



2024 NPT BRIEFING BOOK



Reaching Critical Will



WILPF

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Introduction

It's hard to imagine a successful NPT meeting. It's been so long since anything resembling progress, or even positivity, has been experienced in the NPT context that it's easy to forget there were times when almost every government in the world was able to agree on substantive commitments to reduce nuclear threats and diminish nuclear weapon stockpiles. But heading into another round of talks this July, it's important to remember that this was possible, and can be again. And in fact, we can—and must—go further than ever before.

While past NPT commitments have not achieved disarmament—or even really tried to—reaching those agreements facilitated a culture of compromise, or at least dialogue. The outcomes reached in 1995, 2000, and 2010—while not nearly enough to eliminate nuclear dangers, let alone nuclear weapons—did bring all NPT states parties into a negotiating frame where they accepted responsibilities and pledged to fulfil their legal obligations. Today, we're far from that culture.

The first Preparatory Committee (PrepCom) of the current review cycle, held in Vienna in 2023, could **not even agree** to reference the **Chair's summary** and **recommendations** in the procedural report. Iran, backed by Russia and Syria, blocked the summary from being tabled as a working paper or listed in the procedural reports list of documents because they felt it was biased against Iran and in favour of western states' positions. While the burial of a Chair's summary was a new low point even for the NPT, the defence of the summary was disingenuous as well. The states expressing dismay at the rejection of this paper have killed much more meaningful outcomes from NPT meetings in the past.

Of course, these kinds of procedural fights are never really about documents. Underneath comments about precedent and process are some very serious politics. The bottom line is that states parties are divided on their belief of whether nuclear weapons are good or bad. This was perhaps best exemplified by Poland's **astonishing comment** at the 2023 PrepCom that *the security of states cannot be diminished in the pursuit of the goals of the NPT*. That is, some states parties see a legal treaty, which they have ratified of their own accord, as being out of line with their security interests. This is an incredible admission that the NPT will not be implemented as long as some governments think nuclear weapons offer them security. Given the ongoing impacts of nuclear violence and injustice, not to mention the current risks of nuclear war, all efforts must be made to confront and end this deadly perception.

We don't need the days of NPT-past—we need much better.

We don't need the empty rhetoric or the **halfhearted pledges**. We don't need **bad faith agreements** to “reduce the saliency of nuclear weapons in security doctrines” while pouring billions into modernisation programmes and arms races. We don't need governments agreeing to **thirteen steps** or **sixty-four actions** and then tearing them up or failing to implement them.

The NPT needs to be implemented, full stop. This means nuclear disarmament must be achieved. The NPT has been in force since 1970 and while most states parties have been steadfast about upholding their commitments to prevent the proliferation of nuclear weapons, the nuclear-armed states and their nuclear-supportive allies have abrogated or violated their way out of implementing Article VI and the NPT's core agenda of the abolition of nuclear weapons. Now, more than fifty years later, we're in a situation where new countries are **hosting** nuclear weapons and others are **saying** they would be willing to host and use them in "times of war;" nuclear-armed states are **wasting** more than \$80 billion a year on **expanding** and **upgrading** their arsenals; **threats** to use nuclear weapons and **preparations** to do so are on the rise; and new countries are **talking seriously** about acquiring these weapons of mass destruction for their "security".

The failure to implement the NPT has led to more danger than ever before. We're in a moment where one nuclear-armed state is committing genocide, another has invaded and is at war with its neighbour, and many NPT states parties are funding, arming, or otherwise supporting them. The potential for global holocaust is as high as ever and for the past twenty-three years NPT states parties have squandered every opportunity to walk this whole mess back from the brink.

But it's not too late to turn this around. The governments of nuclear-armed states can dial this back with just a few moves: stopping the threats and preparations to use nuclear weapons, halting their investments in the nuclear arms race, and agreeing to disarmament talks. There's already another treaty that they can sign onto today to shut the nuclear dangers down for good. The Treaty on the Prohibition of Nuclear Weapons, a tool for implementing Article VI right now, is ready to go. But the vehicle the nuclear-armed states choose to deescalate and disarm isn't important, it's only important that they do so. Now. Before the world is engulfed in radioactive flames.

About this book

This briefing book offers both information and advocacy. It provides those interested in the NPT with an understanding of the Treaty's history and current context; critical issues facing the Treaty's implementation; and suggest resources for more information.

It also offers recommendations from Reaching Critical Will to governments participating in this NPT Preparatory Committee and beyond. We hope it is useful for governments, civil society groups, and others in preparing for the meeting and working for nuclear disarmament.

Understanding the NPT

The NPT opened for signature on 1 July 1968 and entered into force on 5 March 1970. So far, 189 states have ratified the NPT, becoming “states parties” to the Treaty. India, Israel, and Pakistan have not signed or ratified the Treaty and have developed nuclear weapons since its entry into force. The Democratic People’s Republic of Korea (DPRK) did ratify the Treaty but announced its withdrawal in 2003.

The NPT divides all state parties into two groups: those that tested nuclear weapons before 1 January 1967 and those that did not. The states that tested nuclear weapons before 1967 are China, France, Russia, the United Kingdom, and the United States.

The NPT is intended to both prevent proliferation of nuclear weapons to new states and facilitate the elimination of nuclear weapons and delivery systems of the five states that tested nuclear weapons before 1967. It sets up what some refer to as the “grand bargain”: in exchange for a commitment from the rest of the states parties to never develop or receive nuclear weapons, the nuclear-armed states parties promised to eliminate their arsenals and facilitate access to the “peaceful uses” of nuclear technology.

This bargain, however, is under serious strain, as the nuclear-armed states parties have not held up their end in terms of disarmament and are instead **modernising and/or expanding** their arsenals. The nuclear-armed states refuse to engage in multilateral nuclear disarmament toward the elimination of all nuclear weapons, as mandated by Article VI of the NPT. In addition, nuclear sharing arrangements within the North Atlantic Treaty Organisation (NATO), where Belgium, Germany, Italy, Netherlands, and Turkey host US nuclear weapons on their soil, and more recently between Russia and Belarus, have also undermined the Treaty’s promised bargain.

Discriminatory practices in relation to access to nuclear technology and materials are also undermining the NPT’s credibility. So is the plan of the Australia-United Kingdom-United States (AUKUS) military alliance to share nuclear submarine technology, which creates new precedents and risks regarding the proliferation of highly enriched uranium for military purposes and undermines the International Atomic Energy Agency’s safeguards system. Over the past decade, the failure of NPT states parties to implement existing commitments or agree to new ones means that the Treaty is in serious jeopardy.

Summary of the Articles

Article I. Nuclear weapon states will not transfer nuclear weapons, nor will they assist in the development of nuclear weapons in any way.

Article II. Non-nuclear weapon states will not acquire nuclear weapons, nor will they manufacture such weapons.

Article III. Non-nuclear weapon states will accept inspection of their civilian nuclear energy plants by the International Atomic Energy Agency (IAEA) and the form of such inspections shall be negotiated by each state and the IAEA in additional protocols.

Article IV. Nothing in this Treaty shall impede states parties' "inalienable right" to nuclear energy for peaceful purposes.

Article V. Benefits from what were once described as "peaceful nuclear explosions" should be shared all around (this article has been superseded by the Comprehensive Nuclear-Test-Ban Treaty and it is recognised that there no such benefits).

Article VI. Each party to the Treaty is obliged to pursue negotiations on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament. States parties also agree to pursue a treaty on general and complete disarmament under strict and effective international control.

Article VII. Nothing in the Treaty can stop nuclear weapon free zones from being negotiated. Several have been and are being successfully implemented.

Article VIII. Sets up a procedure for amendments of the Treaty and for the review process.

Article IX. The Treaty is open for all countries, and it will enter into force when the US, UK, USSR and 40 other states have ratified it. The definition of a nuclear weapon state is one that has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.

Article X. Each party has the right to withdraw from the Treaty if it decides that extraordinary events have jeopardised the interest of the country. A three month notice of withdrawal must be given to all states parties of the treaty and the United Nations Security Council.

Article XI. The Treaty is available in English, Russian, French, Spanish, and Chinese and all languages are equally authentic.

Previous Reviews of the Treaty

NPT states parties meet every five years to “review the progress of the Treaty”. The following is a **brief history** of those meetings.

The first Review Conference was held in **1975**. The diverging views over the objective of the Treaty stem back to this meeting, when the three nuclear-armed states parties (Soviet Union, United Kingdom, and United States) and most other Eastern and Western bloc countries advocated for strengthened safeguards and universalisation while the non-aligned and neutral countries called for operationalisation of the disarmament objectives. States did agree on a Final Declaration, which among other things expressed concern that while various arms limitation agreements had been concluded since 1970, the nuclear-arms race had continued unabated. It therefore urged resolute efforts by each party to achieve an early and effective implementation of article VI.

In **1980**, states parties were not able to adopt a final document because of differing views over the implementation of article VI. In addition, different views concerning the obligation of states parties under articles I and II of the Treaty were pronounced. A number of non-aligned states argued that collaborations on nuclear technology, particularly with some non-parties to the Treaty, could result in proliferation. Some were also frustrated with what they considered restrictive export policies applied to them by suppliers of nuclear technology and equipment.

In **1985**, questions persisted about whether the Treaty had been effective in preventing proliferation, with some states calling out the Israeli and South African unsafeguarded nuclear facilities. Divergent views over technical assistance with “peaceful uses” persisted, as did concern over the lack of nuclear disarmament. Most states expressed concern that talks over a comprehensive nuclear test ban treaty had not continued since 1980. After intense negotiations, states parties agreed to a final document and a declaration that was critical of some aspects of the NPT’s implementation but offered purposeful recommendations to strengthen the Treaty.

In **1990**, states parties could once again not agree to a final document, mostly due to failures to implement article VI, including negotiation of a comprehensive nuclear test ban treaty, and over the spread of nuclear technology in perceived violation of articles I and II of the Treaty.

In **1995**, the Review Conference decided to extend the Treaty past its initial 25 years; it is now an indefinite treaty. States parties also agreed to a package of decisions, including a **resolution** calling for a nuclear weapon free zone in the Middle East. It also agreed upon a “strengthened review process,” which included the introduction of three preparatory committees preceding each review conference.

In **2000**, after intense negotiations and near failure of the conference over lack of implementation of article VI and the resolution on the Middle East, states parties adopted thirteen progressive and systematic **steps** to implement the nuclear disarmament obligation in the Treaty and the decisions reached at the 1995 conference.

In **2005**, states parties failed to agree on an outcome document, largely because of disagreement between nuclear-armed and non-nuclear-armed states, with the former emphasizing the importance of strengthening non-proliferation efforts and focusing on specific cases of actual and suspected non-compliance with the Treaty, and the latter emphasizing the importance of compliance with and implementation of past disarmament obligations.

In **2010**, states parties adopted a 64-point action plan for implementing the NPT, with sets of actions on nuclear disarmament, non-proliferation, and nuclear energy. Implementation of the actions across the three pillars varied greatly. The **Action Plan** from the 2010 NPT Review Conference remains only **partially implemented**. The disarmament actions have suffered the most—of 22 action points, only five have seen substantial forward movement.

In **2015**, states parties did not adopt an outcome. The United States, United Kingdom, and Canada blocked the adoption of a text that had been painstakingly negotiated throughout the month-long review conference, at the behest of Israel, a non-state party that possesses nuclear weapons. The negotiated text was notoriously weak on disarmament, in some cases moving backwards from previous commitments.

In **2022**, states parties did not adopt an outcome. Russia blocked the adoption of the final text, reportedly due primarily to references to the Zaporizhzya nuclear power plant. With Russia's war in Ukraine providing the backdrop to the Review Conference, the entire process was fraught. The final document had already been significantly watered down by all of the nuclear-armed states; Malaysia's delegation noted that it was "evidently clear that there is absolutely no desire on the part of a handful of States Parties to fulfill their disarmament obligations," while the New Agenda Coalition highlighted the "fractious relationship" among the nuclear-armed states, warning that their "policies, pronouncements, and actions are retrogressing from the goal of the total elimination of nuclear weapons."



Critical Issues

Nuclear Disarmament

The NPT acknowledges that five states—China, France, Russia, the United Kingdom, and United States—possessed nuclear weapons at the time of its negotiation. This has been used by all five countries to argue that their continued possession of nuclear weapons is legitimate under the Treaty. This is core problem with the NPT, leading to a discriminatory system of so-called “nuclear haves and have-nots,” a condition that has led to repeated crises within the Treaty regime.

