

## Summarized Report on the First Meeting of States Parties to the UN Treaty on the Prohibition of Nuclear Weapons (TPNW)

21 to 23 June 2022 in Vienna, Austria  
Human Rights Now

### Introduction

Adopted by an overwhelming majority of UN member states at the United Nations on 7 July 2017 and entered into force on 22 January 2021, the Treaty on the Prohibition of Nuclear Weapons (TPNW) is a legally binding instrument that comprehensively prohibits participation in any nuclear weapon activities, including the development, testing, production, acquisition, possession, stockpiling, use, or threat to use nuclear weapons. The TPNW has since been ratified by 65 countries, including four ratifications within the past week by Cape Verde, Grenada, Timor-Leste, and Guatemala, officially establishing Central America as the first entire contiguous region to deposit instruments of ratification. As echoed by Mr. Alvin Botes of South Africa, Deputy Minister of International Relations and Cooperation, the ultimate goal of the TPNW and the States Parties signatory to it is “a world free of nuclear weapons.”

Considering Article 8(2) of the TPNW which reads, “The first meeting of States Parties shall be convened by the Secretary General of the United Nations within one year of the entry into force of this Treaty,” and the feasibility of holding an international meeting in the midst of the coronavirus (COVID-19) pandemic, it was decided that the First Meeting of States Parties (1MSP) would be held from 21 to 23 June 2022 at the Austria Center Vienna. The 1MSP, which ICAN UN Liaison Seth Shelden suggested addresses the procedural side of prohibiting nuclear weapons, directly followed the Fourth Conference on the Humanitarian Impact of Nuclear Weapons (HINW) in Vienna, which Shelden suggested addresses the substantive side of the actual arguments that led States to prohibit nuclear weapons. It was the first three HINW conferences that ultimately led to the negotiation and adoption of the TPNW in 2017.

As declared by President of the 1MSP on the TPNW Alexander Kmentt, the purpose of the 1MSP was to “strengthen our young Treaty, and to establish its implementation in the best and strongest way possible.” The three-day agenda of the 1MSP therefore focused on adopting concrete rules and procedures, including establishing deadlines and transforming working papers on topics such as universality, victim assistance, and institutionalizing scientific advice into an Action Plan that guides countries on how to actually implement solutions to these substantive nuclear weapons issues.

In total, 49 States Parties were in attendance to the 1MSP and 34 States attended the 1MSP as observers, in addition to representatives from relevant civil society organizations and 85 non-governmental organizations that observed without the right to vote (see the [Final Report](#) for a breakdown of all delegations involved). The three-day 1MSP successfully addressed all items on the Agenda and culminated in the adoption of a [Final Report](#), a [Declaration](#), and an [Action Plan](#). The Final Report is largely procedural; the Declaration is a condemnation against any use or threat to use nuclear weapons, reiterating the moral and ethical imperatives which inspired the TPNW and which guide its implementation; and the Action Plan is a set of 50 specific actions for actually implementing the TPNW and realizing the commitments made in the Declaration.

### Day 1 Summary

The first day of the 1MSP consisted of: the selection of and introduction by the President of the 1MSP; a high-level opening session; adoption of the agenda and general rules of procedure; confirmation

of the Secretary-General of the 1MSP; appointment of members of the Credentials Committee; and a general exchange of views. Highlights from Day 1 include:

#### *Selection of and Introduction by the President of the 1MSP*

After the Opening of the Meeting concluded, Ambassador Alexander Kmentt of Austria was officially selected as President of the 1MSP, receiving the only nomination and no objections. In his Introduction speech, Kmentt emphasized that, “This Treaty is needed now more than ever” due to the high prevalence of nuclear risks and nuclear threats at this moment in history. In addition to thanking the States Parties in attendance, Kmentt specifically congratulated Cape Verde, Grenada, and Timor-Leste, all of which deposited their instruments of their ratification in New York the previous day, and recognized “nuclear umbrella states” present, declaring, “We appreciate you being here, we see this as a recognition of the importance of this Treaty and your readiness to engage constructively in the discussion of the profound arguments about the humanitarian consequences and risks of nuclear weapons on which the TPNW is based.” Kmentt’s speech highlighted the importance of cooperation between “States Parties, Signatories, Observer Representatives of International Organizations, and our friends from Civil Society and Academia” for the success of the 1MSP procedurally and the TPNW’s eventual implementation.

