



Basel Peace Office

*Advancing international peace and security through
the abolition of nuclear weapons*

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Neutral countries and the Doomsday Clock Opportunities for Switzerland to advance nuclear risk reduction and disarmament in the period 2023-2024

Food-for-thought paper (December 2022)

Summary

The government of Switzerland recognises the severe threat to humanity posed by nuclear weapons and is a leading advocate of nuclear-risk reduction, i.e. the promotion of measures to prevent nuclear war arising from crisis escalation, miscalculation, misinformation or accident. Swiss actions include being the co-author of a UN General Assembly resolution on de-alerting, serving as a *Champion on Reducing Nuclear Risks* for the UN Secretary-General's Initiative [Securing our Common Future](#), and joining with 15 other countries in the *Stockholm Initiative* to propose a [package of nuclear risk reduction measures](#) at the 10th NPT Review Conference (August 2022).

This 'food-for-thought' paper explores political opportunities for the Swiss government to further advance nuclear risk-reduction and disarmament over the next 2-3 years. It puts forward policy proposals that would have significant impact on the practices of the nuclear armed and allied states in order to help prevent nuclear war and contribute to the global prohibition and elimination of nuclear weapons. The paper focuses on:

- a) multilateral processes and forums including the Treaty on the Prohibition of Nuclear Weapons, Non-Proliferation Treaty, UN Security Council, Human Rights Council and upcoming UN Summits (Summit on Sustainable Development and Summit for the Future);
- b) specific policy approaches that could be effectively advanced in these forums.

The purpose of this paper is to provide background to some of the Basel Peace Office projects for 2022-2023, and to provide a basis for discussion with other Swiss organizations on advocacy for effective Swiss government action on these issues.

Introduction

In January 2022, the Bulletin of Atomic Scientists set the Doomsday Clock to *100 Seconds to Midnight*, indicating the high level of existential risk to humanity from climate change, nuclear policies, rising nationalism and international tensions that could erupt into armed conflict. One month later, Russia launched a 'military operation' (an illegal invasion) against Ukraine and has repeatedly warned the West that interference in Russia's ongoing military operation (war against Ukraine) could face a nuclear response. This has elevated the risk of nuclear war, and graphically demonstrated the use of 'nuclear coercion' in international relations. Nuclear threats have also risen in East Asia through the conflict of China and USA over Taiwan, and with further nuclear weapons and missile developments of North Korea.

Responses to these nuclear threats, and action for the more ambitious goal of the global abolition of nuclear weapons, have been advanced in several multi-lateral processes during 2022. These include the First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons (June 21-23), the 10th Review Conference of States Parties to the Nuclear Non-proliferation Treaty (August 1-26) and various sessions of the UN Security Council, Human Rights Council and UN General Assembly.

Opportunities in the multi-lateral forums arising in 2023 – 2024 include:

1. Switzerland's membership of the UN Security Council (January 2023 – December 2024);
2. 2023 meeting of States Parties to the TPNW (assuming Switzerland joins the treaty);
3. 2023 and 2024 preparatory meetings for the 2025 NPT Review Conference;
4. Human Rights Council Universal Period Review Sessions;
5. UN Sustainable Development Goals (SDG) Summit (September 2023)
6. UN Summit of the Future (Ministerial Meeting Sep 2023 and the Summit Sep 2024).

Forums and policy proposals

1. UN Security Council

The UN Security Council is the principal security body of the United Nations. Its membership includes five of the nuclear armed states (China, France, Russia, United Kingdom and the USA). Its decisions/resolutions are binding on UN member states.

A downside of the SC is that a right of veto for the nuclear armed states gives each of them the power to block the adoption of resolutions that might impact on their interests. However, Security Council deliberations are very influential even when they do not result in the adoption of a resolution. Sometimes, the use of veto power in the Security Council paves the way for important UN General Assembly resolutions on key security matters, e.g. the UNGA resolutions on Russia's illegal invasion of Ukraine and annexation of Ukrainian territory.

