



**CONTRIBUTION OF THE HOLY SEE  
TO THE**

**FIRST MEETING OF STATES PARTIES  
TO THE TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS**

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**THE TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS  
A PATH FOR DIALOGUE AND ACTION**

## THE TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS A PATH FOR DIALOGUE AND ACTION

### Introduction

*“One of the deepest longings of the human heart is for security, peace and stability. The possession of nuclear and other weapons of mass destruction is not the answer to this desire; indeed, they seem always to thwart it. Our world is marked by a perverse dichotomy that tries to defend and ensure stability and peace through a false sense of security sustained by a mentality of fear and mistrust, one that ends up poisoning relationships between peoples and obstructing any form of dialogue”<sup>1</sup>.*

*“We have the freedom needed to limit and direct technology; we can put it at the service of another type of progress, one which is healthier, more human, more social, more integral”<sup>2</sup>.*

Since today *“everything is closely interrelated”<sup>3</sup>*, Pope Francis urges that *“any response to the threat of nuclear weapons should be collective and concerted, based on mutual trust [...] which can be built only through dialogue”<sup>4</sup>*, on the basis of human dignity, the unity and interconnectedness of the human family in a human fraternity.

From this perspective, the Holy See is firmly committed to a world free of nuclear weapons as both necessary and possible, and strongly favors such a fundamental goal for the following reasons:

1. The inadequacy, inappropriateness and fallacy of nuclear weapons-based defense systems to protect nations and to respond to the national and international security threats of the 21st century.
2. The catastrophic humanitarian and environmental impacts that come from the use and the test of nuclear weapons as past events testify.
3. The squandering and misallocation of human and economic resources for nuclear modernization, resources that are subtracted from the complex achievement of objectives such as peace, integral human development and integral security.
4. The negative consequences that come from a persistent climate of fear, mistrust and opposition generated by their mere possession.
5. The risks of conventional armed conflict escalating to involve the use of nuclear weapons.

On 22 January 2021, the Treaty on the Prohibition of Nuclear Weapons (TPNW) entered into force. As an historic milestone, it became the first legally binding international agreement to comprehensively prohibit nuclear weapons, placing them in the same category as other weapons of mass destruction already prohibited, notably chemical and biological weapons.

Yet, despite enjoying broad support within the international community and society as a whole, the TPNW continues to face reservations especially by States which possess and rely on nuclear weapons.

The objective of this document is to contribute to a constructive dialogue, with the hope that the Treaty might be universally accepted as a practical tool for action in pursuit of nuclear disarmament.

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<sup>1</sup> Pope Francis, *Address at the Peace Memorial, Hiroshima*, 24 November 2019.

<sup>2</sup> Pope Francis, *Encyclical Letter Laudato Si' on Care of Our Common Home*, 24 May 2015, para. 112.

<sup>3</sup> Pope Francis, *Laudato Si'*, para 137.

<sup>4</sup> Pope Francis, *Message to the United Nations Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons*, 23 March 2017.

## **The Holy See and the TPNW**

For decades, the Holy See has highlighted the dangers posed by nuclear weapons. Indeed, in 1963, Pope Saint John XXIII declared that “nuclear weapons must be banned”<sup>5</sup>. The Second Vatican Council later recognized that “the horror and perversity of war is immensely magnified by the addition of scientific weapons. For acts of war involving these weapons can inflict massive and indiscriminate destruction, thus going far beyond the bounds of legitimate defense... Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself”<sup>6</sup>. More recently, Pope Francis has also declared that “the use of atomic energy for purposes of war is immoral, just as the possessing of nuclear weapons is immoral”<sup>7</sup>.

In pursuit of its long-standing commitment to nuclear disarmament, the Holy See actively participated in the drafting process of the TPNW and was among the first to sign and ratify it.

From this position, the Holy See encourages States to join the TPNW as one of the principal international legal instruments of nuclear disarmament and non-proliferation. TPNW has become an integral part of the global nuclear disarmament architecture in complementarity with other vital treaties, such as the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

The legal architecture of nuclear disarmament is like a mosaic. Its pieces are the different components of the international nuclear non-proliferation and disarmament regime, which is aimed at achieving a nuclear-weapon-free world. Apart from the abovementioned treaties, this mosaic also includes other multilateral treaties, such as Nuclear-Weapon-Free Zones, and bilateral agreements, such as International Atomic Energy Agency (IAEA) Safeguards Agreements and New START, as well as negotiations towards the Fissile Material Cut-off Treaty (FMCT).

