



# SOMMAIRE

Implementing prohibition: An Overview of the Meeting of States Parties to the TPNW and Possible Ways Forward .....	1
1. The context of the First Meeting of State Parties.....	1
1.1. Evolution of the TPNW since its adoption .....	1
1.1.1. An instrument with growing recognition .....	1
1.1.2. The impact of international events .....	3
1.2. Specific elements of context .....	3
1.2.1. The Humanitarian Impact of Nuclear Weapons.....	3
1.2.2. A week of activism .....	4
2. Representation, general statements and atmospherics.....	4
2.1. A strong momentum and high level of representation .....	4
2.2. V .....	5
2.3. The case of observers.....	7
3. Decisions and debated issues .....	8
3.1. Declarations regarding the ownership, possession or control of nuclear weapons .....	8
3.2. Deadlines for the removal and destruction of nuclear weapons .....	8
3.3. Universalization .....	9
3.4. Competent international authority, including verification.....	9
3.5. Victim assistance, environmental remediation and international cooperation and assistance .....	10
3.6. Institutionalizing scientific and technical advice for the effective implementation of the Treaty 10	
3.7. Intersessional structure for the implementation of the Treaty .....	11
3.8. Complementarity of the Treaty with the existing nuclear disarmament and nonproliferation regime .....	12
4. Outcome of the MSP .....	12
4.1. Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons.....	12
4.2. The Vienna Action Plan .....	13
4.3. Next steps.....	14
5. What room for bridge-building and engagement between TPNW States Parties and NWS?.....	15
5.1. Showing u .....	16

5.2.	Displaying ambitious goals for the strengthening of the nonproliferation regime.....	17
5.3.	Consider the issue of the humanitarian consequences of nuclear weapons.....	17
5.4.	Engage on the topic of assistance and remediation .....	17
5.5.	Continue to work on interim and preparatory measures.....	18
6.	Conclusion.....	19

# Implementing Prohibition: An overview of the Meeting of States Parties to the TPNW and Possible Ways Forward

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From 21-23 June 2022, the States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW) met in Vienna for the first Meeting of States Parties (MSP). This meeting provided an opportunity for states parties to recommit to the principle of abolition in the face of criticism by nuclear-weapon states that the Treaty is unrealistic and untimely. Set in the context of the Ukraine war and of the use of nuclear weapons as a tool of coercion by Putin's Russia, the meeting showed that the polarization of the international community over the role of nuclear deterrence for international stability has increased over the next few months. The rejection of nuclear weapons by TPNW states parties remains mostly grounded on humanitarian concerns and a conviction that nuclear deterrence does not work or is too dangerous to rely on. In this context, the meeting enabled discussions on a few key topics left unaddressed during the negotiation of the Treaty in 2017 and the adoption of a Plan of Action to promote its universalization and implementation. With 66 states parties, the TPNW has currently been ratified by less than one third of all UN member states. Yet, after the entry into force of the Treaty in January 2021, this meeting constituted a second step in its institutionalization. In that framework, and as the Review Conference of the Treaty on the Non-proliferation of Nuclear Weapons (NPT) approaches, it is necessary for states that support it and states that oppose it to find ways to work together to attempt to solve some of the challenges of the current global nuclear order.

## 1. The context of the First Meeting of State Parties

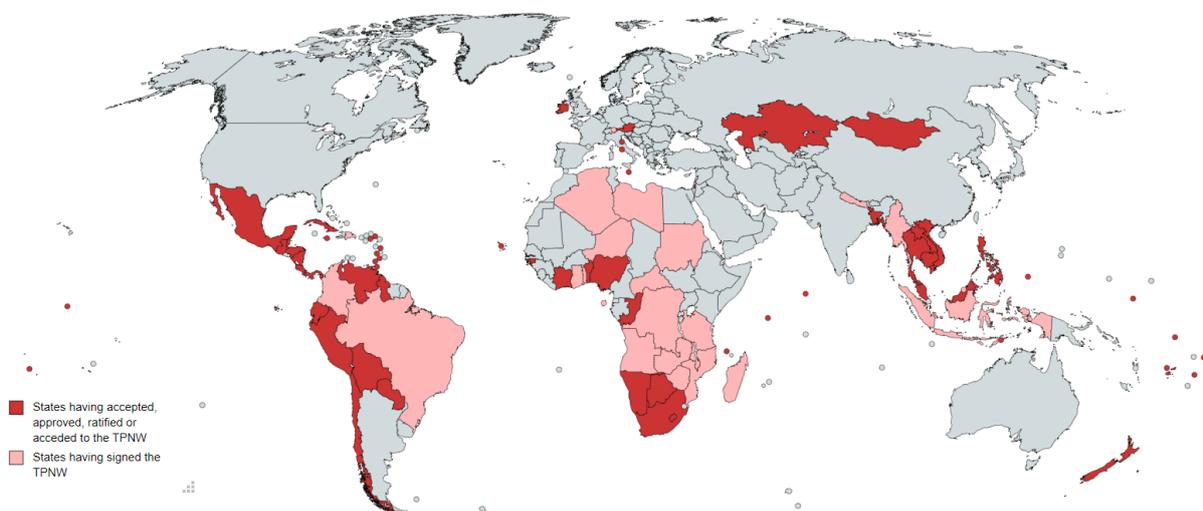
### 1.1. *Evolution of the TPNW since its adoption*

#### 1.1.1. *An instrument with growing recognition*

The Treaty on the Prohibition of Nuclear Weapons (TPNW) was adopted on 7 July 2017 in a United Nations (UN) conference. 122 states voted in favor of the Treaty during the Conference. The TPNW opened for signature by the UN Secretary General on 20 September 2017. 53 states immediately signed the Treaty, and Thailand, the Holy See and Guyana deposited their instruments of ratification on the same day. On 24 October 2020, Honduras became the 50<sup>th</sup> state to ratify the Treaty, which enabled it to come into force 90 days later, on 22 January 2021 pursuant to Article 15(1).

This milestone being reached, the TPNW has continued to gather support, mainly in three regions: Central, South America and the Caribbean, Africa, and the Southeast Asia and the Pacific. It should be noted that states having ratified the Treaty are today for most of them already members of a zone free of nuclear weapons (NFZ), respectively established by the Tlatelolco Treaty (Latin America and the Caribbean), the Pelindaba Treaty (Africa), the Bangkok Treaty (Southeast Asia), the Semipalatinsk Treaty (Central Asia) and the Rarotonga Treaty (Pacific). This point was emphasized throughout the meeting. A notable exception are the six European states and micro-states that have ratified the Treaty (Austria, Cyprus, Holy See, Ireland, Malta and Saint-Marin).

