

# The Draft Convention on the Prohibition of Nuclear Weapons and Sustainable Development

Erin Hunt, June 2017

The Draft Convention on the Prohibition of Nuclear Weapons (CPNW) is a groundbreaking opportunity for nuclear disarmament; however, the implementation of the CPNW will also contribute significantly to the Sustainable Development Goals (SDGs). The humanitarian framing of the draft CPNW provides the basis for the links between the Convention and the SDGs. The Preamble recognizes that the consequences of nuclear weapons “pose grave implications for [...] socioeconomic development” and outlines the states parties’ commitment to contributing to “principles and the purpose of the Charter of the United Nations”.<sup>1</sup>

The three Humanitarian Initiative meetings showed that the unacceptable humanitarian consequences of nuclear weapons use and testing are not limited by national borders. The evidence clearly shows that any nuclear weapon explosion will have a global impact on our collective ability to pursue sustainable development.

In general, the CPNW as a whole will be contributing to **SDG 16** “*Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.*” The implementation of specific provisions in the treaty will contribute to a number of SDGs and some recommended amendments to the draft CPNW could increase the links to the SDGs.

## Core Prohibitions

The General Obligations in Article 1 outline the core prohibitions of the draft including prohibitions on production, transfer, stockpiling, testing and use. As these prohibitions are aimed at preventing future nuclear weapons explosions and related casualties, humanitarian harm and environmental harm, a number of SDGs have direct connections. In particular, **SDG 3** “*Ensure healthy lives and promote well-being for all at all ages.*” **SDG 6** “*Ensure availability and sustainable management of water and sanitation for all.*” **SDG 14** “*Conserve and sustainably use the oceans, seas and marine resources for sustainable development*” and **SDG 15** “*Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss*” are especially relevant to the prohibition of the use or testing of nuclear weapons or any other nuclear explosion.

The prohibition on developing, producing, and manufacturing nuclear weapons in Article 1(1) will begin to limit the resources (financial and scientific) devoted to nuclear arsenals. A reduction in spending on nuclear weapons could allow more funding and research to be devoted to the SDGs. It is possible that prohibiting the development, production and manufacturing of nuclear weapons will contribute to progress on **SDG 1** “*End poverty in all its forms everywhere*”, **SDG 2** “*End hunger, achieve food*

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<sup>1</sup> Draft Convention on the Prohibition of Nuclear Weapons, 22 May 2017, A/CONF.229/2017/CRP.1

*security and improved nutrition and promote sustainable agriculture”* and **SDG 10** “*Reduce inequality within and among countries*” in particular.

## Positive Obligations

The positive obligations outlined in Articles 6 and 8 of the Draft CPNW when implemented will have the most direct impact on the realization of the SDGs. To start with Article 6(1) on assistance to individuals affected by nuclear weapons use or testing has a direct impact on SDG 16 regarding Peace, Justice and Strong Institutions by filling the legal gap in regards to nuclear weapons and by promoting the rights of those affected. Obligations regarding assistance to individuals affected by nuclear weapons use and testing will further contribute to the achievement of SDG 3 on Good Health and Well-Being, especially if the principle of non-discrimination added to the treaty text. Assistance that is implemented in an age- and gender-sensitive manner can contribute to **SDG 5** “*Achieve gender equality and empower all women and girls*” by addressing the current health impacts of nuclear weapons detonations which disproportionately affect women and girls.<sup>2</sup> Victim assistance under the CPNW will directly contribute to the SDGs especially if the provisions are strengthened and clear guidelines for implementation are added to the Convention text.<sup>3</sup>