Article VI of the NPT obligates the five nuclear-armed states to negotiate nuclear disarmament, and as the International Court of Justice advisory opinion **found** in 1996, this means concluding those negotiations and eliminating their arsenals. Yet these governments have for decades refused to engage in such negotiations or to implement even the most basic commitments they have made to nuclear disarmament at past NPT Review Conferences, including in 2010 and 2000.

Under Action 5 of the **2010 Action Plan**, for example, the five NPT nuclear-armed states committed to engage with other states on matters of global stockpile reduction; tactical nuclear weapons and nuclear “sharing”; diminishing the role of nuclear weapons in security policies; preventing nuclear weapons use and eliminating nuclear weapons; reducing operational status of nuclear weapons; reducing the risk of accidental use; and increasing transparency and mutual confidence. Since then, the nuclear-armed states met with each other on several occasions but have only managed to develop a glossary of nuclear terminologies—which was not even something they had agreed to do in 2010 or any other time.

At the 2022 NPT Review Conference, some of the most intense discussions took place in relation to nuclear disarmament commitments. In the end, the **unadopted outcome document** is very weak on disarmament. The review portion of the text reaffirms the obligations under Article VI, the commitments made in 1995, 2000, and 2010, and the nuclear-armed states unequivocal undertaking to eliminate their nuclear weapons. However, this is not **matched** by any action to achieve these goals in the “forward-looking” part of the draft final document. There are no timelines or benchmarks for progress. Despite all of the various points of “grave concern” with the present situation expressed throughout the text, there is no sense of urgency to achieve the one thing that could actually help improve the situation: nuclear disarmament.

Filling the legal gap

It was in this context that the majority of non-nuclear-armed states decided to “close the legal gap” around nuclear weapons by establishing a categorical prohibition on these weapons to match those on other weapons of mass destruction such as chemical and biological weapons. Most governments participated in a series of conferences on the humanitarian impact of

nuclear weapons in 2013 and 2014, discussed later in this *Briefing Book*, after which the UN General Assembly established an **open-ended working group** in 2016 to discuss the legal and political options for moving forward. The finding of this group was that most states supported the negotiation of a treaty banning nuclear weapons. Over 120 delegations voted in favour of convening these negotiations in 2017, even without the support of the nuclear-armed states.

The nuclear-armed states did not attend these negotiations and instead applied pressure on other governments to boycott the process. The US government under President Obama, for example, **instructed** its allies that include nuclear weapons in their security doctrines to not support the treaty negotiations. Despite this opposition, the **UN conference to negotiate** a legally binding treaty to prohibit nuclear weapons was a resounding success. Over 130 governments participated in the conference. Civil society and international organisations engaged in interactive dialogues together with states, making the negotiations uniquely collaborative in the nuclear disarmament field.

This collaboration helped ensure the resulting treaty is comprehensive and effective. The final text outlaws the development, testing, production, manufacture, acquisition, possession, stockpiling, stationing, deployment, transfer, use, or threat of use nuclear weapons, or assisting with any of these prohibited activities. It contains provisions for victim assistance and environmental remediation and is the first treaty to recognise the disproportionate harms caused by nuclear weapons to Indigenous Peoples and to women and girls. The treaty also sets out a process by which states with nuclear weapons can join and eliminate their arsenals through time-bound and verified processes. Significantly, the treaty also recognises that any use of nuclear weapons would be contrary to international humanitarian law.

After two rounds of negotiations, 122 states voted for the adoption of the **Treaty on the Prohibition of Nuclear Weapons (TPNW)** on 7 July 2017. Once it achieved the required 50 ratifications, it entered into force on 22 January 2021. Since then, it has continued to gain in signatures and ratifications. The **First Meeting of States Parties** to the TPNW met from 21–23 June 2022 in Vienna, Austria. On the final day of the meeting, states parties adopted a strong **Declaration** and **Action Plan** that set out a roadmap for the treaty's implementation and universalization, including by setting a ten-year deadline for destruction of nuclear weapons. The **Second Meeting of States Parties** met in New York from 27 December to 1 December 2023, where they adopted a **Declaration** and a **series of decisions** for action.

There is much work to be done to ensure the TPNW's full implementation and achieve the overarching goal of a nuclear weapon free world. But what we have seen so far should give great hope that this is possible, and that the process of banning nuclear weapons is bringing broader change to how things can be and will be done in international relations.

The TPNW and the NPT

Opponents of the TPNW have tried to manufacture a false tension between the TPNW and the NPT, but in both a legal and practical sense the treaties are **complementary**. The negotiation of the TPNW was the logical and necessary response to the deep concern expressed by all NPT

states parties in 2010 at the “catastrophic humanitarian consequences” of any use of nuclear weapons.

The NPT does not set out a timeline or plan for disarmament; it simply obligates states to disarm. As has been seen with other weapon systems, prohibition facilitates elimination. Banning nuclear weapons is an important first step to eliminating them. Furthermore, as stipulated in Article VI of the NPT, it is the responsibility of all states to make progress towards negotiations on nuclear disarmament. Any step towards the categorical prohibition of nuclear weapons would be fully consistent with the NPT, constituting an “effective measure” referred to in Article VI.

The NPT itself sets out both the rationale and obligation to ban nuclear weapons. It highlights the catastrophic consequences of the use of nuclear weapons as its motivation for preventing proliferation and achieving disarmament. It specifically seeks to end the arms race and the production of nuclear weapons, and to achieve the total elimination of nuclear weapons through good faith negotiations. Banning nuclear weapons, which also has as its primary motivation the catastrophic consequences of the use of nuclear weapons, likewise seeks to end the production and possession of nuclear weapons.

Taking the step of categorically prohibiting these weapons is fully consistent with the NPT and will only help to achieve its goals. Amongst other things, the TPNW further stigmatises nuclear weapons—which has impacts beyond just states parties to the treaty. It changes the legal and political landscape, creating a new norm against the possession and financing of nuclear weapons. It also supports a new discourse about nuclear weapons that understands them as weapons of terror, instability, and insecurity rather than as “deterrents” or instruments of “security”. Stigmatisation makes it clear that nuclear weapons are incompatible with the principles of human rights and international humanitarian law, becoming increasingly unattractive to governments that wish to be viewed in good standing in the international community.

At the same time, the TPNW will also help create the conditions for nuclear disarmament. It will help provide a space and context for disarmament and for an end to further nuclear weapon development and modernisation. It will provide an economic impetus for financial divestment from nuclear weapons production and political, legal, and social incentives to stop the arms race and begin a real process of nuclear disarmament.

The TPNW also raises an extremely important point about process. The problem with the NPT is that its states parties, especially its nuclear-armed states parties, make commitments but then choose not to implement them. Most other states parties compromise to reach agreements—they accept less than they would otherwise, and they offer other commitments in return. But sometimes before the ink is even dry, the countries that forced those concessions have walked away from or reinterpreted the agreement. The examples are endless: Article VI. The 1995 resolution on the Middle East. Most of the 13 practical steps from 2000. Actions 5 and 21, among others, of the 2010 Action Plan.

The solution is to stop waiting for these countries to take the initiative to fulfill their commitments, and to prevent them from dictating how agreements are reached. When there is a known and established pattern of certain states forcing concessions and then walking away from the commitments they have made, other states should act to ensure this does not stand in the way of achieving collective security goals.

The NPT cannot relegate the achievement of its most fundamental objective—an end to nuclear weapons—to an indefinite holding pattern, until those that possess them feel “conditions are right”. All states have the immediate obligation to implement their commitments as reflected in the spirit and letter of the NPT and the outcome documents of its review conferences. Prohibiting nuclear weapons is part of that implementation process.

Recommendations

- Nuclear-armed states must reiterate their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals—and then must undertake actions necessary to implement this.
- Nuclear-armed and nuclear weapon-endorsing states should undertake and report to the NPT PrepCom on actions undertaken that are consistent with achieving and maintaining a nuclear weapon free world per Article VI. They should fulfill past NPT commitments on disarmament and achieve the total elimination of their nuclear weapon programmes.
- States should raise concerns with the lack of progress in implementing Article VI of the NPT and achieving nuclear disarmament, and must not accept any language in an outcome document that undermines existing disarmament obligations and commitments.
- States should condemn nuclear-armed states’ qualitative and quantitative advancement, expansion, or modernisation of their nuclear arsenals.
- States should call on nuclear-armed states to undertake nuclear disarmament and cease their modernisation programmes, and for nuclear-endorsing states to stop hosting other countries’ nuclear weapons on their territories and reject the use or threat of use of nuclear weapons on their behalf.
- States should welcome the adoption of the TPNW, call on all states to join the TPNW, and recognise the positive and complementary relationship between the NPT and the TPNW.

Humanitarian Impacts of Nuclear Weapons

The **immediate effects** of even a single nuclear weapon detonation are horrifying and overwhelming. One detonation will cause tens of thousands of casualties and inflict immediate and irreversible damage to infrastructure, industry, livelihoods, and human lives. The effects will persist over time, devastating human health, the environment, and our economies for years to come. These impacts will wreak havoc on food production, natural disasters, and displace entire populations. Nuclear weapon production, maintenance, modernization, testing, and storage also have humanitarian and environmental impacts that persist for generations, as does every aspect of the nuclear fuel chain from uranium mining to nuclear waste storage.

The 2010 NPT Review Conference, for the first time in an NPT outcome document, **recognised** the “catastrophic humanitarian consequences” that would result from the use of nuclear weapons and reaffirmed the need for all states, at all times, to comply with applicable international law, including international humanitarian law.

Building upon this agreement, Norway, Mexico, and Austria hosted a series of **three conferences** on the humanitarian impacts of nuclear weapons (HINW) in 2013 and 2014. These international gatherings brought to the fore a recognition that the stockpiling and deployment of nuclear weapons present distinct risks of nuclear detonation, whether intentional or accidental.

This renewed focus on humanitarian consequences also drew attention to the deliberate marginalisation of those who have been affected by nuclear weapon production, testing, and use, which has led to increased efforts by civil society organisations and some governments to include affected communities and people in discussion on nuclear weapons.

The HINW discussions also opened space for consideration of the most appropriate political and legal responses to the continued existence of nuclear weapons. The shift in discourse, from deterrence to destruction, has been accompanied by a growing realisation that the nuclear-armed states and their allies cannot be relied upon to accomplish the elimination of their nuclear weapons alone. The **Chair’s summary of the Mexico conference in 2014** concluded that “new international standards and norms” must be developed to eliminate nuclear weapons. In the months following the Mexico conference, many states endorsed the chair’s call for a legally binding instrument to prohibit nuclear weapons.

At the third humanitarian conference in Vienna later that year, states were even more vocal in their support for negotiations on a nuclear ban treaty. The **Chair’s summary of that meeting** reflected that many delegations “expressed support for the negotiation of a new legal instrument prohibiting nuclear weapons, constituting an effective measure towards nuclear disarmament, as required also by the NPT.” The Austrian government concluded the Vienna conference by issuing a **Pledge** “to identify and pursue effective measures to fill the legal for the prohibition and elimination of nuclear weapons.” By the end of the 2015 NPT Review Conference, 127 states had **endorsed** what was then known as the **Humanitarian Pledge**. This led directly into the diplomatic support for the negotiation of the Treaty on the Prohibition of Nuclear Weapons (TPNW), described in the previous section.

In June 2022, Austria hosted another **conference** on the humanitarian impact of nuclear weapons the day before the TPNW First Meeting of States Parties. A common thread throughout the meeting, which looked at impacts and risks of nuclear weapon use, was that the only way to eliminate the risks is to eliminate nuclear weapons. The **Chair's summary** articulated the belief that nuclear weapons increase uncertainty and insecurity and that “building security on nuclear deterrence is not sustainable.” It argued, “Substantial and not only declaratory risk reduction measures are certainly called for in the short term, but only the elimination of nuclear weapons offers effective prevention.”

HINW and the NPT

The NPT Review Conference in August 2022 also addressed humanitarian impacts. 147 states parties aligned with a **joint humanitarian statement** delivered by Costa Rica. Furthermore, while some of the nuclear-armed states repeatedly refuted the inclusion of humanitarian language into the outcome document, the **final draft text** did **include references** to the humanitarian and environmental impacts of nuclear weapons. While the document was not adopted, it provides useful text for future work.

