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

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Preventing Nuclear Use and Dangers: Practical Steps to take forward Implementation of the Treaty on the Prohibition of Nuclear Weapons

Working paper submitted by the Acronym Institute for Disarmament Diplomacy

I. Background

1. The Treaty on the Prohibition of Nuclear Weapons (TPNW) was negotiated with the fundamental humanitarian purpose of preventing nuclear war and removing the dangers of nuclear weapons being used.
2. The TPNW, which principles and pathways for the total elimination of nuclear weapons is compatible with the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which committed to nuclear disarmament, preventing nuclear war', and 'measures to safeguard the security of peoples'. The TPNW also reinforces the 1996 Comprehensive Test Ban Treaty (CTBT) by comprehensively prohibiting nuclear testing and supporting 'systematic and progressive efforts' to reduce and eliminate nuclear weapons globally.
3. Current wars and conflicts pose particular risks of nuclear weapons use. Recently, nuclear threats have been issued by members of nuclear-armed governments. Following the Russian invasion of Ukraine in 2022, President Putin has issued explicit nuclear threats. During the heavy bombardment of Gaza that followed the appalling murders and hostage taking by Hamas gunmen on 7 October, an Israeli government minister, Amichay Eliyahu, said that 'dropping a nuclear bomb on Gaza and killing everyone there was one way of dealing with the threat from Hamas'. Eliyahu was quickly suspended for his comment. However, high level nuclear threats like these underscore that the possession of nuclear weapons by any State poses dangers for residents, regions and the whole world. There are no safe hands for nuclear weapons.
4. There is a significant correlation between states that possess, proliferate and pursue nuclear weapons and the governments that have large military establishments and arsenals overall. The evidence since 1945 indicates that the presence of nuclear weapons exacerbates and drives increased militarisation as well as nuclear proliferation threats and risks. The upsurge in the proliferation of nuclear

technologies for power as well as weapons is especially worrying in Europe, the Middle East and Asia-Pacific, where national and political rivalries fuel insecurity and drive increases in military expenditures and armaments of many kinds.

5. It is vital for all governments – non-nuclear as well as nuclear-armed States – to engage fully and responsibly to prevent nuclear use. Joining the Treaty on the Prohibition of Nuclear Weapons is an important legal step that all can take to stigmatise and prohibit nuclear threats and weapons in all their aspects. The TPNW reinforces global norms and strengthens taboos against the use, production, possession and testing of nuclear armaments, along with the key activities that might enable any state or non-state actor to acquire, threaten or use nuclear weapons or related technologies for destructive purposes (including, *inter alia*, dirty bombs and other radiation dispersal mechanisms).

6. As a multilateral treaty under International Humanitarian Law, the TPNW applies in times of war as well as peace, and prohibits nuclear weapons and the major activities that might enable anyone to acquire or use nuclear armaments. Articles 4-7 provide principles and basic obligations for acceding States to eliminate their nuclear arsenals, along with obligations to assist victims.

7. Promoting and developing the TPNW in all its aspects will play important legal and normative roles in moving nuclear-dependent governments to recognise that nuclear weapons are not helpful for their security. Nuclear deterrence is a flawed theory that should go the way of ‘flat earth’ beliefs. Evidence from the past seven decades indicates that reliance on nuclear weapons for deterrence, war prevention or security is foolish, risky, inhumane and dangerous.

8. This working paper highlights practical steps that will make a difference. They are consistent with both the TPNW and NPT, and can diminish risks, strengthen barriers against nuclear use and attacks, and reduce incentives to acquire, deploy and proliferate nuclear weapons. They will promote humanitarian security, nuclear disarmament and the elimination of all nuclear arsenals by 2045.

9. AIDD’s work over four decades has encompassed humanitarian disarmament and treaty implementation and verification, not only relating to the TPNW, but also the CTBT, NPT, fissile materials, nuclear dangers and military-nuclear-environmental connections in NPT5 countries, South Asia, the Middle East, and Asia-Pacific, including the Korean Peninsula.

II. Urgent steps to prevent nuclear escalation and use

10. The proposals below are based on relevant steps that have been advocated by civil society and adopted by the NPT review conferences of 1995, 2000 and 2010, UN First Committee resolutions and the TPNW Action Plan. These steps need to be implemented urgently. It is not enough just to repeat the words.

11. As Under-Secretary-General Izumi Nakamitsu told the UN Security Council in March 2023: “All States must avoid taking any actions that could lead to escalation, mistake or miscalculation.” Her statement followed the G20 leaders’ November 2022 declaration that: “The use, or threat of the use, of nuclear weapons is inadmissible.”

