferation Treaty (NPT). Switzerland welcomed that the 1MSP will address issues of complementarity; Germany appreciated the support for the NPT envisaged by this MSP. Switzerland also underscored the need to better define the way in which the TPNW will play into nuclear disarmament machinery, such as the NPT.

The Democratic Republic of the Congo (DRC), **Botswana**, **Morocco**, and the African Commission on Nuclear Energy described in

particular the relationship between the TPNW and the Pelindaba Treaty, while the representative of OPANAL and the Dominican Republic highlighted the Treaty of Tlatelolco.

Libya stressed the necessity of establishing a nuclear and other weapons of mass destruction free zone in the Middle East. Nepal referenced its role in hosting a UN Regional Centre for Disarmament.

Universalisation

The DRC announced that it is in the process of finalising its ratification of the TPNW. The Dominican Republic shared that its Ministry of Foreign Affairs is actively following up on its ratification process within its National Congress. **Brazil's** ratification is also under consideration by its congress. Niger explained that its ratification is progressing and it has come to this meeting to learn more about the first stages of TPNW implementation and the review mechanisms to be established.

Morocco said its policies in the area of nuclear disarmament already respond to its obligations under the TPNW.

Botswana welcomed the three newest states parties (Cape Verde, Grenada, Timor-Leste).

Sweden explained that its 2019 decision to not sign or ratify the TPNW still stands. It argued that the treaty does not include any countries that possess nuclear weapons, which it does not see as a realistic or effective way forward. It also said that the TPNW contains shortcomings such as how it relates to the NPT and CTBT; lack of clarity on definitions; and in relation to verification and scope of application. The Netherlands indicated similar concerns about the TPNW.

Germany and the Netherlands stated that they are not bound by TPNW provisions and do not accept that its provisions are applicable under

customary law. The Netherlands, Norway, and Sweden reiterated they do not intend to sign or ratify the TPNW. The Netherlands reminded that it participated actively in the treaty negotiations and tried to find ways to make the treaty more “acceptable” to NATO allies but that these suggestions were rejected.

Switzerland referenced its decision in 2018 to not join the TPNW on the basis of its relationship with the NPT. However, Switzerland may undertake a re-assessment of its position later this year, which will be based on many factors including the outcomes of 1MSP and the NPT Review Conference.

Despite its national position on the TPNW, Norway acknowledged that the treaty has entered into force and many states have signed it. Norway said a constructive dialogue is needed to counter polarisation in this area.

Impacts

Many delegations expressed concern about the humanitarian and environmental impacts of nuclear weapons. Masao Tomonaga, a representative of the Organizing Committee of Nagasaki Global Citizens Assembly for the Elimination of Nuclear Weapons described his own experience and research into cancers and other health impacts of radiation. He also regretted that nuclear-armed and umbrella states are being protected by the United States.

A joint youth statement noted that women, people of colour, young people, and other marginalised groups are still greatly underrepresented in nuclear disarmament despite being disproportionately affected by weapons use and testing. “Everyone matters, everyone deserves to be heard, and I am here today to remind us all of the importance of centering and amplifying youth voices within this space.” Brazil observed the TPNW brings to the fore the long-neglected issues of the humanitarian consequences of nuclear weapon testing and use.

The International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross described moving

to a world without nuclear weapons as a moral duty and humanitarian imperative; and reminded that the testimony of hibakusha is not just an abstraction.

Despite not joining the TPNW, Germany said it is interested to hear more about implementation of the positive obligations, as victim assistance and environmental remediation deserve broader attention. Switzerland said that the TPNW provisions on victim assistance and environmental remediation are areas where synergies can be harnessed. Norway offered congratulations on the humanitarian impacts conference that took place on Monday, stating that we need to update our insights and establish a fact-based understanding of nuclear detonations, and the conference was a crucial contribution to this.

Other initiatives

Sweden referenced the Stockholm Initiative it has been leading since 2019 with other non-nuclear-armed states, including some TPNW states parties. The Initiative aims to develop “realistic” pathways to nuclear disarmament by putting forward a package of measures to reduce nuclear risks. Norway and Switzerland mentioned their engagement in the Stockholm Initiative.