Among other things, the final draft expressed deep concern at the humanitarian consequences of the use of nuclear weapons and with the immediate, mid- and long-term impacts of nuclear detonations; recognised the HINW conferences; and reaffirmed that all states must comply with international law, including international humanitarian law.

The draft outcome also welcomed “the increased attention in the last review cycle on assistance to the people and communities affected by nuclear weapons use and testing and environmental remediation following nuclear use and testing and calls on States parties to engage with such efforts to address nuclear harm.” This is an important recognition that some NPT states parties that are not yet party to the TPNW have expressed interest in supporting efforts to implement the relevant provisions of the TPNW. However, this formulation calls on states parties to take this up, it does not commit them to do so.

Finally, the draft outcome also reiterated “the appeal of previous Review Conferences to all Governments and international organizations that have expertise in the field of clean-up and disposal of radioactive contaminants to consider giving appropriate assistance, as may be requested, for remedial purposes in affected areas, noting the efforts that have been made to date in this regard.” While this language was developed in relation to nuclear energy, its provisions could and should be applied to all radioactive contamination resulting from the production and use of nuclear weapons and nuclear energy, including through uranium mining, fuel processing, radioactive waste disposal, and other aspects of the nuclear fuel chain.

Recommendations

- Delegations to the NPT PrepCom should reiterate their concerns with the HINW and the risks of use, and their understanding that the use of nuclear weapons is a violation of international law, including international humanitarian law.
- States should welcome the work undertaken to examine the humanitarian impact of nuclear weapons and endorse the findings and outcomes of the Oslo, Nayarit, and Vienna conferences. They should express deep concern at the continued risk for humanity represented by the possibility that nuclear weapons could be used and the catastrophic humanitarian consequences that would result from this use.
- Any outcome text produced at the PrepCom should take up the language that was agreed in relation to the HINW and the provision of assistance in the unadopted outcome document from the Tenth Review Conference. In particular, any outcome should reflect the language from 2010 to express “deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons” and to reaffirm “the need for all States at all times to comply with applicable international law, including international humanitarian law.” It should also reflect language from the TPNW preamble, which recognises “that any use of nuclear weapons would be contrary to the rules of international law applicable in armed conflict, in particular the principles and rules of international humanitarian law.” It could also include the language from the **joint humanitarian statement** of 28 April 2015, endorsed by 159 states, which notes, “It is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances.”
- NPT states parties should indicate their interest to contribute financially to victim assistance and environmental remediation for nuclear weapon activities, and should join the TPNW in order to participate fully in the implementation of these TPNW provisions.
- All states should emphasise that the only way to eliminate the risk of nuclear weapon use is to eliminate nuclear weapons, and commit to time-bound immediate nuclear disarmament.
- All states and civil society groups should also acknowledge the humanitarian and environmental impacts of nuclear weapon production, maintenance, and modernisation and of the nuclear fuel chain, and work to expand commitments related to victim assistance and environmental remediation to include these nuclear weapon activities.

Nuclear Weapon Modernisation and Spending

As of early 2024, China, the DPRK, France, India, Israel, Pakistan, Russia, the United Kingdom, and the United States **possess** about 12,100 nuclear warheads. The United States and Russia are responsible for about 89 per cent of these. While the total number of nuclear weapons has continued to slowly decrease from the height of the Cold War in the 1980s, the Federation of American Scientists **reports** that “the number of warheads in global military stockpiles—which comprises warheads assigned to operational forces—is increasing once again.”

Furthermore, all of the nuclear-armed states are “**modernising**” their nuclear arsenals—the warheads, the delivery systems, and in some cases the facilities that produce these weapon systems:

- ➔ The United States is **expanding** its production of plutonium “pits” for nuclear warheads in the largest nuclear infrastructure project since the Manhattan Project. It is also **replacing** its intercontinental ballistic missiles (ICBMs), is **working** to increase its capacity to build nuclear-armed submarines, and more.
- ➔ Russia is in the **late stages** of a multi-decade long modernisation programme to replace all of its Soviet-era nuclear-capable systems with newer versions. It has also withdrawn its ratification of the Comprehensive Nuclear-Test-Ban Treaty and has increased activity at its former nuclear weapon testing site.
- ➔ China’s nuclear weapon modernization programme has reportedly **accelerated and expanded**. It has continued to develop new missile silo fields, new ICBMs, and new warheads, has refitted its nuclear submarines with new missiles, and has developed an air-launched ballistic missile for its bombers that might have a nuclear capability.
- ➔ France is in the midst of **significant modernisation programmes** for its ballistic missiles, cruise missiles, submarine, aircraft, and nuclear-industrial complex.
- ➔ The United Kingdom is in the midst of **replacing** its nuclear submarines and warheads and is planning to increase the number of warheads in its stockpile.

Nuclear weapon modernisation programmes are not about “increasing the safety and security” of nuclear arsenals, which is what the governments of these countries often claim. The “upgrades” in many cases provide new capabilities to the weapon systems. They also extend the lives of these weapon systems beyond the middle of this century, ensuring that the nuclear arms race will continue indefinitely.

The maintenance, modernisation, and arsenal expansions are expensive. Collectively, the nuclear-armed states **spent** \$82.9 billion on nuclear weapons in 2022. At \$43.7 billion, the US government spent more than all the other nuclear-armed states combined. Private contractors continue to profit from this spending; as the International Campaign to Abolish Nuclear

Weapons (ICAN) and PAX **found** that in 2024, “Financial institutions held more than \$476.8 billion in bonds and shares, while also providing \$276 billion in financing.”

In addition to private profits, modernisation of nuclear weapons is driven largely by the quest for military advantage. The theory of nuclear “deterrence” requires the threat of the use of nuclear weapons to be credible, and the preparations for such use must then be legitimate. Modernisation, especially if new capacities are created, refreshes the perceived utility and credibility of nuclear use, both technically and politically. The only way to prevent states from modernising their nuclear weapons is to prohibit and eliminate them.

Modernisation and the NPT

Article VI of the NPT obligates all states parties to “undertake 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.” Nuclear weapon modernisation is the qualitative aspect of the “nuclear arms race”. Forty-five years ago, the NPT required this practice to end “at an early date,” an outcome the Treaty paired with “good faith” progress toward nuclear disarmament. The NPT, especially as unanimously and authoritatively **interpreted** by the International Court of Justice, requires nuclear disarmament. The illegitimacy of nuclear weapons is a foundation of the NPT.

Thus, nuclear weapon modernisation goes against the letter and spirit of the NPT. Unfortunately, NPT outcome documents and commitments have rarely explicitly condemned modernisation or called for a cessation of modernisation programmes. The **unadopted outcome document** from the 2022 NPT Review Conference **recognises** that non-nuclear armed states have concerns about the qualitative and quantitative improvements of nuclear weapons and commits the nuclear-armed states to “engage in dialogue” with them to address these concerns during the next review cycle. It does not in any way commit them to stopping these programmes.

In contrast, the Treaty on the Prohibition of Nuclear Weapons (TPNW) outlaws assistance with acts prohibited under the Treaty. This provision can help TPNW states parties impede modernisation programmes and help to facilitate and compel the elimination of nuclear weapons through economic divestment from nuclear weapon production and refusal to supply or otherwise participate in modernisation programmes.

There are cases in which NPT non-nuclear-armed states parties are aiding nuclear modernisation programmes, in what experts have described as a “**moral contravention**” of the NPT. One recent example is Australia’s commitment to provide about 3 billion USD to each of the US and UK nuclear-powered submarine programmes as part of the Australia-United Kingdom-United States (AUKUS) military alliance (there are more details on this in a separate AUKUS section below). As documents from and **investigations** into these agreements **indicate**, it is unlikely Australia can prevent its funding going toward the modernisation of nuclear-armed submarines in these countries, because those submarines are being built at the same ports at the same time by the same companies with the same employees. This example highlights how critical it is for all NPT states parties to ensure they are not supporting or investing in the nuclear arms race.

Recommendations

- › All states possessing nuclear arsenals should halt research, development, testing, and production of nuclear weapons and delivery systems. They should also declare that they will not design, develop, or produce new nuclear weapons, or modify or modernise existing warheads to add military capabilities.
- › Non-nuclear armed states should stop providing any material or financial support to public or private companies involved in nuclear weapon production, testing, or modernisation. They should also prohibit such investment by companies or other entities within their jurisdiction. They must not in any way support nuclear weapon modernisation programmes.
- › States that include nuclear weapons in their security doctrines should renounce them and withdraw support for any relevant modernisation projects.
- › States not possessing nuclear weapons should continue to raise concerns about the threat that the existence of nuclear weapons poses for human security and call on nuclear-armed states to halt all modernisation projects and meet their commitments to nuclear disarmament. They should also continue to highlight that a world free of nuclear weapons can only be achieved if the nuclear-armed states stop modernising their nuclear arsenals.

Doctrines, Transparency, and Nuclear Sharing

Action 5 of the 2010 NPT Review Conference **outcome document** committed nuclear-armed states to diminish the role and significance of nuclear weapons in all military and security concepts, doctrines, and policies and to further enhance transparency and increase mutual confidence. They were called upon to report on these undertakings in 2014; they were also, by Action 21, encouraged to agree on a standard reporting form. But instead of complying with these agreed commitments, the nuclear-armed states came to the 2015 Review Conference with only a glossary of nuclear terms—an activity that did not appear anywhere in the 64 actions of the 2010 agreement. They did not implement any of these Actions by the 2022 Review Conference, either.

This flagrant disregard for agreed commitments continues to undermine the NPT’s credibility. It is not just the nuclear-armed states that contribute to this, however. All states parties agreed in 2010 to pursue “policies that are fully compatible with the treaty and the objective of achieving a world without nuclear weapons.” This is the first action in the 64-point action plan. There is, of course, ample evidence that the five nuclear-armed states parties have failed to abide by this commitment. But several other states parties have also not pursued policies fully compatible with the goal of elimination.

“Nuclear umbrella” countries

All of the members of the North Atlantic Treaty Organisation (NATO) claim a “nuclear deterrence doctrine” in alliance with the United States, as do Australia, Japan, and the Republic of Korea. Five NATO states even host US nuclear weapons on their soil (Belgium, Germany, Italy, Netherlands, and Turkey), under what are known as “nuclear sharing” arrangements. Poland has said it would be **willing** to host NATO nuclear weapons while the Swedish government has **said** it would do so in “times of war”.

Since NATO’s creation, nuclear-armed states **forced** their allies to share the “moral responsibility” for their deployment and possible use. This was a deliberate strategy developed in response to widespread antinuclear sentiment among the global public. By “spreading the burden,” the nuclear-armed states of NATO could justify their retention and modernisation of nuclear weapons, and withstand public pressure to disarm.

Since these early days of nuclearising NATO, there have been seen no signs of movement by any NATO members towards diminishing, let alone eliminating, the role of nuclear weapons in their military concepts. Many of the members have become even more strident in their defence of nuclear weapons as legitimate and necessary, despite acknowledging their catastrophic humanitarian consequences.

Nuclear sharing is also spreading beyond NATO. In 2022, Belarus **changed** its constitution to allow the stationing of Russian nuclear weapons, in the context of Russia’s invasion of Ukraine. In 2023, Russia announced that it **moved** some of its nuclear weapons to Belarus. In addition, Australia, the United Kingdom, and United States have **initiated** a military alliance, AUKUS, that will see them sharing highly enriched uranium and nuclear-powered submarines, as well as other related technology, infrastructure, and radioactive material. A separate section on AUKUS provides more details below, highlighting how while this is not sharing of nuclear weapons, it still poses grave risks to nuclear non-proliferation efforts in general and the NPT specifically.

All the countries involved in nuclear alliances are violating the NPT’s spirit, and arguably, its letter. They are working against the interests of nuclear disarmament by reinforcing the false belief that nuclear weapons are legitimate, useful, and necessary instruments of security. This is contrary to the NPT’s explicit recognition that nuclear war would result in devastation for humankind and that every effort should be made to prevent this. If these states genuinely consider the NPT to be the “cornerstone” of the non-proliferation and disarmament regime, they need to take steps to end their reliance on nuclear weapons, remove nuclear bombs stationed on their territories, and end their involvement in nuclear war planning activities.

Transparency

As a first step, all countries involved in “nuclear alliances” should become more transparent about their practices. Those that station nuclear weapons on their territories should end their opaque policy of neither confirming nor denying this. These “host” states should provide details

of the location, the number, the status, and the type of these weapons, as well as the vehicles that would be used to deliver them.

