

ICAN submission to Icelandic parliament

Concerning

Proposal for a parliamentary resolution on the signing and ratification of the United Nations Treaty on the Prohibition of Nuclear Weapons.

154th Legislative Session, Parliamentary Document 105 — Case 105.

21 March 2024

1. The International Campaign to Abolish Nuclear Weapons (ICAN) is pleased to make the following submission to the foreign affairs committee of the parliament of Iceland (Alþingi) in support of draft resolution 105, which instructs the government of Iceland to sign and ratify the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW).
2. As of 21 March 2024, 93 states have signed the TPNW, with 70 having ratified or acceded to it, meaning that close to half of all states in the world are now either signatories or parties to the TPNW. ICAN expects to see continued steady growth in the TPNW's membership over the coming years, further entrenching the global norm against the use, threatened use, testing, development, and stockpiling of nuclear weapons.
3. Following a successful first meeting of states parties to the TPNW in Vienna in June 2022, which adopted a strong political declaration condemning any and all nuclear threats, as well as an ambitious action plan for the treaty's implementation, states parties held the second meeting of states parties in November 2023 in New York. Ninety-Four states attended the meeting either as states parties or observers, including three NATO members (Belgium, Germany and Norway). ICAN regrets that Iceland chose not to attend this important meeting.
4. ICAN urges Iceland to participate in all future meetings of states parties to the TPNW as a demonstration of its commitment to engaging constructively with the treaty, pending a decision by the government of Iceland to sign and ratify the treaty. The third meeting of states parties is scheduled to take place in New York from 03 to 07 March 2023.

5. The TPNW is an important contribution by a large number of states towards implementing article VI of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which obliges states parties to pursue negotiations for nuclear disarmament. ICAN calls on Iceland to acknowledge that TPNW and NPT, rather than being contradictory, complement and reinforce each other. The TPNW's preamble reaffirms the vital role of the NPT as "the cornerstone of the nuclear disarmament and non-proliferation regime". Both meetings of states parties to the TPNW have additionally affirmed the complementary nature of both treaties.

Why Iceland should sign and ratify the TPNW

6. The TPNW offers Iceland and other NATO members a practical means of renewing and reinvigorating their pursuit of the NATO objective of reducing and eventually eliminating the security threats posed by nuclear weapons. By joining the TPNW, Iceland can help to build and entrench a robust new global norm against nuclear weapons, strengthening barriers against proliferation, diminishing pressure for nuclear arms races, and reducing the overall reliance of NATO on nuclear weapons (in line with NPT commitments), opening up pathways for progress on disarmament.
7. By joining the TPNW, Iceland will clearly demonstrate its commitment and good faith in fully discharging its NPT disarmament obligations. This will help to lessen tensions in the NPT, and allow Iceland and other NATO members that join the treaty to act as a credible and effective bridge-builders in repairing relations between nuclear-armed and non-nuclear-armed states and find common ground for renewed cooperation and progress on implementing all aspects of the NPT.
8. NATO members joining the TPNW will have the opportunity to participate in exploring and designing structured approaches to key disarmament challenges such as verification and irreversibility. They will be able to work with other TPNW states parties to ensure that the treaty regime develops in a way that offers the best chance of securing the eventual accession of all nuclear-armed states, and meets the security needs of all NATO members for verifiable, irreversible disarmament.
9. The TPNW's Articles 6 and 7 also offer a structured means of participating in and contributing to assistance to victims of nuclear testing and efforts to remediate environmental damage caused by testing. Iceland's allies have played a leading and vital role in implementing, or supporting the implementation of, similar

provisions in the treaties prohibiting anti-personnel landmines and cluster munitions.

