

First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons

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ICAN Policy Recommendations to the First Meeting of States Parties

Working paper submitted by the International Campaign to Abolish Nuclear Weapons (ICAN)

I. Expected Policy Outcomes

1. The first Meeting of States Parties (1MSP) of the Treaty on the Prohibition of Nuclear Weapons (TPNW) is an important opportunity to advance the treaty's implementation and the goal of a nuclear-weapon-free world. The first Meeting of States Parties is a chance for states to adopt substantive policy documents, to emphasise their commitment to the treaty and articulate specific actions they will take to implement it. These outcome documents may not be exhaustive of all the ways in which states may take action to implement the treaty but can be an important foundation and roadmap for states parties to take forward their legal obligations. ICAN recommends that states adopt a political declaration (a non-legally binding political statement), and an action plan (with specific commitments to implement articles of the treaty), as outcome documents, including the following key messages and policy commitments:

II. Key Messages

The TPNW is key to addressing today's strategic challenges

2. This is an era of nearly unprecedented global threats to international peace and security. As the world struggles to recover from a harrowing pandemic, Russia discards fundamental commitments under the UN Charter against the use of force in Ukraine and all nuclear-armed states increase spending on ever-advancing nuclear arsenals. It is at this time that the first international treaty to prohibit nuclear weapons is so critical to preserve international peace and security. The TPNW offers an off-ramp, a forum for diplomacy to cool rising geopolitical tensions. It mandates the necessary safeguards to prevent the additional deployment of nuclear weapons in all countries that have joined it. It is an alternative path to the one chosen by nuclear-armed states, one for collective security instead of unilateral militarism in the face of global challenges. Every state that chooses this pathway and joins the treaty bolsters

stability and predictability in the region by taking nuclear weapons off the table and playing its part to help lower global tensions. The TPNW is an integral part of the solution to strategic challenges.

Nuclear weapons pose unacceptable humanitarian consequences, and the risk of their use is increasing

3. Nuclear weapons are the most **destructive, inhumane and indiscriminate weapons** ever created. Both in the scale of the devastation they cause, and in their unique persistence, spreading genetically damaging radioactive fallout, they are unlike any other weapons. A single nuclear bomb detonated over a large city could kill millions of people. The two atomic bombs dropped on Japan in 1945 killed and maimed hundreds of thousands of people, and their effects are still being felt today, disproportionately by Indigenous peoples and people of colour. The use of tens or hundreds of nuclear bombs would disrupt the global climate, causing widespread famine.

4. The risk of nuclear weapon use continues to increase and can only be eliminated with the elimination of nuclear weapons. In 2021, nuclear-armed states spent \$82.4 billion on their nuclear arsenals. All nuclear-armed states are qualitatively expanding their arsenals and six nuclear-armed countries - China, India, North Korea, Pakistan, Russia and the United Kingdom - are increasing the size of their stockpiles.

The TPNW is making a difference

5. Nuclear weapons are the most **destructive, inhumane and indiscriminate weapons** ever created. Both in the scale of the devastation they cause, and in their unique persistence, spreading genetically damaging radioactive fallout, they are unlike any other weapons. A single nuclear bomb detonated over a large city could kill millions of people. The two atomic bombs dropped on Japan in 1945 killed and maimed hundreds of thousands of people, and their effects are still being felt today, disproportionately by Indigenous peoples and people of colour. The use of tens or hundreds of nuclear bombs would disrupt the global climate, causing widespread famine.

6. The TPNW is advancing the norm against nuclear weapons and already leading to tangible results even in states that have yet to join the treaty. Financial institutions have divested from the companies that produce nuclear weapons, citing the TPNW as the reason. Cities, including capitals like Berlin, Paris and Washington D.C., have adopted resolutions calling on their national governments to join the TPNW, as have thousands of parliamentarians around the world.

- **61 states parties and 86 signatories** to the TPNW, a growing number of states that reject all nuclear weapons activities and will take steps to address past nuclear harm
- **101 financial institutions** now have policies excluding investment in companies involved in nuclear weapons.
- **524 cities** are showing their support for the TPNW, including 19 with populations over 1 million and 9 capital cities
- **2015 parliamentarians** and political leaders have signed a pledge to support the TPNW in their official capacity.