The NPT states parties that permit the transit of nuclear weapons through their territory, including their territorial waters, should inform other states parties when, how often, along which routes, and at what risk to their own citizens—and to the citizens of the world. Enhanced transparency is a responsibility for all states parties, and will serve to increase international security. While nuclear-armed states may argue these are issues of national security and cannot be made public, it is the right of populations to understand the risks being imposed upon them without their knowledge and to take action to prevent catastrophe.

The 2015 Review Conference **draft outcome**, which was not adopted, included some useful language on transparency. It encouraged nuclear-armed states to include specific details in their reporting, including the number, type, and status of nuclear warheads; number and type of delivery vehicles; measures taken to reduce the role and significance of nuclear weapons in military and security concepts, doctrines, and policies; measures taken to reduce the risk of unintended, unauthorised, or accidental use of nuclear weapons; measures taken to reduce the operational readiness of nuclear weapon systems; number and type of weapons and delivery systems dismantled and reduced; and the amount of fissile material for military purposes.

The 2022 NPT Review Conference failed to agree to progressive language on transparency, as the nuclear-armed states repeatedly denounced efforts to include language calling on them to undertake further work in this regard. Despite not having implemented past transparency commitments, the nuclear-armed states claim to have “done all they can” on this issue.

Doctrines

The NPT and its outcome documents have continuously stressed the need to reduce the role of nuclear weapons in security doctrines. Nuclear weapons do not bring security; recognising this and taking action on this point is important for nuclear disarmament.

The **draft outcome document** of the 2022 NPT Review Conference, which was not adopted, included a few measures related to doctrines. It called upon all nuclear-armed states to “take steps to diminish, with a view to eliminating, the role and significance of nuclear weapons in all military and security concepts, doctrines and policies.” It also recommitted the nuclear-armed states to develop a standard reporting form on their nuclear arsenals and capabilities and on their nuclear policies, doctrines, and risk reduction measures. Finally, it committed nuclear-armed states to “intensify regular dialogue” amongst themselves and with non-nuclear-armed states about “nuclear doctrines and arsenals,” among other things.

These are important steps that should be pursued at during this new review cycle, but any outcome must go further. The NPT has been in force since 1970 yet transparency is diminishing and doctrines are expanding. This direction must be urgently reversed.

Recommendations

- All nuclear-armed states should: a) take steps to eliminate any role for nuclear weapons in their military and security concepts, doctrines, and policies; b) submit plans for doing so; and c) report on the items included in the draft 2015 NPT Review Conference outcome document as noted above, with a view towards total elimination of nuclear weapons.
- All non-nuclear-armed states parties that claim protection from nuclear weapons should: a) eliminate any role for nuclear weapons in their military and security concepts, doctrines, and policies; b) submit plans for doing so; and c) provide details about the deployment of nuclear weapons on their territory or the transit of nuclear weapons through their territory.
- All other non-nuclear-armed states should highlight the incompatibility of such policies and practices with the NPT and the objective of achieving a world without nuclear weapons. They should underscore that the obligation to pursue nuclear disarmament applies to all NPT states parties, not only to those armed with nuclear weapons. They should also question actions taken by nuclear-armed states that are contrary to the object and purpose of the NPT, including nuclear sharing.



Photo of the A-Bomb Domb in Hiroshima © Tim Wright

Nuclear Threats and Risks

During the previous and current review cycle, government officials in at least four nuclear-armed states—the DPRK, Israel, Russia, and the United States—threatened to use their nuclear weapons. Most recently, the repeated **threats of use** since 2022 by the Russian government, and **comments** in 2023 from an Israeli minister about the use of nuclear weapons against Palestine, make it clear that the risk of nuclear weapon use is as high as it ever has been. The response, particularly from European NATO states, has been to **amplify** their attachment to nuclear weapons as a perceived deterrent.

But the problem with nuclear deterrence is that even without explicit threats of use, the doctrine of deterrence itself is a threat. It requires the preparation and planning to use nuclear weapons, including deploying weapons, keeping them on alert, targeting them, and other aspects of nuclear war planning. Thus, the threat of use of nuclear weapons persists as long as nuclear weapons exist. In this sense, these weapons are “used” every day to solidify the global order built by those that rely on the threat of genocide and world-destruction to get their way.

Despite the constant presence of threat, and the explicit threats made during the past few years, the 2022 NPT Review Conference failed to explicitly condemn the threat of use of nuclear weapons. The unadopted **draft outcome document** “acknowledges the devastation that would be visited upon all humankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples.” It also “expresses deep concern that the threat of nuclear weapons use today is higher than at any time since the heights of the Cold War and at the deteriorated international security environment.” However, the outcome only would have committed states parties to make “every effort to ensure that nuclear weapons are never used again” and specified that nuclear-armed states “have the primary responsibility” in preventing nuclear war.

In this context, the draft document commits the nuclear-armed states “to refrain from any inflammatory rhetoric concerning the use of nuclear weapons.” This reflects the efforts of France, the United Kingdom to create a hierarchy of nuclear threats, in which some threats (i.e. Russia’s) are apparently more threatening than others.

This can be contrasted with the **Declaration** adopted at the TPNW First Meeting of States Parties two months earlier, which stressed that any use or threat of use of nuclear weapons is a violation of international law, including the Charter of the United Nations, and unequivocally condemned “any and all nuclear threats, whether they be explicit or implicit and irrespective of the circumstance.” The Declaration also acknowledged that all states have the responsibility to “prevent any use or threat of use of nuclear weapons.”

This admonishment of nuclear threats was **repeated and intensified** by TPNW states parties during their second meeting in November–December 2023. They continued to “firmly deplore threats to use nuclear weapons, as well as increasingly strident nuclear rhetoric,” and rejected “attempts to normalize nuclear rhetoric and any notion of so -called ‘responsible’ behavior as far as nuclear weapons are concerned.” The Declaration emphasises that the “threat of inflicting

mass destruction runs counter to the legitimate security interests of humanity as a whole” and asserts that this “is a dangerous, misguided and unacceptable approach to security.”

The Declaration also specifically condemns doctrines of nuclear deterrence, arguing that nuclear weapons “are used as instruments of policy, linked to coercion, intimidation and heightening of tensions.” TPNW state parties argued, “The renewed advocacy, insistence on and attempts to justify nuclear deterrence as a legitimate security doctrine gives false credence to the value of nuclear weapons for national security and dangerously increases the risk of horizontal and vertical nuclear proliferation.”

To address these issues, the TPNW Second Meeting of States Parties **decided** to establish a consultative process on security concerns of states. This process, for which Austria has been appointed the coordinator, will advance arguments and recommendations to promote and articulate the legitimate security concerns and the threat and risk perceptions enshrined in the TPNW that result from the existence of nuclear weapons and the concept of nuclear deterrence. It will also seek to “challenge the security paradigm based on nuclear deterrence by highlighting and promoting new scientific evidence about the humanitarian consequences and risks of nuclear weapons and juxtaposing this with the risks and assumptions that are inherent in nuclear deterrence.”

Nuclear risks

The mere existence of nuclear weapons generates great risk. There have been many **instances** of near-misses and potential accidental nuclear detonations. There have also been several recent reports of the declining operational atmosphere and disturbing behaviour of those in supposed “command and control” of these arsenals. Furthermore, the policies of “nuclear deterrence” and military doctrines of nuclear-armed states and their allies require preparations for the use of nuclear weapons. The potential use of nuclear weapons in a conflict between their possessors or in pre-emptive or retaliatory strikes against others is not a threat of the past.

The **Chair’s summary** of the Fourth Conference on the Humanitarian Impacts of Nuclear Weapons, hosted by Austria in June 2022, recognised that the “risks of accidental, mistaken, unauthorized or intentional detonations of nuclear weapons have reached an unprecedented high level for political, strategic and technological reasons.” It also argued that the “propagation of smaller tactical, better usable nuclear weapons is disconcerting,” noting, “Even the detonation of a single so-called small nuclear weapon would have devastating and compounding effects and, in addition, carry a very high risk of triggering an escalation to a limited or all-out nuclear war.” While the summary recognises the value of risk reduction measures, it emphasizes that only the elimination of nuclear weapons will eliminate risks.

The 2022 NPT Review Conference discussed risk reduction measures extensively, with some nuclear weapon-supportive countries seeing it as a way to create the perception of progress without actually engaging in nuclear disarmament. The unadopted outcome document did specify that “nuclear risks will persist as long as nuclear weapons exist” and reaffirmed “that the total elimination of nuclear weapons is the only way to eliminate all risks associated with these

weapons.” It also clarified that “nuclear risk reduction is neither a substitute nor a prerequisite for nuclear disarmament and efforts in this area should contribute to forward movement in and complement the implementation of Article VI obligations and related nuclear disarmament commitments.”

However, the various risk reduction measures considered were watered down throughout the conference. Only three commitments were contained in the final draft text: to intensify regular dialogue about various issues; to develop and implement “effective crisis prevention and management arrangements, mechanisms and tools, including enhanced leader-to-leader and military-to-military contact, crisis-proof communication lines, the issuance of declarations of restraint, as well as notification and data exchange agreements;” and to “maintain the practice of not targeting each other or any other state with nuclear weapons and keep them at the lowest possible alert levels and continue to maintain and develop policies and procedures to increase the time available for decision-making and to allow for de-escalation of crises.”

At their Second Meeting of States Parties, TPNW members **warned** that nuclear risks “are being exacerbated in particular by the continued and increasing salience of and emphasis on nuclear weapons in military postures and doctrines, coupled with the on-going qualitative modernization and quantitative increases in nuclear arsenals, and the heightening of tensions.” They affirmed that they would not “stand idly by while signs indicate that humanity is moving closer to global nuclear catastrophe at this dangerous inflection point.” NPT states parties must not stand by either.

Recommendations

- All nuclear-armed states must stop threatening to use nuclear weapons and dismantle their nuclear deterrence doctrines and their nuclear arsenals..
- All states, including the nuclear-armed states, should join the TPNW, which prohibits the use and threat of use of nuclear weapons.
- Delegation’s statements, and any outcome from the Preparatory Committee, should reflect the condemnation of nuclear threats from the declarations adopted by the TPNW meetings of states parties, highlighted above.
- States could outline specific risk reduction measures for nuclear-armed and nuclear-supportive states to undertake, but must be clear that these measures do not substitute for nuclear disarmament, using the language from the 2022 NPT Review Conference draft text as outlined above.

Non-Proliferation

For the most part, NPT non-nuclear-armed states parties have abided by their non-proliferation commitments. The key case of concern regarding nuclear weapon proliferation continues to be with Iran, which is still a case of concern. In 2018, the United States withdrew from the Joint Comprehensive Plan of Action (JCPOA) that had previously set this issue on a course to resolution.

The International Atomic Energy Agency (IAEA) **continues** to consistently report that Iran provides credible answers about the presence of uranium at the two undeclared locations, yet the Agency says it “will not be able to confirm the correctness and completeness of Iran’s declarations” and that there has been no progress on its investigation into undeclared activities at two sites. However, in March 2024, the IAEA **reported** a small decrease in Iran’s 60 per cent uranium stockpile, while the annual US Worldwide Threat Assessment released that same month **assessed** that Iran is not engaged in weaponisation activities.

A few delegations raised concerns with Iran’s nuclear activities at the 2022 NPT Review Conference, but the unadopted outcome document did not refer to this issue explicitly. The document simply underscored “the importance of resolving all cases of non-compliance with safeguards obligations in full conformity with the Statute of the IAEA and the respective legal obligations of States parties.”

At the 2023 NPT Preparatory Committee, Iran **blocked** the inclusion of the **Chair’s summary** of the meeting, as well as his **recommendations**, in the list of official documents in the PrepCom’s procedural report. Iran, backed by Russia and Syria, objected to the summary being listed even as a working paper. The Iranian delegation’s main concern was that the summary singled out Iran in a negative way and presented a one-sided view of the situation with the JCPOA. Iran also objected to what it perceived as Western bias throughout the whole summary—it felt the Chair had given preferential treatment to the views of the Western Group delegations at the expense of the views of most other delegations participating in the meeting.