Draft CPNW Article 6(2) regarding environmental remediation will contribute to the realization of a number of SDGs. The implementation of environmental remediation provisions in the prohibition treaty will have the greatest impact on SDGs 14 on Life below Water and 15 on Life on Land as attempts to clean up contamination on land and in the oceans may restore damaged ecosystems or at minimum mitigate the ongoing damage to these ecosystems. There is significant evidence that contamination from the use and testing of nuclear weapons has had an impact on land and marine flora and fauna in addition to rendering wide stretches of land inaccessible. If land can be made safe for sustainable use, environmental remediation may contribute to realizing the targets of SDG 2 on hunger, food security and sustainable agriculture. Environmental remediation will also have an impact on SDG 3 on Good Health and Well-Being as well as SDG 6 regarding Clean Water and Sanitation. These connections between Article 6(2) will be much more robust if Article 6(2) is strengthened.<sup>4</sup>

Article 8’s provisions on international cooperation echo **SDG 17** (*Strengthen the means of implementation and revitalize the global partnership for sustainable development*) however they need to be strengthened to ensure that states in a position to do so have the responsibility of assisting affected states in their implementation of the CPNW.

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<sup>2</sup> Dimmen, Anne Guro, “Gendered Impacts: The humanitarian impacts of nuclear weapons”, ILPI and UNIDIR, December 2014, <http://nwp.ilpi.org/wp-content/uploads/2014/12/No-5-Gendered-impacts.pdf>.

<sup>3</sup> For suggestions on strengthening Article 6(1) please see: Article 36 & International Human Rights Clinic, Harvard Law School. (June 2017) ‘Victim assistance in the nuclear weapon ban treaty: a comprehensive and detailed approach,’ <http://www.article36.org/nuclear-weapons/va-cr-harvard-papers/>

<sup>4</sup> For suggestions on strengthening Article 6(2) please see: Article 36 & International Human Rights Clinic, Harvard Law School. (June 2017) ‘Environmental remediation in the nuclear weapon ban treaty: A comprehensive and detailed approach,’ <http://www.article36.org/nuclear-weapons/va-cr-harvard-papers/>.

## Suggested Amendments

Many of civil society's suggested amendments would strengthen the links between the CPNW and the SDGs. For example, adding strong disarmament education provisions will serve to promote lifelong learning and most crucially contribute to the quality of education provided. This additions would contribute to the realization of **SDG 4** (*Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all*). Quality education means more than just memorizing multiplication tables, it is the ability to think critically and participate in society peacefully. Disarmament education will contribute on both accounts.

Adding requirements for annual reporting will further contribute to SDG 17 on Partnership for the Goals as states will have an obligation to provide reports on the Convention's implementation especially the implementation of the positive obligations. A recognition of the disproportionate impact nuclear weapons have had on indigenous peoples in the Preamble could contribute to Reducing Inequalities between indigenous peoples and other communities in line with SDG 10 while adding a new dimension to the CPNW's links to SDG 16 on Peace, Justice and Strong Institutions. Finally, strengthening the gender references in the Preamble could result in further contributions to SDG 5 on Gender Equality.

## Conclusion

The Draft Convention on the Prohibition of Nuclear Weapons does what its title suggests – it prohibits nuclear weapons – but it does much more than that. The current text has the potential to contribute to a dozen<sup>5</sup> of the Sustainable Development Goals which UN member states adopted in 2015. With a few amendments strengthening existing articles and adding new ones, the CPNW has the potential to be a useful tool in the global effort to meet the Sustainable Development Goals by 2030.

For that reason, United Nations agencies, international organizations, civil society organizations and states working towards the Sustainable Development Goals should not only support the draft Convention on the Prohibition of Nuclear Weapons but should actively work to see it adopted, signed, entered into force and implemented.

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<sup>5</sup> SDG 1 – No Poverty; SDG 2 – Zero Hunger; SDG 3 – Good Health and Well-Being; SDG 4 – Quality Education; SDG 5 – Gender Equality; SDG 6 – Clean Water and Sanitation; SDG 10 – Reduced Inequalities; SDG 14 – Life Below Water; SDG 15 – Life on Land; SDG 16 – Peace, Justice and Strong Institutions; and SDG 17 – Partnerships for the Goals.