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Reaching Critical Will



WILPF
WOMEN'S INTERNATIONAL
LEAGUE FOR PEACE & FREEDOM

1MSP Stands Strong Against the Bomb

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

On the final day of the First Meeting of States Parties (1MSP) to the Treaty on the Prohibition of Nuclear Weapons (TPNW), states parties adopted a strong Declaration and Action Plan. Both documents put nuclear-armed states firmly on notice: their actions and policies are unacceptable, immoral, and illegal, and plans are being made for both the elimination of their arsenals and reparative justice for the harms they have caused. It's time for the possessors of these heinous weapons to renounce their politics of violence and join the majority of the international community in seeking peace through cooperation and disarmament.

Disarmament in action

Compared to many other UN outcome documents, the Declaration is clear in what it stands for. It speaks stridently against nuclear weapons, describing them as being used to coerce, intimidate, and heighten tensions. "This highlights now more than ever the fallacy of nuclear deterrence doctrines, which are based and rely on the threat of the actual use of nuclear weapons and, hence, the risks of the destruction of countless lives, of societies, of nations, and of inflicting global catastrophic consequences." The Declaration also expresses alarm and dismay "by threats to use nuclear weapons and increasingly strident nuclear rhetoric." States parties "condemn unequivocally any and all nuclear threats, whether they be explicit or implicit and irrespective of the circumstances."

The Action Plan provides a clear path forward for collective against nuclear weapons. Far from being an aspirational paper, it is a roadmap designed by states parties in partnership with survivors, impacted communities, civil society, and international organisations, consisting of practical steps to implement the TPNW. The actions include starting work on a trust fund to support people harmed by the impact of nuclear explosions, establishing a scientific advisory board, setting a ten-year deadline for destruction

of nuclear weapons, getting more countries to join the TPNW, and more.

Gender, intersectionality, and representation

Neither document is perfect, of course. The Declaration, for example, reinforces a gender binary, stressing "the importance of the equal, full and effective participation of both women and men in nuclear disarmament diplomacy." It does not recognise other gender identities, nor does it advance the intersectional approach to disarmament increasingly taken up by many activists, who recognise overlapping oppressions and experiences based on gender, sexuality, race, socioeconomic status, and more.

That said, the Action Plan commits states parties to meet their obligations in the TPNW's "established spirit of cooperation, inclusivity and transparency, and to integrate gender considerations in across the work of the Treaty's implementation," and to facilitate "the active participation of relevant stakeholders, and take into account the different needs of people in affected communities and indigenous people and ensure strong ownership by all States Parties." The Action Plan contains an additional four commitments (47–50) on the operationalisation of the TPNW's gender provisions, including to establish a Gender Focal Point, and to develop guidelines for ensuring age- and gender-sensitive victim assistance and for integrating gender perspectives in international cooperation and assistance.

The power of process

Of equal importance to the outcomes of this meeting is its process. While no meeting hosted in the global north will meet the requirements of accessibility—due to visa restrictions, costly and lengthy travel, as well as the contemporary challenges of COVID-19 and climate change—this conference was nevertheless one of the most inclusive intergovernmental nuclear disarmament

meetings ever held. Governmental representation from the treaty's membership across the world, especially from the Pacific, Latin America and the Caribbean, Southeast Asia, and Africa, was very strong. Activists and academics in attendance were overwhelmingly from the global north, but survivors and affected communities and civil society groups from the global south participated more meaningfully and in stronger numbers than in other nuclear treaty body meeting.

Most importantly, the decisions and actions adopted by 1MSP are rooted in the lived experience of those who know firsthand the impacts of nuclear weapons. The Action Plan underscores the important principle of "nothing about us, without us" and ensures those most affected will be most involved moving ahead with the implementation of the positive obligations. In his closing remarks, 1MSP President Ambassador Alexander Kmentt said, "Thank you to the survivors and affected communities, who have started a new standard of working together to advance our goals."

Collaboration and solidarity

This standard will hopefully propagate out from the 1MSP, beyond its states parties and signatories and into the realm of the nuclear-armed and nuclear-supportive states. A collaborative approach is essential in relation to affected communities, but also in relation to each other. The polarisation around this treaty, which has been manufactured by those who perceive political or economic benefits from nuclear violence, must end.

The Declaration "deplore[d] the actions of some nuclear-armed states to discourage non-nuclear-armed states from joining the Treaty" and suggested "that the energy and resources of these states would be better directed to making concrete progress towards nuclear disarmament." There is much work to be done, as evidenced by the Action Plan, and there is even more to come. Some recommendations from ICAN and other civil society, survivor, and academic groups did not make it into the plan; there will certainly be more suggestions from governments as well as we move forward with implementation. All states

standing outside this treaty should join in this work, to build a shared world without nuclear weapons.