12. In conformity with International Humanitarian Law, and existing treaties including the NPT and TPNW, all Governments must affirm the inadmissibility of nuclear use and threats. In conjunction with this affirmation, **international security requires that nuclear-armed states and their allies rule out the first use and retaliatory uses of nuclear weapons. Their declarations must be followed by**

practical steps to ‘dealert’ nuclear forces, which will reduce the risks attached to hair-trigger ‘prompt’ launch configurations.

13. All states, whether TPNW signatories or not, need to enhance international security by affirming that **they will not assist, encourage or induce, in any way**, anyone to engage in any activity that could lead to nuclear war or the use of nuclear weapons, nuclear explosive devices, or acts that cause the dispersion of radioactive materials.

14. To reduce nuclear dangers and implement the NPT as well as the TPNW, all states must **commit to prevent nuclear weapons being used first under any circumstance**. Governments engaged in alliances should publicly rule out any use or attack with nuclear weapons carried out ‘on their behalf’ by any nuclear-armed state, military entity or non-state actor. **Nuclear sharing policies and practices need to be ended**. Current events should serve as a warning of how military-political attacks and miscalculations can escalate catastrophically, with appalling humanitarian consequences, especially for noncombatants, women and children.

15. If nuclear weapons are used intentionally or mistakenly detonated due to human or electronic errors, miscalculation or any other reason, all States have a humanitarian, moral and legal responsibility to do everything in their power to **prevent any subsequent or retaliatory nuclear attacks** and assist victims if humanly possible.

16. **Attacks on nuclear facilities and power plants must be outlawed**. Until this sensible norm is legally implemented, governments should publicly declare that they will not attack nuclear facilities under any circumstances, and will do all within their power to prevent such attacks being carried out by others.

17. Anyone who perpetrates nuclear threats and attacks must be nationally and internationally condemned and prosecuted for War Crimes and Crimes Against Humanity. Making this clear to governments, threateners, leaders and perpetrators will help to deter such attacks.

18. **Positive as well as negative security assurances contribute to international security and help to deter nuclear perpetrators**. All States and relevant agencies should clearly reaffirm their responsibilities under International Law, and undertake to provide humanitarian and diplomatic assistance to survivors, towns and countries that are threatened, targeted or victimised by nuclear detonations, use or testing. This includes environmental remediation.

19. **Dealerting nuclear forces is a sensible risk-reduction demand, pending the abolition of nuclear weapons**. Advocates have long argued that effective physical, technical and electronic barriers can be inserted between warheads and long range ballistic missiles. Following the reckless US and Russian withdrawal from the 1987 Intermediate-range Nuclear Forces (INF) Treaty carried out by Presidents Trump and Putin in 2019, dealerting mechanisms should be applied to medium-range (so-called ‘theatre’) nuclear weapons as well, taking specific designs into consideration to reduce nuclear dangers.

20. Dealerting and other risk-reduction mechanisms and operational changes can reduce some but not all nuclear dangers and risks. They can make it harder for any rogue leader or militarists to launch nuclear weapons; and may thus deter anyone thinking about committing murder-suicide by using nuclear weapons.

21. Further studies are needed to find effective dealerting mechanisms that can similarly apply to cruise missiles and other intermediate-range nuclear forces

22. As long as nuclear weapons exist in State arsenals, strong communications will be needed to avoid disastrous mistakes. Joint hotlines proved useful in the Cold

War, and better communications and early warning systems could enhance regional and international security and prevent mistakes today. Such systems, including pre-notification of military exercises that may involve nuclear-capable delivery systems need to be established with relevant leaders and militaries. Further early warning systems for conflict and escalation prevention and humanitarian and medical responses should also be put in place.

23. It could make a positive difference to reducing risks if plurilateral and bilateral communications were enhanced among strategic and regional rivals. It would be useful to encourage such communications among Washington, Moscow and Beijing, for example; and between New Delhi, Islamabad, and some or all NPT5 States. Including relevant non-nuclear States would also enhance regional communications in the Middle East and Korean Peninsula.

24. **Security communications systems should be prioritised now, and can help to build confidence also for early warning and conflict prevention and mitigation in zones of conflict.** In addition, legal and other security measures could help to identify and control cyber, autonomous, and AI weapons threats that could destabilise security relations and increase nuclear threats further.

25. In conjunction with the G7 meeting in Hiroshima in May 2023, many civil society NGOs – including the International Campaign to Abolish Nuclear Weapons (ICAN) and AIDD – issued a joint ‘C7 Communiqué’ that called for the total elimination of nuclear weapons by 2045, one hundred years after the first atomic bombs were used on Hiroshima and Nagasaki.