In the lead-up to the Conference, a few new countries deposited their instruments of ratification, namely Congo (17 May 2022), Guatemala (13 June 2022) and Cabo Verde, Grenada and Timor Leste (20 June 2022).<sup>1</sup> On the eve of the opening of the Conference, the TPNW therefore had 65 parties and 86 signatories. During the discussion, several states confirmed that they were well-advanced in the process of ratification, including Nepal, Niger, the Democratic Republic of Congo and the Dominican Republic. These announcements show that five years after its adoption, the momentum for the Treaty is still there and that both states parties and NGOs are actively conducting successful outreach activities even if the rhythm of ratification is somewhat slow. While the Treaty is unsurprisingly failing to collect support in the regions where nuclear deterrence is perceived as an instrument of security (Euro-Atlantic, East Asia, South Asia), it is popular in all the regions where nuclear weapons have already been rejected. In that sense, efforts to slow down the ratification of some countries appear to have largely failed. The interesting region remains the Middle East, which to this day does not count any signatory or party, except for the Palestinian Authority, while many of these states endorsed the Treaty at the UN when it was adopted.<sup>2</sup>



*States having signed and ratified the TPNW 24 June 2022. Credits: FRS*

<sup>1</sup> Since the MSP, Malawi announced its ratification of the TPNW (30 June 2022).

<sup>2</sup> The Palestinian interest for nuclear disarmament cannot be analyzed out of the specific context of its relation with nuclear-armed Israel.

### 1.1.2. *The impact of international events*

The invasion of Ukraine by Russia, its brandishing of nuclear threats and its disrespect for important norms of the nuclear non-proliferation architecture, namely the Budapest memorandum, has had contrasting effects on the TPNW and its supporters. On the one hand, it has clearly created a new and quite noteworthy wave of support for nuclear deterrence in many European countries. Thus, publics generally very skeptical or even hostile regarding nuclear weapons, in countries like Germany or the Netherlands, appear much more convinced of the necessity of relying on NATO's nuclear deterrence to protect their countries from a threatening Russia. While political leaders have been quite explicit in supporting this security strategy, including leaders coming from traditionally anti-nuclear political parties,<sup>3</sup> public opinion seems to have evolved as well according to some polls.<sup>4</sup> Independently, in East Asia, assertive Chinese behavior and its fast nuclear build-up pushes countries such as Japan, South Korea and Australia to reaffirm their dependency on the American nuclear umbrella. In this context, TPNW proponents recognized that in the short term, it would be difficult to promote the TPNW in Europe especially.<sup>5</sup>

But this situation has not in any way reduced the legitimacy of the Treaty in their eyes. Since the first days of the Ukrainian invasion, they have noted that the nuclear crisis born from Russia's behavior illustrated the relevance of the Treaty. While ICAN, for instance, condemned strongly the invasion of Ukraine and "highlighted the danger of nuclear escalation", it concluded from Putin's "words and actions" that "the use of nuclear weapons is always on the table and the risk of nuclear weapons use is increasing".<sup>6</sup> For the activist base, the war is therefore perceived as one more reason to push the Treaty forward and to keep promoting the elimination of nuclear weapons. This renewed commitment has been visible in the days leading to the 1<sup>st</sup> Meeting of states parties, where a number of events and activities were conducted in support of the abolitionist effort.

## 1.2. *Specific elements of context*

### 1.2.1. *The Humanitarian Impact of Nuclear Weapons*

On the day before the official gathering, Austria sponsored a new conference on the humanitarian impact of nuclear weapons, on the models of the conferences organized in Oslo (2013), in Nayarit (2014) and in Vienna (December 2014). Following the high-level segment, the program started as had been the case previously with giving the floor to survivors and victims from nuclear weapons. The first set of presentations focused in particular on the question of humanitarian assistance after a nuclear detonation and the disproportionate effect of radiation on girls and women. The second session focused on the potential impact of nuclear weapon exchanges between Russia and the United States, recalled the findings of previous studies on nuclear winter and on the consequences of nuclear testing in French

<sup>3</sup> ["Dissuasion, FRS, March 2022."](#)

<sup>4</sup> ["German public changes mind on presence of US nukes, with 52% now in favor, poll reveals Stars and Stripes, 17 June 2022."](#)

<sup>5</sup> ["Prospects for the First Meeting of States Parties of the TPNW Event, VCDNP, 1 June 2022."](#)

<sup>6</sup> ["ICAN, 25 February 2022."](#)

Polynesia and medical research on the health impact of nuclear testing in Kazakhstan. Finally, the last panel was dedicated to the risk of nuclear use in the event of a conflict, and not on accidental or inadvertent uses as had been the case in previous conferences. Political scientists stated their views that new technologies and destabilizing behavior, in particular on Russia's side, increase the risk of nuclear weapon use in the future.

The organization of this conference showed both the ambition of the TPNW states parties to preserve the strong connection with humanitarian law and to inscribe the Treaty in the corpus of humanitarian norms, but also to use scientific work to promote their vision of disarmament.

### 1.2.2. *A week of activism*

Beyond the conference, NGOs, and especially ICAN, took the opportunity of the MSP to organize a weekend of mobilization, outreach and activism in Vienna. A number of panels, youth events, parliamentary meetings and other events were organized, gathering more than 600 people. Along official meetings, side events also gave the opportunity to focus on issues such as environmental remediation. This collective set of events was dubbed "ban week" by its organizers and probably was important in mobilizing the grassroots community of nuclear disarmament. At the same time, the strong association between ICAN and activist events, on the one hand, the humanitarian conference and the MSP on the other, may have dissuaded some middle-of-the ground states to attend as observers.

## 2. Representation, general statements and atmospherics

### 2.1. *A strong momentum and high level of representation*

Initially scheduled for January 2022, the 1<sup>st</sup> MSP was postponed to 22-24 March 2022 to avoid overlapping with the NPT Review Conference, which was at the time scheduled in New York in January 2022.<sup>7</sup> To mitigate the impact of COVID, the meeting was postponed a second time and opened in Vienna under the leadership of Austria on 21 June 2022. As a reminder, the Treaty indicates on Article 8 that the 1<sup>st</sup> MSP shall be convened "*within one year of the entry into force*". Subsequent meetings are to take place on a biennial basis. Five years after the entry into force and then every six years, states parties are meant to meet in review conferences to assess the operation of the Treaty.

While the 1<sup>st</sup> MSP therefore took place slightly later than expected, the President-designate, Ambassador Alexander Kmentt from Austria, assisted by its vice-presidents from Mexico, Kazakhstan and Thailand, worked in preparation of the event in order to simplify decision-making and to ensure a list of concrete actions could be agreed on at the end of the MSP. Thanks to this process, the working papers and official conference documents had already been largely reviewed and amended before being presented to the delegates, which accelerated the debates and allowed the President to keep with the relatively short period allocated to the meeting.

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<sup>7</sup> The Review Conference was later rescheduled in August 2022.