The Netherlands noted that the NPT is also under pressure because many believe that there is not enough progress on disarmament, and that the forthcoming review conference will be an important moment to show that signatories are still committed. Germany also said the NPT is under strain. The Netherlands stressed that the NPT remains the framework in which discussions on the road to global zero, non-proliferation and nuclear disarmament must take place. Germany observed that while this meeting is supposed to put the TPNW on track, it is also a springboard to the NPT Review Conference, which is an irreplaceable framework for nuclear disarmament and non-proliferation.

Botswana, Sweden, Norway, and the African Commission on Nuclear Energy stressed the importance of entry into force of the CTBT. Sweden and Norway urged negotiations on a fissile material treaty.

Other

Norway said it will continue its efforts to promote gender equality and diverse participation in disarmament, especially of younger generations.

The International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross announced the forthcoming adoption of a new multi-year action plan on nuclear weapons.

A joint youth statement presented six recommendations for forward action on TPNW implementation. They included building a collaborative community of practice; establishing a regional framework; supporting urgent needs assessments; conducting comparative research; ensuring participation of and respect for the dignity of survivors and affected communities; an convening regional discussions, cooperation, and assistance rooted international humanitarian, human rights and environmental norms.

Report on Discussions on Article 12

Ray Acheson | Women's International League for Peace and Freedom

Article 12 calls on TPNW states parties to work for the treaty's universalisation by encouraging states not yet party to sign, ratify, accept, approve, or accede. Ahead of 1MSP, Austria, Costa Rica, and Indonesia co-facilitated a **working paper 7** (TPNW/MSP/2022/WP.7) on universalisation, which offers suggested activities for the implementation of article 12. As Costa Rica noted, the paper has three sections, focusing on engagements with states not yet party, the establishment of a working group or informal contact group to take forward universalisation effects among states parties in coordination with the International Committee of the Red Cross (ICRC) and the International Campaign to Abolish Nuclear Weapons (ICAN), and recommendations for steps after 1MSP, including the promotion of the TPNW's norms as well as increasing numbers of adherents.

Many states highlighted the importance of universalisation to, as South Africa said, maximise the authority of the treaty and its core norms and principles. Malaysia noted that every additional state party or signatory strengthens the treaty's norms and delegitimises nuclear weapons and nuclear deterrence, while ICAN said each new ratification makes the TPNW stronger and more effective, is a contribution to international peace and security, and brings us closer to a nuclear weapon free world.

"Eighty-nine states have now accepted legal obligations under the TPNW, either as states parties or as signatories," said ICAN. "A further 50 states have indicated their support for the treaty in the UN General Assembly. Those who oppose the treaty are in a minority, and their number is diminishing."

During the discussions on article 12, several delegations made specific comments on WP.7's recommendations, while others reported on their universalisation efforts.

Concepts of universalisation

Philippines said actions of universalisation should go beyond securing accession and also promote norms and implementation of, and adherence to, the TPNW. Among the TPNW's key norms, Philippines attaches importance to its unequivocal prohibition of nuclear weapons, rejection of nuclear weapons in doctrines, prohibition of testing, emphasis of humanitarian impacts, victim assistance and environmental remediation, gendered impacts, and others.

Ecuador agreed that universalisation is not just about increasing numbers but also about broadening knowledge of the TPNW to all people, noting that the strength of the treaty lies in the way we reach hearts and minds of all people. Lao

PDR said awareness-raising and education are vital to achieve a positive narrative of the TPNW as the humanitarian instrument of disarmament architecture.

The ICRC likewise said that universalisation should be understood broadly, including promoting of its underlying rationale, as noted in WP.7. Indonesia said it sees the importance of developing different approaches and using all available avenues to encourage accession and participation in work of TPNW.

Specific recommendations for action plan

Malaysia encouraged the participation of youth and civil society in universalisation efforts, noting that public awareness might help with non-signatory states. Ecuador agreed education will play a crucial role in promoting the TPNW, thus universalisation should include civil society, youth, local governance, and gender perspectives. Bolivia made similar remarks. Chile agreed with taking an education-based focus, including through workshops, courses, and seminars. It also highlighted the importance of women's participation in universalisation efforts.

