



The Treaty on the Prohibition of Nuclear Weapons



The Treaty on the Prohibition of Nuclear Weapons

In October 2017 the Nobel Peace Prize was awarded to the International Campaign to Abolish Nuclear Weapons (ICAN), a worldwide coalition of campaigning groups including CND Cymru. ICAN initiated and coordinated the campaign to create the Treaty on the Prohibition of Nuclear Weapons and for it to be adopted by the United Nations.

122 of the world's nations voted at the United Nations in July 2017 to adopt the Treaty on the Prohibition of Nuclear Weapons, with just 1 vote against and 1 abstention. The treaty comprehensively prohibits the use, possession, development, and testing of nuclear weapons, and prohibits providing assistance to any state engaging in any of those activities. UN member states were able to sign the Treaty from 20 September 2017.

The Treaty entered into force on 22 January 2021 following the fiftieth ratification of the Treaty. Signing the treaty by the leader of a state is a relatively simple act; ratification, however, usually involves passing



ICAN being awarded the Nobel Peace Prize, Setsuko Thurlow (centre) and Beatrice Fihn (right).

legislation through the state's national parliament to bring the prohibition into that state's national law. We want all countries to sign and ratify the treaty !

For an up-to-date list of which states have signed and / or ratified the treaty, see <https://www.cndcymru.org/en/about-us/tpnw/countries/>

The full text of the Treaty on the Prohibition of Nuclear Weapons is available here: <https://www.un.org/disarmament/wmd/nuclear/tpnw/>

1. What is the treaty about ?

The treaty prohibits states from developing, testing, producing, manufacturing, transferring, possessing, stockpiling, using or threatening to use nuclear weapons, or allowing another state's nuclear weapons to be stationed or deployed on their territory. The treaty also prohibits states from assisting, encouraging or inducing anyone to engage in any of those activities.

2. Is the treaty legally binding ?

Yes – and no. Once it comes into force, the treaty is legally binding on those states that have signed and ratified it. However, as with all international treaties, it is not binding on those states that have not signed and ratified the treaty.

3. Can a state that possesses nuclear weapons join the treaty?

Yes. A state can join the treaty, as long as that state agrees to remove the nuclear weapons it possesses from operational status immediately and presents a legally binding, time-bound and verifiable plan to destroy those nuclear weapons.

4. Can a state that hosts nuclear weapons on its territory join the treaty ?

A state that hosts another state's nuclear weapons on its territory can join the treaty, as long as it agrees to remove them by a specified deadline.

5. Can a state join the treaty and remain in a military alliance with a nuclear-armed state?

Yes. Britain is a member of the North Atlantic Treaty Organisation (NATO),

whose member states have reserved the right to adopt independent national policies on nuclear and other weapons. There is nothing in the treaty preventing a state from being in a military alliance with a nuclear-armed state, so long as its participation in that alliance does not include prohibited acts involving nuclear weapons.

6. Does the treaty establish verification measures or safeguards to ensure that states do not develop nuclear weapons ?

Yes. States that have safeguards under the Nuclear Non-Proliferation Treaty (NPT) must keep these agreements, without any prejudice to concluding additional ones in the future. States that do not have safeguards are required to conclude an agreement in line with the NPT requirements within 18 months. The treaty does not undermine any obligations that states have made to safeguards under the NPT.

7. Can a state assert that certain parts of the treaty do not apply to it ?

No. The treaty does not allow a nation to make 'reservations', which means that a nation cannot join the treaty and then assert that certain parts of the treaty do not apply to them.

8. Can a state withdraw from the treaty?

Yes. In exercising its sovereignty, a nation can withdraw from the treaty. It must provide 12 months' notice. However, it cannot withdraw if it is currently involved in an armed conflict.

Won't the nuclear powers just ignore it?

While none of the nine nuclear-armed states (China, France, India, Israel, North Korea, Pakistan, Russia, the United Kingdom, and the United States of America) are expected to sign the Treaty in the immediate future, it will have a significant impact on their behaviour in the long term.

How do Treaties change policies even when not signed?

Despite the USA not having signed the Cluster Munitions Convention, no more cluster bombs are being manufactured in the USA; the last producer, Textron, closed its production line because the USA has stopped buying any more cluster bombs, and they are unable to find international buyers (because so many countries have signed the Cluster Munitions Convention). 22 of the 29 NATO members (all except Estonia, Greece, Latvia, Poland, Romania, Turkey, and the USA) have ratified the Cluster Munitions Convention. The countries

that have ratified the convention will not take part in NATO exercises that involve cluster munitions, effectively meaning that NATO as a whole no longer plans to use cluster munitions in any situation that might arise.

