

# The TPNW One Year After Entry Into Force

January 2022

Naysayers have challenged the possibility, viability and enforceability of the Treaty on the Prohibition of Nuclear Weapons at every stage -- and they have been wrong each time. The treaty is one of the most significant disarmament treaties to be negotiated and adopted at the UN, and its impact is progressing at a quick pace, including in countries that did not join. One year on from entry-into-force, the treaty that bans nuclear weapons is driving impressive change and disarmament progress.

Since the TPNW entered into force, nuclear weapons are now:

**Illegal** - For the first time, nuclear weapons are banned under International law. 59 nations now have laws banning any and all involvement in developing, possessing or providing aid in the development of nuclear weapons.

**Unpopular** - From citizens to elected officials, the majority of populations want nuclear weapons banned, eliminated and they want their countries to join the TPNW.

**Untenable** - Serco (UK) became one of the first companies to declare they would no longer bid on nuclear weapons' contracts because sufficient financing is no longer available. The success of the treaty has made investment in nuclear weapons too risky.

They Said...

*A treaty banning nuclear weapons will never be agreed at the UN.*

The reality: More than a 135 nations joined in negotiating the treaty in 2017 thanks to a decade-long campaign by ICAN, who won the Nobel Peace Prize for these efforts.

*Sure, but the treaty won't really become international law.*

The reality: The TPNW opened for signatures on 20 September 2017 and entered into legal force on 22 January 2021.

*But the states that actually have nuclear weapons won't participate.*

The reality: Popular pressure is increasing in the nuclear weapons states and across the NATO nuclear alliance. Germany, which hosts U.S. nuclear weapons will participate in the first Meeting of States Parties this year, along with a NATO founding member, Norway.

*But things aren't really changing.*

The reality: Financial institutions are feeling the squeeze because of the TPNW and refusing to invest in companies involved in nuclear production.

## By the Numbers

- ❖ **8** – new countries have ratified or acceded the TPNW since it entered-into-force.
- ❖ **59** – Current [states parties](#) to the treaty.
- ❖ **86** – Signatories to the TPNW.
- ❖ **101** – Financial institutions now have policies excluding investment in companies involved in nuclear weapons.
- ❖ **2** – Number of NATO member states participating as observers in the first Meeting of States Parties to the TPNW.
- ❖ **524** – Cities are showing their support for the TPNW, including **19** with populations over 1 million and **9** capital cities
- ❖ **2015** – Parliamentarians and political leaders have signed a pledge to support the TPNW in their official capacity.

## Background

The Treaty on the Prohibition of Nuclear Weapons entered into force on 22 January 2021. In the past year, the treaty has had a significant impact on nuclear weapons policy, even though challenges remain to achieve nuclear disarmament. The majority of countries around the world are standing up to the nuclear minority to reject these weapons of mass destruction and support the TPNW.

This is how the treaty is having an impact:

- **The support for the treaty is growing.**

In 2021, eight more countries – Cambodia, the Philippines, Comoros, Seychelles, Chile, Mongolia, Guinea-Bissau, and Peru – have [ratified or acceded](#) to the TPNW. Many more are on their way.

With the growing tensions between nuclear armed states such as the US and Russia, the US and China, states in the surrounding areas create more stability and predictability by joining the treaty – ensuring that nuclear warheads cannot be stationed on their territory or become involved in nuclear standoff. Every state that joins this treaty makes a difference to establish the illegality and unacceptability of these weapons. Every state that joins the TPNW adds to global pressure on nuclear armed states to avoid another nuclear crisis.

In addition to more governments, more cities and parliamentarians are starting to support the treaty.

- **Financial institutions are accelerating divestment from nuclear weapons producers**

Since the treaty went into effect, significant changes are happening on the funding of nuclear weapons. Many financial institutions started revising their policies based on the treaty and divesting from companies producing nuclear weapons. In 2021 alone, 23 financial institutions said no to investing in these now illegal nuclear weapons – many of them citing the TPNW and its entry into force as the reason.

The impact has been evident in a state party to the Treaty like Ireland, where both the Irish sovereign wealth fund and one of its largest private banks, The Bank of Ireland, sold their holdings in nuclear weapons producing companies as a result of the treaty entering into force.

But even financial institutions in countries that are not states parties yet are doing the same, such as **Publica**, Switzerland's largest pension fund, which sold all shares and corporate bonds of companies that manufacture nuclear weapons, to be in line with the TPNW. This means no nuclear weapons associated companies will have access to its \$46.11 billion assets. **KLP**, Norway's largest private pension fund took similar action, divesting \$117 million from 14 companies involved in the nuclear weapons industry and citing the TPNW as the reason.

