

”The Beginning of the End of Nuclear Weapons”

HOW DID THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS COME ABOUT?

It was the 8th time the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) Review Conference was to be held at the United Nations in New York in May 2010 since its creation in 1968. This was a time to explore issues relating to the status of nuclear weapons production and control. But this time it was different.

Forty-four non nuclear states openly criticized the the five recognized nuclear weapons states’ lack of compliance with Article 6 of the NPT. In that article all non-nuclear-weapon states signatories agreed never to acquire nuclear weapons, and the recognized nuclear-weapon states agreed to work towards ending the nuclear arms race and pursuing ... complete disarmament under strict and effective international control.

Similar to all previous review conferences over the previous 40 years, no significant disarming measures were presented at that time by any of the eight (now nine) nuclear weapon states, though the START TREATY, signed by Russia and the United States in 2010 and calling for the modest down-sizing of their arsenals, had been signed and was being slowly implemented. A proposal to continue the discussion in a follow up NPT meeting failed to happen, (but the START TREATY was recently renewed by the current US and Russian leaders.).

The International Campaign Against Nuclear Weapons (ICAN), had organized in 2004 to address the issue of nuclear weapon disarmament, saw an opportunity in the 44 vocal non nuclear states admonishing the nuclear weapon states about implementing Article 6, and organized a separate meeting to bring them together. Meetings continued throughout the coming years and attracted a total of 122 nations to decide by 2015 to authorize the draft of a Treaty to Prohibit Nuclear Weapons, despite the

strong objection by all nuclear weapon states. There were already treaties outlawing biological and chemical weapons, landmines and cluster munitions but nothing restricting nuclear weapons.

Those meetings included effective speakers such as the Executive Director of the International Committee of the Red Cross, Peter Maurer, who gave a very convincing speech about the humanitarian impact of the horrors of a nuclear weapon to all life forms, the reality of their merciless incineration in the ground zero area including 80% of all medical personnel making disaster relief impossible at the time. (Still no disaster plan exists to render possible assistance.) Since Hiroshima, the ICRC has been a consistent opponent of the use of nuclear weapons, citing the principle of distinction of International Humanitarian Law (operative in times of war) in which deliberate targeting of civilians has been totally prohibited. This makes the use of nuclear weapons, which do not make any such distinction possible, totally and essentially illegal.

Pope Francis lent strong support in highlighting the immorality of their use and the essential bullying of non nuclear states by nuclear states to impose their will. U.N, Secretary General Antonio Guterrez had repeatedly spoken of the dire need of weapons' elimination, often expressing his support for this Treaty. ICAN was awarded the Nobel Peace Prize in 2017 for their work in organizing these meetings and helping move along the Treaty process..

The energies of ICAN continued over this time period, behind the scenes, handling the scheduling and follow up of each of the meetings where the concept was discussed, a treaty was proposed, agreed upon, written, opened for signature by member states (50 state ratifications were required for entry into force), and implementation monitoring of the signatories. The treaty became legal making nuclear weapons illegal on Oct. 24th, 2020, the United Nations' 75th birthday, and entered into force after the 90 day period of implementation was over on January 22, 2021.

Efforts continue by ICAN and its over 600 partner organizations worldwide in 106 countries to encourage more country ratifications of the treaty, especially those nations with nuclear weapons and their "umbrella" storage nations. As of this writing, 54 nations have ratified the treaty with 86 more countries signed on to it, indicating interest in pursuing ratification. Popular

endorsement in a large number of states (especially in Europe) for the ratification of the Treaty is occurring. For current status, please see <https://icanw.org>.

WHAT DOES THE TREATY SAY AND HOW IS THE IMPLEMENTATION OF THE TREATY PROVISIONS TO BE ACCOMPLISHED?

While the Geneva Conventions and International Humanitarian Law essentially make the use of nuclear weapons illegal, the enforcement of the treaty necessitates that signatories agree never to undertake under any circumstances to **Develop, Test, Produce, Manufacture, Otherwise acquire, Possess, Transfer, Deploy, Use, Threat to use, or Stockpile nuclear weapons or other nuclear explosive devices. Nor are the parties to the treaty allowed to Assist, Finance, Encourage, Induce others to carry out any of these prohibited acts.** Parties are obligated to completely eliminate any and all nuclear weapons and provide a framework in their affairs with any other countries to achieve that.

How will this be implemented? After the treaty is ratified by a country, there is a period of 90 days before the treaty will enter into force in that particular country. During that time a process begins of matching which provisions of the treaty apply best to the situation of the particular country. Help is provided by ICAN and UN staff to assist. For all the countries which have thus far ratified the treaty, a meeting is scheduled for all of them to meet one year after the Treaty itself came into force: January 22, 2022 in Vienna, Austria. In the meantime the International Atomic Energy Agency will have visited each of these countries to determine if they have any nuclear weapons, and guide them in the next steps of eliminating them: either returning them to their country of origin or dismantling them completely.

For those nuclear weapons states, arrangements for their compliance with the treaty in the removal/dismantling or elimination of the weapons would take place. The obligations of the ratified states include:

1. A Declaration about its nuclear weapon status (including hosting or elimination)

2. Maintenance of a comprehensive safeguard agreement with the International Atomic Energy Agency
3. Elimination and verification for nuclear weapons states that join the Treaty
4. Removal of any nuclear weapons or its parts by the ratified state.
5. Assistance to any victim of nuclear testing or use and environmental cleanup of contaminated areas

A nation that possesses nuclear weapons may join the treaty as long as it agrees to destroy them in accordance with a legally binding, time-bound plan. Similarly, a nation that hosts another nation's nuclear weapons on its territory may join, so long as it agrees to remove them by a specified deadline.

WHAT CAN INDIVIDUALS DO TO SUPPORT THE TREATY? ICAN has encouraged citizens to (1) contact their elected officials to encourage national support of the Treaty and other disarmament issues and urge friends and family to do the same (2) work to publicize the Treaty in all forms of media (3) join local groups to pursue the following actions. Over 500 cities and states have written resolutions in support of the Treaty which are forwarded to federal decision making officials. More than 1600 parliamentarians and elected officials have taken a pledge to support the Treaty and followed it up with public action in their localities.

Individuals can also further the Treaty's purpose by divesting from those companies making weaponry, research institutes such as universities or laboratories, banks or pension funds investing in such enterprises. Public pressure has been successful in getting governments to ratify the Treaty. More ideas and suggestions are available on the website of <https://icanw.org>. or www.nuclearban.us. While there is much effort needed to bring about the goal of eliminating nuclear weapons from our lovely blue planet, your cooperation and support can most assuredly help.