"We have no illusions about the challenges and obstacles that lie before us in realizing the aims of this Treaty," said the Declaration in its closing paragraph. "But we move ahead with optimism and resolve. In the face of the catastrophic risks posed by nuclear weapons and in the interest of the very survival of humanity, we cannot do otherwise. We will take every path that is open to us, and work persistently to open those that are still closed. We will not rest until the last state has joined the Treaty, the last warhead has been dismantled and destroyed and nuclear weapons have been totally eliminated from the Earth."

Addressing the broader nuclear burden

Of course, in line with the TPNW's positive obligations, the work of states parties must even continue past the elimination of nuclear bombs. As Diné activist Janine Yazzie, who among other things is coordinating the protocols of the Nuclear Truth Project, said during a side event on positive obligations:

The catastrophic impacts of nuclear related activities do not start nor end with the detonation of a bomb, nor does the mass murder end with the aftermath of the impacts of the blast. No, the mass murder from these industries, and those responsible for creating, investing and protecting them, continues as long as the devastation to the health of our Peoples and our environment continues. As long as our waters are undrinkable, our soil is contaminated and our babies are being born with uranium in their bodies.

Similarly, in a recent letter to the Australian prime minister and parliament, members of the Yankunytjatjara, Kokotha, Adnyamathanha, Dieri, and Kuyani peoples and civil society noted that, "Far from being a historical event, we are clear that the tests themselves were not the only damage. The waste left behind and the on-going complications and fears from fallout and contamination, and the mental scares, are still strongly felt in Aboriginal communities across the regions where testing took place."

The TPNW is a treaty that aims to stop nuclear threats, stop nuclear arms races, and stop nuclear weapons. But it is also a treaty that aims not just at disarmament, but at abolition. This means it aspires to justice, that it aspires to not just dismantle bombs but to build a world that is safer for all, in solidarity with all. In this sense, the TPNW is well-suited to address these harms and legacies, if its states parties have the courage to do so.

Constructing a community

This first meeting of states parties was an indication that it is possible for the TPNW to achieve its goals. This is why people will travel around the world to help build the plan for its implementation, and it is why we will all put our energy and passion into making sure it is implemented fully and effectively.

Seeing the treaty at work attracts other states to join. During 1MSP, eight countries announced they are working to ratify the TPNW: Brazil, Democratic Republic of the Congo, Dominican Republic, Ghana, Indonesia, Mozambique, Nepal, and Niger. We know others have internal processes underway. Witnessing the treaty's success also inspires states to step up to host further gatherings. Mexico will be the president of 2MSP, which it will hold from 27 November to 1 December 2023 at UN Headquarters in New York. Kazakhstan will preside over 3MSP.

We are not just building a treaty, we are building a community. A community of actors who understand the reality of nuclear weapons and who have the courage to renounce them and invest in a better world. All are welcome. Our future depends on it.



Women's March to Ban the Bomb 2017 © David Field/WILPF

STATEMENT FROM PEOPLE IMPACTED BY NUCLEAR TESTING IN AUSTRALIA

To the Prime Minister and Parliament of Australia

“Our stories and hopes are stronger than your weapons and fears”

June 2022

On 19 June 2022, members of the Yankunytjatjara, Kokotha, Adnyamathanha, Dieri, and Kuyani peoples and civil society came together in Port Augusta, South Australia.*

We spoke together across generations, sharing stories of the impacts of nuclear weapons testing on South Australia in the 1950s and 1960s by the British Government. These tests were supported by the Australian Government.

In all, there were a dozen atmospheric nuclear weapons tests between 1952-1957 held in the Monte Bello Islands, Emu Field and Maralinga. In addition, highly contaminating ‘minor trials’ ran from 1953 – 1963. These nuclear events are felt by many to be an act of war against Aboriginal people. They left a legacy of harm and intergenerational suffering, including through dislocation, contamination, silence and lack of continuity of care for both people and the environment.

There are many stories. People have been affected by these bomb tests far and wide. Far from being a historical event, we are clear that the tests themselves were not the only damage. The waste left behind and the on-going complications and fears from fallout and contamination, and the mental scares, are still strongly felt in Aboriginal communities across the regions where testing took place.

Elders recalled their own experience and the experience of their family members who were alive at the time of the testing. Many recalled sicknesses including cancers, skin conditions, burns, autoimmune conditions, reproductive and birth anomalies, and other illnesses within our families. We discussed the long-lasting concerns of contamination on the plants and animals, the impact on our bush tucker and on the health of Anangu and all peoples around Australia. We are concerned for the next generations who will continue to be burdened by the legacies of nuclear testing.

Young people are speaking up to keep these stories alive. They call for better education, research, remediation and monitoring. They asked for practical help with better services to assist affected community members with medical aid, and for recognition and apology for the harms suffered. They invite opportunities to connect with other impacted communities in the Pacific region and around the world, including with hibakusha, the atomic bomb survivors from Japan.

