

A treaty banning nuclear weapons

What

A treaty banning nuclear weapons would be a short and straightforward multilateral treaty completely outlawing the development, acquisition, possession and use of nuclear weapons. It would allow no exceptions. It would not contain detailed disarmament or verification provisions itself, but would specify the conditions under which nuclear-armed states could join. It would complement and strengthen existing regimes such as the Nuclear Non-proliferation Treaty.

Why

Current efforts on nuclear disarmament are going nowhere. The Conference on Disarmament has been deadlocked for over 17 years. The Nuclear Non-proliferation Treaty has proved incapable of holding its nuclear-armed members to their commitments to eliminate their arsenals. Nuclear-armed states and their allies continue to advocate the “step-by-step” approach to nuclear disarmament, despite – or possibly because of – its failure to bring actual disarmament any closer. Even basic steps towards disarmament, such as entry into force of the Comprehensive Nuclear-Test-Ban Treaty, remain unfulfilled.

A treaty banning nuclear weapons will not magically lead to disarmament. It is only a first step, certainly not the last. But it is a step that can actually be

taken, cutting through decades of inertia, obstruction, procrastination and delay. It will be both an important symbolic declaration, and a practical means of building an international norm that unambiguously outlaws and stigmatizes nuclear weapons. It will reinvigorate international political interest and strengthen civil society efforts within nuclear-armed states. Perhaps most importantly, it will give control of the disarmament process to the non-nuclear-weapon states.

Who

A treaty banning nuclear weapons would be negotiated and adopted by any and all states willing to participate. This may or may not include the nuclear-armed states and their allies. But the participation of nuclear-armed states, while welcome, would not be necessary – since the ban treaty will not include detailed disarmament and verification provisions. The participation of “weasel” states – those states that do not possess nuclear weapons but are in nuclear alliances – would also not be necessary, but their absence would bring into question their sincerity and good faith as non-nuclear-weapon states parties to the Nuclear Non-proliferation Treaty.



How

A treaty banning nuclear weapons can and should be negotiated, adopted and brought into force in parallel with other non-proliferation and disarmament efforts. A ban treaty is not a distraction or a substitute: pursuing a ban treaty does not mean stopping work in the Nuclear Non-proliferation Treaty, or abandoning pursuit of a fissile material treaty, or giving up on de-alerting measures or negative security assurances. On the contrary, a ban treaty will provide a stable legal base from which to pursue these measures with greater authority, unity and vigour.

A treaty banning nuclear weapons asks nothing of the nuclear-armed states that they have not already promised. It is not confrontational or aggressive. No credible objection can be made against states concluding a treaty that bans a weapon they have already forsaken. The only basis for opposition would be if a country intended to retain its weapons – or rely on the weapons of others – indefinitely.

Where

A ban treaty can be negotiated in any available multilateral forum, or in a new one. The important point is that the negotiation must not be

able to be blocked by a small minority of states. This criterion rules out the Conference on Disarmament and the Nuclear Non-proliferation Treaty. Obvious options for negotiating a ban treaty are an ad hoc international process, similar to those used for the Anti-personnel Mine Ban Convention and the Cluster Munitions Convention, or a process established through the United Nations General Assembly, as was done for the Arms Trade Treaty. There may be other possibilities.

When

Now. Negotiations on a treaty banning nuclear weapons can begin as soon as interested states wish to convene. There is no need to wait for the next review conference of the Nuclear Non-proliferation Treaty, or for a General Assembly resolution, or for anything else. Indeed, linking the commencement of negotiations to some external process or condition will only provide a means for further delaying action.

After decades of frustration and impasse on nuclear disarmament, a treaty banning nuclear weapons could be concluded within months. Why wait any longer? Start now.