#### *High-Level Opening Session*

The High-Level Opening Session began with a video message from Secretary-General of the United Nations Mr. Antonio Guterres. Expressing his full support for the full prohibition of nuclear weapons and the TPNW’s ultimate aim to achieve this, Guterres cited the importance of universal cooperation, stating that, “We cannot allow the nuclear weapons wielded by a handful of states to jeopardize all life on our planet. We must stop knocking on Doomsday's door.”

Guterres’ message was followed by a speech by Mr. Peter Mauer, President of the International Committee of the Red Cross, who emphasized the commitment of the ICRC “to work tirelessly to strengthen the membership of the TPNW and its implementation, and to promote nuclear disarmament, until the goal of a world free from nuclear weapons becomes reality.” Like many States Parties representatives and other delegations at the 1MSP and the 4th HINW Conference, Mauer cited the backdrop of the conflict in Ukraine and the devastating short and long-term humanitarian consequences if a nuclear weapon were to detonate in or near a populated area. The Minister of European and International Affairs of Austria, Mr. Alexander Schallenberg, likewise condemned the idea of nuclear deterrence and described the nuclear threats accompanying Russia’s invasion as “latent nuclear blackmail” and “a clear violation of the UN Charter and completely irresponsible and utterly unacceptable.” In a video message, Pope Francis II expressed similar sentiments condemning nuclear deterrence, citing the false sense of security nuclear weapons provide and solidifying his “appeal to silence all weapons and eliminate the causes of conflict through tireless recourse and negotiations.”

To address these present day nuclear threats, Executive Director of the International Campaign to Abolish Nuclear Weapons (ICAN), Ms. Beatrice Fihn, pushed all those that cooperated to make the TPNW to continue working together in its implementation, in addition to emphasizing ICAN’s intention to work alongside States, civil society, victims, and all other parties involved in nuclear weapon activities for the TPNW’s successful implementation. Representing survivors of the use and testing of nuclear weapons, Mr. Karipbek Kuyukov followed Ms. Fihn with a Statement discussing his own experience being born with no arms in a site in Kazakhstan where the Soviet Union tested 456 nuclear devices between 1949 and 1991, and the physical, emotional, and generational effects this nuclear testing has had

on his family and his community. Deputy Prime Minister and Minister of Foreign Affairs of Kazakhstan reiterated that as a result of suffering like Kuyukov's caused by nuclear weapons, "achieving a nuclear weapon free world has become an essential part of the nationwide identity of Khaza people."

Continuing on the issue of nuclear testing, Prime Minister of the Republic of Fiji Mr. Frank Bainimarama's speech discussed the birth defects, cancers, and other generational consequences that the people of French Polynesia and the Marshall Islands still suffer from as a result of more than 300 nuclear tests on the Pacific alone. The Prime Minister then cited that the nine nuclear nations are projected to spend more than \$100 billion every year to maintain their nuclear arsenals, and reminded the audience that this "is the sum of finance developed nations pledged and then failed to deliver to climate vulnerable nations by 2020," dollars which he said could have been used on developing sea walls, resilient crops and renewables instead of missiles. The Minister of Foreign Affairs of Cuba, Mr. Bruno Eduardo Rodriguez Parilla, shared the Prime Minister's sentiments, citing that global military spending has been growing at a dizzying pace over the past 7 years, reaching a historic high at a figure over \$2 trillion, "while at the same time, we are not complying with commitments to health, development, the disproportionately increasing polarization of wealth, and the millions of people which continue to be victims of hunger and poverty."

