Nuclear weapons
International Campaign to Abolish Nuclear Weapons

Background

70 years after the United States used two nuclear bombs on the cities of Hiroshima and Nagasaki, hospitals in Japan are still treating victims for the long-term health consequences they’ve experienced.

Nuclear weapons are unique in their destructive power and the threat they pose to humans and the environment. The effects of just a single nuclear weapon are shocking and overwhelming, and their use goes far beyond what is acceptable. A nuclear war on any scale, for any reason, would kill tens of millions and cause severe, long-term environmental devastation.

Nuclear weapons fundamentally violate the principles of international humanitarian law. They are morally intolerable and illegitimate instruments of terror. As the International Committee of the Red Cross stated, “their destructive power is unrivalled, their potential impact catastrophic, and yet they remain the one weapon of mass destruction not yet banned.”

Current context

In recent years, support for the humanitarian dimension of the conversation about nuclear weapons has rapidly increased among governments, international organizations, and civil society representatives.

States have delivered several joint statements discussing the humanitarian impact of nuclear weapons, the latest one garnering support from 159 states at the 2015 NPT Review Conference.

Three conferences on this topic have been held, in Oslo, Nayarit, and Vienna. At the last conference in December 2014 in Vienna, the Chair’s summary noted that “there is no comprehensive legal norm universally prohibiting possession, transfer, production and use of nuclear weapons.” As a conclusion, Austria issued a pledge to “fill the legal gap for the prohibition and elimination of nuclear weapons.”

At the time of writing, 117 states have endorsed this “Humanitarian Pledge” and have committed to filling the legal gap and many governments are explicitly calling for the negotiations of a new legally-binding instrument to prohibit nuclear weapons.

Such negotiations should be undertaken by committed nations even without the participation of those armed with nuclear weapons, and should establish an international legal instrument that would prohibit the development, production, testing, acquisition, stockpiling, transfer, deployment, threat of use, or use of nuclear weapons, as well as assistance, financing,
encouragement, or inducement of these prohibited acts.

Such a treaty should also provide an obligation for the complete elimination of nuclear weapons and a framework to achieve it. The ban treaty would not need to establish specific provisions for elimination, but states parties to the treaty could agree to relevant measures and timelines as part of the implementation process, through protocols or other appropriate legal instruments.

A new treaty prohibiting nuclear weapons should also include positive obligations for states parties, such as ensuring the rights of victims and survivors of nuclear weapons, requiring actions to address damage to affected environments, and providing for international cooperation and assistance to meet the obligations of the instrument.

At the 2015 session of the UN General Assembly First Committee on Disarmament and International Security, all governments should support the immediate commencement of such negotiations.

Recommendations for governments

During First Committee:
- Delegations should highlight that any use of nuclear weapons would have catastrophic humanitarian consequences, and that such consequences make it imperative to prohibit nuclear weapons.
• Delegations should support the humanitarian pledge to fill the legal gap on the prohibition and elimination of nuclear weapons.
• Delegations should support proposals and resolutions for negotiations of a new treaty banning nuclear weapons to commence urgently in a forum open to all and blockable by none, even without the participation of nuclear-armed states.

Beyond First Committee:
• Governments that have not yet done so should endorse the humanitarian pledge to fill the legal gap on the prohibition and elimination of nuclear weapons.
• Nuclear-armed states should comply with their nuclear disarmament obligations and non-nuclear-armed states should increase pressure on them to do so.
• Governments committed to prohibiting and eliminating nuclear weapons should work with each other and civil society to negotiate a new treaty that would prohibit its parties, their nationals, and any other individual subject to its jurisdiction from engaging in the development, production, testing, acquisition, stockpiling, transfer, deployment, threat of use, or use of nuclear weapons, as well as assistance, financing, encouragement, or inducement of these prohibited acts.