The election of Switzerland to the UN Security Council provides a unique opportunity for Switzerland to make an impact on key security issues over the coming two years. Switzerland could use this position to raise issues/questions/proposals on nuclear risk reduction and disarmament at any time. In addition, Switzerland has specific opportunity to exercise leadership when they assume the presidency of the Security Council for the months of May 2023 and August 2024. During these two months, Switzerland can:

- a) initiate and preside over special thematic discussions on key security topics;
- b) introduce draft Security Council resolutions for adoption on policy options/issues that are not necessarily connected to a specific country, region or armed conflict.

PROPOSAL 1:

Switzerland could advance nuclear risk reduction and nuclear war prevention at the Security Council in 2023;

In January 2022, the five nuclear weapon states on the UN Security Council released a [Joint Statement on Preventing Nuclear War and Avoiding Arms Races](#), in which they agreed that *"a nuclear war cannot be won and must never be fought."* This was followed by a [joint statement of November 16, 2022 of the G20 countries](#) (including the five nuclear weapon states) which affirmed that *"The use or threat of use of nuclear weapons is inadmissible."*

These statements provide an opening for Switzerland to bring the issue of nuclear risk reduction and nuclear war prevention to the UN Security Council, **especially during its Presidency in May 2023**, and facilitate a strong global challenge on the nuclear weapon states to bring their policies and practices in line with their joint statements and legal obligations. This could include a push at the UN Security Council for all nuclear armed states to adopt no-first-use policies as an important nuclear risk reduction and disarmament measure. (See NPT Review Conference below for background on the increased momentum for the adoption of no-first-use policies).

PROPOSAL 2:

Switzerland could advance, at the Security Council in 2024, a commitment by nuclear weapon states for the timebound, global elimination of nuclear weapons and a framework for fulfilling this commitment.

In 2010, the States Parties to the NPT, which includes the five nuclear weapon States, agreed that: *"All States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Conference notes the Five-Point Proposal for Nuclear Disarmament of the Secretary-General of the United Nations, which proposes inter alia the consideration of negotiations on a nuclear weapons convention or a framework of separate mutually reinforcing instruments backed by a strong system of verification"*

Non-nuclear states have undertaken extensive work to fulfil this obligation by, amongst other things, establishing nuclear-weapon-free zones and negotiating the Treaty on the Prohibition of Nuclear Weapons. Switzerland could use the opportunity of its second year on the Security Council, and **especially during its Presidency in August 2024**, to build a timebound commitment from the nuclear weapon states to achieve the global elimination of nuclear weapons (e.g. no later than 2045, the 100th anniversary of the United Nations) and to facilitate deliberations on a protocol to the TPNW, framework agreement or nuclear weapons convention in order to secure and sustain a nuclear-weapon-free world (For further background, see [Frameworks for a Nuclear-Weapon-Free World](#)).

Switzerland will preside over the Security Council in August 2024. This timing is very suitable for building momentum on this initiative just prior to the UN Summit of the Future and the adoption the new UN Agenda for Peace (See *UN Summit of the Future* below).

2. Treaty on the Prohibition of Nuclear Weapons

The [Treaty on the Prohibition of Nuclear Weapons](#) was negotiated by non-nuclear weapon states in 2017 and entered-into-force in January 2020. Currently there are 68 States parties to the treaty. The treaty prohibits States parties from developing, testing, producing, acquiring, possessing, stockpiling, using or threatening to use nuclear weapons. The Treaty also prohibits the deployment of nuclear weapons on national territories of States parties, and the provision of assistance by States parties to any other State in the conduct of prohibited activities.

The nuclear armed and allied states have all opposed the treaty and have decided not to join. As such the obligations established by the treaty do not apply to them. Never-the-less, the treaty serves as a strong symbol of opposition to nuclear weapons by non-nuclear states.