### *General Exchange of Views*

39 delegations delivered statements lasting around 5 minutes each on the first day of the 1MSP, though the Meeting ran out of time and the General Exchange continued into the second day. In addition to contributions by States Parties, which primarily involved applauding the goals of the TPNW, condemning the prevalence of nuclear threats at this moment in history (including nuclear threats made by Russian President Vladimir Putin, Supreme Leader of North Korea Kim Jong-un, and the United States), and citing the catastrophic humanitarian and environmental consequences of nuclear weapons, notable contributions were also made by Mr. Ugo Biggeri of Etica Funds and Ms. Merle Spellerberg on behalf of Parliamentarians for the TPNW.

Highlighting the importance of the financial sector's commitment to a world without nuclear weapons, Biggeri's statement urged that financial investment in nuclear weapons be considered assistance to the process of nuclear weapons so that financial assistance to nuclear weapon production and storage would also be prohibited by the TPNW. Spellerberg's Joint Statement presented on behalf of Parliamentarians for the TPNW, a network of legislators in support of the TPNW, stressed the importance of universality of the TPNW and the duty of representatives to convince their countries to join the TPNW in order "to ensure that our nation's citizens and every nation's citizens never experience the catastrophic humanitarian consequences of the use of nuclear weapons."

### **Day 2 Summary**

The second day of the 1MSP consisted of: a continuation of a general exchange of views; a discussion on Universality (Article 12); a discussion on Deadlines (Article 4); a discussion on Competent International Authority (Article 4); a discussion on Victim Assistance, Environmental Remediation, International Cooperation and Assistance (Articles 6 & 7); and a discussion on National Implementation (Article 5). Highlights from Day 2 include:

### *General Exchange of Views (continued)*

20 delegations continued to deliver statements lasting around 5 minutes each on the second day of the 1MSP. Despite the overwhelming support for the TPNW expressed particularly by States Parties,

attention was focused on the nuclear-armed state allies in attendance that have not signed or ratified the TPNW. Demonstrating signs of support for the TPNW from non-signatories, Switzerland cited that it is considering a reassessment of its position on the TPNW later this year and highlighted that the victim assistance and environmental remediation provisions of the TPNW can still be realized by non-signatories. North Atlantic Treaty Organization (NATO) member Germany also acknowledged that TPNW supporters and skeptics can “work shoulder to shoulder” in addressing nuclear threats and reducing nuclear weapon possession and proliferation. Unfortunately, NATO members Norway, Sweden, and the Netherlands reiterated the common claim that as long as nuclear weapons exist, NATO will remain a nuclear alliance and urged for the strengthening of the nuclear Non-Proliferation Treaty (NPT) instead. Norway further interjected that joining the TPNW would be incompatible with its NATO obligations, and Sweden critiqued the TPNW because it “does not include any of the countries that possess nuclear weapons, which we do not see as a realistic or effective way forward.”

#### *Discussion on Universality (Article 12)*

Article 12 of the TPNW requires State Parties part of the TPNW to encourage State Parties not part of the TPNW to sign, ratify, accept, approve, or accede to the TPNW with the ultimate goal of universal adherence to the TPNW. A [working paper](#) on how to implement universalization was co-developed by Austria, Costa Rica, and Indonesia ahead of IMSP. Costa Rica explained that the working paper has three sections that address: 1) Engagements with states not yet party to the TPNW; 2) Establishment of a working group/contact group focused on promoting universalization, including the International Committee of the Red Cross (ICRC) and the International Campaign to Abolish Nuclear Weapons (ICAN); and 3) Recommendations for the IMSP and afterwards.

#### *Discussion on Deadlines (Article 4)*

Article 4 of the TPNW requires States Parties to determine a deadline by the IMSP, which establishes when State Parties that own, possess, or control nuclear weapons must remove the weapons from operational status and destroy them. A [working paper](#) on deadlines was developed by South Africa ahead of the MSP which, using research from Princeton University’s Program on Science and Global Security, recommended a “maximum upper limit of 10 years as the deadline required for nuclear weapons destruction” with the possibility of extension requests up to 5 years. In addition, it was recommended that hosting states must remove nuclear weapons in their territory “up to a maximum period of 90 days.” The aforementioned recommendations of the working paper were provisionally adopted.