## **Some issues about the TPNW**

### **1) Nuclear weapons and their impact on international peace and security.**

The TPNW is based on the conviction that nuclear weapons do not contribute to international stability and ultimately are not in the national security interests of States. Rather, they pose an unacceptable threat to international freedom, peace and security. Their possession and further modernization increase international tensions and mistrust, as well as the risk of accidents due to misunderstanding or miscommunication that would have catastrophic humanitarian, environmental and geopolitical consequences on countries whether or not they are part of any “nuclear umbrella”.

As the current developments demonstrate, the world seems to have entered into a new dynamic. Although during the Cold War nuclear weapons may have been regarded by some as potentially stabilizing instruments maintaining a “balance of terror”, in today’s geopolitical context marked by multi-polarity, a high degree of unpredictability and low levels of trust, it has become evident that they cannot fulfill this function anymore.

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<sup>5</sup> Saint John XXIII, Encyclical Letter *Pacem in Terris* on Establishing Universal Peace in Truth, Justice, Charity, and Liberty, 11 April 1963, para. 112.

<sup>6</sup> Saint Paul VI, Pastoral Constitution *Gaudium et Spes* on the Church in the Modern World, 7 December 1965, para. 80.

<sup>7</sup> Pope Francis, *Address at the Peace Memorial*, Hiroshima, 24 November 2019.

The ongoing war in Ukraine has vividly confirmed these points. The possession of nuclear weapons, by the Russian Federation or third-party States supporting Ukraine, did not prevent the conflict. Public comments made regarding the possible use of nuclear weapons following the start of hostilities have not brought about negotiations or an end to hostilities. Rather, the mere referencing of nuclear weapons has brought grave concern across the globe, heightened geopolitical tensions, and reinforced existing calls for the modernization and continued stockpiling of nuclear weapons, at a time when the world needs de-escalation, dialogue and constructive cooperation as means to rebuild trust, the primary component of a stable and predictable international order.

In November 1985 former US President Ronald Reagan and former General Secretary of the Central Committee of the Communist Party of the Soviet Union Mikhail Gorbachev stated that “*nuclear war cannot be won and must not be fought*”<sup>8</sup>. The five NPT nuclear-weapon States have reaffirmed this pledge<sup>9</sup>. Furthermore, all NPT States Parties, including the nuclear-weapon States, have recognized the importance of “a diminishing role of nuclear weapons in security policies” and have agreed on “an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament”, as found and reaffirmed in the outcome documents of the 2000 and 2010 NPT Review Conferences. As long as nuclear weapons are considered legitimate means of national security, they will always ultimately undermine good faith efforts to promote and to ensure disarmament and non-proliferation.

## **2) Complementarities between the TPNW and the NPT.**

The TPNW objectives are embodied in the spirit of the NPT: they mutually reinforce and complement each other. Indeed, the TPNW furthers implementation of Article VI of NPT, which calls on States Parties to “pursue negotiations in good faith on effective measures relating to [...] nuclear disarmament”. The TPNW should be embraced as one such effective measure.

In this perspective, and from a legal or factual grounding, the TPNW is fully consistent with the NPT: it aims to prevent proliferation and to achieve an end to the nuclear arms race and the elimination of nuclear weapons. In its provisions for nuclear disarmament, the TPNW sets out multiple pathways to achieve the total, full, verifiable, and irreversible elimination of nuclear weapons. Thus, the TPNW should be seen as in full accordance with the objectives of the NPT and the commitments made by its States Parties at the 1995, 2000, and 2010 NPT Review Conferences. These commitments include the obligation to reduce reliance on nuclear weapons in security policies. The Holy See has repeatedly expressed the view that the TPNW does not undermine the NPT. Rather it is part of a common nuclear disarmament architecture aimed at preventing nuclear proliferation and at strengthening the global non-proliferation and disarmament regime.

## **3) TPNW and the existing safeguards regime, and verification provisions.**

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<sup>8</sup> Joint statement by the US President Ronald Reagan and the General Secretary of the Central Committee of the Communist Party of the Soviet Union Mikhail Gorbachev, Geneva, 21 November 1985.