Switzerland and the TPNW

The Swiss Federal Department of Foreign Affairs (FDFA) examined the TPNW after its adoption in 2017, and presented its assessment in a [report](#) issued on 30 June 2018, where it affirmed that “from today's perspective, the arguments against joining the TPNW outweighed the potential opportunities of joining.” This was followed by advocacy by civil society and parliamentarians calling on the FDFA to change its position and sign the treaty. This included a resolution, introduced by PNND Member Carlo Sommaruga and adopted by the Swiss Council of States, calling on the government to sign and ratify the treaty (Vote: 24 in favour, 15 against and 2 abstentions).

It is understood that one of the reasons the Swiss FDFA has been reluctant to date to agree to signing the TPNW was so that Switzerland's influence in the 10th NPT Review Conference would not be undermined (see NPT Review Conference below). Now that the Review Conference has concluded, it appears as though the Swiss government might be more ready to sign, and has [indicated](#) that its federal council will decide on this at the beginning of 2023.

Opportunities to elevate the impact of the TPNW

As indicated above, the TPNW does not apply to States that are not parties, which includes all of the nuclear armed and allied states. They therefore have no political or legal obligations to adhere to any of the provisions in the treaty. TPNW ratification by additional non-nuclear states such as Switzerland will not change this.

However, there are measures that could be taken by States Parties to the TPNW that would impact directly on the nuclear arms race and on the practices of the nuclear armed countries. States Parties to the TPNW could, for example, decide to implement their obligations under the treaty by prohibiting any national/federal financing of nuclear weapons and by prohibiting the transit of nuclear weapons through their territories (including land, territorial waters and airspace). Such actions would demonstrate full compliance with the TPNW prohibition on “*assistance by States parties to any other State in the conduct of prohibited activities.*”

A **prohibition on financing of nuclear weapons** by TPNW members would contribute significantly to the [global nuclear weapons divestment campaign](#), undermining the economic and political power of the nuclear weapons industry. A **prohibition by TPNW members on nuclear weapons transit** would impact directly on the deployment of nuclear weapons by the nuclear weapon states, curtailing their freedom of nuclear weapons movement and elevating public attention to the weapons and where they are deployed.

To date, none of the States that have joined the TPNW have undertaken such actions to implement their TPNW obligations. However, Switzerland has already demonstrated the feasibility of prohibiting national financing of nuclear weapons through the **Swiss War Materials Act of 2013**. Three other countries have taken similar divestment action outside of the TPNW (Lichtenstein, New Zealand and Norway). A **prohibition on transit of nuclear weapons** has been implemented by some of the regional NWFZS as a whole and by national legislation adopted by countries within other NWFZs. No such prohibitions on transit currently apply in Europe.

PROPOSAL 3:

Switzerland could join the TPNW and use the opportunity of the 2nd Meeting of States Parties of the TPNW in Mexico to encourage other States Parties to end all public financing of nuclear weapons in their national/federal jurisdictions and to give consideration to prohibiting transit of nuclear weapons across their territories.

3. NPT Review Conference and preparatory meetings (2023 and 2024)

The Non-Proliferation Treaty (NPT) provides the only treaty-based obligation on nuclear weapon states (and their allies) to achieve comprehensive nuclear disarmament (Article VI of the NPT). This obligation is reinforced by customary international law as affirmed by the International Court of Justice in 1996 and the UN Human Rights Committee in 2018.

The NPT Review Conferences, and the two-week long preparatory meetings for them, provide important opportunities for non-nuclear States like Switzerland to affirm legal obligations and elevate political influence on the nuclear armed and allied states in order to make progress.

The 8th NPT Review Conference, for example, by adopting the **language proposed by Switzerland** on the catastrophic humanitarian consequences of any use of nuclear weapons, provided a mandate for the International Conferences on the Humanitarian Consequences (Norway, Mexico and Austria) which helped build momentum for a treaty on the prohibition of nuclear weapons. The 8th NPT Review Conference also affirmed the obligation of all States Parties to build the framework for establishing and maintaining a nuclear-weapon-free world.