The legacy of nuclear testing and the burden of radioactive waste are human rights issues. Aboriginal people hold great knowledge on the need to care for country, and take this responsibility seriously as our cultural obligation to country and our people and for the next generations. We also understand how culturally important it is to fight for country. We call on Government to respect cultural heritage and belief systems, and work with affected communities, listen to lived experience and try to genuinely understand and address the on-going harms of nuclear weapons testing and related industries.

We send a call to the Australian Parliament – those of us with lived experience of nuclear harms in Australia expect our government to invite us to the table to work on the solutions and to sign and ratify the Treaty on the Prohibition of Nuclear Weapons.

Lastly, a message to the nuclear weapon states who possess and threaten use of nuclear weapons – “Our stories and hopes are stronger than your weapons and fears.”



About the meeting:

The Port Augusta Hub was part of a series of global events organised by civil society around the First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW) in Vienna, Austria on 21-23 June 2022. The TPNW recognises the disproportionate impact of nuclear weapons activities on Indigenous Peoples, and on women and girls, including as a result of ionising radiation. Australia has not yet joined the TPNW, but attended the First Meeting of States Parties as an observer.

At the Port Augusta Nuclear Ban Hub, ICAN Ambassadors Aunty Sue Coleman-Haseldine, Kokotha woman, and Karina Lester, Yankunytjatjara woman, were chairs and facilitators of the meetings. ICAN Australia was represented by ICAN Australia Director Gem Romuld and ICAN co-founder, Dimity Hawkins AM. Other representatives, including members of the Medical Association for Prevention of War and Friends of the Earth Australia, as well as local community members, contributed to the meeting.

The meeting culminated in a special live broadcast to the ICAN Nuclear Ban Forum in Vienna ahead of the First Meeting of States Parties to the TPNW, in which Aunty Sue Coleman-Haseldine, Karina Lester and Mia Haseldine gave compelling testimonies of the on-going impacts of nuclear weapons testing across three generations. This is available to view in full here: https://youtu.be/_604yqee_Aw on the ICAN Australia Youtube channel.



Side Event Report: From Principle to Practice— The TPNW and Gender-Responsive Disarmament

Michelle Benzing and Flavia Keller | Women's International League for Peace and Freedom

On Wednesday, 22 June 2022, the UN Institute for Disarmament Research (UNIDIR), together with the delegation of Ireland, UN Office of Disarmament Affairs (UNODA) and WILPF co-organised a side event to the First Meeting of States Parties (1MSP) highlighting the gender-specific provisions of the Treaty on the Prohibition of Nuclear Weapons (TPNW). Following a session on this topic during the ICAN Nuclear Ban Forum on Saturday, Wednesday's side event moderated by Renata Dalaqua (UNIDIR) provided a second opportunity for engaging with a gendered analysis of the TPNW during this Nuclear Ban Week.

The session started with opening remarks from the UN High Representative for Disarmament Affairs, Izumi Nakamitsu, who highlighted the fact that gender provisions are still largely absent from legal mechanisms in the field of disarmament. Against this background, the High Representative reminded attendees of the TPNW's historic significance as it recognises age- and gender-specific impacts of nuclear weapons and calls for gender-responsive action to be taken to remediate them. The Permanent Representative of Ireland to the UN in Vienna, Eoin O'Leary, emphasised the linkages between the TPNW and the Women, Peace and Security (WPS) agenda and the opportunity for states parties to create a new threshold for gender-responsive disarmament.

Gender-specific provisions

At the beginning of the panel discussion, Beatrice Fihn (Executive Director, ICAN) pointed out that women have been at the forefront of linking gender and disarmament in their long-standing campaigns for arms control treaties. In the context of the TPNW, this is crucial because of the differential effects of radiation on women's bodies, as well as issues of social stigma disproportionately affecting, for example, female hibakusha. Fihn concluded that the goal

is not only to increase women's representation in the TPNW negotiations, but also to dismantle gendered and patriarchal norms that sustain the supposed "safety" through deterrence. For Fihn the TPNW is a "feminist treaty" due to its recognition of nuclear disarmament as being "rational". Matthew Breay Bolton (Professor, Pace University) agreed by speaking about the transformative potential of the TPNW to shift the discourse away from national security towards a more human-centred perspective on security.

Bedi Racule (President, MISA4the Pacific) continued by sharing powerful stories of Pacific women, among others of Darlene Keju. She emphasised the disproportionate impact of nuclear colonisation on women's health in the Pacific and highlighted the lack of health infrastructure, therefore stressing the importance of articles 6 and 7 of the TPNW in bringing justice and safety to those most affected. Bolton's analysis went beyond the biophysical impacts, mentioning social systems that perpetuate disproportionate burdens of care work. He emphasised that therefore assistance should not only be considered individually but in light of the broader community and the gendered roles within.