All NATO members (except the USA) have also ratified the Ottawa Convention banning anti-personnel land mines. Again, these countries will not take part in NATO exercises that involve using anti-personnel land mines, effectively meaning that NATO no longer plans to use anti-personnel land mines in military exercises.

Consequently, although the USA is legally entitled to use both cluster munitions and anti-personnel land mines, because they have not signed or ratified either treaty, they have been restricted in their ability to actually use either weapon by their NATO allies. The same sort of restrictions would apply to nuclear weapons should some NATO members ratify the Treaty on the Prohibition of Nuclear Weapons.



CND Cymru delegates to Paris Ican conference (Linda Rogers & Thomas Pitt).

Why will the Treaty succeed?

- This Treaty delegitimises nuclear weapons. As more and more countries sign up, it will be a clear indication that the majority of the world's nations no longer regard nuclear weapons as legitimate, creating a new international norm.
- As with previous weapon prohibition treaties, the changing of international norms will lead to concrete changes in policies and behaviour, even when states have refused to sign up to the treaty. This has happened with the Comprehensive Test Ban Treaty (CTBT) of 1996: the United States has not so far ratified the CTBT, a treaty which has not come into force. However, the USA has not conducted any nuclear weapon tests since that treaty was created. Following the treaties banning land mines and cluster munitions, states which have not signed and ratified treaties also changed their policies regarding these weapons.
- The new Treaty completes a series of prohibitions on weapons of mass destruction. This process began in the 1970s, when chemical weapons were outlawed, and continued through to the

The Nine States who have nuclear weapons*:

Russia 6,255 warheads
United States of America 5,550 warheads
China 350 warheads
France 290 warheads
United Kingdom 260 warheads
Pakistan 165 warheads
India 156 warheads
Israel 90 warheads
North Korea 40-50 warheads

**Warhead numbers as of February 2022*



Brian Jones

Prof Ken Booth, Department of International Politics at Aberystwyth, and Beatrice Fihn, ICAN's Swedish Executive Director.

1990s with the banning of biological weapons.

- Nuclear weapons are intended to kill millions of civilians indiscriminately – a gross violation of International Humanitarian Law. Few would argue that the mass slaughter of civilians is acceptable, and there is no manner of using a nuclear weapon which could avoid this. The treaty further strengthens the body of International Humanitarian Law opposing nuclear weapons.
- Countries often seek nuclear weapons for the prestige of being seen a member of an important club. By making nuclear weapons more clearly an object of scorn rather than achievement, their spread can be deterred.

The Treaty is not a magic solution that will get rid of nuclear weapons, but it is one tool (amongst many) that can and should be used to make progress towards a world free of nuclear weapons.

Disinvestment from nuclear weapons

The Norwegian Government's Global Pension Fund (worth over \$1000 billion) and the Dutch Pension Fund ABP (the 5th largest pension fund in the world) have ended their investments in producers of nuclear weapons, including disinvesting from British

Aerospace because of its involvement in the Trident system. Germany's Deutsche Bank has expanded its investment policy to exclude companies involved in nuclear weapon production and the major Belgian Bank KBC has also committed to excluding all nuclear weapon producers from its investments.

These funds are amongst 101 financial institutions which have already decided to withdraw all financing and financial services from nuclear weapon production. It is also notable that the host countries of many of these financial institutions are countries which have not yet signed the Treaty on the Prohibition of Nuclear Weapons, an example of international finance identifying the general direction in which an issue is heading and acting ahead of their governments.

There is evidence that companies feel this type of pressure. For example, even though the United States is not a party to the Convention on Cluster Munitions and therefore not bound by its provisions, U.S.-based company Lockheed Martin has

announced an end to the production of rockets, missiles or other delivery systems for cluster munitions, and said that they would refuse similar orders in the future. Lockheed Martin said they hoped this would mean that they could be included in investor portfolios again. This shows that pressure by financial institutions helped Lockheed Martin's decide to end its involvement with cluster munitions production.

What can we do ?

Spread the message

The UK government's policy is to ignore this treaty, and there has been hardly any coverage of the Treaty in the media. It is up to us to inform people about the treaty, and the opportunity that it creates to make progress towards eliminating nuclear weapons worldwide.

