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Center Intergenerational Justice and Collaboration in the Implementation of TPNW

Working paper submitted by Northwestern Buffett Institute of Global Affairs

I. The First Meeting of States Parties should discuss ways to promote the full implementation of the TPNW through the prism of intergenerational justice.

1. The TPNW comes into effect at a moment when the generation that personally experienced the effects of nuclear warfare— the hibakusha (survivors of the atomic bombings of Hiroshima and Nagasaki), the architects of the NPT regime such as George Schultz, Henry Kissinger and Mikhail Gorbachov, and the ordinary citizens who grew up with routine Cold War-era civil defense exercises—is aging or has already passed. The inter-generational transfer of memory and anti-nuclear commitment has therefore become an increasingly urgent issue in the abolition of nuclear weapons.

2. Despite the absence of generational analysis in international legal debates surrounding nuclear weapons, the effects of nuclear testing and nuclear warfare are matters of intergenerational justice. The environmental impact of nuclear testing spans many generations, and many victims fear that the health effects of exposure to radiation from both testing and nuclear bombings are transmitted from one generation to the next. Activists are aware that the generation that experienced the bombings of Hiroshima and Nagasaki, and the generation that grew up under the cold war threat of nuclear war, when ordinary citizens were routinely exposed to apocalyptic images of nuclear warfare and were regularly enlisted in civil defense exercises, is now passing. A younger generation has grown up without a consciousness of an immediate threat of nuclear war, and except for communities with direct experience of the bombings or nuclear testing such as Nagasaki, New Caledonia, or Bikini Atoll, the elimination of nuclear weapons is less of a political focus among younger generations in many parts of the world than issues of climate change, inequality, or racial justice.

3. Although the question of what each generation owes the prior generation and the next is not a standard frame of reference in nuclear non-proliferation treaties, questions of intergenerational justice pervade many international legal problems, from climate change to human rights to the law of war. Questions regarding implementation
measures for positive obligations, such as victim assistance, can be answered by looking at the wide spectrum of intergenerational issues in international law.

4. The preamble to the Treaty directly addresses the challenge of intergenerational collaboration where it “[r]ecogniz[es]… the importance of peace and disarmament education in all its aspects and of raising awareness of the risks and consequences of nuclear weapons for current and future generations, and committed to the dissemination of the principles and norms of this Treaty.” The preamble also expressly frames a nuclear ban as a question of intergenerational justice: “Cognizant that the catastrophic consequences of nuclear weapons cannot be adequately addressed, transcend national borders, pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security and the health of current and future generations.”

5. The First Meeting of States Parties should re-emphasize the basis of the Treaty by promoting an intergenerational dialogue about the obligations and principles underlying it.

6. Article 12 commits State Parties to encourage States not party to the Treaty to sign, ratify, accept, approve or accede to the Treaty. In these efforts, State Parties should promote an intergenerational dialogue about the arguments and principles underlying it at local, national and international levels, and should seek to build coalitions between organizations of nuclear survivors and youth organizations for the transmission of knowledge about the humanitarian effects of nuclear weapons and sharing of leadership among generations.

7. State Parties should approach the implementation of the Treaty as an opportunity for different generations of victims and experts to learn from one another and work together towards a shared goal of disarmament and humanitarian assistance to victims.

- For example, with regard to Article 6 on victim assistance, Parties might encourage established community organizations and networks to partner with youth coalitions to leverage and expand existing compensation schemes to benefit victims.
- For example, with regard to Article 6 on victim assistance, Parties might create opportunities for consultation with victims and others about prior generations’ experiences with compensation schemes.