The ICRC said it welcomes and supports all actions in the draft action plan, which provide a solid, comprehensive, and pertinent roadmap to ensure implementation of article 12.

Cuba also said it supports the inclusion of the goals and tasks of universalisation in the action plan, and also made some additional suggestions, including making declarations in support of the TPNW on the anniversary of the atomic bombings of Hiroshima and Nagasaki, during the nuclear Non-Proliferation Treaty (NPT) NPT Review Conference, on the International Day for the Total Elimination of Nuclear Weapons; organising informal meetings in years when MSPs are not being held; and ensuring that the UN General Assembly resolution on the TPNW is co-sponsored by all states parties to send a clear political signal of unity and solid support for treaty. Cuba also highlighted the importance of responding to states that have made critical public statements, to defend the TPNW. Bolivia and Ecuador supported these suggestions.

In relation to the idea of a working group on universalisation, Cuba said it is important all states parties have access to the meetings of such a group. It also said states parties, not co-facilitators on a "unilateral basis," should decide what other actors should be included in the working groups. Finally, Cuba said that while contributions to universalisation by signatories will always be welcome, this is a responsibility that lies fundamentally with states parties.

Most other delegations also supported the establishment of a working group on universalisation. Fiji proposed the inclusion of other civil society groups in the informal contact group, in addition to ICAN. Bolivia suggested the group focus on best practices and sharing information. Comoros suggested naming regional leads, and establishing reporting mechanisms or plans of action for intersessional periods.

Guyana highlighted the importance of technical support to advance ratification of the TPNW, through workshops and seminars that help clarify provisions and ensure implementation. It supported the recommendations in WP.7, including to establish a working group, and suggested this group should be mandated to match states in need of technical guidance with states and entities in a position to provide that support. Philippines also encouraged international cooperation for implementation, including through regional frameworks.

Universalisation efforts

Mozambique said its internal procedures are underway to join TPNW as quickly as possible.

Fiji said it will continue to call on all Pacific states that haven't yet signed or ratified the treaty to join, noting that Pacific states identify as family and protect each other. Fiji also said Pacific states parties need to work with nuclear-armed states to help them see things from their perspective, which is that nuclear weapons are not about security but about horrific humanitarian and environmental impacts.

Malaysia noted that since 2018 it has supported the UN General Assembly resolution on the

TPNW, and has been calling on all states to join the treaty. It also is working with the ICRC to host a regional roundtable on the TPNW in August.

The ICRC said it is already supporting many states and regional organisations in efforts to sign and ratify the TPNW and to promote universalization, and will continue to do so. The Red Cross and Red Crescent Movement will soon adopt a resolution that will provide a framework for sustained Movement action toward nuclear elimination in next six years, including by promoting TPNW adherence.

Lao PDR said it would continue to engage with all stakeholders in the nuclear disarmament and non-proliferation regime to promote the TPNW. Comoros welcomed efforts by the African Union to promote signature and ratification and said it

will help with these efforts regionally. The African Council for Religious Leaders – Religions for Peace outlined the efforts of faith communities and groups in Africa to promote the TPNW, including through workshops, press conferences, and roundtables, and education initiatives with universities and parliamentary forums.

Comoros, Guatemala, Lao PDR, Malaysia, Mozambique, Venezuela, ICAN, African Council for Religious Leaders – Religions for Peace, and World Council of Churches called on all states to sign, ratify, and accede to the TPNW. The ICRC welcomed steps taken by states to adhere to and implement the treaty. ICAN reminded states that the UN General Assembly is an opportune time for states to sign and ratify the TPNW and reaffirm their country's rejection of nuclear weapons and contribute to their abolition.

Report on Discussions on Article 4

Allison Pytlak | Women's International League for Peace and Freedom

Two agenda items taken up by the First Meeting of States Parties (1MSP) on Wednesday related to article 4 of the Treaty on the Prohibition of Nuclear Weapons (TPNW): one in relation to deadlines, and another on nominating a competent national authority. These have been outlined in [working paper 9](#) (TPNW/MSP/2022/WP.9).