For example, how about organising a screening of the film "The Beginning of the End of Nuclear Weapons"? The hour long film tells the story of nuclear weapons and how the Treaty was created. CND Cymru has copies of the film available on a memory stick.

ICAN Parliamentary Pledge

Any Member of Parliament or Member of the Senedd can join the 1300+ elected politicians who have signed the ICAN Parliamentary Pledge to show their support for the treaty:

"We, the undersigned parliamentarians, warmly welcome the adoption of the UN Treaty on the Prohibition of Nuclear Weapons on 7 July 2017 as a significant step towards the realization of a nuclear-weapon-free world.

We share the deep concern expressed in the preamble about the catastrophic



**The UK spent £13,917
every minute on nuclear
weapons in 2019**



Brian Jones

CND Cymru supports global prohibition, y Morlan, Aberystwth, February 2019.

humanitarian consequences that would result from any use of nuclear weapons and we recognize the consequent need to eliminate these inhumane and abhorrent weapons.

As parliamentarians, we pledge to work for the signature and ratification of this landmark treaty by our respective countries, as we consider the abolition of nuclear weapons to be a global public good of the highest order and an essential step to promote the security and well-being of all peoples."

Have your elected representatives signed this pledge? A list of Welsh politicians who have signed the pledge is available here <https://www.cndcymru.org/en/about-us/tpnw/pledge/>

If they have not signed, please write to them or visit them at one of their surgeries to ask them to sign this pledge. If they have signed, you could thank them and ask them what actions they can undertake to encourage the UK government to sign the Treaty.

The list of all the politicians who have signed the ICAN Parliamentary Pledge is available here <http://pledge.icanw.org/>

ICAN Cities Appeal

Any elected city or county council can pass this resolution to show their support for the treaty:

"Our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment.

Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to join it without delay."

Has your council signed this appeal? A list of Welsh councils which have signed the pledge is available here <https://www.cndcymru.org/en/about-us/tpnw/cities/> If they have not signed, please write to your councillor(s) to ask them to sign this appeal.

The list of all cities and counties that have signed the ICAN Cities Appeal is available here https://cities.icanw.org/list_of_cities

Don't Bank on the Bomb

The Don't Bank on the Bomb report, "Beyond the Bomb", profiles 101 banks, pension funds, insurance companies and other financial institutions with policies which oppose investment in nuclear weapon producers. This report is available here: <https://www.dontbankonthebomb.com/> Scottish CND has carried out a considerable amount of research and campaigning on disinvestment from nuclear weapons; their latest report is available here: <https://www.dontbankonthebomb.com/stop-funding-the-end-of-the-world-a-guide-to-nuclear-weapons-divestment-in-scotland/>

Faith leaders' pledge

Any person with a leadership role within their faith community may sign this pledge: *"As a faith leader, I welcome the entry into force of the United Nations Treaty on the Prohibition of Nuclear Weapons on 22 January 2021 as a significant step towards the realisation of a nuclear weapon free world. I share the deep concern expressed in the treaty's preamble about the catastrophic humanitarian consequences that would result from any use of nuclear weapons, and consequently believe that we need to eliminate these inhumane, abhorrent weapons. I promise to make the moral case for the TPNW and to call on the UK government to sign and ratify this treaty."* Have your faith leaders signed this pledge? A list of Welsh faith leaders who have signed the pledge is available here <https://www.cndcymru.org/en/about-us/tpnw/faith/>

Together, we can do it !

Making progress on all these issues is going to need people, researching and campaigning together, across all

parts of Wales. CND Cymru can help by putting people into contact with others campaigning on these issues, and by co-ordinating these campaigns. We are all volunteers, but by working together we can achieve so much ! If you are willing to become involved, then do contact us !

"The story of nuclear weapons will have an ending, and it is up to us what that ending will be. Will it be the end of nuclear weapons, or will it be the end of us?"

Beatrice Fihn, Director ICAN, accepting the 2017 Nobel Peace Prize on behalf of ICAN

CND Cymru Briefing: 8

The Treaty on the Prohibition of Nuclear Weapons

Written & edited by Jan Jones & Brian Jones
Translated by Sian Edwards
Printed by Redkite Print
Published by CND Cymru
March 2022

For further copies of this Briefing, information, and to subscribe to 'Heddwch' magazine

t: 01239 851 188

f: CND Cymru

e: heddwch@cndcymru.org

www.cndcymru.org

CND Cymru is the Wales Campaign for Nuclear Disarmament

Support CND Cymru and our work for nuclear disarmament, international peace and justice.

Please join us !