Operationalisation

When asked about the operationalisation of the positive obligations under articles 6 and 7 of the TPNW, Bolton referred to [working paper 5](#) facilitated by Kazakhstan and Kiribati (TPNW/MSP/2022/WP.5). He specifically emphasised the need to take seriously the assessment of concerns and needs of victims and survivors, not only focusing on the global level and the past but highlighting local impacts including in the present. Bolton stressed that policy frameworks need to be established to guarantee operationalisation, including an international trust fund to channel assistance.

The challenges with regard to operationalisation were also highlighted by Nakamitsu during her opening statement. The High Representative underscored the need to share knowledge and work toward context-specific policy frameworks. In his remarks, O’Leary made reference to **working paper 2** submitted by Chile, Ireland, Mexico and UNIDIR (TPNW/MSP/2022/WP.2) which recommends that gender issues be integrated into all treaty-related national policies, programmes, and projects. He emphasised the need to create linkages between policy processes, in particular with reference to the WPS agenda. Like O’Leary, Nakamitsu pointed to the possible gains to be made if states parties managed to integrate the positive provisions of the TPNW into their national action plans on the WPS agenda, specifically under the relief and recovery pillar.

Incorporating intersectionality

The panel concluded by discussing questions from civil society representatives, particularly on breaking down the gender binary and incorporating intersectionality into the treaty. Fihn stressed the importance of pushing progressive issues such as the inclusion of non-binary and trans perspectives and welcomed further

discussions on the issue at the next MSP. Bolton concurred, noting the crucial role of LGBTIQ+ networks leading movements in nuclear disarmament. He stressed the importance of incorporating the concept of intersectionality in analyses of the social stigma affecting groups due to overlapping forms of marginalisation based on indigeneity, race, class, and gender.

Fihn highlighted the racialised coloniality of nuclear weapons, stressing the fact that testing occurred primarily in former colonies. These forms of dominance and power are also visible at the negotiation table where some states are seen as more relevant than others. She countered these hierarchical structures by stating: “every single country matters”. Speakers overall agreed on the necessity to further incorporate the perspectives of affected communities in decision-making processes.

Finally, Racule addressed the challenge of transforming the persisting youth movement into a global movement of change and called for making the ban on nuclear weapons a matter of and for all. In conclusion, Racule echoed the words of High Representative Nakamitsu: “this is only the beginning”.

Notes on Nuclear Weapons & Intersectionality in Theory and Practice

A WORKING PAPER

Ray Acheson

Program on Science and Global Security, Princeton University

June 2022

For those interested in issues of intersectionality and nuclear weapons, please see this paper **published** by Princeton University’s Program on Science and Global Security in June 2022 by Visiting Researcher Ray Acheson.

The Working Paper seeks to foster a conversation on how dismantling nuclear weapons requires dealing not just with the bomb but also the political, economic, and cultural scaffolding— institutional, social, intellectual, psychological and at the level of identities—that have facilitated its existence for seventy-seven years.

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Discussions on Institutionalising Scientific and Technical Advice

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

On Thursday morning, the First Meeting of States Parties (1MSP) discussed **Working Paper 6** (TPNW/MSP/2022/WP.6) and the corresponding decision contained in TPNW/**MSP/2022/CRP.6** on the institutionalising scientific and technical advice for the effective implementation of the Treaty on the Prohibition of Nuclear Weapons (TPNW).

Ambassador Alexander Kmentt of Austria, the President of 1MSP, said that he held open consultations with states parties to develop the paper and decision. He said the proposal to establish a Scientific Advisory Group (SAG) means that TPNW states parties would have access to scientific and technical advice that will help facilitate decision making processes. The group would offer advice on various issues, including implementation, positive obligations, elimination, verification, and more. In addition, scientific attention on the humanitarian impact of nuclear weapons (HINW) and nuclear risks will contribute to the wider disarmament and non-proliferation discourse.

As Zia Mian of Princeton University noted in his **remarks** on this agenda item, the central role of scientists in causing grave harm through developing, building, testing, maintaining, and modernising nuclear weapons “is well known and cannot be denied.” However, he pointed out, “throughout the nuclear age scientists also have sought to use their training and knowledge to help explain nuclear dangers and to help chart a path to nuclear disarmament.” Mian said that if states parties “decide to call upon like-minded scientists for advice and assistance in this great shared endeavor to lift the nuclear shadow over humankind, you will find many who stand ready.”

Carlos Umaña of the International Physicians of the Prevention of Nuclear War (IPPNW) likewise said that evidence of the humanitarian consequences of nuclear weapons is the

foundation of the TPNW, making it critical to establish an advisory panel of scientific and medical experts to ensure that adequate and irrefutable evidence is provided to strengthen implementation and universalisation of the treaty and to help stigmatise nuclear weapons.

Malaysia welcomed the draft decision and WP.6, noting that such a group will help advance effective implementation and strengthen the credibility of the TPNW. South Africa said that further enriching the knowledge on HINW will support outreach and universalisation efforts and help with decisions around the competent international authorities and possible disarmament deadline extensions. Cuba suggested the group look at options for elimination of plutonium, irreversible dismantlement, positive obligations, among other things.

