



## **Basel Peace Office statement on the Treaty on the Prohibition of Nuclear Weapons**

*October 25, 2020*

Basel Peace Office welcomes the ratification of the Treaty on the Prohibition of Nuclear Weapons (TPNW) by 50 states, this number being reached on October 24, enabling the treaty to enter into force in January 2021. At that time the treaty will become legally binding for the states that have ratified.

The treaty, which was negotiated in 2017 by 122 non-nuclear states, establishes a comprehensive prohibition on nuclear weapons for states parties to the treaty. It makes it prohibited for these countries to develop, test, produce, manufacture, otherwise acquire, possess, use or threaten to use nuclear weapons, or to station or deploy nuclear weapons on their territories, or to assist, encourage or induce, in any way, anyone to engage in any of these actions.

The treaty has been rejected by the nuclear armed and allied States and so will not be binding on them. However, it serves as a strong political statement by non-nuclear States, and as one action undertaken by them to implement their obligations to advance the global elimination of nuclear weapons.

The TPNW also provides impetus for the non-nuclear states parties to strengthen domestic laws and other measures to support the abolition of nuclear weapons, and to address the humanitarian and environmental impact of the nuclear arms race. The treaty includes for example, specific requirements to assist victims of testing and use of nuclear weapons and to provide environmental remediation of areas affected by testing and use.

Basel Peace Office encourages States Parties to the TPNW to adopt comprehensive national measures to implement the treaty, including to prohibit the transit of nuclear weapons, criminalise acts prohibited under the treaty, end all investments in the nuclear weapons industry, establish government/ministerial positions for disarmament and establish public oversight processes for treaty implementation. These measures, if adopted by most or all of the States Parties to the TPNW, would further constrain the nuclear arms race and contribute effectively to nuclear abolition.

The ending of investments in the nuclear weapons industry is a measure of particular value to help reverse the economic incentives for the nuclear arms race and to curtail the lobbying power of the nuclear weapons corporations. Nuclear weapons divestment measures have already been implemented effectively by two of the States Parties to the TPNW (New Zealand and Lichtenstein) and by two States that are not parties to the TPNW (Switzerland and Norway).

Basel Peace Office rejects the argument of the nuclear armed States that the TPNW undermines the Non-Proliferation Treaty. The opposite is the case. The TPNW is an effort by non-nuclear States to implement obligations of all States Parties under Article VI of the NPT, to end the nuclear arms race and achieve the elimination of nuclear weapons. This was affirmed as a universal obligation by the International Court of Justice in 1996, applicable even to States not parties to the NPT.

Rather than criticizing the TPNW, the nuclear armed and allied states should implement their nuclear disarmament obligations by commencing negotiations on a nuclear weapons convention or package of similar agreements to prohibit nuclear weapons and eliminate existing stockpiles under strict and effective international control, and by committing to achieve the complete elimination of nuclear weapons at least by 2045, the 100<sup>th</sup> anniversary of the United Nations.

Basel Peace Office looks forward to the inaugural conference of States Parties to the TPNW, which will take place within one year of the treaty's entry-into-force. We expect that this conference will further elevate the goal of global nuclear weapons abolition, provide impetus for national implementation measures, and give further encouragement to the nuclear armed and allied states to conclude negotiations for the global prohibition and phased elimination of all nuclear weapons.

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*The Basel Peace Office is established to advance research, teaching and policy-development programs dedicated to international peace, conflict resolution and security to achieve the global abolition of nuclear weapons.*

*The Basel Peace Office is a joint initiative of the Association of Swiss Lawyers for Nuclear Disarmament, Basel-Stadt Kanton, Global Security Institute, Middle Powers Initiative, Parliamentarians for Nuclear Nonproliferation and Disarmament, Physicians for Social Responsibility (IPPNW Switzerland), Swisspeace Foundation, World Future Council and the University of Basel Sociology Seminary.*

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