

Driving legislative change: The Treaty on the Prohibition of Nuclear Weapons

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Session objectives:

Deepen your understanding of:

- working in an international diplomatic environment
- the process of treaty negotiations
- advocacy work in international coalitions
- campaign strategies to change political narratives

Key themes discussed:

1. Reframing the nuclear weapons debate to create change:

- The strategy was to shift the international discourse on nuclear weapons on to consideration of their humanitarian impacts. This makes the key debating ground whether these weapons are legitimate, based on evidence – rather than whether they are useful (e.g. for deterrence/state security), based on theories/assumptions
- ICAN campaigned for a treaty to be negotiated with or without the initial participation of the nuclear-armed states: even without these states on board, a prohibition treaty can build the stigma and taboo around nuclear weapons, and chip away at acceptance of Weapons of Mass Destruction having a role in international relations
- Building stigma, including through the negotiation of international treaties, is how we have marginalised the role of other unacceptable weapons (e.g. biological, chemical, landmines, cluster munitions) – and states know that this can work:

“At the heart of the ‘humanitarian disarmament movement’ is the thread that any weapons which are indiscriminate in their effect should be outlawed. This is how the Cluster Munitions Convention campaign began. The Oslo meeting will seek to establish as gospel that nuclear weapons have such an indiscriminate effect, and must therefore be banned. So we need to establish a strong counter-narrative which reflects our broader disarmament and deterrence strategy.”

- FCO internal correspondence on the Oslo meeting on the humanitarian impact of nuclear weapons (FOI request)

2. Engaging with state representatives to build commitment and will

- To secure the negotiation of the treaty, ICAN focused on advocacy with state representatives in the international diplomatic space, and with governments nationally (public campaigns were also important in several countries)
- It was important to build relationships with state representatives working in missions to the UN in New York and Geneva (as well as civil servants in national capitals) who held the files for their countries on disarmament – these were the individuals implementing government policy and who would be doing the treaty negotiations

- Article 36 convened informal discussions with small groups of states, international organisations and civil society in the years before the treaty negotiations to develop strategy for the treaty and partnerships. Political change needs a plan and the right people to implement it, as well as good ideas

3. Working at the negotiations to get obligations in to the treaty text

- The treaty was negotiated in two sessions during March and June/July 2017. At this point, the focus for ICAN was on the treaty text
- Article 36 worked with a team on ensuring that obligations to address ongoing harm from past nuclear weapons use and testing were included. (See Articles 6 and 7)
- Tools to do so in the room included: submitting papers to the conference; holding open lunch time 'side events'; statements to the conference; talking to diplomats in the room; working through ICAN's regional advocacy coordination structure; working to build a group of particularly committed states; leveraging the position of other important organisations e.g. the International Committee of the Red Cross – all to encourage states to make statements and adopt negotiating positions in support of including these obligations and making the text strong