The 9th NPT Review Conference, building on the two strands highlighted above, provided the impetus for negotiations on the TPNW to begin. It also provided the impetus for the UN Conference on a Middle East Zone Free from Nuclear Weapons and other WMD which opened in 2018 and will hold sessions until a treaty establishing such a zone is adopted.

Considerable progress was made at the 10th NPT Review Conference on nuclear risk-reduction measures and on importance of upholding international law, with Switzerland playing a leading role in this, including through the Stockholm Initiative, a high-level group of 16 countries (non-nuclear and allied).

There are opportunities to build on these developments and to advance important nuclear risk-reduction and disarmament work through the NPT Preparatory Meetings in 2023 and 2024.

PROPOSAL 4:

Switzerland could take an active role in the 2023 NPT Review Conference Preparatory Meetings by calling on the States parties to the NPT (in position statements and working papers) to:

- a) **Implement the agreed dictum that ‘a nuclear war cannot be won and so must never be fought’ by supporting/adopting no-first-use policies, removing all nuclear weapons systems from launch-on-warning, and reaffirming the G20 statement that “*The use or threat of use of nuclear weapons is inadmissible.*”**
- b) **Undertake concrete work to establish the framework for a nuclear-weapon-free world either by adopting protocols to the TPNW that would enable their ratification of the treaty, agreeing on a framework convention for the global elimination of nuclear weapons (similar to the UN Framework Convention on Climate Change), or commence negotiations on a nuclear weapons convention;**
- c) **Commit to achieving the global elimination of nuclear weapons no later than 2045, the 75th anniversary of the NPT and the 100th anniversary of the United Nations.**

Background documents:

- [Fulfil the NPT: From nuclear threats to human security](#), global appeal endorsed by over 1700 influential experts and policy makers from around the world including parliamentarians, Nobel Laureates, scientists, religious leaders, former high-level officials (government ministers, ambassadors, military commanders, UN General Assembly Presidents etc), business leaders, youth leaders and representatives of civil society organizations.
- [No-first-use of nuclear weapons: An Exploration of Unilateral, Bilateral and Plurilateral Approaches and their Security, Risk-reduction and Disarmament Implications](#), a working paper submitted to the 10th NPT Review Conference (which helped build strong momentum for no-first-use policies at the Conference);
- [Frameworks for a Nuclear-Weapon-Free World](#), working paper submitted to the 10th NPT Review Conference by Abolition 2000, the global civil society network for the elimination of nuclear weapons.

4. Human Rights Council Universal Periodic Review (Ongoing)

In 2018 the UN Human Rights Committee [affirmed that the threat or use of nuclear weapons is incompatible with the Right to Life](#), and that States parties to the International Covenant on Civil and Political Rights (ICCPR) have obligations to refrain from developing, acquiring, stockpiling and using them, and also have obligations to destroy existing stockpiles and pursue negotiations in good faith to achieve global nuclear disarmament.

All of the nuclear armed and allied states are parties to the ICCPR (except China which has signed but not yet ratified the convention) and are therefore **legally bound by its provisions**. The UN Human Rights Committee undertakes a review, on a rolling (periodic) basis, of each State's adherence to and implementation of their obligations under the ICCPR. The UN Human Rights Council undertakes a review of each UN member State's implementation of their human rights obligations under all international human rights law (treaties, the UN Charter and customary law), also on a rolling/periodic basis.

UN member states and civil society organizations are able to submit information, raise issues, ask questions and make proposals for the periodic reviews of any other UN member state. If issues/questions are picked up by the Members of the Committee and Council and presented to the country under review, **the country is obliged to address them**.

Engaging in these human rights process for nuclear disarmament can be very effective as it brings a new dimension to the nuclear disarmament debate which cannot be easily dismissed by the nuclear weapon and allied states, and it engages a whole new community in nuclear disarmament – the human rights community, which is much larger and more influential than the nuclear abolition community.