<sup>9</sup> The aforementioned fundamental concept has been taken up again in the Joint Statement of the Leaders of the Five Nuclear-Weapon States (the People’s Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America) on Preventing Nuclear War and Avoiding Arms Races, released on 03 January 2022.

The TPNW commits any Party that has not yet done so to bring into force a comprehensive safeguards agreement with the IAEA based on IAEA document “INFCIRC/153 (Corrected)”, which the NPT itself does not specify. The TPNW advances the existing safeguards regime by legally obliging its Parties to keep in place any additional safeguards arrangements they have voluntarily agreed to implement, including the Additional Protocol and the Revised Small Quantities Protocol. By making these previously optional safeguards arrangements legally binding, the TPNW strengthens the existing safeguards regime to the benefit of all.

Furthermore, the TPNW offers two basic approaches to disarmament, both of which would require verification, and depend upon whether a State has nuclear weapons or not at the time of accession. To be effective, negotiating detailed verification provisions without the participation of the nuclear-weapon States, which alone possessed knowledge of the specific weapons systems and programs covered in the Treaty, would be impractical. The TPNW thus left it to future meetings of States Parties and negotiations with nuclear-armed States to work out the details of how the elimination of nuclear-weapon programmes should be verified. In developing verification provisions, States Parties can rely upon the experience of efforts that have sought to involve non-nuclear-weapon States in the nuclear disarmament process, such as the United Kingdom-Norway Initiative, the Quad Nuclear Verification Partnership, the International Partnership for Nuclear Disarmament Verification (IPNDV), and the UN Group of Governmental Experts on Nuclear Disarmament Verification.

### **The way forward**

Our efforts in arms control and disarmament must seek equal security for all. No State possessing nuclear weapons will give them up if it believes that other nuclear weapon States will retain theirs, or if it believes that non-nuclear weapon States or non-state actors will be tempted to acquire them.

Nor will a State proceed with nuclear disarmament, if in divesting itself of its nuclear arms, it feels that it will be left facing an imbalance of conventional forces inimical to its security. That is why Article VI of the NPT wisely commits all signatories to General and Complete Disarmament (GCD) even as it binds them to rid themselves of nuclear weapons. The quest for GCD must complement and go hand-in-hand with implementation of the TPNW.

During the Cold War, the nuclear weapon States exercised caution in their dealings with one another for fear of the potentially horrendous consequences of a miscalculation. As the U.S. Bishops wrote in 1983: “Deterrence is not an adequate strategy as a long-term basis for peace; it is a transitional strategy justifiable only in conjunction with resolute determination to pursue arms control and disarmament”<sup>10</sup>. “The fundamental principle on which our present peace depends must be replaced by another, which declares the true and solid peace of nations consists not in equality of arms but in mutual trust alone”<sup>11</sup>.

At this grave moment in history, the Holy See encourages all States to raise the moral vision and commitment of human beings to a higher plane. From the depths of past centuries rises the voice of the prophet Isaiah pointing the way forward today: “They shall beat their swords into ploughshares and their spears into pruning hooks; one nation shall not lift up sword against another, nor prepare for war”<sup>12</sup>.

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<sup>10</sup> United States Conference of Catholic Bishops: Pastoral Letter on War and Peace, *The Challenge of Peace: God’s Promise and Our Response*, 3 May 1983

<sup>11</sup> Saint John XXXIII, Encyclical Letter *Pacem in terris*, 11 April 1963, n. 113.

<sup>12</sup> Isaiah 2:4, quoted by the UN on Isaiah Wall in Ralph Bunche Park, New York City.

In this perspective, and in keeping also with its obligation under TPNW Article 12, the Holy See encourages:

- States already Party to the TPNW to continue on the path they have taken for nuclear disarmament and nonproliferation;
- States Parties to be active in seeking dialogue with non-States Parties in order to clarify outstanding issues or issues deemed open or unresolved about the TPNW.
- States not Party to the TPNW to join it and States Parties to support other States to do so, by promoting the TPNW in relevant regional, subregional and other fora and organizations;
- States who have not yet joined the Treaty to participate as observers at the MSP;
- all States and relevant international or regional organizations to acknowledge the TPNW in good faith and to align their policies with the obligations of the TPNW. This would include halting behaviour prohibited by the TPNW, such as developing nuclear weapons, hosting nuclear weapons, threatening to use nuclear weapons, testing nuclear weapons, assisting or encouraging any prohibited activities.