#### *Discussion on Victim Assistance, Environmental Remediation, International Cooperation and Assistance (Articles 6 & 7)*

Article 6 & 7 of the TPNW requires States Parties to address the humanitarian and environmental effects of nuclear weapons by cooperating as an international community to provide technical, material, and financial assistance to those impacted by nuclear weapons use or testing. A [working paper](#) on implementing Articles 6 & 7 was co-developed by Kazakhstan and Kiribati ahead of IMSP. Kazakhstan explained that the working paper has six sections that address: 1) Commitment to implementation; 2) Establishment of an implementation framework; 3) Reporting on implementation measures; 4) Intersessional work on the positive obligations; 5) Establishment of an international trust fund for affected states; and 6) Commitment to inclusivity.

### Day 3 Summary

The third day of the 1MSP consisted of: a discussion on Institutionalizing Scientific and Technical Advice for the Effective Implementation of the TPNW; a discussion on Intersessional Work; preparations for the Second Meeting of States Parties (2MSP); a Report of the Credentials Committee; and Adoption of a Final Report, a Declaration, and an Action Plan. Highlights from Day 3 include:

#### *Institutionalizing Scientific and Technical Advice*

A [working paper](#) on institutionalizing scientific and technical advice for the effective implementation of the TPNW was submitted by President-Delegate Kmentt of 1MSP. The paper primarily seeks to establish a Scientific Advisory Group (SAG) that would provide States Parties with scientific and technical advice and facilitate decision-making processes.

#### *Intersessional Work*

A [working paper](#) on intersessional structure for the effective implementation of the TPNW was submitted by President-Delegate Kmentt of 1MSP. The paper sets out three draft decisions that were later updated and provisionally adopted at the 1MSP: 1) Establishment of a Coordination Committee for the period between 1MSP and 2MSP; 2) Creation of three working groups on Universalization, Victim Assistance/Environmental Remediation/International Cooperation/Assistance, and Implementation of Deadlines; and 3) Appointment of an informal facilitator to further explore areas of cooperation between the TPNW and the TNP.

#### *Preparations for the 2MSP*

Mexico's nomination for Ambassador Juan Ramon de la Fuente Ramirez to serve as the President of the 2MSP was confirmed. The 2MSP will be held from 27 November to 1 December 2023 at the UN Headquarters in New York. In response to debate over where the meeting should be held, Mexico explained that the meeting will be held in New York in response to preferences indicated by States during informal consultations and to demonstrate the linkage between the United Nations organization and the TPNW.

#### *Adoption of a Declaration*

In the final hour of the 1MSP, a [Declaration](#) was adopted by the States Parties. The Declaration is extremely clear in the State Parties' position against nuclear weapons, explicitly stating that the purpose of the 1MSP was "to reaffirm our determination to realize the complete elimination of nuclear weapons." Rather than just speak for states that have signed or ratified the TPNW, however, the Declaration emphasizes that "all states share the responsibility to achieve a nuclear disarmament, to prevent the proliferation of nuclear weapons in all its aspects, to prevent any use or threat of nuclear weapons and, to assist victims, redress the harms and remediate the environmental damage caused by previous use and testing." This idea of universality in the Declaration reflects United Nations Secretary-General Guterres' comment during the Opening Session that "disarmament is everybody's business because life itself is everybody's business."

In addition to condemning any use or threat to use nuclear weapons, the Declaration also expresses that the States Parties "remain gravely concerned that nine states still possess between them approximately 13,000 nuclear weapons" and "regret and are deeply concerned that... none of the nuclear-armed states and their allies under the nuclear umbrella are taking any serious steps to reduce

their reliance on nuclear weapons.” The Declaration therefore goes beyond asserting the motivation for the adoption and implementation of the TPNW by States Parties and their position on nuclear weapons, but it condemns states that refuse to adopt and implement the TPNW. Nonetheless, the Declaration commits States Parties to “work with states outside the Treaty in all regions,” particularly NPT States Parties, to achieve the shared objective of less nuclear weapons.

