



**The UN Treaty on the Prohibition of Nuclear Weapons (TPNW) is now international law:**

**What does this mean for Britain?**



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**CND AGM Public Meeting 24 October 2021**

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# **Political decision-making, Treaty obligations & options for nuclear disarmament**

**→ What will it take for the UK to join the TPNW?**

**→ What will it take for the UK to fulfil and comply with existing legal obligations under the NPT?**

**→ What steps and timeframes are required by the UK and Scottish governments?**

**→ What should our national and local government authorities and representatives be doing now?**



**Adopted by 122 UN GA members on 7 July 2017, the TPNW entered into international legal force on 22 January 2021**

**86 Signatories**  
**56 States Parties**  
(as at 23.10.21)



**Setsuko Thurlow →**  
**Hibakusha, aged 13 when first atomic bomb hit Hiroshima 6 Aug 1945**  
**Here, speaking for ICAN during the 2017 negotiations in the UN GA**

# TPNW Article 1 Prohibitions

1. Each State Party undertakes never under any circumstances to:

(a) Develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;

(b) Transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly or indirectly;



## **TPNW Article 1 Prohibitions [continued]**

- (c) Receive the transfer of or control over nuclear weapons or other nuclear explosive devices directly or indirectly;
- (d) Use or threaten to use nuclear weapons or other nuclear explosive devices;
- (e) Assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Treaty;
- (f) Seek or receive any assistance, in any way, from anyone to engage in any activity prohibited to a State Party under this Treaty;
- (g) Allow any stationing, installation or deployment of any nuclear weapons or other nuclear explosive devices in its territory or at any place under its jurisdiction or control.

# UK's existing legal obligations: NPT

## Article VI on Disarmament

*Each of the Parties to the Treaty undertakes to **pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament...***



# What has to happen for UK to undertake nuclear disarmament?

A) Nuclear bomb use or accident

B) Security-economic decision

C) Scotland votes to become nuclear free and independent

D) One or more nuclear armed government (and/or several NATO states) sign TPNW

E) UK elections deliver a government committed to nuclear disarmament



➔ *likely to be a combination of factors...*

# TPNW Articles 2-5: Obligations & Options for the total elimination of nuclear weapons

**a) Join and Destroy** nuclear arsenals by negotiating with TPNWO + states parties the steps and timetable for elimination

**b) Destroy and Join** (alternative pathway based on South Africa, which dismantled and eliminated its arsenal and nuclear-weapons-related capabilities, got IAEA verification, adopted safeguards and then joined the NPT in 1992)

**Commit, consult & take steps to implement:**

- **Remove weapons** from operational deployment
- **Declarations** on nuclear arsenal & facilities
- **Irreversibly destroy NW+ capabilities safely & securely**

# To Implement UK Nuclear Disarmament

## Consult, Decide, Commit

### Phase 1 – Immediate steps

- end operational deployment of nuclear weapons
- remove launch keys and triggers
- disable missiles, remove guidance and flight control systems
- halt new nuclear weapons production



Adapted from research by John Ainslie (Scottish CND) on 'Disarming Trident' (2012)

# Manage and Implement: Practical Steps

## Phase 2 – Steps to take in 2-10 weeks

- end patrols by Vanguard submarines;
- remove warheads from submarines, disable use and reduce risks;
- Store warheads at RNAD Coulport, pending transfer to AWE
- remove missiles from UK submarines, pending return to USA



# **Further political and practical decisions**

## **Phase 3 – Next Steps (3 months to 3 years)**

**→ remove missiles and return them to USA or destroy them on behalf of both UK and USA**

**→ Remove ‘Limited Life Components’ from warheads to reduce risks**

**→ Transfer all warheads and relevant components from Coulport & Faslane naval facilities (Scotland) to AWE Burghfield & Aldermaston to be disarmed, disassembled, and components destroyed and/or safely disposed of.**

# **Decide, Manage, Negotiate, Implement** **Join and Destroy or Destroy and Join?**

**Choose which pathway to accede to TPNW and follow through on implementing nuclear disarmament commitments, from NW elimination and prevention of acquisition, proliferation and use, to safeguards, verification, assistance, remediation and non-nuclear security**

- Negotiate and agree **timetable** to eliminate UK nuclear arsenal and close or repurpose NW facilities**
- Fulfil **deadline** (10 YEARS?) for complete, irreversible destruction of British nuclear weapons**
- Undertake and agree on **assistance to victims and environmental remediation**, process, resources & timelines**

# TPNW Article 6: positive obligations on victim assistance and environmental remediation

**The TPNW is the first nuclear treaty to put victim assistance and environmental remediation into its obligations**

Article 6 requires states that have been affected by the use or testing of nuclear weapons to assist the survivors, recognising the importance of 'age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support'.

Article 6 also addresses environmental remediation, and requires that states parties that have been contaminated by nuclear testing or use must take "necessary and appropriate measures" to remediate – i.e. clean up and restore – the environment.



# TPNW Article 7: International Cooperation and Assistance

Article 7 enshrines the **right to seek and receive assistance** from others, plus

→ **legal obligation on states parties that used or tested nuclear weapons/devices to provide 'adequate assistance' to take forward assisting victims and remediating affected environments.**

→ **legal obligation on all states parties to cooperate with each other in facilitating the implementation of the TPNW.**

Assistance may be technical, material, humanitarian and financial, and shall be provided by states parties 'in a position to do so', bilaterally and/or through the UN system and/or various international organisations or NGOs.

# **Security, jobs and other considerations**

- Revise military-industrial strategies for security and peace-building future, emphasising climate and environmental protection, jobs etc.;**
- Effective parliamentary engagement and oversight;**
- Broad local engagement and participation;**
- Cancel nuclear weapon production contracts;**
- Provide sufficient resources for safe and irreversible disarmament, transitional jobs, disposal of waste;**
- Technical, legal and institutional requirements;**
- Work with TPNW organisation on building effective verification and monitoring capabilities and systems;**
- Develop non-nuclear security approaches, alliances and international relations...**

# **TPNW Imperative to Ban and Eliminate Nuclear Weapons**

***"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, and have a disproportionate impact on women and girls, including as a result of ionizing radiation..."***

Preambular paragraph 4, Treaty on the Prohibition of Nuclear Weapons,

<https://undocs.org/A/CONF.229/2017/8> ]

**Meanwhile, UK nuclear warheads keep driving on Britain's public roads between AWE Burghfield (Berkshire) and Coulport (Scotland)**



**Nukewatch protesting the convoy on 18th September 2019**

**Forthcoming Report**

**NUCLEAR WEAPONS  
ARE BANNED!  
WHAT DOES THIS  
MEAN FOR BRITAIN?**