In that context, it is not surprising that close to half of the three days sessions were dedicated to general statements from the delegations, and the rest of the event focused mainly on reporting on the agreed papers or discussing relatively minor or formal elements. During the first segment, most of the 49 states parties present to the meeting delivered remarks.<sup>8</sup> After the opening address by the UN Secretary-General António Guterres, Ministers or Deputy Ministers of Foreign Affairs or relevant agencies delivered remarks, specifically from Austria, Cuba, New Zealand, the DRC, Timor-Leste, South Africa and Ghana. ICAN and the ICRC also delivered high-level statements, a testimony of the important place they are given in the mechanism of the TPNW. While it is true that during the course of the three days, only a small number of well-prepared and well-staffed countries delivered most of the remarks and took positions on most of the issues at stakes, this high-level segment as well as the participation of delegates from the smaller member states, such as the Cook Islands, testified to the political commitments of a larger number of countries to the TPNW.

## 2.2. *V* *looking forward*

The general exchange of views gave an interesting opportunity to assess the state of the debate within the TPNW community. The first element to note is the integration of the Treaty and the meeting within the more global context of the humanitarian initiative. Focusing on the perspective of the victims, and of weapon use and testing, was a key aspect of the conference, with strong and moving Hibakushas statements, but also testimonies from nuclear testing survivors from different generation. These vivid testimonies were in line with most of the delegate statements which emphasized the inhumanity of nuclear weapons and their terrible humanitarian consequence. Therefore, logically, the need to work on the positive obligations of the treaty regarding victim assistance and environmental remediation was highlighted by many.

The second key topic was to contest the narrative that nuclear weapons can be an instrument of security under the deterrence doctrine. The use, by many representatives, of the

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<sup>8</sup> The following 49 States parties participated in the Meeting: Austria, Bangladesh, Benin, Bolivia (Plurinational State of), Brazil, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Guinea-Bissau, Guyana, Holy See, Honduras, Ireland, Jamaica, Kazakhstan, Kiribati, Kuwait, Lesotho, Malaysia, Malta, Mexico, Mongolia, Namibia, New Zealand, Nicaragua, Nigeria, Palau, Panama, Paraguay, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, South Africa, State of Palestine, Thailand, Trinidad and Tobago, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam.

The following 34 States attended the Meeting as observers: Algeria, Australia, Belgium, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Democratic Republic of the Congo, Dominican Republic, Finland, Germany, Ghana, Guatemala, Indonesia, Iraq, Libya, Liechtenstein, Marshall Islands, Mauritania, Morocco, Mozambique, Nepal, Netherlands, Niger, Norway, Qatar, Senegal, Singapore, Sweden, Switzerland, Timor-Leste, United Republic of Tanzania and Yemen

The following international organizations and NGOs attended the Meeting as observers: the United Nations, the United Nations Institute for Disarmament Research, the United Nations Institute for Training and Research, the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the African Commission on Nuclear Energy, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the Pacific Islands Forum and the International Campaign to Abolish Nuclear Weapons and 85 other relevant non-governmental organizations

Among subscribing states, the following countries did not attend the Meeting: Antigua and Barbuda, Belize, Dominica, Gambia, Maldives, Nauru, Niue, Saint Vincent and the Grenadines, Seychelles, Tuvalu and Vanuatu.

locution “*theory of nuclear deterrence*” illustrated the general disbelief that these weapons can play a positive role in ensuring stability. Jamaica for instance noted the “*fallacy*” of the nuclear deterrence doctrine, the increase of risk and the threat for survival posed by nuclear weapons and the need to change narrative so that nuclear weapons may no longer be seen as a “*symbol of power, prestige and strength*”, but as a “*badge of shame, a label of irresponsibility and a demonstration of the world disregard of humanity possible*”.<sup>9</sup> The current context in Europe was especially noted as a proof that nuclear deterrence does not work but also to denounce the increased risk of nuclear use. Other representatives contested the logic of nuclear-weapon states (NWS) holding at risk the rest of the world, a “*Damocles sword*” according to the words of the Austrian Foreign Minister Alexander Schallenberg. Therefore, it is noteworthy that while in 2017, many statements, or side-events, focused on the unintentional or accidental risk of nuclear detonation, this element was much less evoked this year with an additional attention given to the risk of deliberate use in a conflict.<sup>10</sup>

Almost all delegations congratulated themselves for the entry into force of the Treaty and noted that it fills an important legal gap. A strong majority of countries emphasized the complementarity of the TPNW with other instruments of the disarmament and nonproliferation architecture, and especially the NPT, an element that was later largely covered during the meeting. The Philippines was especially explicit on this aspect,<sup>11</sup> while others listed the other instruments with which they comply as proof of their attachment to the global nuclear architecture. Very few signatory states mentioned the importance of the Additional Protocol of the International Atomic Energy Agency (IAEA), Botswana being a rare case in this regard noting that “the pursuit of developing nuclear energy should be within the framework and protocols of the International Atomic Energy Agency” and encouraging states to comply with an Additional Protocol but also to sign and ratify the Comprehensive Test-Ban Treaty (CTBT).<sup>12</sup>

Among the points that were also addressed sporadically, figures a clear condemnation of Russian recent nuclear threat and its aggressive war in Ukraine. While many states refuted “*nuclear threats*” in general, few specifically identified Russia. It is however the case of Ecuador, which “*condemned the military aggression of the Russian Federation against Ukraine, Ukraine and its [demonstration of] the threat and risk of a nuclear confrontation*”.<sup>13</sup> Ireland also “*strongly urge[d] Russia to refrain from nuclear rhetoric and threats, reiterate[d] [its] strongest support for the independence, sovereignty and territorial integrity of Ukraine*” and noted that “*we cannot shy away from calling out those who threaten the use of nuclear weapons*”.<sup>14</sup>

<sup>9</sup> First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons Statement by Jamaica under Agenda Item 10 - [General Exchange of Views Vienna](#), Austria 21 - 23 June 2022

<sup>10</sup> [V @ã • Á \] \[ ã } c Á ã • Á æ | • \[ Á } What we got wrong about nuclear risk reductions in the EIA](#), 23 May 2022.

<sup>11</sup> *We recognize the complementarity of the TPNW with the NPT, CTBT and the treaties establishing nuclear weapon free zones. We do not consider the TPNW to establish a parallel regime to the IAEA safeguards system or the CTBT verification regime.*

Philippine [Statement](#) H.E. Irene Susan b. Natividad at the General Exchange of Views 2022 Treaty on the Prohibition of Nuclear Weapons (TPNW) First Meeting of States Parties (1MSP) 21- 23 June 2022, Vienna.

<sup>12</sup> Botswana [Statement](#) To The First (1st) Meeting Of States Parties Of The Treaty On The Prohibition Of Nuclear Weapons, 22 June 2022.

<sup>13</sup> [Declaración](#) De La Delegación Del Ecuador A La Primera Reunión De Estados Parte Del Tratado Sobre La Prohibición De La Armas Nucleares, Embajadora Mireya Muñoz Mera, (TPAN/TPNW) 21 de junio de 2021

<sup>14</sup> First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, National [Statement](#) by Ireland, 21 June 2022.