Malaysia said the SAG must be impartial, independent, and expert-driven, and that members must be selected in an open and transparent process, to ensure that its input will be objectively considered by all states parties. Cuba suggested that during the intersessional period, the focus should be on rules of the SAG, defining its role, functions, and membership, which should be reviewed at 2MSP.

Mexico urged geographic and gender balance in the SAG's membership. Cuba welcomed the idea of 15 members maximum and suggested that 10 be set as a minimum. The President of 1MSP said it thought eight could be the minimum, as that would reflect a quorum for the group. Cuba reiterated its preference for ten but did not require the decision be amended to reflect this.

Cuba also asked for clarification about how the consultations about nominations will take place, asking if states parties will receive the full list of all candidates nominated to be members, including

their nationalities and CV, and whether states parties will have the right to object to specific candidates. The President of 1MSP confirmed that all states parties will receive information about the nominations and have the right to object.

Cuba suggested that reports issued by the SAG should reflect the different positions of its members, in the absence of consensus. The President of 1MSP explained that the intention is for the SAG to work in a spirit of scientific cooperation, not in overly formalised way, but

suggested adding “comprehensive” before “report” in the decision if that would clarify that all views would be reflected, to which Cuba agreed.

South Africa welcomed that its proposal to give states parties 90 days after the end of 1MSP to nominate members for the SAG was accepted. The President of 1MSP said that invitations to send expressions of interest was already sent to states parties in May and two nominations have been received. He reiterated the call to nominate qualified candidates within the next 90 days.

Discussions on Intersessional Work

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

Under this agenda item, states parties discussed the working paper prepared by the President of the First Meeting of States Parties (1MSP): “**Intersessional structure for the implementation of the Treaty**” (TPNW/MSP/2022/WP.8).

This paper sets out three draft decisions: to establish a Coordinating Committee for the period between 1MSP and 2MSP; to create three working groups; and to appoint an informal facilitator to further explore and articulate the possible areas of tangible cooperation between the Treaty on the Prohibition of Nuclear Weapons (TPNW) and other treaties, to report back at 2MSP.

The draft decisions have been transferred into another document, “**Decisions to be taken at the 1MSP**” (TPNW/MSP/2022/CRP.6), contained in paragraph 2.

Ambassador Alexander Kmentt, 1MSP President, briefly introduced the draft decisions and noted that consultations have indicated a desire from states parties to keep a level of flexibility especially during the early implementation phases of the treaty, in order to respond to different requirements and circumstances. He stressed that decisions taken at 1MSP about the

forthcoming intersessional period leading up to 2MSP is without prejudice to future changes. The President further said a decision has been taken to appoint a Gender Focal Point.

Paragraph 2 also contains the names of states parties that will facilitate working groups or other intersessional work:

- The informal working group on universalisation will be cochaired by South Africa and Malaysia;
- The informal working group victim assistance, environmental remediation, and international cooperation and assistance will be co-chaired by Kazakhstan and Kiribati;
- The informal working group on the implementation of Article 4 will be co-chaired by Mexico and New Zealand;
- Ireland will serve as an informal facilitator to further explore and articulate possible areas of tangible cooperation between the TPNW and the nuclear Non-Proliferation Treaty and other relevant nuclear disarmament and non-proliferation instruments until 2MSP; and
- Chile will serve as the Gender Focal Point during the period until 2MSP.

Following the introduction by the President, states engaged in discussion about the language of the document, with some proposing textual changes. The President suggested delaying taking a decision on this topic until the afternoon. New Zealand facilitated consultations to resolve this issue. An updated version of paragraphs 2(a) (j) and (i) were circulated in the lunch break and were adopted in the afternoon.

Below is a summary of the discussion and suggested changes.

General responses

South Africa proposed that the 2MSP president assume its responsibilities at the close of this MSP to ensure that the prerogatives and spaces accorded to a conference president are available as soon as possible.

Cuba warned against a boundless proliferation of intersessional meetings of working groups, noting the limited capacity of states parties and their human resources to cover many meetings. It also suggested that the first meetings to be held in this period be informal and with no financial obligations. Cuba urged that facilitation roles rotate in a fair way and that any understanding reached in a working group be subject to changes and review at a meeting of states parties or review conference.

The International Campaign to Abolish Nuclear Weapons (ICAN) encouraged that intersessional meetings be open to all states, relevant organizations, and civil society. It further suggested starting work to develop guidelines for gender mainstreaming within international cooperation and assistance, taking into account the experience of other relevant instruments.

Paragraph 2(a)

Cuba made suggestions in relation to paragraph 2(a), which reads:

To establish a Coordination Committee to coordinate the conduct and organisation of intersessional work between the first and second Meetings of States Parties.