Another principal proliferation concern is the Democratic People’s Republic of Korea (DPRK)’s expanding nuclear weapon and missile programmes. The DPRK withdrew from the NPT when it began testing nuclear weapons, but most states and civil society groups continue to condemn the DPRK’s nuclear programme as a violation of the Treaty and a threat to international peace and security. Part of the underlying issue in this case is the lack of a **peace agreement** from the so-called Korean War, which the DPRK says has led to an ongoing policy of hostility from the United States, along with joint US-Republic of Korea war games that the DPRK perceives as existential threats.

The 2022 NPT Review Conference unadopted document expressed “unwavering support for the complete, verifiable and irreversible denuclearization of the Korean Peninsula,” condemned the DPRK’s nuclear and missile tests, and encouraged the resolution of this matter through negotiation and diplomacy, welcoming efforts “to facilitate a peaceful and comprehensive solution.”

While these cases are serious and require sincere diplomatic efforts to resolve, the NPT generally has a good track record when it comes to non-proliferation. Despite this, the nuclear-armed states tend to focus their money and attention on preventing the spread of nuclear weapons, even while maintaining and modernising their own nuclear arsenals. This double standard has put the NPT under severe strain, as have nuclear sharing arrangements and nuclear alliance doctrines described above. The biggest driver of proliferation is the continued existence of nuclear weapons and doctrines of nuclear deterrence that perpetuate the myth that nuclear weapons are essential for national security or global stability. During this review cycle, states parties must demand disarmament as critical to fulfilling non-proliferation obligations.

Recommendations

- › Delegations should note that their commitment to non-proliferation is rooted in their concern with the humanitarian impacts of nuclear weapons.
- › Delegations should emphasise the connection between disarmament and non-proliferation, i.e. that disarmament is the best way to prevent proliferation.
- › Delegations should critique nuclear weapon modernisation, arsenal expansions, and nuclear threats as acts of proliferation.
- › States should critique the Australia-United Kingdom-United States (AUKUS) nuclear submarine deal as a specific nuclear proliferation risk (see more below).
- › States should call for peaceful approaches and good faith diplomacy to resolve the issues over the Joint Comprehensive Plan of Action (JCPOA) with Iran. NPT states parties should support full implementation of the agreement and should call on the United States and Iran to return to compliance with their JCPOA obligations immediately. NPT states parties could call upon Iran to refrain from a further acceleration of its uranium enrichment capacity and call on other states, including the only nuclear-armed state in the Middle East, Israel, to refrain from further acts of sabotage and assassination against Iran, which only serve to escalate the crisis.
- › States should call for peaceful approaches and good faith diplomacy to resolve concerns over the DPRK's nuclear and ballistic missile programmes, including through the pursuit of a **peace agreement** to formally end the Korean war. A peace agreement would reduce the risk of nuclear war and facilitate talks on disarmament or arms control. It would enable the normalisation of US–DPRK relations, which may help facilitate more effective engagement on denuclearisation by curbing the security risks fueling DPRK's pursuit of nuclear weapons.
- › Delegations should highlight the value of nuclear weapon free zone treaties and the Treaty on the Prohibition of Nuclear Weapons (TPNW) for reinforcing non-proliferation

norms and commitments. States should note that the TPNW reaffirms the International Atomic Energy Agency (IAEA) safeguards system in complete complementarity with NPT.

- Delegations should also encourage all states to adopt the IAEA Additional Protocol, but also express concern that military nuclear materials are not covered by safeguards at all.
- NPT states parties must implement the actions agreed to at the 2010 NPT Review Conference for the development of appropriate legally binding verification arrangements with the IAEA to ensure the irreversible removal of fissile material designated by each nuclear-armed state as no longer required for military purpose, and to make declarations of stockpiles of fissile material that could be used in nuclear weapons or other nuclear explosive devices. The failure of nuclear-armed states to agree to adequate safeguards has created a critical gap in the nuclear non-proliferation architecture. Nuclear-armed states must undertake measures to increase transparency and confidence in the effectiveness of security for military nuclear materials and accept full scope IAEA safeguards on these materials.

Middle East Weapon of Mass Destruction Free Zone

In December 2018, the UN General Assembly adopted a decision ([A/73/546](#)), submitted by the Arab states, which entrusted the UN Secretary-General to convene a conference on the establishment of a Weapons of Mass Destruction Free Zone in the Middle East (hereinafter: the zone or a WMDFZ). The decision stated that all states of the Middle East, the five nuclear-armed states, and relevant international organisations would be invited. It also specified that the annual conference would “aim at elaborating a legally binding treaty establishing a Middle East zone” on the basis of arrangements freely arrived at by the states of the region, only after reaching consensus.

The series of conferences held since then have constituted the main work on establishing a WMDFZ in the Middle East. But the history of this process began in the NPT.

History

Calls for the Middle East to become a nuclear-weapon-free zone (NWFZ) go back to the 1970s. In 1995, states parties to the nuclear Non-Proliferation Treaty (NPT) adopted a **resolution** that inextricably linked the NPT's indefinite extension with the establishment of “an effectively verifiable” WMDFZ in the Middle East.

Though the 1995 Resolution on the Middle East was a high priority in subsequent review conferences, there has been little tangible progress on the zone. In 2010, the NPT Review Conference **agreed** to convene a conference on the zone in 2012. However, this conference was never held. It was called off by the United States “because of present conditions in the

Middle East and the fact that states in the region have not reached agreement on acceptable conditions for a conference.” In 2013, Egypt walked out of the NPT Preparatory Committee in Geneva in protest at the lack of progress on convening the WMDFZ conference. At the 2015 NPT Review Conference, a **proposal** for a conference on the zone was derailed by a veto from the United States, the United Kingdom and Canada. The failure to reach a final document at the 2015 Review Conference was primarily because nuclear disarmament and Middle East zone commitments from earlier review conferences were not fulfilled.

The 2022 NPT Review Conference discussed the Middle East zone almost entirely behind closed doors. The **unadopted outcome document** underlined the importance of establishing the Middle East WMDFZ and reaffirmed the 1995 resolution, but did not contain any new commitments to pursue it.

UN conferences

While the NPT-track to advance the zone remains stagnant, the regional initiative under the auspices of the UN Conference on the Zone shows signs of great potential.

The first conference took place on 18–22 November 2019 in New York. All 22 Arab states and Iran participated. Four nuclear-armed states participated: China, France, Russia, and the United Kingdom. The United States and Israel did not. The conference adopted a **political statement**, which reaffirms the intention to negotiate a legally-binding instrument, freely arrived at, by consensus, for the establishment of a Middle East WMDFZ.

Following on from the success of the first conference, the second session took place in 2021 (which, due to the COVID-19 pandemic, did not take place in 2020). This meeting also ended on a positive note. The **final report** was adopted by consensus on the last day of the conference. The key features of the report include agreement on the Rules of Procedure, thematic areas, and continuing the discussion through inter-sessional meetings. These intersessional meetings are aimed at bringing technical and diplomatic experts together between each annual conference to develop ideas, policies, and technical solutions to an array of issues.

A **third session** was held at UN Headquarters in New York from 14–18 November 2022. The **outcome document** was adopted by consensus with agreement on continuing the discussion on thematic areas through intersessional meetings (both technical and political). Participants also discussed core obligations for a zone treaty, accession to other relevant WMD treaties, and a glossary of terminologies. It also **decided** to establish a Working Committee to continue deliberations during the intersessional period of the conference.

The Working Committee held **three meetings** in January, March, and June 2023. It continued discussions on terminologies and general principles and obligations of a zone, and invited experts to address the meetings.

A **fourth session** of the Conference was held 13–17 November 2023, where states **discussed** a wide range of issues related to the zone. Based on these discussions, the President of the

fourth session proposed that the 2024 meetings of the Working Committee could address nuclear verification, peaceful uses and technical cooperation, and an index of the list of topics to be addressed by future sessions of the Conference. The Conference also decided to host a fifth session from 18 to 22 November 2024.

Obstacles and opportunities

Though it is fair to say that the 1995 Resolution on the Middle East was a high priority in subsequent NPT review conferences, there has been little tangible progress in that forum. One of the main reasons is that the only state in the region believed to possess nuclear, chemical, and biological weapons' programmes—Israel—is not a party to the NPT. This means that states voted for a resolution that they didn't have the power to deliver. Extracting the negotiations from the NPT to a "new room" seems to be a positive step that might allow all states in the region to join the talks in good will.

Trump's administration 2018 withdrawal from the Joint Comprehensive Plan of Action (JCPOA), created some more obstacles in the form of mistrust at any future agreement and took the negotiations with Iran a few years back. However, the Biden administration has engaged somewhat with Iran and the United States can still show its support for the zone by sending a delegate to the Conference on the zone in November 2024.

Banning nuclear weapons in the Middle East has been linked to broader regional security and involves disagreement on the terms and the sequence of steps leading to its establishment: Israel, insists on a comprehensive peace agreement with its Arab neighbours before committing to any talks on the zone, while other regional states emphasise the need for the creation of the zone first as a contribution to peace and stability. Israel's ongoing settler colonial violence and its most recent genocidal actions against Palestinians since October 2024, coupled with it being the only state in the region to possess nuclear weapons, makes it clear how urgent disarmament is in this context.

One development was the 2021 entry into force of the Treaty on the Prohibition of Nuclear Weapons (TPNW), providing another avenue to strengthen efforts to achieve a WMDFZ. To date, six Middle Eastern states have signed the TPNW.

Recommendations

- States parties to the NPT should support the UN General Assembly-mandated Conference on the Zone process and welcome it in any outcome documents in this PrepCom.
- States from outside the region should approach future talks on the WMDFZ with goodwill to find paths forward, including by hosting non-official roundtables for diplomats and experts from the region. This could help bring all the relevant parties to the table in a constructive way.

- The United States should participate in the UN Conference on the Zone by sending a delegate. Such an engagement will be encouraging for sustaining future talks and is within US obligations as a sponsoring state to the 1995 Resolution on the Zone.
- Both the United States and Iran should negotiate in good faith to revive and secure the JCPoA.
- Efforts toward establishing the zone should involve further inclusion of civil society.
- NPT states parties should call on Israel, as the only state in the region possessing nuclear weapons, not use or threaten to use nuclear weapons, to join the NPT and TPWN, implement IAEA safeguards, and eliminate its nuclear weapon programme. They should also demand Israel comply with its international humanitarian law and international human rights obligations by stopping its genocide of Palestine. All states must implement the interim orders from the International Court of Justice in this regard, including by ending arms transfers and other material and political support to Israel, and call for an immediate ceasefire and an end to the occupation.

AUKUS and Nuclear Submarines

In September 2021, the governments of Australia, the United Kingdom, and the United States announced the formation of the AUKUS trilateral security partnership. This agreement **increases military cooperation** across a number of fields; however, its most high-profile component, and the one most relevant for the NPT, is the prospect that Australia could acquire nuclear-powered submarines. These vessels will use significant quantities of highly enriched uranium (HEU), which will be of weapons-grade quality.

The **plan** for the AUKUS nuclear-submarine sharing and acquisition poses many risks related to the proliferation of nuclear materials and technologies, the increase and imposition of radioactive waste on Australia's First Nations land and communities, and the investment of a non-nuclear-armed state into the modernisation of nuclear-armed states' infrastructure.

Supporting nuclear force infrastructure

Under the deal for Australia's acquisition of nuclear-powered submarines, the Australian government has committed to contribute about 3 billion USD towards submarine building infrastructure in the United States and United Kingdom. Through this scheme, Australia **might end up financing** the production of nuclear-armed submarines. While Australian Defence officials have said the money earmarked for US submarine production will go only toward building submarines that are not fitted with nuclear weapons, the companies that make the Virginia-class nuclear-powered submarines are also responsible for building the Columbia-class nuclear-armed submarines. These companies have said that the same staff will be working on

both submarines in the same shipyards, at the same time. The US government has made it clear the money can be used for any purpose the US President determines to be in support of developing the US submarine industrial base workforce.

While a delivery system is not a warhead, Australia's potential funding of nuclear-armed submarines for use by a nuclear-armed state is an obvious violation of the spirit of the nuclear Non-Proliferation Treaty (NPT), of which Australia is a member. Rex Patrick, a former independent Senator and navy submarine veteran, **argues** that funding a new nuclear weapon delivery capability is a "moral contravention" of NPT, which establishes an obligation to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures for nuclear disarmament. Under AUKUS, Patrick asserted, "Australia will be directly contributing to the indefinite maintenance of the US strategic nuclear force."