Among the other points made occasionally by delegations, the condemnation of the international nuclear system which is based on a disparity of power between haves and have-nots (Malaysia) can be mentioned, along with the proposition to create an international fund for assisting affected States and populations (Kiribati) or the compatibility of the TPNW with development and especially the 2020 Sustainable Development Goals (Trinidad and Tobago).

### 2.3. The case of observers

The presence of observers was largely welcomed by states parties. This group was composed of signatory states showing an interest in ratification, non-signatories unconvinced by the Treaty, as well as international organizations and NGOs. Concerning the first group, many confirmed that they had started the process of ratification and that they would be in a position to become States Parties in the very short term. The Democratic Republic of Congo made this commitment at the highest level and affirmed that the ratification process was in the “*finalization phase in Parliament*”.<sup>15</sup>

The second category of states received a particular attention especially from inside and outside observers.<sup>16</sup> The participation of NATO members to the MSP had been controversial as some of their allies had felt this would add undue legitimacy to the Treaty and its proceedings.<sup>17</sup> Nonetheless, Belgium, Germany, Norway, and the Netherlands took part and the latest three delivered statements. Other US allies and partners, such as Australia, Finland, and Sweden were also present in Vienna. The four statements of NATO members and NATO soon-to-be members shared a common approach: a clear condemnation of Russia’s aggression and nuclear threat (Germany called all delegations to take a clear stance on the issue), a reaffirmation of NPT centrality and underlying nonproliferation mechanisms (CTBT, Fissile Material Cut-Off Treaty (FMCT), and especially the IAEA Model Additional Protocol, contrasting with most statements or member states that did not refer to the Additional Protocol at all), criticism on the flaws of the TPNW and especially the lack of verification. Many statements also questioned the pertinence of creating a disarmament treaty that does not include any NWS. NATO member states concluded that the TPNW was incompatible with the NATO commitments and that they “*are not bound by its provisions, nor do we accept the claim that its provisions are applicable under customary law now or in the future*”.<sup>18</sup>

They however recognized the objective of disarmament, mentioned their work towards this goal (within the Stockholm Initiative in particular) and indicated readiness to work constructively on shared objectives. Norway stated the importance of the humanitarian approach, which is not surprising as the country hosted the first humanitarian conference back in

<sup>15</sup> Meeting of States Parties), Vienne 21-23 Juin 2022, [Déclaration](#) de la République Démocratique du Congo prononcée par Son Excellence, Me. José MPANDA KABANGU, Ministre de la Recherche Scientifique et Innovation Technologique

<sup>16</sup> Rebecca Davis Gibbons, [Twitter](#) 22 June 2022.

<sup>17</sup> Nuclear weapons debate in Germany touches a raw NATO nerve [Order from Chaos](#), Brookings, 19 November 2021.

<sup>18</sup> First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW) Vienna, 21-23 June 2022, [Statement](#) by Ambassador Rüdiger Bohn Head of the German Observer Delegation to the MSP

2013.<sup>19</sup> Switzerland indicated that a new review would be conducted in 2022 to assess the decision to join or not the Treaty.

Finally, civil society participation in the general exchange of views provided the opportunity to recall that the process aims at inclusiveness and representation of NGOs, academia and affected communities in priority. Here again, the voices of victims and survivors were amplified and the call for the universalization of an instrument based on “*human security*” was made. An isolated proposition was made to interpret Article 1 of the TPNW to include explicitly the prohibition of “*financing*” the production of nuclear weapons, but this point was not raised again. The specific inclusion of the prohibition of “*financing*”, while existing in other conventions, had been left out of the Treaty in 2017 to avoid intricate implementation requirements.

### 3. Decisions and debated issues

As mentioned, since most delegations had had a chance to consult with states in charge of the working papers proposed on the issues at stake, few debates actually took place on what became the action plan and the Declaration of the 1<sup>st</sup> MSP. The atmospherics appeared very constructive, with a small number of very well prepared delegations receiving the support of the other states attending more passively. However, a few divergences of views demonstrated that the TPNW community is not a monolith. That being said, these disagreements were logically less important than at the time of the negotiation of the Treaty since some countries with minority views have not ratified it at this stage. The regular interventions of affected communities conferred a form of gravity and purpose to the event, focusing on concrete elements and steps forward, while on the contrary, some statements, by religious communities or states, were very aspirational and seemed to put the endeavor into a very long term perspective of global peace on earth. Notwithstanding, eight main issues were evoked during this first MSP.

#### 3.1. *Declarations regarding the ownership, possession or control of nuclear weapons*

This review of the core prohibition of the Treaty was naturally considered very quickly as no states parties had any declarations to make.

#### 3.2. *Deadlines for the removal and destruction of nuclear weapons*

Pursuant to the text of the TPNW, it was the responsibility of the MSP to bring precision on Article 2 of the Treaty and specifically to determine the deadlines for nuclear-armed states and nuclear hosting states to remove from operational status, remove from their territory or destroy their nuclear weapons. South Africa was in charge of working on this paper, which

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<sup>19</sup> [Statement](#) as observer, Norway 1<sup>st</sup> Meeting of State Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW). 21 June 2022, Mr Jørn Osmundsen Special Envoy for Disarmament Affairs, Ministry of Foreign Affairs, Norway.

served as a basis for the decisions taken.<sup>20</sup> It proposed a deadline of 10 years for the destruction of nuclear-weapons, with the possibility to request an extension under specific circumstances. With regard to the removal of nuclear weapons from hosting states, the paper proposes a deadline of 90 days, based on historical cases.

Interestingly, the South African team referred to scientific work to make their proposition and a study of existing literature on the subject, especially work by Zia Mian and Moritz Kütt who also attended the MSP and were able to speak out in support of the feasibility of the deadline considered.<sup>21</sup> The working paper also quoted from the experience of other disarmament treaties in the matter.

These recommendations were adopted by the conference and included in the action plan, with states supported the propositions made by South Africa and mostly focusing on two requirements: the first being the adoption of realistic and credible deadlines based on scientific assessment, the second to avoid delays especially regarding extensions

### 3.3. Universalization

Article 12 of the TPNW requires all States Parties to promote the universalization of the Treaty. Austria, Costa Rica and Indonesia prepared a paper on this topic, with a number of recommendations on how to engage with non-signatories and to do outreach in various forums.<sup>22</sup> During the discussion, the content of the working paper was adopted including the decision to establish an informal working group comprising states parties, ICAN and ICRC to coordinate, plan and conduct universalization efforts. While the suggestion of the working papers were ultimately supported, the debates showed that there were slight divergences of preferences between states on the respective roles of NGOs and states, on the one hand, and the responsibilities given to informal groupings compared to official forums on the other hand.