The Committee will comprise the outgoing President, the President of the subsequent meeting, the co-chairs of the informal working groups, the informal facilitator to further explore and articulate the possible areas of tangible cooperation between the Treaty on the Prohibition of Nuclear Weapons and the Treaty on the Non-Proliferation of Nuclear Weapons, and the Gender Focal Point (see below), with the participation as observers of the International Committee of the Red Cross and the International Campaign to Abolish Nuclear Weapons. The Co-Chairs of the Scientific Advisory Group may be invited to participate by the Coordination Committee.”

Cuba suggested adding “interested states parties” after the words “as observers”. New Zealand asked if there are any precedents for this in other disarmament and arms control regimes, given that Coordinating Committees already have a mandate to report to states parties.

Paragraph 2(b)

South Africa also called to delete paragraph 2(b) of the Decisions document:

In order to facilitate continuity in the implementation of the Treaty, the President of the most recently concluded Meeting of States Parties (or Review Conference) will chair the Coordination Committee until the midway point between meetings of States Parties (or between a meeting of States Parties and a Review Conference) at which time the chair will be assumed by the President of the succeeding meeting of States Parties (or Review Conference).

Paragraph 2 also contains a footnote explaining that this “arrangement to facilitate continuity of work between the first and second meeting of States Parties does not set a precedent for subsequent intersessional chairing modalities.”

Mexico questioned this proposed deletion, noting that often multiple chairpersons work together to help one another, and that collaboration is a feature of the TPNW. South Africa explained that it has nothing against collaboration per se, but

about formalising the structure into the long-term. While the footnote helps, it said, the language in the paragraph takes it beyond the MSP by also referencing MSPs and review processes.

There was a brief suspension of the meeting for discussion. Afterward, South Africa read a new formulation of paragraph 2(b): “In order to facilitate continuity in the implementation of the treaty, and in the spirit of cooperation, the president of the 1MSP will chair the coordination committee until the midway point between the first and second meetings of states parties, at which time the chair will be assumed by the president of the second MSP.” The footnote will be retained.

Jamaica suggested a change to para 2(a) to bring it line with the proposed change to 2(b) and reflecting that the president of the 2MSP will already be elected by the end of this MSP.

Mexico later said that it could accept the deletion of this paragraph with the understanding that the previous and designated presidents will continue working together.

Paragraph 2(e)

Cuba suggested an amendment to paragraph 2(e), which lists the working groups and names their co-chairs. Cuba asked that it be clarified that the co-chairs will function between the first and second MSPs, and that a decision will be taken at 2MSP about subsequent chairs, mandates, etc.

New Zealand said the intention was that these appointments are only for the time period between 1MSP and 2MSP but welcomed the extra clarity.

Paragraph 2(f)

An amendment was proposed by Cuba to paragraph 2(f), which reads:

that the informal working groups will be open to participation of all States parties, with the involvement of the International Committee of the Red Cross, the International Campaign to Abolish Nuclear Weapons, the Secretariat, and relevant international organisations as

observers. Interested Signatory States and additional experts and civil society partners, as well as other relevant stakeholders may be invited by the co-chairs to participate in the work of the informal working groups as observers in line with the guiding principle of inclusivity and the substantive requirements of the respective informal working groups;

Cuba suggested to add “in consultation with the states parties” after the word “co-chairs”. New Zealand said it was unsure of the benefit of this approach. Cuba explained that the current language enables non-state actors to have the status of permanent observers, and while Cuba supports that status being given to ICAN and the ICRC it cannot accept that states parties would not have this right. It argued that if a permanent observers status is granted to two organisations, than it should also be open to interested states parties.

Venue

South Africa proposed naming the United Nations in New York as the venue for meetings taking place in the intersessional period, stating that this is because it has the highest number of missions particular of developing states.

Ireland asked for clarification about this proposal, noting that problems could be created down the line if states parties setting it in stone now that New York will be the venue for future meetings. South Africa responded to say that they are not trying to impose limits on meetings, but to improve future participation given that TPNW states parties have more representation in New York than in other UN host cities. Mexico said it tended to agree with Ireland’s perspective.

Discussions on Complementarity

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

On Thursday morning, the First Meeting of States Parties (1MSP) discussed **Working Paper 3** (TPNW/MSP/2022/WP.3) and the corresponding decision contained in **TPNW/MSP/2022/CRP.6** on the complementarity between the Treaty on the Prohibition of Nuclear Weapons (TPNW) and other relevant instruments.

Jamie Walsh of Ireland introduced WP.3, which Ireland co-facilitated with Thailand. The primary purpose of work on complementarity is to demonstrate that while the TPNW is a standalone treaty, it builds upon and contributes to other nuclear disarmament and non-proliferation architecture and debates. The paper emphasises the contribution of the TPNW to global norms and standards, and to understandings of the humanitarian impacts of nuclear weapons.