10. Together with Croatia, Czechia, Germany, the Netherlands, Norway, Slovenia, Sweden as well as Japan, Iceland has voted in favour of Resolution A/C.1/78/L.52 of the United Nations General Assembly in 2023. This resolution aims at providing victim assistance and environmental remediation to countries affected by the use or testing of nuclear weapons and was introduced by the TPNW Co-Chairs for Art.6 and 7 Kazakhstan and Kiribati.
11. ICAN acknowledges and appreciates Iceland's explicit support for Paragraph 16 of the United Nations General Assembly resolution A/C.1/78/L.52, which emphasises the humanitarian principles of victim assistance, environmental remediation, and international cooperation of the TPNW. Such demonstrated commitment warrants Iceland's active participation in the forthcoming third meeting of states parties.
12. Given that the objectives of the TPNW are fully in line with those espoused by NATO, and that widespread adoption and implementation of the treaty will increase NATO's security, it is not surprising that there is strong support within many NATO member states for joining the TPNW. A range of former leaders, including NATO secretaries general and defence and foreign ministers, have called on NATO states to join the TPNW. Parliaments in NATO states have passed motions in support of the treaty; cities across the alliance have called on their governments to join it. Public opinion polls in many NATO states consistently support, by a clear margin, accession to the TPNW.
11. An opinion poll conducted by YouGov in November 2020 found that 86 per cent of Icelanders believe that their country should join the TPNW, with just 3 per cent opposed. Furthermore, 75 per cent believe that Iceland should be among the first NATO states to join, even if it faced pressure from allies not to do so. In September 2020, the former Icelandic prime minister Jóhanna Sigurðardóttir and former foreign ministers Ingibjörg Sólrún Gísladóttir and Össur Skarphéðinsson signed an open letter calling on current leaders to “show courage and boldness – and join the treaty”.
12. The TPNW also enjoys support among key NATO partners. In Europe, Austria, Ireland, and Malta are states parties; in the Asia-Pacific, US allies New Zealand, the Philippines, and Thailand have joined. This list will only grow; cooperation between NATO members and TPNW states parties is already a reality and will steadily become more common.

Myths and misconceptions

13. While some criticism of the TPNW is made in good faith and based on genuine analysis, much of the opposition – including, regrettably, from a number of Nuclear weapons states and their closest allies – is based on myths, misconceptions, and sometimes deliberate falsehoods.
14. The TPNW does not contradict or undermine the NPT; not only is it fully compatible with and complementary to the NPT, it was designed as a means of implementing article VI of the NPT. The non-proliferation aspects of the TPNW, including the safeguards provisions, are at least as strong and verifiable as those of the NPT, and in some important respects stronger; a non-nuclear-armed state withdrawing from the NPT and joining the TPNW would certainly gain no additional freedom or ability to pursue a nuclear-weapon programme.
15. Nuclear disarmament under the TPNW does not “lack verification”; on the contrary, article 4 of the treaty clearly requires legally binding verification measures to be elucidated, agreed, and applied to any disarmament procedure. Unverified disarmament is simply not permitted by the treaty. By any measure, the TPNW’s disarmament verification provisions are far ahead of those of the NPT – which does not have any.
16. The TPNW does not require unilateral disarmament. The TPNW was designed to facilitate the simultaneous accession of any number of nuclear-armed states, which can negotiate a joint disarmament plan with TPNW states parties in accordance with article 4.
17. There is no legal reason that NATO allies such as Iceland cannot join the TPNW; doing so would not infringe any treaty obligation. This has been confirmed by academic institutions and government authorities in a number of member states. Questions over military cooperation with nuclear-armed allies would be best solved by one or more NATO members joining the TPNW and establishing practice and precedent along with other TPNW states parties, as was done with the treaties prohibiting anti-personnel landmines and cluster munitions.

Conclusion

18. By signing and ratifying the TPNW, Iceland would be in a stronger position to work with other members of the international community to advance nuclear non-proliferation and disarmament. At a time of heightened global tension, when



nuclear-armed states are continuing to modernise their arsenals and threatening to use their nuclear weapons, it is all the more important for states such as Iceland to declare their unequivocal opposition to nuclear weapons and help strengthen international norms against them. Joining the TPNW is the only responsible course of action.