### 3.4. Competent international authority, including verification

When the TPNW was adopted, one of the issue that raised the more questions from observers was the reference in article 4 to a “*competent international authority*”. The First MSP had not the mandate or ambition to define this authority, but to start thinking about its nature and mission. At this stage, states thought in a very preliminary manner about various elements that would need to be discussed and thought about in order to clarify the specific mandate of the “*competent international authority*”. The States agreed to establish an informal intersessional working group on the matter that will be chaired by Mexico and New Zealand.

<sup>20</sup> Agenda item 11 (c), Deadlines for the removal from operational status and destruction of nuclear weapons and other nuclear explosive devices, and their removal from national territories (article 4), Working paper submitted by the facilitator, South Africa, [TPNW/MSP/2022/WP.9](#), 22 June 2022.

<sup>21</sup> [Journal for Peace and Nuclear Disarmament](#), vol. 2, n°2, pp. 410-430, available at <https://doi.org/10.1080/25751654.2019.1674471>.

<sup>22</sup> Item 11 (b) of the provisional agenda, Implementing article 12 of the Treaty on the Prohibition of Nuclear Weapons: universalization, Working paper submitted by the co-facilitators, Austria, Costa Rica and Indonesia, [TPNW/MSP/2022/WP.7](#), 17 June 2022.

### 3.5. *Victim assistance, environmental remediation and international cooperation and assistance* r-

Given the importance of the topic and the possibility to bring concrete elements on the table, this issue raised important expectations and was considered with attention by member states. Kazakhstan and Kiribati, two states affected in various ways by nuclear testing, were in charge of the consultations and of preparing a working paper on the issue.<sup>23</sup> Their recommendations are split according to the special status of states. States affected by nuclear use or testing are required to assess the effects of nuclear weapons, the needs of victims and the contamination of the environment. According to their national capacities, they will be asked to develop national plans for implementation of victim assistance and environmental remediation and to adopt relevant legislation. States parties in a position to provide assistance are asked to coordinate and develop mechanisms to do so, in relation with the UN system and relevant stakeholders. The meeting supported the recommendations, with an emphasis on the role of science and the need for inclusive discussion. Discussion on the feasibility of creating an international trust fund were kick-started, with some states already speaking in favor of it, but mostly put off for the next intersessional work and the second MSP. Interestingly, non-signatory Switzerland expressed its support for providing support “*irrespective of the current membership of the treaty*”.

### 3.6. *Institutionalizing scientific and technical advice for the effective implementation of the Treaty* e-

Under this item, President Kmentt spoke in favor of creating a Scientific Advisory Group (SAG) that would focus on working on the humanitarian consequences of nuclear weapons, implementation issues, and more generally help states parties in taking decisions on the basis of updated scientific knowledge.<sup>24</sup> The example of the preparatory commission for the CTBTO was mentioned. Austria provided details on how the group could function, including regarding the nominations, the meetings and the mandate of the group. Without surprises, this suggestion was well received by researchers from Princeton University or physicians from IPPNW who noted the historic role played by scientists in support of disarmament since the beginning of the nuclear age.

This apparently benign topic raised a number of questions from the Cuban delegation which was mostly worried about the representativeness of the SAG. The country also displayed its sensitivity to establishing forums and processes outside of the formal gathering of states parties.

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<sup>23</sup> Item 11 (e) of the provisional agenda, Victim assistance, environmental remediation and international cooperation and assistance (articles 6 and 7), Working paper submitted by the co-facilitators, Kazakhstan and Kiribati, [TPNW/MSP/2022/WP.5](#), 8 June 2022.

<sup>24</sup> Item 11 (g) (i) of the provisional agenda, Institutionalizing scientific and technical advice for the effective implementation of the Treaty on the Prohibition of Nuclear Weapons, Working paper submitted by the President-designate, [TPNW/MSP/2022/WP.6](#), 17 June 2022.

### 3.7. *Intersessional structure for the implementation of the Treaty*

Also led by the Austrian team,<sup>25</sup> this issue was paradoxically one of the most controversial one, with states presenting different views on how formal the coordination between incoming and outgoing Presidencies should be. South Africa rejected the proposed framework to coordinate between the current and next Chair for six months, fearing the establishment of too rigid a practice. President Kmentt attempted to bring compromise, cautioning against “over-formalizing an informal process”. South Africa insisted on mentioning that all meetings should take place in New York City in order to ensure maximum representation. The meeting had to be adjourned to allow for specific consultation, and a compromise in particular between Mexico and South Africa to agree on the final language on the transition between outgoing and incoming president. Some states also showed concern about the financial implications of the intersessional process, the ability of all states interested to take part in the “informal” meetings, and on the respective importance of states parties, ICAN and the ICRC. The initial draft had to be revised to take into account some of the strong preferences expressed by participants.

#### Complementarity: from theory to facts

TPNW supporters insist on the complementarity of the TPNW with the rest of the international nonproliferation and disarmament regime. Its detractors on the contrary have mentioned since its adoption that it was hurtful to the regime and distracting from more immediate and concrete progress.

One way to look at the issue is to see if participation to the TPNW has led some states to increase their commitments to other instruments of the nuclear order. Such an assessment gives mixed results:

- ◀ On the CTBT, there has been a clear effort from TPNW States Parties to accede to the Treaty. Thus, Thailand, Tuvalu (2018), Cuba, Comoros (2021) and Gambia (2022) ratified the CTBT since 2017. Dominica signed in May 2022 and ratified in July. TPNW Signatory state Zimbabwe ratified the CTBT in 2019. Timor-Leste is now the only TPNW state party that has not ratified the CTBT.
- ◀ Regarding IAEA Additional Protocol (AP), Benin has ratified his protocol in 2019 and Bolivia signed one the same year. Zimbabwe, not yet a state party, ratified an AP in 2021. But 21 states parties still do not have an AP into force, mostly very small states with few capacities.
- ◀ Two states parties have submitted their first National Reports to the 1540 Committee since 2017 and only 1 state and 4 micro-states have still never fulfilled this obligation.
- ◀ Six states parties have signed the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT) since 2017 but 26 have yet to ratify it.

At this stage, it appears that TPNW States Parties are also committed to other multilateral instruments from the global nonproliferation and disarmament architecture, with several states deciding to join the TPNW but also other multilateral conventions since 2017. The assessment would probably be different if one took into consideration more ad hoc initiatives such as the Proliferation Security Initiative or the HCoC, a confidence-building measure dealing with WMD capable ballistic missiles which are not part of the UN system.

<sup>25</sup> Item 11 (g) (iii) of the provisional agenda, Intersessional structure for the implementation of the Treaty, Working paper submitted by the President-designate, [TPNW/MSP/2022/WP.8](#), 17 June 2022.