The primary decision of this paper is to appoint informal facilitator(s) to explore and articulate possible areas of tangible cooperation between the TPNW and the Non-Proliferation Treaty and other relevant instruments before 2MSP.

The draft action plan also contains several related actions, including encouraging states parties to emphasise complementarity, to enhance cooperation with other international bodies such as the International Atomic Energy Agency (IAEA) and Comprehensive Test Ban Treaty Organisation (CTBTO), and to continue to work together on outreach projects with governments, civil society, academia, parliamentarians, and youth.

Thailand said working on complementarity will increase the visibility of the TPNW in other fora and promote the strength of cooperation. It encouraged others to promote the TPNW in other relevant treaty bodies and international frameworks and said it is committed to doing more until the misinformation and accusation against the TPNW have been eradicated and all states are on right side of history.

Comments on complementarity

Philippines agreed the TPNW implements the true spirit of the other nuclear instruments, by providing the legal framework and actionable measures to implement the NPT, building on the 2010 NPT action plan. The TPNW also reinforces the IAEA safeguards system and strengthens global norms against nuclear testing, building on the CTBT. Malaysia made similar remarks.

Mexico recalled that in 1996 the International Court of Justice indicated that the obligation to pursue nuclear disarmament in good faith means achieving this goal, which the TPNW reflects. The International Campaign to Abolish Nuclear Weapons (ICAN) highlighted that in addition to the other frameworks others have noted, the TPNW is compatible with broader arrangements like the Sustainable Development Goals and are incompatible with international law, especially international humanitarian law (IHL) and international human rights law (IHRL).

Peru likewise said that the positive obligations are in compliance with IHL, which is a significant added value of the TPNW. This fuels optimism regarding viability of the treaty, said Peru, and will contribute to its universalisation and breathe fresh life into disarmament overall. Kazakhstan suggested that while many nuclear weapon possessing countries may be opposed to the TPNW right now, it is important to convey to them that security conditions will never be wholly favourable to nuclear disarmament, but progress in disarmament can create better security conditions and thus should be pursued.

The International Committee of the Red Cross (ICRC) said the TPNW strengthens nuclear architecture in multiple ways, including because it prohibits nuclear weapons, which is an essential step to elimination; it strengthens the taboo against use, providing further disincentive for

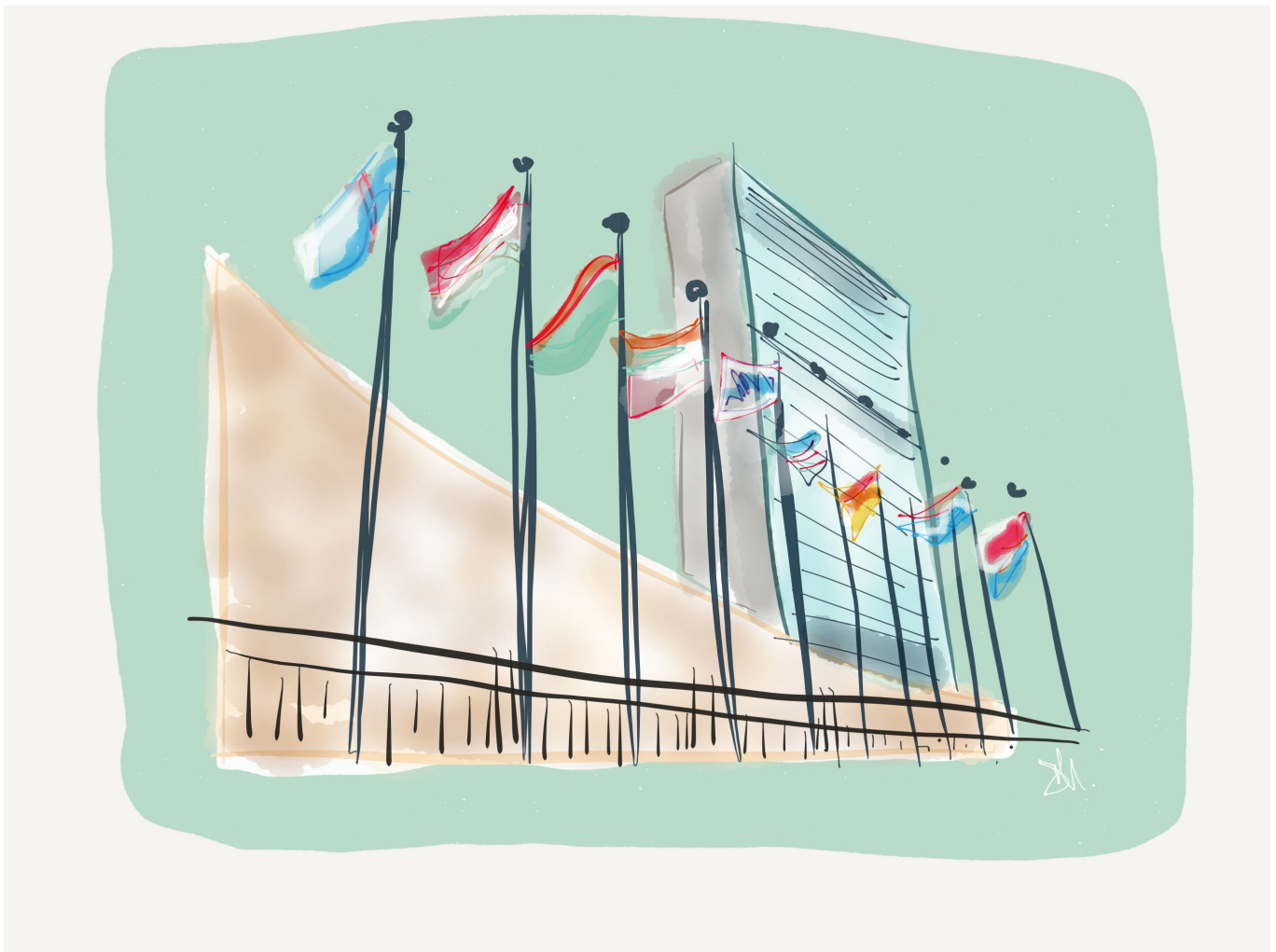
proliferation; it establishes additional obligations such as threat of use, possession, and stationing; it provides pathways for future measures for disarmament and verification; and it introduces positive obligations that are novel in the field of nuclear disarmament.