Imposing nuclear waste

In addition to contributing to nuclear forces, Australia will also be responsible for hosting any nuclear waste associated with AUKUS. The **Australian Naval Nuclear Power Safety Bill**, which was **introduced** to parliament in November 2023, would give the Australian government the **right to import** low, medium, and high-level nuclear waste from the US and UK governments, as long as the waste is associated with AUKUS. The Bill allows the government to **declare** any part of Australia a facility to store, build, or port the submarines, or to store their radioactive waste. Over forty groups made **submissions** to the process considering this bill, including **ICAN Australia**.

After **decades of struggle** from First Nations to protect their lands against the imposition of low-level radioactive waste from Australia's sole research reactor, now the government intends to grant itself the right to dump the most toxic nuclear waste anywhere it wants.

HEU and safeguards dangers

Furthermore, the proliferation risks involved with the acquisition of nuclear-powered submarines would be at odds with Australia's longtime commitment to nuclear non-proliferation. Just one nuclear-powered submarine can require up to 20 nuclear weapons' worth of HEU. Importantly, this nuclear material would be used outside the scope of standard International Atomic Energy Agency (IAEA) safeguard and scrutiny processes. As the ICAN Australia report **Troubled Waters** points out, Australia likely intends for its use of HEU to fall under Paragraph 14 of the IAEA Comprehensive Safeguards Agreement. This paragraph provides for IAEA safeguards to be set aside for "non-proscribed military purposes," as long as the state informs the agency of the intended activity, and that the nuclear material is not used to produce nuclear weapons. This potentially allows non-nuclear-armed states to acquire nuclear material to which IAEA safeguards would not be applied.

This contradicts the objective of the nuclear non-proliferation regime, which aims to both suppress demand for nuclear weapons and to control the supply of material that could be used to produce them. If Australia is allowed to utilise Paragraph 14, it would become the

first non-nuclear weapon state to be given access to this nuclear submarine technology. HEU is weapons-grade material and while it would be difficult to remove it from a submarine, the possibility cannot be ruled out. This would set an extremely concerning precedent and would break an existing taboo against non-nuclear-armed states using nuclear material for military purposes. While Australia claims that it does not intend to acquire nuclear weapons, this assurance cannot be relied upon in perpetuity. Further, other states could seek a pathway to such weapons via the same Paragraph 14 process Australia wishes to use. The normalisation of the Paragraph 14 loophole thus poses grave risks for the proliferation of fissile material.

Australia's acquisition of nuclear submarines would therefore be an unnecessary and retrograde step for the nuclear non-proliferation regime. However, there are opportunities to close the Paragraph 14 loophole. With the entry into force of the UN Treaty on the Prohibition of Nuclear Weapons (TPNW), there is a mandate to strengthen existing non-proliferation mechanisms. By joining the TPNW, furthermore, the Australian government could legally confirm that it will not acquire or host nuclear weapons, nor assist with their use or threat of use.

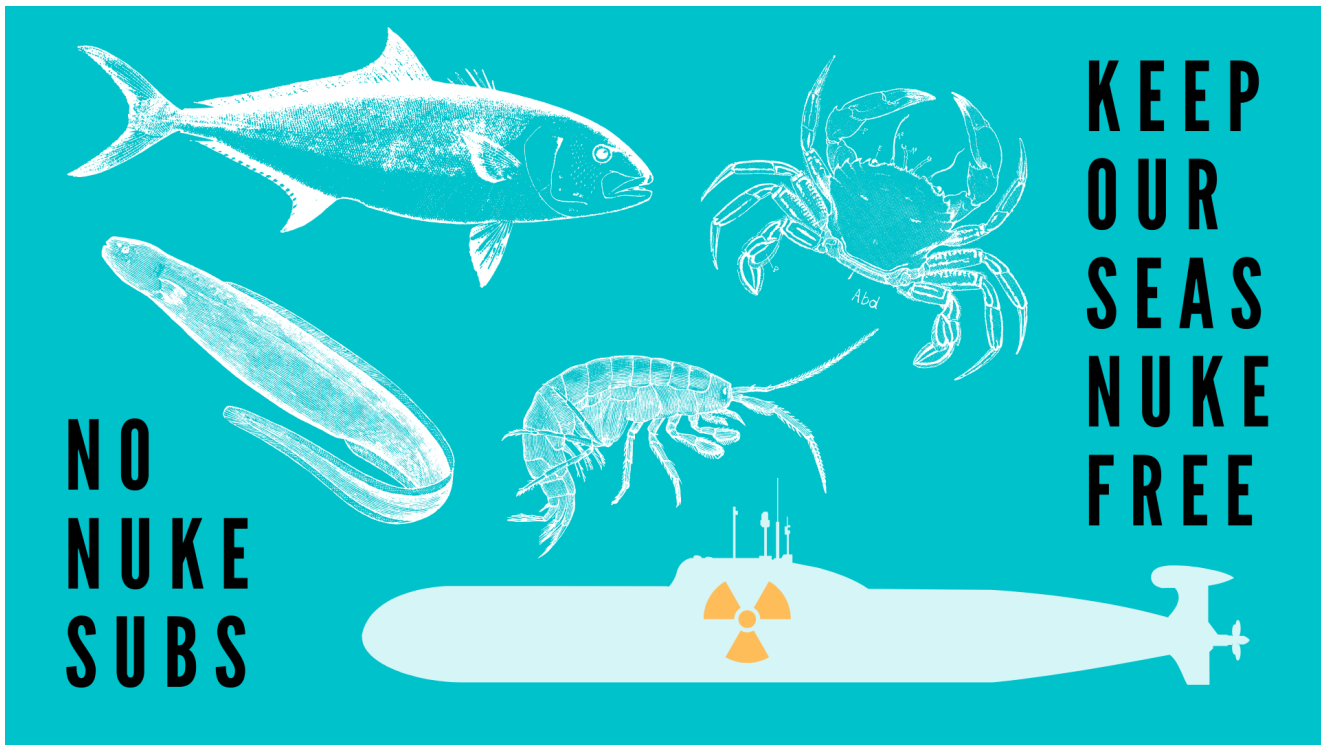
Beyond the risks to the safeguards system, there are other concerns with Australia's acquisition and use of HEU. Using HEU in submarines carries inherent security risks, as this type of uranium is usable in weapons. It could be a target for theft, or it could lead to catastrophic accidents in which HEU leaks into the ocean.

Furthermore, the AUKUS deal could also lead to a proliferation of nuclear-powered submarines. The Canadian government has already **expressed interest** in possibly acquiring nuclear-powered submarines to deploy in the Arctic, while Brazil has been working to develop these submarines for years. It will become more difficult to prevent the spread of more nuclear technologies and materials if AUKUS sets this precedent.

Regional militarism

Finally, beyond nuclear proliferation, risks, and waste, AUKUS is also already proliferating militarism and tensions. **Canada, Japan, and Aotearoa New Zealand** have expressed interest in collaborating with the alliance's on its "Pillar II" aspects, which invisions the development of high-tech weapons, exemptions for transparency around arms trading, and retooling educational systems toward weapon production. China's government has expressed concern repeatedly with the pact, and has **warned** in particular that Japan's inclusion would "intensify the arms race in the Indo-Pacific region and disrupt regional peace and stability." Indonesia and Malaysia have expressed strong reservations about the "arms race and power projection in the region," as the Indonesian government **noted** in its response to AUKUS.

AUKUS is also "vastly out of step with a strong sense of Pacific regionalism and the long-standing commitment to a Nuclear Free Pacific," **writes** Talei Luscia Mangioni in the Troubled Water report. AUKUS is part of the US and UK governments' efforts to "counter China's influence in the Pacific." The alliance's "upscaling of military capabilities suggests an amplifying of hostilities and now situates the Pacific within the crosshairs of escalating nuclear threats and potential disasters."



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Mangioni notes that over 315 atmospheric and underground nuclear weapon tests were conducted by the US, UK, and French governments across the Pacific and in Australia, leading to extensive environmental contamination and health impacts of local populations. Improper nuclear waste disposal and dumping has compounded the effects. Meanwhile, the Pacific hosts several US military bases and port facilities that “neither confirm nor deny” the presence of nuclear weapons.

Thus, AUKUS and the proposed nuclear submarines are “another extension of this nuclear architecture in a Pacific world that has actively resisted and protested it for decades.” Many officials from Pacific states have objected to the nuclear-powered submarines and to the establishment of AUKUS without any consultation with countries in the region. Pacific activists and governments have also highlighted the risks posed by AUKUS to the 1985 Rarotonga Treaty establishing a South Pacific nuclear weapon free zone and to the pursuit of a **Nuclear-Free Blue Pacific**.

AUKUS and the 2022 NPT Review Conference

During the 2022 NPT Review Conference, many governments expressed concern that the AUKUS nuclear submarine deal would undermine the NPT, increase regional tensions, risk proliferation, and threaten nuclear accidents in the ocean. Many delegations expressed concern with the non-proliferation and security implications of this arrangement, including through working papers and concrete recommendations. However, the AUKUS partners and some of their nuclear-supportive allies, as well as states like Brazil that are also pursuing nuclear-powered submarines, tried to shut down discussions and references to the topic.

An early draft of the final document from Review Conference spelled out some of the concerns raised by NPT states parties, noting that this topic “has generated interest among States parties to the Treaty regarding, inter alia, verification arrangements to ensure that such nuclear material will not be diverted to nuclear weapons or other nuclear explosive devices.” In this regard, the draft said that the states concerned “should continue to engage with the IAEA on the issue, in line with the relevant safeguards agreements, and that the IAEA Director General should report relevant developments to the wider IAEA membership in accordance with established practices of the IAEA’s policy-making organs.”

The **final draft text**, which was not adopted, was truncated substantially, simply noting “that the topic of naval nuclear propulsion is of interest to the States Parties to the Treaty” and recognising “the importance of transparent and open dialogue on this topic.” It also noted that non-nuclear armed states “that pursue naval nuclear propulsion should engage with the IAEA in an open and transparent manner.” There was not any reflection of the calls from China to establish committees or groups to specifically consider this issue either in the NPT review cycle or at the IAEA.

Opposition is growing

There remains time for the Australian government to reconsider the decision to acquire nuclear-powered submarines and to prevent the imposition of nuclear waste on First Nations. It is an important time for states and civil society to take vocal action in favour of strengthening, not weakening, the global nuclear safeguards and non-proliferation policy regime.

Several local and state branches of the Labor party have opposed AUKUS, as have many unions. The National Union of Students **condemned** AUKUS as an “aggressive pact” and urged the government to spend money on addressing the housing crisis rather than nuclear-powered submarines. Humanitarian and development organisations have also **opposed** the deal on financial grounds. They have pointed out Australia spends just \$1 on aid for every \$10 spent on militarism, and that this allocation is proof that funds are available if the government shows political will. ICAN Australia has made **submissions** to government processes **reviewing** the AUKUS plan.

The local community in Wollongong, Australia has also been mobilising against the AUKUS nuclear submarines. This port city is one of the sites named by the government as a potential host for the submarines. **Wollongong Against War and Nukes (WAWAN)** participated in a May Day March for Peace, Jobs and Justice that was called for by the South Coast Labour Council. More broadly, WAWAN has been actively organising local constituents against the base and the subs.

Indigenous communities have also expressed concern over **prospects** of high-level nuclear waste dumps on traditional lands, as noted above. Australia has **not even found** a permanent site to store low-level nuclear waste, let alone the kind of highly radioactive waste that would be generated by nuclear-powered submarines. Critics have also pointed out how the agreement with the United Kingdom and the United States unfolds contradictions alongside both Australia’s

foreign and domestic policy: at the same time that the Australian government supported a (now failed) referendum to add a meaningful First Nations “Voice” to Parliament, it has undermined Indigenous rights and perspectives by looking to become “**the world’s nuclear waste dump.**”

As noted above, the AUKUS nuclear submarine military pact has also been widely condemned by Pacific leaders as neo-imperialism that violates a regional commitment to anti-nuclearism. And in an **article** written by scholars Marco de Jong and Arama Rata, the authors reflect on the threat AUKUS poses to the Pacific, the legacies of Pacific regionalism in opposing imperial domination, and the duty to protect their ancestral home.