Basel Peace Office (and our partners) have already made use of this process by lodging submissions for the periodic reviews of [Canada](#), [Denmark](#), [France](#), [Iceland](#), [Japan](#), [Netherlands](#), [North Korea](#), [Russia](#), [South Korea](#) the [United Kingdom](#) and the [United States](#). However, we have not had capacity to build support from UN member states to take forward nuclear risk-reduction and disarmament proposals in these submissions.

PROPOSAL 5:

Switzerland could engage in the Universal Periodic Reviews of the nuclear armed and allied states in order to question the implementation of their obligations under international human rights law to refrain from the threat or use of nuclear weapons, destroy existing stockpiles of nuclear weapons and engage in negotiations for the global elimination of nuclear weapons.

5. UN Sustainable Development Goals (SDG) Summit (2023)

The UN General Assembly will host a [Sustainable Development Goals Summit](#) in September 2023 during the High-Level period, when Heads of State and Government are present. In addition to government leaders, the Summit will bring together political and thought leaders from international organizations, private sector, civil society, women and youth and other stakeholders to carry out a comprehensive review of the state of the SDGs, respond to the impact of multiple and interlocking crises facing the world, and provide high-level political guidance on transformative and accelerated actions leading up to the 2030 deadline for achieving the SDGs.

Nuclear policies and practices subvert the achievement of the SDGs in a number of ways:

Firstly, the massive budgets and scientific/human investments in the nuclear arms race drain the resources required for sustainable development.

Secondly, the adversarial international relations created by nuclear threats between states hamper the cooperation required to address the SDGs.

Thirdly, if there is any use of nuclear weapons in armed conflict, the catastrophic humanitarian and economic consequences would reverse progress made on the SDGs and make them impossible to achieve.

PROPOSAL 6

Switzerland could raise the issues of nuclear risk-reduction and disarmament at the UN SDG Summit, and call particularly for a) reduction and nuclear weapons budgets and an end to investments in the nuclear weapons industry in order to free-up resources to help achieve the SDGs, b) inclusion of the goal of nuclear abolition in the post 2030 SDGs (2030-2045) including a commitment to the global elimination of nuclear weapons by 2045.

6. UN Summit of the Future (2024 – Ministerial Meeting in 2023)

The United Nations General Assembly will hold a [Summit of the Future](#) in September 2024 (full title is *Summit of the Future: Multilateral solutions for a better tomorrow*) to address a range of critical issues impacting on the future, including peace, security, the climate crisis and sustainable development.

The Summit will establish a *UN Envoy for Future Generations* and adopt a *Pact for the Future* negotiated by UN Member States. In addition, the UN Secretary-General will use the occasion of the Summit of the Future to release a new Agenda for Peace, prepared through consultation with governments and civil society.

The Summit and its preparatory process (which includes a high-level Ministerial meeting in September 2023), provide unique opportunities for civil society and like-minded governments, such as Switzerland, to advance the nuclear risk-reduction and disarmament agenda. Switzerland is especially well placed to make a significant contribution as they will be serving as President of the Security Council in August 2024, the month prior to the UN Summit of the Future.

PROPOSAL 7

Switzerland could:

- a) Advance nuclear risk-reduction and disarmament as key issues in the UN Summit of the Future and the preparatory Ministerial Meeting, including to highlight that the threat and use of nuclear weapons threatens current and future generations;
- b) Call on the *Pact for the Future* and the new *Agenda for Peace* to reaffirm the illegality and unacceptability of the threat and use of nuclear weapons. and include the goal of achieving the global elimination of nuclear weapons no later than 2045, the 100th anniversary of the United Nations.

Civil Society Campaign: Protect People and the Planet



Protect People and the Planet: Appeal for a Nuclear-Weapon-Free World

The civil society campaign '[Protect People and the Planet: Appeal for a Nuclear-Weapon-Free World](#)', organized by [UNFOLD ZERO](#), encapsulates and supports most of the proposals in this food for thought paper. The appeal, [endorsed](#) by over 1000 influential civil society leaders from around the world, makes many of the same calls as submitted in the proposals above. This is supported by actions by UNFOLD ZERO coalition partners and others at the United Nations and in other multilateral forums.