### 3.8. *Complementarity of the Treaty with the existing nuclear disarmament and nonproliferation regime*

This item was presented by Ireland and Thailand, the two states in charge of the consultation on the topic.<sup>26</sup> The paper puts the TPNW in the context of the existing nonproliferation regime and explains that it fills a gap on the disarmament aspect of the NPT. As expected, it notes that the TPNW is complementary with the NPT, which is stated in its preamble, and that the NPT is the “cornerstone” of the nuclear disarmament and non-proliferation regime. The paper mentions the efforts made by states parties to reaffirm this complementarity in various forums. It defends the interpretation of TPNW supporters according to which this instrument “advances the existing safeguards regime by legally obliging its parties to keep in place any additional safeguards arrangements they have voluntary to implement.” But unsurprisingly, it does not call for states parties to embrace the IAEA Additional Protocol as this remains a controversial issue among them. The recommendation aims at providing an answer to the criticism made in various forums by non-state parties that accuses the TPNW of distracting from the goals of the NPT. The two states advised to appoint informal facilitators<sup>27</sup> to further explore and articulate the possible areas of tangible cooperation between the TPNW and the NPT during the intersessional period. They also suggested increasing cooperation with other international bodies dealing with nonproliferation and disarmament. These suggestions were accepted by the states parties.

Cuba put some limits on the possible cooperative approach towards complementary instruments, by noting that it could only be multilateral UN-born initiatives, which excludes ad hoc initiatives (e.g. Proliferation Security Initiative, Global Partnership Against the Spread of Weapons and Materials of Mass Destruction) or export control regimes.

Alexander Kmentt concluded this session by noting that it appeared to him personally “extremely important that this meeting sends a crystal clear, unequivocal message regarding the complementarity of the TPNW with the existing regimes and the NPT in particular”, hoping that it would be enough to address criticism on this aspect.

## 4. Outcome of the MSP

### 4.1. *Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons*

Beyond the factual and procedural report of the MSP<sup>28</sup>, the first important document that came out of the meeting is the Declaration of the 1<sup>st</sup> Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons, held in Vienna, also nicknamed “*Our Commitment to*

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<sup>26</sup> Vienna, 21. 23 June 2022 Item 11 (g) (iii) of the provisional agenda, Complementarity of the Treaty with the existing nuclear disarmament and non-proliferation regime, Working paper submitted by the co-facilitators, Ireland and Thailand, [TPNW/MSP/2022/WP.3](#), 8 June 2022.

<sup>27</sup> Ireland and Thailand were later chosen as co-facilitators.

<sup>28</sup> First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, Draft report of the first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, [TPNW/MSP/2022/L.2](#), 22 June 2022.

*a World Free of Nuclear Weapons* ". Interestingly, the main debate over this text was a change in the title, since the document was initially titled "Vienna Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapon ". In a move that indicates South Africa's strong preference for any work to clearly emanate from multi-lateral framework, and perhaps as sign of irritation for the very active Presidency of Austria, the mention of "Vienna" was relocated at the end of the declaration, despite many other states supporting the idea of adopting another "Vienna Declaration".

On the content, the document celebrates the entry into force of the Treaty, reiterates the moral and ethical imperatives that led to its adoption, and emphasizes on the catastrophic humanitarian consequences of nuclear weapons.

Among the most noted statements figures the 4<sup>th</sup> paragraph, which was apparently revised and shortened during the consultation process to remove non-consensual language, and states that participants "condemn unequivocally any and all nuclear threats, whether they be explicit or implicit and irrespective of the circumstances ". While this language appeared as quite strong to some commentators,<sup>29</sup> others, such as a Finnish diplomat, regretted that it did not refer to Russia directly.<sup>30</sup> It was aptly noted since then that the inability to unanimously condemn Russian nuclear threats in this forum could create a rift in anticipation of the NPT Review Conference.<sup>31</sup>

The declaration includes now traditional elements on the concerns of parties over increasing nuclear risks and the failure to move forward on disarmament and the fact that the TPNW is more important than ever. It reassesses the complementarity with the NPT and supports various measures in favor of disarmament. It ends with a rather lyrical pledge, stating that states parties "will not rest until the last state has joined the Treaty, the last warhead has been dismantled and destroyed and nuclear weapons have been totally eliminated from the Earth."<sup>32</sup>

## 4.2. The Vienna Action Plan

Among the main outcomes of the MSP figures the adoption of an Action Plan,<sup>33</sup> which is in fact mostly a compilation of the recommendations made by the various working papers related to the implementation of the Treaty. As such, these actions have been the object of consultations before the beginning of the meeting and the Action Plan has been almost fully adopted without comments from any states parties.

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<sup>29</sup> Pavel Podvig, [Twitter](#), 23 June 2022.

<sup>30</sup> Jarmo Viinanen, [Twitter](#), 24 June 2022. See Philippe Errera, [Twitter](#), 24 June 2022.

<sup>31</sup> Ræ{ ã ^ Á S , [ ] \* É Á %oP [ , Á ã ã • æ \* ! ^ ^ { ^ } c • Á [ ç ^ ! Á Ü ~ • • ã æ q • r Á } ~ & | ^ æ ! Á c @ ! ^ ^ } & [Bulletin of the Atomic Scientists](#), 1 July 2022.

<sup>32</sup> First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, Draft Vienna Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons, [TPNWMSP/2022/CAP.8](#), 23 June 2022.

<sup>33</sup> First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, Draft Vienna Declaration of the 1st Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons, [TPNWMSP/2022/CAP.8](#), 23 June 2022.