This is having a direct impact on the companies making nuclear weapons, making their work harder. **Serco**, which was formerly connected to the UK Atomic Weapons Establishment, said their inability to raise capital from ESG investors was why they would no longer be bidding on any future contracts related to the nuclear weapons industry. The Financial Times reported that these divestment campaigns are creating problems for defence companies trying to raise money from investors, thereby making it harder to continue building weapons.

### ■ **Cracking the resistance of the nuclear weapons-implicating states:**

The nuclear armed states have been fiercely opposed to the treaty – their angry reactions are one way we know we’re making progress! – and in addition to trying to pressure countries against signing and ratifying, they’ve also been trying to enforce a strict boycott of the treaty among their non-nuclear weapon state allies.

By using the Treaty’s entry into force, ICAN campaigners built strong campaigns and achieved important shifts in Norway and Germany, both members of the NATO military alliance and supportive of nuclear weapons. Following the elections in both countries, those promises became reality as the new governments of Norway and Germany have respectively become the first NATO state and the first nuclear weapons-hosting state to commit to observing the TPNW’s first meeting of state parties. Norway’s governing party also said in its 2021 party platform that “[i]t should be a goal for Norway and other NATO countries to sign the TPNW” while Germany’s new Foreign Minister Annalena Baerbock has pledged to work for her country’s adherence to the treaty.

### ■ **Development of practical steps to address survivors rights**

Since the TPNW entered into force last year, states and civil society have started to work on implementing Articles 6 and 7, the treaty’s articles on ensuring assistance for survivors of nuclear weapons use and testing and remediation of nuclear contaminated environments.

The entry into force of the TPNW triggered a series of governmental and civil society discussions on how to implement these articles to best address survivors’ needs. States affected by nuclear weapons use and testing, including Kiribati and Kazakhstan, have already started to take the lead in developing a plan for implementation to be discussed at the first meeting of states parties.

In addition, this work has also strengthened the voices and experiences of impacted communities in the nuclear policy field. Peace Boat and ICAN hosted the first World Nuclear Survivors Forum, where survivors from all around the world came together to discuss the impact of nuclear weapons and their input into the Treaty’s implementation process. Discussions on colonialism and racism around nuclear weapons policy have grown stronger throughout the year, highlighting that those who have survived nuclear weapons use and testing are the true experts on these catastrophic weapons.

The entry into force of the TPNW and implementation of its obligations have helped amplify survivors of nuclear weapons in nuclear policy discussions, within the TPNW and beyond.

### ■ **Making the Cities Appeal operational**

As a result of the Treaty’s entry into force, cities are beginning to take their commitment to nuclear disarmament to the next level by demanding political change of national governments and ensuring that they are not complicit in the financing of nuclear weapons. New York City, upon joining the ICAN Cities Appeal in December 2021, passed a resolution calling on the city’s comptroller to divest public pension funds from companies involved in the production and maintenance of nuclear weapons. This stands to impact approximately \$475 million of the \$266.7 billion funds. A companion law also established a new body which will educate the public and recommend policy on issues relating to nuclear disarmament. This move, by a city of the size and stature of New York City, will resonate with other cities and other public pension funds

across the country and shows how getting cities to support the Treaty can be turned into practical action that impacts nuclear armed states and the companies building these weapons.

### **Challenges ahead**

While the TPNW has created the legal basis for eliminating nuclear weapons and supporting survivors, the global community are still facing growing challenges. In an increasingly tense and hostile global environment, all nuclear-armed states are upgrading their nuclear arsenals, either by increases in the numbers of warheads, or by building expensive and more dangerous weapons systems. The companies that governments pay to build parts of nuclear weapons invest millions in think tank research and lobbying to ensure that they continue to profit from new nuclear weapons contracts in the future. The risk of nuclear weapons use continues to rise, fuelled by these developments as well as uncertainties caused by the increasing use of artificial intelligence and cyber systems in warfare.

It is in this risky and uncertain security environment that the Treaty on the Prohibition of Nuclear Weapons is all the more important to provide peace and security.

### **Next Steps**

The next milestone for the Treaty will be the First Meeting of States Parties in Vienna in 2022, where states will meet to discuss and agree on actions to take forward the prohibitions and obligations in the treaty. More countries will continue to join the TPNW in the weeks, months and years to come and support for the treaty and the norm against nuclear weapons will grow in the international community, building political pressure on the nuclear minority to eliminate their arsenals and join the TPNW.