Deadlines

South Africa presented its work as the facilitator on the topic of deadlines, in relation to articles 4(1) and 4(4), per the mandate given in article 4(2). South Africa explained that it had undertaken a consultative process over the last several months to arrive at the proposals put forward in the working paper, as it felt it was important to take into consideration as many views as possible and technical advice.

South Africa acknowledged that no nuclear-armed or hosting states participated in the consultations and that it is aware of the realities of what these states would face to meet these obligations.

On the basis of the consultations, the working paper proposes that:

- The 1MSP should adopt a maximum upper limit of 10 years as the deadline required for nuclear weapons destruction, in accordance with a legally binding, time-bound plan for the verified and irreversible elimination of that State Party's nuclear-weapon programme, including the elimination or irreversible conversion of all nuclear-weapons-related facilities, pursuant to Article 4(2).
- The 1MSP should also acknowledge the possibility of extension requests and agree to establish a maximum extension period up to 5 years. An extension request may be granted by a Meeting of States Parties or a Review Conference on an exceptional basis to overcome unexpected difficulties in the disarmament process. (Note that further details are contained in the working paper).
- With regard to deadlines for the removal of nuclear weapons from hosting States, and given historical precedents, a deadline of up

to a maximum period of 90 days should be adopted by the 1MSP.

A few delegations provided statements in this session. The Philippines said that deadlines should be based on technical feasibility, considering factors such as stockpile size and logistical considerations, among others. It urged a realistic and credible approach but one that also embodies the urgency to dismantle, so that this is not used as a way for states not party to reject the treaty. Indonesia observed that elimination is a complex process. It supported the ten-year deadline with possibility of extension, and the establishment of a working group. Indonesia also felt that advice from experts and countries that have eliminated nuclear weapons would be welcome, especially on the point of how to guarantee irreversible elimination.

Cuba supported the 90-day period for hosting states and reiterated that the deadlines for any future state party should be agreed to in a meeting of states parties, as should requests for extensions.

Ecuador expressed support for the recommendations and relevant actions on deadlines as contained in the draft action plan for 1MSP. Mexico also supported the deadlines suggested in the paper and suggested thinking about any potential reasons that extension requests would be made, to ensure those are duly justified and approved by states parties.

A representative of the Institute for Peace Research and Security Policy at the University of Hamburg presented **research** undertaken with Princeton University's Program on Science and Global Security on the topic of deadlines, which has been shared as part of the consultative process. He noted that the proposed deadlines are very realistic and that the 10 years should be seen as an upper limit. This is because the infrastructure for destruction and dismantlement already exist through current manufacturing facilities. He pointed out that as more weapons are dismantled, and maintenance and modernisation ceases, additional capacity to dismantle more rapidly would open up. Similarly, the hosting removal deadline is also in keeping

with the real amount of time that states have required when removing weapons safely in past.

The International Campaign to Abolish Nuclear Weapons (ICAN) supported the suggested 10 year timeframe and suggested that extensions only be granted upon request to allow for unexpected difficulties, and should not be awarded for other reasons. ICAN also supported the recommendation that states set a deadline of 90 days for removal, and urged TPNW states parties to call on nuclear weapon hosting states that join and meet this weapon removal obligation to include in the declaration to be submitted to the Secretary General of the United Nations the complete history of the hosting of nuclear weapons on their territory.

Section IV of the working paper has been included in the draft action plan. The relevant language was read out to the conference, and provisionally adopted.

International authorities

Mexico and Brazil worked together to develop **working paper 1** (TPNW/MSP/2022/WP.1) on the "Designation of a competent international authority/authorities" in keeping with article 4(6).

Mexico presented the working paper, which was based on open consultations and bilateral meetings, which began with a survey to understand the concerns of delegations on this topic. Mexico briefly highlighted some of the main points in the paper and explained that it and Brazil want to leave open how to work out the nature of the tasks required by establishing a national authority and giving flexibility on moving forward.

The working paper proposes that:

- The 1MSP invite states parties to each designate within 60 days a national contact point to take part in the intersessional work with regard to the designation of the international authority/authorities;
- The 1MSP establish an informal intersessional working group towards the designation of the international authority/

authorities. Participation of representatives of the Scientific Advisory Group, and participation of relevant agencies, think tanks civil society organizations, the International Committee of the Red Cross, academia and other stakeholders should be encouraged in the working group, as appropriate.

