Long-Sought Anti-War Landmark: Treaty Prohibiting Nuclear Weapons Becomes Law

Congratulations are in order!

On Oct. 24, Honduras became the 50th country to ratify the new Treaty on the Prohibition of Nuclear Weapons. Consequently, the treaty will “enter into force” on January 22, 2021, becoming legally binding for those states that have agreed to it. From then on, signatory countries will completely eliminate and forgo any and all involvement with nuclear weapons.

In view of this monumental watershed in peace activism and the law of nations, we’ve devoted almost half the newsletter to news and analysis of the new treaty. While long, hard work remains to push the nuclear-armed states to follow the world’s lead and accept the new norm—see actions ideas on page 4—advocates, activists, resisters, and campaigners all deserve to take time to celebrate and see what in thousands have called the accomplishment of a lifetime. Hats off!

The treaty specifically prohibits the use, development, testing, production, manufacturing, acquiring, possession, stockpiling, transferring, receiving, threatening to use, stationing, installation, or deployment of nuclear weapons. The treaty makes it illegal for the countries that ratified it to allow any violations within their jurisdiction.

The International Campaign to Abolish Nuclear Weapons (ICAN.org)—which won the 2017 Nobel Peace Prize for its efforts to shepherd what’s known as the treaty ban through the United Nations—said in a highly-anticipated announcement, “This is a historic milestone for this landmark treaty. Prior to its adoption on July 7, 2017, nuclear weapons were the only weapons of mass destruction not banned under international law, despite their catastrophic consequences.

“Now, with the treaty’s entry into force, we can call nuclear weapons what they are: prohibited weapons of mass destruction.” Eighty-four countries have signed the treaty, formally indicating their intent to ratify, so the number of treaty ratifications will continue to grow.

ICAN’s executive director, Beatrice Fihn, welcomed the breakthrough moment calling it “a new chapter for nuclear disarmament.” Acknowledging as she regularly does the dogged work of ICAN’s 547 member organizations, Nukewatch included, Fihn said, “Decades of activism have achieved what many said was impossible: nuclear weapons are banned. The 50 countries that ratify this treaty are showing that nuclear weapons are not just immoral but illegal.”

Iniminent Entry Into Force

News of the treaty ban’s imminent entry into force spread like wildfire through the peace, anti-nuclear and disarmament communities, and celebratory declarations were published widely.

Arjun Makhijani, president of the Institute for Energy and Environmental Research in Takoma Park, Maryland, has written and published for decades on the health and environmental dangers of nuclear weapons and reactors, as well as the threat they pose to international law. In a blog post celebrating the new treaty, Makhijani writes:

“One of the most salient aspects of the nuclear weapons ban treaty is that its motivating factors included not only ‘the catastrophic consequences that would result from any use of nuclear weapons,’ but also the vast and lasting damage to human health and the environment caused by nuclear weapons production and testing, with disproportionate impacts on women and children. Nuclear weapons, the treaty says, ... pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security and the health of current and future generations, and have a disproportionate impact on women and girls, including as a result of ionizing radiation.” It also notes the devastating impact that nuclear weapons testing has had on indigenous peoples ... It is noteworthy then, that many of the countries that have ratified the treaty and have led the way to making nuclear weapons illegal are also among the ones most threatened by the devastation of climate disruption due to human activities.”

Greg Mello with the Los Alamos Study Group in New Mexico wrote, “It is difficult to overstate the accomplishment represented by this treaty. It makes a sea-change ... The primary purpose of this treaty is indeed to stigmatize and dismantle structures of nuclear deterrence, as Article VI of the Nuclear Nonproliferation Treaty has long required.”

The Netherlands-based divestment group Don’t Bank on the Bomb, announced that, “Nothing makes a weapon more controversial than a treaty making that weapon illegal... In about 90 days nuclear weapons will be illegal forever.”

The Lawyers Committee on Nuclear Policy with the Western States Legal Foundation said the treaty, “marks a necessary step towards the need for all states at all times to comply with international humanitarian law forbidding the infliction of indiscriminate harm and unnecessary suffering,” and it emphasizes “that any use of nuclear weapons would be contrary to international humanitarian law.” The lawyers also nodded to long-standing laws of war that the nuclear-armed states have ratified, writing, “The threat or use of ... nuclear weapons, which are indiscriminate in effect and are of a nature to cause destruction of human life on a catastrophic scale, is incompatible with respect for the right to life and may amount to a crime under international law.”

The Physicians for Social Responsibility, a Washington-based member of the International Physicians for the Prevention of Nuclear War,