#### *Adoption of an Action Plan*

The final hour of the IMSP also resulted in the adoption of an [Action Plan](#) by the States Parties. The Action Plan provides a set of 50 specific actions for realizing the commitments made in the Declaration and its purpose is “to facilitate effective and timely implementation of the TPNW and its objectives and goals.” The Action Plan is organized by the Articles included in the TPNW and the action items largely draw from the recommendations presented in the various working papers throughout the IMSP. The Action Plan includes actions on universalization; the elimination of nuclear weapons; victim assistance, environmental remediation, and international cooperation and assistance; institutionalizing scientific and technical advice in support of implementation; the relationship between the disarmament and non-proliferation; and implementation of gender provisions.”

- *Universalization* - The Action Plan requires States Parties to “encourage States not party to the Treaty to sign, ratify, accept, approve or accede to the Treaty, with the goal of universal adherence of all States to the Treaty.” This includes both calling on states to sign and ratify the TPNW if they have not done so yet, in addition to cooperating with affected states not party to the TPNW to advance the objectives and adherence to the TPNW.
- *The elimination of nuclear weapons* - The Action Plan declares that the TPNW envisages the designation of a competent international authority to oversee the destruction and removal of nuclear weapons, which will be further developed during the intersessional period. The Action Plan also establishes that nuclear-armed states joining the TPNW have a deadline of no more than 10 years to destroy their nuclear weapons, with the possibility of an extension of up to five years, and that States Parties hosting nuclear weapons belonging to other states have 90 days to remove them.
- *Victim assistance, environmental remediation, and international cooperation and assistance* - The Action Plan cites positive obligations of the TPNW and requires States Parties in a position to do so to facilitate “international cooperation and technical, material, and financial assistance” for victims and environmental remediation. The Action Plan includes one concrete method to provide assistance to states affected by the use or testing of nuclear weapons in its proposal to establish an international trust fund, which can be contributed to by any entity, including states not party to the TPNW. The Action Plan also considers the development of a voluntary and non-burdensome format for reporting during the intersessional period for States Parties to report “the effects of nuclear weapons in their territory, their progress in implementing the TPNW’s victim assistance and environmental remediation obligations, and where they may need external support.”
- *Institutionalizing scientific and technical advice in support of implementation* - The Action Plan establishes a Scientific Advisory Group (SAG) to “assist States Parties in implementing the Treaty and in strengthening the credibility of the implementation process.” States Parties will be required to support the work of the SAG by appointing recognized experts in the field of nuclear disarmament and non-proliferation and/or the humanitarian consequences and risks associated with nuclear weapons. Two nominations have already been received.

- *The relationship between the disarmament and non-proliferation* - The Action Plan cites that the TPNW builds upon and complements the non-proliferation regime's architecture and encourages States Parties to "emphasize the complementarity of the TPNW with the existing disarmament and non-proliferation regimes."
- *Implementation of gender provisions* - The Action Plan emphasizes the gender-responsive nature of the TPNW and asserts that the intersessional period will be used to establish a Gender Focal Point to support the implementation of the gender provisions and develop guidelines for ensuring age- and gender-sensitive victim assistance and international cooperation and assistance.

#### References:

- <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/209/73/PDF/N1720973.pdf?OpenElement>
- <https://www.un.org/disarmament/wmd/nuclear/tpnw/>
- <https://vienna.icanw.org/msptv-by-ican>
- <https://media.un.org/en/asset/k1s/k1sbs1stum>
- [https://www.icanw.org/1msp\\_declaration\\_and\\_action\\_plan\\_adopted](https://www.icanw.org/1msp_declaration_and_action_plan_adopted)
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/draft-report.pdf>
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/draft-declaration.pdf>
- [https://documents.unoda.org/wp-content/uploads/2022/06/TPNW.MSP\\_2022.CRP\\_7-Draft-Action-Plan-new.pdf](https://documents.unoda.org/wp-content/uploads/2022/06/TPNW.MSP_2022.CRP_7-Draft-Action-Plan-new.pdf)
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/WP7.pdf>
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/WP9.pdf>
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/WP5.pdf>
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/WP6.pdf>
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/documents/WP8.pdf>
- <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/reports/NBD3.2.pdf>
- <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/reports/NBD3.3.pdf>
- <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/1msp/reports/NBD3.4.pdf>