- The Working Group could pursue discussion on developing a coherent approach to this issue including general obligations to the specific mandate of the authority; clarify terms; identify what technical aspects of verification require input from the Scientific Advisory Group, among other possible topics.

Mexico explained that these recommendations feed into the draft action plan.

The Philippines welcomed the working paper and said it agrees with taking an incremental approach that is grounded in current geopolitical realities, takes into account principles of transparency and inclusivity, and is based on a scientific and technical mandate, in order to avoid politicisation. Similar points were made by Malaysia. It supports creating a working group.

South Africa noted the criticism about the lack of a verification mechanism for the treaty and as such, this is an area of implementation that will be subject to scrutiny. South Africa reminded that relevant structures already exist and should be relied on as a first option, with later consideration of other options. It said that the mandate provided by the states parties to the working group should be flexible enough to encourage comprehensive discussion and analysis of the issue during the intersessional period. The working group should be state party-driven, in its view, and can request input from other stakeholders as needed. South Africa suggested allowing 90, rather than 60, days to nominate a contact point due to the congested disarmament calendar and general capacity constraints.

Cuba said that the 1MSP is under no obligation to make a decision about this but needs to start working out the parameters under which states parties can select a national authority in future.

It supports a gradual approach to establishing the authority but warned against stretching it out indefinitely. It supports creating a working group and would be interested in the group presenting advantage and disadvantages of various options—for instance, having one national authority versus multiple; setting up a new entity versus using an established one. Cuba favours having one authority rather than multiple ones, and that it is tempting to designate one that already exists.

A statement delivered by WILPF Zimbabwe on behalf of ICAN recommended that states parties pursue further discussions during the intersessional period towards developing a coherent approach on a competent international authority or authorities, from the general obligations to specific mandate and guidance for the designation of international authorities. The statement also recommended that states draw from the work already done by scientific and other experts, as well as experience from regional organisations.



Edwick Madzimore of WILPF Zimbabwe. Photo © Lina Hjærtström

Report on Discussions on Articles 6 and 7

Allison Pytlak | Women's International League for Peace and Freedom

Under the agenda item on articles 6 and 7, delegations presented views about victim assistance and environmental remediation, and responded to the results of the consultations organised on this subject, which also included international cooperation and assistance. Kiribati and Kazakhstan have been co-facilitating work on this aspect, and their findings and recommendations have been outlined in [working paper 5](#) (TPNW/MSP/2022/WP.5).

Kazakhstan explained that consultations had been held extensively over the last several months with civil society and states. Comments and inputs have centred around six areas, outlined in the working paper: a) commitment to implementation; b) establishment of an implementation framework; c) reporting on implementation measures; d) intersessional work; e) international trust fund for affected states; and f) commitment to inclusivity.

Under each of these areas, the working paper presents a series of recommendations for states parties to consider adopting at the First Meeting of States Parties (1MSP).

During the session on articles 6 and 7, Malaysia said that these articles represent the heart of the TPNW, as it is the first international framework to address humanitarian, human rights, and environmental impacts of nuclear weapons use and testing. South Africa and Kiribati said these positive obligations are essential to achieving the humanitarian goals of the treaty. Cook Islands acknowledged the importance of article 7, as giving states the agency to ask for assistance.

Malaysia urged taking into account data that is backed by science, and on how assistance can be most effectively rendered. Any results from the work taken up a scientific group should be shared widely as they may be an impetus for diminishing support for nuclear weapons. Going forward, rendering support to affected states will be important.

Peace Boat emphasised that social and psychological impacts must be addressed along with health impacts. It encouraged a broader understanding of the intergenerational harm, and suggested undertaking surveys guided by survivors.

The International Committee of the Red Cross (ICRC) stated that these articles are testament to human security. They must be implemented in line with international humanitarian law and international human rights law. The ICRC is working on interpretive guidance that it hopes to publish soon, and it also hopes that state practice can help to solidify these concepts.