III. Steps to eliminate nuclear weapons by 2045

26. If we survive to 2045 without nuclear weapons being used, we will be very lucky. We cannot risk further delays. Over fifty years since the NPT entered into force with obligations to pursue nuclear disarmament ‘in good faith’, the TPNW’s clear prohibitions, objectives and Action Plan provide UN States and civil society with the tool box to accelerate and accomplish the total elimination of nuclear weapons by 2045 – unless nuclear war eliminates humanity first.

27. Evidence from the past seven decades indicates that possessing nuclear weapons is risky and dangerous. Instead of benefitting from deterrence, war prevention, or national and human security, countries with nuclear-armed leaders appear more likely to engage in risky and unlawful military and political behaviour, with negative consequences for their own peoples and the rest of the world.

28. Technical analyses, including by Scientific Advisory Group members, show that once a government reaches the political-legal decision to stop making, deploying and possessing nuclear weapons, even the largest arsenals can be dismantled and destroyed within ten years.

29. **Further steps are required to reduce nuclear arsenals, lessen the risks of nuclear war, assist indigenous communities and nuclear survivors, educate populations, and engage more women in diplomacy in order to increase sustainable outcomes in security, disarmament and climate negotiations.**

30. The Trump-Putin destruction of the 1987 INF Treaty in 2019 was followed by Russia’s invasion of Ukraine in 2022. Freed from the legal constraints of the INF Treaty, Russia has been trying out dual capable ground-launched missiles to launch deadly ‘conventional’ attacks on Ukraine’s cities and towns, mainly hitting civilians, with appalling humanitarian consequences.

31. In certain Russian and NATO circles and media since 2022, there have been worrying discussions that nuclear weapons (described as ‘tactical’) may be used without triggering nuclear war. Military jargon obscures facts to prepare the ground for breaking the nuclear use taboo by persuading people that a ‘tactical’ nuclear strike would not be so bad. Such debates fly in the face of reality.
32. As a matter of urgency now, the United Nations and TPNW and NPT members must **demand and facilitate further deep cuts in nuclear arsenals, and prioritise efforts to remove short and medium-range missiles and launchers from deployment in Europe and other zones of conflict.**
33. Any use of nuclear weapons would be strategic in intent and far-reaching in consequence. Deploying nuclear-armed or dual-capable missiles anywhere in the world must be halted. Such weapons greatly heighten the risks of nuclear attacks, whether intentional or due to technical and human error.
34. The withdrawal of Russia’s ratification of the CTBT renews risks of a free-for-all in nuclear testing. The priority now is to prevent further nuclear tests fuelling a new arms race to enhance nuclear weapons capabilities further. **The United Nations, civil society and TPNW parties must increase demands for an end to nuclear weapons testing, developments, and production.**
35. Although the CTBT has not entered into legal force (for reasons described in ‘Unfinished Business’ by Dr. Rebecca Johnson, UNIDIR, 2009), nuclear testing is comprehensively banned in the TPNW. This TPNW meeting should support calls for the CTBT and its verification system to enter into international legal force, and make clear the importance of strengthening the CTBT Organisation to continue its essential security role of detecting, verifying and informing on all nuclear explosions, along with seismic activities and radiation releases.
36. **Nuclear arsenals must be reduced further and faster** with unilateral actions as well as further agreements. Further START negotiations should engage China as well as Russia and the United States, and mandate that warheads and delivery systems should be safely and securely dismantled and eliminated. It will also be important to halt the production of weapon-usable fissile materials, which needs new thinking beyond the CD’s Shannon mandate to achieve this objective.
37. **Verifying nuclear disarmament is necessary for future security.** As a humanitarian imperative, the UK and other nuclear dependent governments must step up and work with TPNW scientists and governments to develop effective technologies and systems for verifying nuclear disarmament and ensuring irreversible compliance with all relevant Treaties and UN decisions on nuclear disarmament, safety and security.
38. **Nuclear war and climate destruction are existential threats to the future of life on Earth. Both are fuelled by short term military-industrial greed.** A nuclear war, even if ‘limited’, would poison and destroy the Earth’s climate and agricultural systems, causing mass famine and human misery.
39. **Humanity’s security and survival require that we prevent nuclear use and war and stop destroying our planet’s climate and ecosystems.** We must prioritise education and action to abolish nuclear weapons, end fossil fuel dependencies, and redirect resources into dealing with the looming climate emergency and dangerous new technologies. Through activism and treaties we can build human security in respectful ways that work for peace and justice, so that all living things can share this amazing planet’s wonderful gifts.