Recommendations

- › States should negotiate the closure of the Paragraph 14 loophole in the NPT, which could permit non-nuclear states to obtain nuclear-powered submarines and potentially weapons-grade HEU.
- › AUKUS members should refrain from sharing the technology and materials necessary for Australia to acquire nuclear-powered submarines.
- › Australia should not invest in US and UK nuclear shipbuilding.
- › AUKUS members should make firm commitments to nuclear non-proliferation and disarmament by joining the TPNW.
- › All states should condemn and renounce the use of nuclear-powered submarines due to the environmental and health risks that they carry.
- › All states should critique the nuclear proliferation risks posed by AUKUS, as well as its broader risks of proliferating militarism, weapon development and production, and regional and global tensions and arms racing.

Nuclear Energy

In 1953, just a few years after the United States used two nuclear weapons against Japan, US President Eisenhower launched his Atoms for Peace programme at the United Nations. It resulted in the spread of nuclear technology and materials around the world for so-called peaceful uses—energy, medicinal uses, and research. In reality, nuclear technology is **anything but peaceful.**

Both nuclear power and nuclear weapons involve many of the same processes, from uranium mining to fuel processing to radioactive waste storage. Each of these links in the nuclear chain

produce radioactivity, which, as the UN Environment Programme (UNEP) has **stated clearly**, is by its very nature harmful to life. At low doses, radiation can start off chains of events that lead to cancer or genetic damage. At high doses, it can kill cells, damage organs, and cause rapid death. “Radiation doses have to reach a certain level to produce acute injury—but not to cause cancer or genetic damage,” explains the UNEP. “In theory, at least, just the smallest dose can be sufficient. So, no level of exposure to radiation can be described as safe.”

Each of the radioactive links in the nuclear chain have waged unconscionable damage to human health, the environment, social and cultural lives, and economic well-being. As communities affected by various aspects of the nuclear industry said in a **joint statement** to the Second Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons in November 2023, “From the mining of uranium to ... the everlasting radioactive waste, our planet carries the scars of so many nuclear sacrifice zones. Nuclear colonialism has disproportionately impacted Indigenous Peoples and marginalised communities.”

Nuclear power catastrophes

In addition to the harms produced by uranium mining and processing for use in reactors, nuclear power stations also carry inherent risks of accident and malfunction. As was seen from the meltdowns at Chernobyl and Fukushima, the impacts of nuclear reactor failure are catastrophic. While these have been the two worst and well-known incidents, there have been many more accidents over the years of nuclear energy production.

As nuclear physicist M.V. Ramana **explains**, the history of small and large accidents at nuclear reactors shows “that accidents occur in most, if not all, countries, involving various reactor designs, initiated by internal and external events, and with different patterns of progressions. Many of these accidents did not escalate purely by chance, often involving the intervention of human operators rather than any technical safety feature. Such interventions cannot be taken for granted and so it seems all but inevitable that nuclear reactors will experience accidents.”

Nuclear power stations are also extremely vulnerable in situations of armed conflict. In 2022, Russian forces seized the Chernobyl and Zaporizhzhia nuclear power facilities in Ukraine and there has been fighting at the Zaporizhzhia Nuclear Power Plant (ZNPP), **risking** a radioactive catastrophe. There are a **number of dangers** posed by fighting around a nuclear power station; in addition to power outages, the cooling tanks or reactors themselves could be damaged, leading to leaks of radiation or even explosions.

Many governments from around the world condemned the Russian occupation of these facilities and called for a cessation of fighting at the ZNPP. The International Atomic Energy Agency (IAEA) **called** for a “nuclear safety and security protection zone” around the ZNPP, in order to “prevent a nuclear accident arising from physical damage caused by military means.” The IAEA Board of Governors **adopted** a resolution calling on Russian forces to withdraw from the plant.

The 2022 NPT Review Conference spent a significant amount of time discussing the situation at the ZNPP. The **final text** of the outcome document, which was not adopted, expressed grave

concern with the military activities conducted near or at ZNPP and called on states to support the IAEA's efforts to secure the site. Without explicitly mentioning ZNPP, the document also noted that "attacks or threats of attack on nuclear facilities devoted to peaceful purposes have dangerous political, economic, human health, and environmental, implications and raise serious concerns regarding the application of international law, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations."

None of these paragraphs mentioned Russia as responsible for the current situation in Ukraine, as had been suggested by several states during the Review Conference. However, the Russian delegation blocked the adoption of the outcome document over amendments it wanted to make to five paragraphs. Civil society was not permitted to attend the final negotiations of the draft document, but from open meetings it was clear that Russia wanted Ukraine to be named as the perpetrator of the attacks on the ZNPP.

During early 2024, Russia accused Ukraine of sending dozens of drones to strike the plant; Ukraine said the drone attack was conducted by Russia. On 15 April 2024, Greenpeace Germany published a **report** assessing the situation, in which it concludes the drone strikes were likely to have been initiated from within Russian-held areas around the plant. In addition, Scientists for Global Responsibility **notes**, "during early 2024, the IAEA repeatedly reported *outgoing* artillery or rocket fire (i.e. Russian fire targeting Ukrainian positions) from the ZNPP area and other artillery fire and explosions nearby."

Since August 2022, according to **press releases** from the IAEA, there have been eight instances of complete power failure to the ZNPP, most recently in December 2023. On 13 April 2024, the IAEA **reported** that the last one of the six nuclear reactors at the ZNPP was now in "cold shutdown," i.e. not generating heat (steam) for use in the town of Enerhodar and for waste treatment. Scientists for Global Responsibility says that this "reduces the level of risk somewhat, as core radioactivity is at its lowest possible level, although the reactor cores still require continuous cooling. The cold shutdown also means that should a reactor need to be restarted—for example, in winter 2024-25—an extremely challenging operation will be required. Such risks keep increasing as long as the ZNPP remains in an active conflict zone."

Nuclear is not a solution to climate change

Despite the dangers posed by nuclear power during times of war or peace, the nuclear industry has attempted to resurrect public support for nuclear energy by advertising it as a solution to the climate crisis. Nuclear proponents argue that it does not rely on fossil fuel extraction or emit carbon dioxide, and that small modular reactors will provide cheap energy. Each of these claims, however, is **false**.

Nuclear energy is not carbon-neutral—all the processes to generate nuclear power use other sources of energy and consume vast amounts of water. Emissions from nuclear are lower than fossil fuels but much higher than renewables when life cycle and opportunity cost emissions are considered. And while nuclear energy might not entail as much fossil fuel extraction, it instead involves uranium extraction and processing, which cause environmental and human harms. The

Indigenous Environmental Network in the United States has opposed efforts to build up nuclear power generation in the country, **arguing** that nuclear energy “perpetuates the continuation of nuclear-radioactive colonialism that has caused a legacy of doom and death to Native families in the uranium corridor of New Mexico.”

Nuclear power is also a **slow response** to a pressing problem. Nuclear reactors are slow to build and license, and even slower to become net electricity contributors. Globally, reactors routinely take a decade or longer to construct and **time over-runs are common**. This is not a timeframe adequate to deal with climate change. In addition, nuclear reactors **frequently face shutdowns**, meaning they are not always producing the promised amount of energy.

Nuclear power is also one of the **most expensive ways** to produce electricity and costs continue to rise. For the nuclear power industry, the **primary motive** for operation is profit. History shows us that increasing profit is often best achieved in ways that are not consistent with designing or operating the relevant equipment for the lowest risk to humanity or the planet. It is less likely to be achieved by exploring alternative sources of energy that might necessitate initial investments, or that might not be eligible for the same government (i.e. taxpayer-funded) subsidies as nuclear is in many countries. Profit is also less likely to be achieved by designing economically efficient, need-oriented, and environmentally sound sources of energy.

As **hundreds of civil society groups** said to the UN Climate Conference (COP26), “Every dollar invested in nuclear power makes the climate crisis worse by diverting investment from renewable energy technology.” In this context, nuclear power is “a dangerous distraction from the real movement on the climate policies and actions that we urgently need.”

Finally, there is also a **direct link** between nuclear energy and nuclear weapons. Because the materials and facilities for nuclear weapons and nuclear power are but variations of each other, the proliferation risks are high. While most governments operating nuclear reactors or enrichment processes have not used their facilities or materials to develop nuclear weapons, China, France, Israel, India, Pakistan, and the United Kingdom built their nuclear weapon programmes on infrastructure supposedly developed for nuclear energy.

And while the IAEA was established in part to ensure that nuclear materials for “peaceful uses” are not diverted to weapons use, the IAEA “has authority only to inspect designated (or in some cases suspected) nuclear facilities, not to interfere physically to prevent a government from breaking its agreements under the treaty if it so chooses.” Furthermore, as former-nuclear weapons designer Theodore B. Taylor has **pointed out**, “a major function of the IAEA is also to provide assistance to countries that wish to develop nuclear power and use it. Thus, the IAEA simultaneously plays two possibly conflicting roles—one of encouraging latent proliferation and the other of discouraging active proliferation.”

Abolishing all nuclear materials and technologies

Within the NPT context, nuclear energy is upheld by most states as an “inalienable right”. This means that most states parties laud its perceived benefits and promote its expansion,

regardless of the risks to humanity, the environment, and proliferation. However, since 1945, many scientists, activists, and government officials have pointed out that nuclear material, technology, and facilities are dangerous whether they are in weapons form or for “peaceful uses”. Eliminating all nuclear materials and technology, whatever its designated purpose, is the only way to ensure that it does not result in catastrophe, by accident or design. A few states parties recognise these inherent risks and have chosen not to pursue or have opted to phase out nuclear power as part of their energy mixes. The more states parties that follow this path, the better for us all.

Recommendations

- Delegations should raise concerns with the health, environmental, safety, and security impacts of nuclear power, including in the context of climate change. While the NPT indicates states can use nuclear power, this does not mean it’s in best interest of humanity or the planet.
- Delegations should support the 25 May 2011 **declaration** by the governments of Austria, Greece, Ireland, Latvia, Liechtenstein, Luxembourg, Malta, and Portugal, in which they argued that nuclear power is not compatible with the concept of sustainable development and called for energy conservation and a switch to renewable sources of energy world-wide.
- States should also support the February 2011 call from a group of *hibakusha* for phasing-out all sources of radiation—from uranium mining, nuclear reactors, nuclear accidents, nuclear weapons development and testing, and nuclear waste—and for investment in renewable, clean energy for a sustainable future.
- States should commit to working for a sustainable future by reducing the use of energy, investing in renewable and non-carbon emitting sources of energy, phase-out nuclear energy, and not further develop harmful, radioactive technologies.
- Delegations should call on all states that currently use nuclear energy to abide by all nuclear safety and nuclear security instruments and norms and to end the dangerous transshipment of radioactive waste and nuclear materials.
- Delegations should condemn armed conflict and military activities at or near nuclear power facilities and abide by and indicate support for the IAEA General Conference decision on the “Prohibition of armed attack or threat of armed attack against nuclear installations, during operation or under construction” (GC(53)/ DEC/13).
- States must not engage in armed conflict and military activities at or near nuclear power facilities. Russia should end its war against and occupation of Ukraine, along with the withdraw of its armed forces from the Zaporizhzya nuclear power plant and other related sites and cease military activities at or near nuclear facilities.

Gender and Intersectionality

Gender has implications for nuclear weapon use, possession, and policies. The patterns of harm, diversity in participation in disarmament processes and negotiations, and the discourse of and approach to nuclear disarmament are three key issues requiring further examination and consideration during this NPT review cycle and beyond.

Furthermore, each of these issues (harm, diversity, and discourse) requires an **intersectional approach**—an understanding that harms, oppressions, and exclusions occur along overlapping lines of gender, sexual orientation, race, age, religion, disability, and more.

Impacts. Some weapons harm disproportionately or differentially based on sex. When it comes to nuclear weapons, **ionizing radiation** causes increased risk of cancers in people assigned female at birth, including by impacting reproduction and maternal health. **Social norms** in societies also may lead cisgendered women to suffer increased exposure to such radiation and subsequent ostracisation.

Gendered impacts of nuclear weapons also go beyond radiation. Fire and blast also impact people disproportionately depending on how a society is structured—on how and where people live, who is responsible for childcare, who is at home and work, what foods are prepared and eaten, etc. Nuclear weapons also have social and economic impacts through the destruction of cities, communities, and ecologies. These can affect people differently based on existing discrimination and oppression based on race, gender, socioeconomic status, and more.

The impacts of nuclear weapons are also racialised. The nine nuclear-armed states have primarily carried out nuclear weapon testing on the lands, water, and bodies of Indigenous Peoples. Settler states and colonial governments have mined uranium for nuclear weapons primarily on Indigenous lands, oftentimes employing Indigenous workers without proper protection or information. Nuclear weapon development and radioactive waste storage are situated largely on or near Indigenous lands.