The Holy See encourages all States and relevant international or regional organizations to seek constructive engagement with the TPNW regime. Such actions might include contributing, through expertise or financially to the work of implementing TPNW's Article 6 and 7 on victim assistance and environmental remediation. These obligations hinge on the centrality of the human person and the care for our Common Home.

## Conclusions

Nuclear weapons remain a global problem. As the current geopolitical situation demonstrates, they affect not just nuclear-armed States, but other non-nuclear signatories of the Non-Proliferation Treaty, non-signatories, unacknowledged possessing States and allies under “the nuclear umbrella.” They also impact current and future generations as well as the planet, our common home.

The reduction of the nuclear threat and disarmament requires a global ethic. In this context, disarmament “becomes both a challenge and a moral and humanitarian imperative”<sup>13</sup>. Now more than ever technological and political interdependence cry out for an ethic of solidarity in which we work with one another for a less dangerous, morally responsible global future<sup>14</sup>. This point has become even more evident as the world faces the conflict in Ukraine.

“Faced with the danger of self-destruction, may humanity understand that the moment has come to abolish war, to erase it from human history, before it erases humans from history”<sup>15</sup>.

Existing disarmament treaties are more than just legal obligations. They are also moral commitments based on trust among States and among States' representatives, and they are rooted in the trust that citizens place in their governments, with moral stakes for the whole of humanity including future generations. It is therefore crucial that all members of the global community share the understanding that respect for international agreements and

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<sup>13</sup> Pope Francis, Encyclical Letter *Fratelli Tutti* on Fraternity and Social Friendship, 3 October 2020, para. 262.

<sup>14</sup> “Nuclear Weapons: Time for Abolition”, document presented by the Holy See at the Vienna Conference on Humanitarian Impact of Nuclear Weapons, 8 December 2014.

<sup>15</sup> Pope Francis, *Post-Angelus*, 27 March 2022. See also Pope Francis, *Urbi et Orbi* Easter Message, 17 April 2022, where he quoted the *Russell-Einstein Manifesto on 9 July 1955*: “Shall we put an end to the human race, or shall mankind renounce war?”.

international law is not a form of weakness, but a source of strength and stability since it provides the international order with predictability and fosters mutual trust.

The Holy See encourages all States Parties to adopt a renewed conviction of urgency and commitment to achieve concrete and durable agreements towards nuclear non-proliferation and disarmament.

In particular, it is now time to question the distinction between possession and use of nuclear weapons. One of the deepest longings of the human heart is for security, peace and stability. In this regard, “we need also to ask ourselves how sustainable is a stability based on fear, when it actually increases fear and undermines relationships of trust between peoples. International peace and stability cannot be based on a false sense of security, on the threat of mutual destruction or total annihilation, or on simply maintaining a balance of power”<sup>16</sup>. Trying to defend and ensure stability and peace through a false sense of security and a “balance of terror”, sustained by a mentality of fear and mistrust inevitably ends up endangering relationships between peoples and obstructing any form of dialogue. Possession leads easily to threaten their use, a form of “blackmail” repugnant to all.

Confronted with the many security challenges outlined above and that the international community is facing, it must be clear that there is no room for further lack of progress in implementing the legal architecture of nuclear disarmament. In order to reassert its pertinence and value, States should recognize that certain issues transcend narrow individual interests and agendas by virtue of their contribution to the common good. This is a responsibility which we cannot shirk. The stakes are too high. Our most urgent task is to avoid self-destruction by nuclear war. For our survival and well-being, for the sake of our children and the generations to come, we must create a world of solidarity, fraternity and justice, in which the dignity and rights of all are assured.

*The responsibility is ours. We owe it to future generations to implement this Treaty, to urge others so to enter into dialogue with us and to convince all States, especially nuclear weapon-possessing States, that the way forward is through working together now to rid the world of the threat of nuclear war and mass annihilation. We should be the leaders to make this real.*

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<sup>16</sup> Pope Francis, *Fratelli Tutti*, para. 262.