South Africa noted there is no provision in the TPNW to report on remediation efforts, and that cooperation will be crucial to implementation of articles 6 and 7.

South Africa also warned against inadvertently imposing obligations on states parties to which they do not apply, and it trusts that the outcome documents from 1MSP will not create legal ambiguities for those that wish to join the treaty.

Cuba observed that nothing stops a state not party from contributing to the implementation of the positive obligations. The proposed working group on this issue should be open to states parties, signatories, and others that states parties feel should be invited. It reminded that assistance should include technical and financial assistance, as well as technology transfers.

The Cook Islands, Samoa, and Ecuador said they support the proposed trust fund. Peace Boat recommended that states parties establish an international trust fund and permanent repository for information related to articles 6 and 7.

Ecuador supported establishing a working group on victim assistance. The International Human Rights Clinic at Harvard Law School, on behalf of other civil society organisations, said that an

intersessional working group on the positive obligations found in articles 6 and 7 should be established.

Ecuador and the ICRC said it would be important that states parties develop synergies with the nuclear Non-Proliferation Treaty, and Ecuador additionally mentioned the CTBT.

Going forward, Samoa said it supports a collective, inclusive, and gender-sensitive process and encouraged all states, international organisations, and civil society to cooperate to assist affected states with article 6 implementation. Kiribati said that all states parties are included in all discussions on articles 6 and 7, and that these voices should be diverse in terms of gender, age, race, socioeconomic development, and other factors.

Ecuador and the International Federation of Red Cross and Red Crescent Societies-Japan (IFRC-Japan) confirmed support for paragraphs 17-30 of the draft Vienna Action Plan. IFRC-Japan noted that these paragraphs strike a balance between ambition and realism and provide sufficient guidance.

The International Human Rights Clinic at Harvard Law School, on behalf of other civil society organisations, said the recommendations in the working paper are an excellent starting point that

all states parties should commit to in the action plan. Their statement encouraged states parties to establish an architecture for implementation ahead of 2MSP to assess victims and needs, set timelines for national plans, identify focal points, among other activities. A voluntary reporting format would facilitate accountability and assistance. Peace Boat also encouraged regular reporting in this area.

Recalling the impacts of French nuclear weapon testing in the Pacific region, and that and France has not responded to applications for compensation from those affected, Association 193 called on France to apologise and provide full and comprehensive reparations, under IHL and IHRL. A representative of ICAN France shared her experience with leukemia, in relation to the nuclear tests that France carried out in the Pacific. She explained how compensation is limited in many ways, noting that 56 years after the first bomb, people in the region still lack medical care.

Switzerland, an observer, commended the efforts to translate obligations into action. It noted that given the magnitude of damage, support will be required by the widest possible group of states irrespective of the current membership of the treaty. It encouraged exploring synergies and taking forward the subject at the upcoming NPT Review Conference.

Report on Discussions on Article 5

Allison Pytlak | Women's International League for Peace and Freedom

Under this agenda item, 1MSP considered article 5 of the TPNW, on national implementation measures.

NuclearBan.US made a statement highlighting the role of other actors involved in the nuclear weapons industry, ranging from companies, universities, research institutions, lobbyists, to financial backers. It urged accountability for the directors and leaders of corporate bodies that are responsible for acts that violate the TPNW by facilitating nuclear weapons development or maintenance. As such the TPNW should be

incorporated into national legislation so that its prohibitions can be used to prosecute violations.

Cuba said it supports the establishment of a voluntary international fund to help develop legislative capabilities. The International Committee of the Red Cross (ICRC) presented various activities it is undertaking to support implementation. This includes a legal factsheet, model law for drafting new legislation, a facilitation kit and provide advisory services as well as conducting workshops, parliamentary briefings, or regional events.

NUCLEAR BAN DAILY

Reaching Critical Will (RCW) is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest feminist peace organisation in the world.

RCW works for disarmament and the prohibition of many different weapon systems; confronting militarism and military spending; and exposing gendered aspects of the impact of weapons and disarmament processes with a feminist lens.

RCW also monitors and analyses international disarmament processes, providing primary resources, reporting, and civil society coordination at various UN-related forums.

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