Carrying forward work on complementarity

Cuba noted the TPNW and NPT do not contain a definition of nuclear weapons, which it argued, leads to difficulties in both treaties. It suggested that substantive progress could be achieved in discussions among NPT states parties about the TPNW's positive obligations. Cuba also said it

does not support the imposition of complementary with initiatives being promoted outside the UN, nor with instruments of only limited composition with politically manipulated parameters.

Philippines endorsed the recommendations in the draft action plan and the relevant decision. South Africa agreed these actions would enhance the work during the intersessional period. Cuba supported the appointment of informal facilitators to take the work forward. At the end of the discussion of this agenda item, 1MSP adopted the relevant decision to appoint Ireland and Thailand as co-facilitators on complementarity during the intersessional period.



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Discussions on 2MSP and Adoption of Outcome Docs

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

On Thursday afternoon the First Meeting of States Parties (1MSP) to the Treaty on the Prohibition of Nuclear Weapons (TPNW) addressed outstanding agenda issues and adopted several procedural and outcome documents.

Preparation for the 2MSP

Time was allocated on Thursday to formalising decisions about the Second Meeting of States Parties (2MSP). Mexico's nomination for Ambassador Juan Ramón de la Fuente Ramírez to serve as the 2MSP president was confirmed.

In a statement, Mexico said that it takes on the presidency with a commitment to continuing with an inclusive and substance approach and consultations in advance of the MSP. It noted that the 1MSP and the humanitarian aspect shows more than ever the importance of eliminating nuclear weapons. Mexico said it will keep working with states that have reservations and thanked observer states who attended 1MSP.

It was also decided that 2MSP will take place at the UN Headquarters in New York from 27 November–1 December 2023. Mexico indicated that holding the meeting in New York is in response to preferences indicated by states during informal consultations and that holding the conference at the main headquarters demonstrates the link between the organisation and the treaty. Mexico wants to make up for time lost due to the COVID-19 pandemic and maintain momentum; it noted also that the precise duration of the meeting can be discussed in future.

Kazakhstan will take the presidency of the 3MSP. In a statement, it indicated its readiness for this task and to work with Austria and Mexico in a troika format to progressively reach the goals of the treaty.

Adoption of reports and outcome documents

The final hour of 1MSP culminated in the swift adoption of three outcome documents: a **Final Report**, a **Declaration**, and an **Action Plan**. Some of these include oral amendments and updates based on discussion and decisions just taken. The documents will be updated and finalised in the coming days. The report of the Credentials Committee was also approved.

The 1MSP report (which is largely procedural and describes where and when states met, who attended, and gives an overview of decisions taken) and the Action Plan were adopted without comment from any member states.

However, South Africa took issue with the title of the Declaration, asking that it be changed from the current formulation ("Vienna Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons") to "Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons, held in Vienna". South Africa explained that it felt this would better centre the document in the UN system, noting that it is in fact a UN conference.

Mexico pushed back on this, with support from Ireland, Indonesia, Costa Rica, Peru, and Kazakhstan. These states pointed out that many declarations and conventions adopt the name of the location in which they were agreed (i.e. Palermo Declaration, Durban Declaration and Programme of Action). Despite the pushback, which elicited applause from the conference room, South Africa stood by its request. It reminded that when the venue for 1MSP was decided, it had been adamant that this still be a UN conference even if held outside of headquarters.

The President took the proposal on board, and the Declaration was adopted with a revised title.

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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The views expressed in this publication are not necessarily those of WILPF or ICAN.

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