## Implementing Prohibition: An Overview of the Meeting of States Parties to the TPNW and possible Ways Forward

Universalization (Article 12)	Action 1	Make universalization a priority
	Action 2	Call states to sign and ratify
	Action 3	Outreach efforts in capitals and at regional level
	Action 4	Increase information
	Action 5	Share best practices and provide assistance
	Action 6	Appoint points of contact
	Action 7	Raise awareness in relevant forums
	Action 8	Promote UNGA resolutions in support of the Treaty
	Action 9	Highlight the importance of the TPNW in statements
	Action 10	Highlight the humanitarian consequences of nuclear weapons
	Action 11	Cooperate to facilitate adherence
	Action 12	Engage States committed to nuclear deterrence
	Action 13	Support the involvement of partners (UN, ICRC, ICAN, ...)
	Action 14	Share information on efforts at Meetings of States Parties
Towards the elimination of nuclear weapons (Article 4)	Action 15	Work further on the “competent international authority”
	Action 16	Designate points of contact
	Action 17	Work on the issue of the “extension” that states may request to destroy their nuclear weapons
	Action 18	Work on nuclear disarmament verification
Victim assistance, environmental remediation and international cooperation and assistance (Articles 6 and 7)	Action 19	Consult relevant stakeholders
	Action 20	Engage with states that have tested weapons on assistance and remediation
	Action 21	Establish focal points
	Action 22	Adopt relevant national laws
	Action 23	Develop mechanism for voluntary assistance
	Action 24	Cooperate with international organizations
	Action 25	Work in inclusive manner and age- and gender-sensitive manner
	Action 26	Review the implementation regularly
	Action 27	Develop guidelines for voluntary reporting on national measures
	Action 28	Develop a standardized reporting format
	Action 29	Discuss the feasibility of an international trust fund
	Action 30	Assess the effects of nuclear weapons use and testing in relevant areas
	Action 31	Develop national plans for implementation of their victim assistance and environmental remediation obligations (for affected countries)
	Action 32	Provide assistance (for countries able to do so)
Institutionalizing scientific and technical advice for the effective implementation of the TPNW	Action 33	Support the work of the Scientific Advisory Group
	Action 34	Identify and engage scientific and technical experts
The relationship of the TPNW with the nuclear disarmament and non-proliferation regime	Action 35	Emphasize the complementarity of the TPNW with the existing disarmament and non-proliferation regime
	Action 36	Appoint an informal facilitator to explore areas of cooperation between TPNW and NPT
	Action 37	Cooperate with IAEA and CTBTO inter alia
	Action 38	Raise awareness through outreach on complementarity
Other matters essential for	Action 39	Meet their obligations in inclusive manner
	Action 40	Cooperate with UN, ICRC, ICAN and others
	Action 41	Facilitate participation of relevant stakeholders
	Action 42	Contribute on voluntary basis to facilitate representation in TPNW meetings
	Action 43	Support the efforts of the Coordinating Committee between sessions
	Action 44	Reaffirm the role of the UN
	Action 45	Use synergies between other disarmament and humanitarian instruments
	Action 46	Fulfil initial declarations
	Action 47	Take into account gender consideration
	Action 48	Establish gender focal point during intersessional period
	Action 49	Work on guidelines for ensuring age- and gender-sensitive Victim Assistance
	Action 50	Develop guidelines for the integration of gender perspectives in international cooperation and assistance

### 4.3. Next steps

The next steps have been announced at the closing of the MSP. Thus, Mexican Ambassador Juan Ramón de la Fuente Ramírez has been designated as President-elect following a silent procedure. Mexico has sent a Note Verbale to the UN Secretariat to inform it of its willingness

to hold the 2<sup>nd</sup> MSP in New York City from the 27 November to the 1 December 2023. Kazakhstan has been elected to hold the Presidency of the 3<sup>rd</sup> MSP. The three countries have noted their willingness to work together to ensure continuity and efficacy between the various meetings.

## 5. What room for bridge-building and engagement between TPNW States Parties and NWS?

Drawing from well-established NPT vocabulary, The Netherlands explained recently its participation to the MSP by the objective to contribute to “bridge-building” and “constructive engagement”. This ambition, although usually officially supported by all sides, is increasingly perceived with skepticism. On the one hand, TPNW states parties and NGOs may consider that the strict stance of NWS and their allies on the TPNW, their sharp criticism of the Treaty, their tendency to increase the salience of nuclear deterrence in their security doctrines, and the funding of ambitious modernization programs for nuclear capacities, is a clear sign of their lack of interest for the goal of eliminating nuclear weapons. The inability of the P5 to deliver any tangible deliverable concerning disarmament at the upcoming NPT Review Conference will contribute to the narrative that this forum, as well as the Conference for Disarmament for instance, are unable to produce any progress in the matter.

On the other hand, the states that support a gradual disarmament and see a relevance in preserving nuclear deterrence for the time being begrudge the assertive outreach campaign and the lack of interest of many stakeholders for interim and progressive measures. Especially, NATO states resent the disproportionate pressure exercised by ICAN on their public opinion, compared to authoritarian states. This legitimate criticism is bound to be even more acute in the future as abolitionist NGOs are unlikely to be able to work in countries such as Russia, China and North Korea.

In this context, the well-intentioned call to “bridge-building” may inspire eye-rolling in a number of corners. Truly, efforts to convince each others of the relevance or the uselessness of nuclear deterrence may prove fruitless at this time.<sup>34</sup> However, bridge-building does not mean reconciling opposite visions, but identifying areas where common work is indispensable to ensure shared interest. The first and foremost goal is to ensure the vitality of the NPT process and its ability to address proliferation crises today and in the future. Both nuclear-dependent countries and TPNW parties have stated their attachment to the NPT and its machinery. TPNW parties alone cannot ensure that the regime can prevent proliferation in the long run, as this goal requires the political will, technical expertise but also financial contribution of the international community as a whole. On the other hand, antagonizing TPNW states parties in NPT forums may lead to a prolonged impasse on attempts to sustain an efficient regime.

In that context, a few areas of cooperation can be identified. More importantly, some steps can be taken on both sides so that the shared objectives of both camps, primarily avoiding any nuclear use in the short term, and in the long term, working towards the elimination of nuclear weapons, can be implemented.

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<sup>34</sup> Although it may lead to interesting discussions, and some important debates are still organized with this in mind, for instance the [Panel Report: Deterrence or Disarmament after the Russo-Ukrainian War?](#) + [Á á ~ ; ã } \\* Á c @ ^ Á](#) Carnegie Nuclear Security Conference scheduled for October 2022.

Among recommendations regularly made under the topic of “bridge-building” figures the necessity to tone down rhetoric and to avoid stigmatization of members of the other “camp”. This advice is especially usually addressed to NWS whose frontal rejection of the TPNW has been seen as provocative. It is important to keep in mind that states that do not want to be bound by the Treaty by customary law have a legitimate interest in periodically reminding that they oppose it, which was what some observers did during the MSP in their remarks. As most states have made up their mind about the merits of the Treaty at this stage, there is probably not a great value in pursuing a more combative position. Indeed, as the TPNW is now into force, pointing to its dangers for the nonproliferation regime may be counter-productive and even lead to a self-fulfilling prophecy. A form a neutral acknowledgment in the framework of the NPT could be a *modus vivendi* and enable moving forward on pressing issues. Language has been suggested along the lines of “*We recognize the entry into force of the TPNW, which includes States Parties to the NPT. Its members reaffirm that the full and effective implementation of the Treaty on the Non-Proliferation of Nuclear Weapons, which serves as the cornerstone of the nuclear disarmament and non-proliferation regime as a vital role to play in promoting international peace and security (from treaty text). Non-members are not bound by the TPNW.*”<sup>35</sup> This type of neutral statement was used by Norway in its statement.<sup>36</sup>

On the other side, the evolution of the strategic situation and the specific use of nuclear threat and coercion by the Russian Federation means that the “lumping everybody in the same basket” approach may have shown its limitation. This does not mean that there are “good hands for wrong weapons”, to twist the classic phrase, but that the failure to clearly speak out against some behaviors that not only have disastrous humanitarian consequences but also make the eventual goal of nuclear disarmament even more remote tend to attenuate the gravity of these acts. There should therefore be a push within the TPNW to clearly call out these acts and measure their impact on the nonproliferation and disarmament regime. Likewise, states parties may usefully take distance on some occasion from the rhetoric of the most radical NGOs and recognize that some states have in recent years tried to take steps in favor of disarmament and to reduce the role of nuclear weapons while others have done the opposite. Refusing to do so may be perceived as an implicit ignorance of the most destabilizing activities that are at the root of proliferation and prevent disarmament.