The TPNW advances rights for nuclear survivors and addresses environmental damage

7. Communities affected by the past use and testing of nuclear weapons have often been marginalized, stigmatized, and their rights inadequately protected. Communities continue to experience humanitarian and environmental harm, and the rights and needs of victims have not yet been adequately addressed. Articles 6 and 7 on victim assistance, environmental remediation and international cooperation and assistance are crucial to the TPNW's humanitarian goals and practical role. They place obligations on TPNW states parties whose populations or environment are still experiencing harm from nuclear weapons use and testing to take further practical action towards addressing these issues, with the support of other states parties. These obligations are unprecedented and unique in an international instrument on nuclear weapons. Their implementation gives a crucial opportunity for committed states to work together to better address affected peoples' rights and needs as well as environmental contamination. They should be implemented in close collaboration with and centring affected people and communities: both victim assistance and environmental remediation should be seen as matters for understanding communities' rights and needs and providing practical responses.

III. Actions

Concrete actions for all states to begin the process to address nuclear harm with affected community involvement (Articles 6 & 7)

8. The IMSP should agree on initial actions and structures for work going forward, seeking to develop a collaborative and constructive culture of work amongst states parties, international organizations and civil society. Implementation should center affected communities. Building in particular on experiences of previous humanitarian disarmament treaties, ICAN recommends that in the action plan states should:

- Agree on principles for implementation
- Agree on actions for states that have assessed they have Article 6 obligations (affected states) as well as other states who can provide assistance. These should include committing to sharing information on their progress and working to develop informal reporting guidelines
- Commit to action for the inclusion of affected communities and other stakeholders
- Establish a programme of intersessional work on the implementation of this area, including to consider creating an international trust fund for affected states

Concrete actions for all states to universalise the TPNW (Article 12)

9. ICAN recommends that universalisation be a priority at IMSP, and that states parties adopt an action plan that implements concrete actions to promote universalization. ICAN has prepared for states parties and signatories a briefing note with more detailed background and recommendations, and ICAN has also published [a checklist](#) outlining actions that a state party might take to fulfill its Article 12 obligations in the context of United Nations forums, meetings of states parties, regional meetings, bilateral dealings, and in national contexts. ICAN recommends that states parties establish a framework to operationalize outreach (which could be formal or informal) to promote leadership (for example, by appointing regional

leads), ownership and accountability (for example, establishing a reporting mechanism and actionable plans for intersessional periods).

Setting the deadline for nuclear-armed states to eliminate nuclear weapons and host states to remove them (Article 4)

10. ICAN recommends that at 1MSP, states parties set a [deadline of 10 years](#) for the destruction of nuclear weapons, with a possible extension, as proposed by Zia Mian and Moritz Kutt of Princeton University. ICAN also recommends that states set a [deadline of three months](#) for the removal of nuclear weapons from a hosting state's territory, as proposed by other researchers.

Establishing a body to provide scientific advice to states parties

11. ICAN recommends that at 1MSP, states parties adopt a decision establishing a scientific advisory board or group for the TPNW, to report publicly on nuclear weapons risks and consequences and assist with implementation. States should also adopt the terms of reference for this body, which may include the following roles and functions:

- Prepare regular scientific reports on nuclear weapons and disarmament, including on the humanitarian consequences of nuclear weapons use, risks of nuclear weapons use and on relevant developments in science and technology
- Organise outreach events to communicate its findings to media, states not party to the TPNW and the broader public
- Provide scientific and technical advice to states parties on TPNW implementation as requested
- Coordinate research and reporting with scientific and non-scientific experts in states and in civil society, in particular those most impacted by nuclear weapons use and testing

Renewed focus on gender, race, and other considerations

12. ICAN recommends that at 1MSP, states parties commit to diversifying their delegations and offices dealing with issues of disarmament, support continued studies on the gendered and racialized impacts of all nuclear weapon activities, and include gender, age, race, disability and socioeconomic considerations in their actions related to victim assistance (Article 6) and international cooperation and assistance (Article 7). Additionally, states parties should consider the impact of gender norms on deliberations about nuclear weapons and confront, in international discourse, the patriarchal notions about security that preclude disarmament.