While understanding the gendered and racialised impacts of weapons is important for ensuring the provision of adequate care and assistance, it is also important not to simply focus on this aspect, as it risks elevating a perspective of “women as victimism,” often erroneously and offensively grouping women with children. It likewise can result in patronising approaches to the inclusion of affected communities in discussions about nuclear weapons.

Diversity. Some governments have made efforts in recent years to promote diversity in participation in disarmament forums, with a focus on increasing the participation of cisgendered women. There is indeed a **stark disparity** in the level (seniority or rank) and the number of men as compared to women in disarmament, non-proliferation, and arms control discussions, negotiations, and processes. Women, as well as non-binary, gender non-conforming, and LGBTQ+ voices and experiences have been deliberately silenced, and their agency in nuclear policy discussions has been marginalised. Thus, their opposition to nuclear weapons has not been reflected in mainstream debates and decision-making.

This needs to be addressed. But so far, most discourse and action related to this subject have centered on a binary notion of gender and have neglected the intersectionality of identities and oppressions that lead to the marginalisation and exclusion of certain people along the lines of gender, sexual orientation, race, class, and more. Feminist conceptions of intersectionality recognise that, while important, increasing the number of women is insufficient to challenge gender norms or diversify perspectives on weapons and militarism.

Real diversity is not just about adding bodies to meeting rooms but also about creating space for non-hegemonic ideas, imaginations, and perspectives to inspire concrete changes in policy and practice. It is not useful to treat women as a monolithic group. Disarmament work needs people of diverse sexual orientations, gender identities, races, classes, abilities, backgrounds, and experiences.

Gender analysis and norms. Diversity is not just for its own sake. It is essential for challenging socially constructed norms about identity that impact the approach of diplomats, activists, and academics to weapons and militarism. **Gender norms**, for example, perpetuate a binary social construction of men who are violent and powerful and women who are vulnerable and need to be protected.

The term “militarized masculinities” has been used by feminists and LGBTQ+ scholars and activists to describe the normative association of cisgendered, heterosexual masculinity with militarized violence. For instance, the framing of war and violence as “strong” and “masculine” is often coupled with a framing of peace and nonviolence as “weak” and “feminine.” In this context, weapons are typically seen as important for security, power, and control while disarmament is treated as something that makes countries weaker or more vulnerable.

Nuclear weapons are a linchpin of militarised masculinities, signifying the ultimate form of strength and power. In this context, those who amplify the humanitarian consequences of nuclear weapons and call for the prohibition and elimination of nuclear weapons are often accused of being “emotional” and “irrational,” which are typical **gendered responses** meant to feminise and ridicule.

This gendered framing is extremely problematic when it comes to accepting disarmament as a credible approach to security. The persistence of norms around what is considered rational and serious are further compounded by the lack of diversity. People with feminist, queer, and other non-dominant perspectives can help challenge ideas that are treated as immutable truths and can articulate alternative conceptions of strength and security.

Gender and the NPT

During the previous NPT review cycle, a growing number of states parties called for improving women’s participation in nuclear disarmament. Some also spoke about the gendered impacts of nuclear weapons use and testing. Sweden and Ireland each hosted various side events during the review cycle on gender and NPT issues, and a few governments submitted working papers on these topics.

As a reflection of the statements made on this subject, the Chair’s summaries from the 2017, 2018, and 2019 Preparatory Committees referenced calls for “the equal, full and effective participation of both women and men in the process of nuclear non-proliferation, nuclear disarmament and the peaceful uses of nuclear energy.” The 2019 summary also recognised the gendered impacts of nuclear weapons. (See the [2022 NPT Briefing Book](#) for more details on how gender was addressed during the last review cycle.)

Gender was also a critical topic at the 2022 NPT Review Conference. Sixty-seven NPT states parties signed a [joint statement](#) on gender, diversity, and inclusion that recognised that “the intersections of race, gender, economic status, geography, nationality, and other factors must be taken into account as risk-multiplying factors” in relation to nuclear weapons. It also highlighted that nuclear weapons have different effects on different demographics and recommended various ways to address the impacts of nuclear weapons as well as to diversify participation in work for disarmament and non-proliferation. Although the statement still largely focused on increasing a women’s participation in a binary and non-intersectional way, it does acknowledge that “for women and other underrepresented groups, there must not only be a seat at the table, but also real opportunities to shape conversations, policies, and outcomes.”

During the Review Conference, some delegations pushed for a reference to the participation of “all genders,” as an effort to move past a false gender binary. This was not incorporated into the text, which only refers to men and women. However, and for the first time ever, gender was included in a Review Conference outcome document—though, of course, in the end the document was not adopted. Among other things, the [draft outcome](#) in 2022:

- ➔ Calls for the “full, equal and meaningful participation of women in non-proliferation and safeguards;”
- ➔ Welcomes efforts of states parties to “attain full and meaningful participation of women” in the field of nuclear energy;
- ➔ Recognises “the importance of and commit to ensure the equal, full and meaningful participation and leadership of both women and men in the NPT’s implementation and review;”
- ➔ Recalls the working papers, statements, joint statements, and side events on gender in the context of the tenth review cycle;
- ➔ Notes states parties’ “call for the further integration of a gender perspective in all aspects related to implementation of the Treaty” and call on states parties “to further strengthen work in this regard in the next review cycle;”
- ➔ Welcomes “the gender-balance in the bureau of the Tenth Review Conference;” and
- ➔ Requests “the Secretariat to collect, track and publish data on participation of women.”

The document also contains several repetitive calls for actions related to the above, particularly in relation to ensuring “full, equal and meaningful participation of women in decision-making” in the review process of the Treaty, including in the bureau, and in relation to the Treaty’s three pillars, “in accordance with Security Council resolution 1325 (2000), and to actively support the participation of women in their delegations including through support for sponsorship programmes.” (For a full accounting of all of the gender references, see the final issue of the NPT News in Review, Vol. 17, No. 10, pp. 9–10.)

During the first PrepCom of this review cycle, a group of states parties and the United Nations Institute for Disarmament Research (UNIDIR) tabled a working paper on gender, and the Chair mentioned gender in his summary of the meeting.

Beyond the NPT

The Treaty on the Prohibition of Nuclear Weapons (TPNW) is the first treaty on nuclear weapons to recognise that the catastrophic impacts of nuclear weapons “have a disproportionate impact on women and girls, including as a result of ionizing radiation.” The TPNW also recognises “the disproportionate impact of nuclear-weapon activities on indigenous peoples.” This marks the first agreement on nuclear weapons to acknowledge that the development, testing, and use of nuclear weapons also have racialised impacts.

The TPNW also recognises “that the equal, full and effective participation of both women and men is an essential factor for the promotion and attainment of sustainable peace and security, and committed to supporting and strengthening the effective participation of women in nuclear disarmament.” And gender is reflected in Article 6(1) of the TPNW, which commits each state party to “adequately provide age- and gender-sensitive assistance, without discrimination,” to individuals under its jurisdiction who are affected by the use or testing of nuclear weapons, “including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.”

The Action Plan adopted by TPNW states parties at the First Meeting of States Parties in June 2022 also includes several provisions related to gender and to affected communities, and took big strides in ensuring the inclusion of marginalised groups in the work of the meeting. It also established a Gender Focal Point to take forward work on implementing the TPNW’s provisions, and the Second Meeting of States Parties in December 2023 renewed the focal point’s mandate. However, more is needed to ensure that future work does not reinforce a gender binary, and that non-normative perspectives and marginalised groups are given more space in future deliberations and in the co-creation of outcome documents and action plans.

What’s needed next

All the efforts described above signal a growing acceptance among a diverse range of governments, international organisations, civil society groups, and academics that nuclear weapons have gendered impacts, and that women’s participation is important. This is good progress, and imperative to making change in this field. But much more is needed.

When it comes to impacts, states and organisations need to look beyond the impacts of ionizing radiation. While that remains critical, there are other impacts that affect people disproportionately based on gender, race, socioeconomic status, disability, and more. States, activists, researchers, and international organisations should look at these broader social and economic impacts in order to design assistance efforts, taking into consideration how discrimination on the basis of gender identity and racial and socioeconomic inequalities and injustices already manifest within systems of health care, economics, and social and political life.

Similarly, while important and necessary, the demand for women's equal, effective, or meaningful participation is insufficient on its own for truly making change in nuclear weapon policy. Broader calls for gender, racial, and other forms of diversity are necessary. Diversity is not about political correctness. Where the most disarmament progress has been achieved in recent years—banning landmines, cluster bombs, and nuclear weapons—diverse communities have been active participants, and humanitarian perspectives have been given prominence over the profits of arms industries or the interests of powerful governments.

Diversity is not just about including women, especially women who come from the same or similar backgrounds as the men who already rule the table. Disarmament, as a policy and practice that leads us away from militarism and towards peace, requires new understandings, perspectives, and approaches to weapons and war, and to perceptions of knowledge. Meaningful diversity requires the effective and meaningful participation of survivors of nuclear weapon production, testing, and use. It requires the effective participation of communities—including LGBTQ+ folks, people of colour/racialised people, those at a socioeconomic disadvantage, and people with disabilities.

We also need to move beyond issues of participation to ideas about norms and approaches. Genuine diversity impacts what is considered normal, acceptable, and credible. Confronting norms around nuclear weapons is imperative to making progress on disarmament. The association of nuclear weapons with power, as described above, is one of the foremost obstacles to disarmament.

Moving beyond the gendered dichotomy of normalised behaviour is important to make progress on nuclear disarmament. NPT states parties can continue to advance the progress we have seen so far in inequity in participation by emphasising the importance of including intersectional analysis and perspectives in the NPT's work. This would help challenge the established pattern of power relations, thereby moving the nuclear disarmament and non-proliferation agenda forward.

Recommendations

- › States and organisations must ensure gender diversity on their delegations to the NPT Review Conference at all levels, as well as in panels at side events or other meetings. In this context, they need to look beyond the gender binary and take an intersectional approach to participation.
- › States should also work to ensure that survivors and those impacted by nuclear weapon production, testing, and use are included in discussions and in the creation of outcome documents.
- › Delegations should engage with researchers focused on diversifying knowledge about impacts of nuclear weapons, including ionizing radiation from explosions but also other harms caused by nuclear weapons production, testing, and use.
- › Language in statements and outcome documents should reflect the need for gender diversity, not just the equal representation of the men-women binary. For example, states should call for participation of people of all genders, rather than just men and women.
- › States parties should incorporate intersectional analysis and awareness in their work on the NPT and nuclear disarmament in national policies, practices, and communications on the subject.
- › Delegations should consider funding sponsorship programmes to ensure diversity in NPT meetings.
- › Any outcome from the Preparatory Committee should reinforce previous agreements on the gendered impacts of nuclear weapons and the importance of gender diversity in nuclear discussions and negotiations. Outcomes should build upon this language to also acknowledge and encourage states parties to explore the gendered nature of nuclear weapon discourse and theory and to begin unpacking and un-privileging particular dominant perspectives as gendered.
- › NPT states parties should make another joint statement that, among other things, calls for the intersections of race, gender, economic status, geography, nationality, and other factors to be taken into account when addressing harms and potential harms caused by nuclear weapons; recommends various ways to address the impacts of nuclear weapons in an intersectional way as well as to diversify participation in work for disarmament and non-proliferation; highlights that for women, non-binary, LGBTQ+ people, Indigenous Peoples, people of colour, and other underrepresented groups, there must not only be a seat at the table, but also real opportunities to shape conversations, policies, and outcomes in relation to nuclear weapons; and recognises that gender norms about masculinity and patriarchal practices such as dismissing the views of non-nuclear-armed states should be acknowledged and challenged.





Reaching Critical Will

Reaching Critical Will (RCW) is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest feminist peace organisation in the world.

RCW works for disarmament and for an end to war and militarism. It also investigates and exposes patriarchal and gendered aspects of weapons and war.

The programme monitors and analyses international processes and works in coalitions with other civil society groups to advocate for disarmament, to provide timely and accurate reporting on all relevant conferences and initiatives so that those unable to attend can stay informed, and to maintain a comprehensive online archive of all statements, resolutions, and other primary documents on disarmament.

Reaching Critical Will also produces research studies, reports, statements, fact sheets, and other publications on key issues relevant to disarmament, arms control, and militarism.

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