Finally, efforts to admit that the road to elimination may not be linear and that some apparent progress may have unintended consequences would also contribute to a better assessment of proliferation risks and pathways. Thus, the adoption of a “no-first-use” posture by the United States or the withdrawal of nuclear weapons deployed in Europe might be counterproductive if it pushed some states, feeling especially threatened by nuclear-armed adversaries, to reconsider their status of non-nuclear weapon states. At the very least recognizing the complexity of the issue would be a sign of a serious and well-considered approach of the subject.

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<sup>35</sup> Heather Williams, [Twitter](#), 1 December 2021.

<sup>36</sup> *We acknowledge that the TPNW has entered into force, and we recognise that 86 countries have signed it* +

## 5.2. *Displaying ambitious goals for the strengthening of the nonproliferation regime*

The MSP has clearly worked with the objective of stating the attachment of its members to the NPT regime and to show that contrary to regular criticism by NWS, the two treaties are complementary. The whole regime might benefit from common engagement to show on the ground the righteousness of this assertion. Therefore, there should be ample opportunities to work cross-communities on the promotion of instruments and mechanisms such as the IAEA Model Additional Protocol, the 1540 UN Security Council Resolution, the CTBT, and other essential components of the nuclear disarmament and nonproliferation architecture. There is no need for the Plan of Action or the Declaration to specifically identify these objectives to work on various outreach formats with the participation of TPNW states parties and non-parties. The work of the European Union, which includes both categories of countries, is a model in this regard as its member states are able to support concrete outreach, implementation and capacity building missions on the ground and contribute to the universalization of these various instruments.

## 5.3. *Consider the issue of the humanitarian consequences of nuclear weapons*

The question of the humanitarian consequences of nuclear weapons is complex in many regards. First, there is a genuine fear that the examination of this issue may lead to a push by some states to reopen the file of the legality of nuclear weapons before the International Court of Justice, a process that would increase the polarization of the international community with unpredictable consequences. Second, assessing whether nuclear strikes would be compatible with humanitarian law may give the impression that these weapons are operational capacities that could be used at any time for military operations, which is for most NWS far from the truth as they are conceived exclusively as a deterrent.

That being said, it is undeniable that there is both an interest and a strong push from states and civil society actors to keep working on this issue. Thinking about a way to contribute for this demand for information without putting into question security imperatives or taken the risk of being embarked into a counterproductive and accusatory discussion might be increasingly necessary. All states could encourage scientific work on these issues, especially in the field of medical research and climate modeling. Nuclear laboratories, official research centers on these topics and involved military services may show an interest in the discussion, if only to ensure that their collaborators are aware of the various arguments and perspectives on the matter and take the time to fully think about the essential question of the humanitarian consequences.

## 5.4. *Engage on the topic of assistance and remediation*

The question of victim assistance and environmental remediation has received a lot of attention during the MSP, with poignant testimonies and a global narrative that indicates that victims, survivors and affected territories consider that responsible states have not done enough to repair the harms resulting from nuclear testing. It is too soon to know if the project of an international trust fund will actually come to fruition, but it is interesting to note

that a state such as Switzerland, an observer to the 1<sup>st</sup> MSP, has already pledged its support for such an initiative. Financial issues may play an important role here, as most parties to the TPNW today simply do not have the means to contribute significantly to this effort. Enlisting the support of European countries, or Japan, or Australia, could modify the scope of the assistance that is provided. TPNW states parties affirmed their willingness to work with non-parties in Action 20 of the Action Plan.

For NWS, and notably France, the United States and the United Kingdom, engaging on the question of the impact of nuclear tests may entail risks. Participating in international activities on the question of assessing damage and providing reparations could clash with existing efforts to compensate victims and restore ecosystems. Moreover, some stakeholders may entertain prejudiced views and politically-biased mindset which might prevent objective scientific and medical work. However, the mistrust appear so strong right now against these states that the emerging narrative is that the national compensation and remediation actions have been taken too late, are insufficient and are badly implemented. Refusing to discuss this perception in international forums would not contribute to lifting qualms and skepticism on the good faith of the nuclear powers. There is therefore a possible benefit in trying to engage and to work constructively on how to better ensure that these states ensure their obligations and assist the impacted community, including in an age- and gender-sensitive manner. At a minimum, presenting what has been done, the studies used, the methodology, the limitations of the work, the difficulties on the ground and the complexity of the matter may play a positive role in reducing tensions and antagonist visions on this sensitive issue.

### *5.5. Continue to work on interim and preparatory measures*

The Declaration from the 1<sup>st</sup> MSP asserts that states parties will “*continue to support all measures that can effectively contribute to nuclear disarmament. These include efforts to bring into force the Comprehensive Nuclear -Test-Ban Treaty, interim measures to reduce the risk of use and threat of use of nuclear weapons, further development of disarmament verification measures, strengthening negative security assurances and a legal instrument prohibiting fissile material for the production for nuclear weapons and other nuclear explosive devices.*” This commitment is interesting as some states and NGOs have shown reluctance in supporting step-by-step measures in recent years and observers from the arms control community have identified the risk that the “all-or-nothing” approach may discredit more modest initiatives such as confidence-building measures that are nonetheless instrumental in reducing the risk of nuclear use as long as these weapons exist. It will therefore be useful to take advantage of this stated goodwill to rely on the cooperation of TPNW supporters in the efforts to develop pertinent nonproliferation and arms control initiatives. Following Article 18 of the action plan, TPNW states parties could especially contribute positively to the various work on nuclear disarmament verification and avoid feeding the narrative that this work is a pretext used by NWS to justify their lack of progress on disarmament.

## 6. Conclusion

The First Meeting of State Parties has contributed to the institutionalization of the TPNW. States may continue to argue over its pertinence and merits within the nonproliferation and disarmament architecture, but they may no longer dismiss its existence.

For non-states parties, it is now necessary to look at the positive elements that emerged from the MSP, the universal commitment to the NPT, the willingness to work on concrete elements such as victim assistance, the fact-based and scientific approach, and the support for a number of interim measures that may contribute to disarmament and to see where effective work can be conducted as early as the NPT Review Conference in August 2022.

For state parties, it is essential to recognize that the like-mindedness that prevailed in Vienna will not be present in New York and to be acceptant that the NPT community is more diverse in its perspectives regarding the best way to achieve nuclear disarmament. The attachment to the NPT displayed in Vienna must therefore lead to some willingness to make some wording compromise, for instance on the contribution of the TPNW, in order to score progress on concrete issues that are in the benefits of all.

For all, common work in the future will require a willingness to refuse over-simplification and one-sided approach, to accept the complexity of the issues and the existence of various perspectives, and to accept that some narratives, while valid for domestic audience or in activist forums, are counterproductive to the shared goal of reducing the risk of use of nuclear weapons in the short and long term.