

**LABOR  
AND THE  
NUCLEAR  
WEAPON  
BAN  
TREATY**



# THE TREATY

The UN Treaty on the Prohibition of Nuclear Weapons was adopted on 7 July 2017 with the support of 122 nations.

The treaty fills a major gap in international law by establishing a categorical prohibition on nuclear weapons, as has long existed for biological and chemical weapons, antipersonnel mines and cluster munitions. It reflects the conclusion, based on rules and principles of international humanitarian law, that nuclear weapons are not a legitimate or lawful means of defence.

The treaty works alongside existing agreements to both outlaw and deligitimise the use, threat of use and possession of these weapons. It provides an essential framework for advancing nuclear disarmament.

As a responsible member of the global community and a nation that has suffered from the devastating long-term impacts of nuclear testing on its soil, Australia should be at the forefront of global efforts to eliminate nuclear weapons. Such weapons have no place in any legitimate security framework.

Many of Australia's regional neighbours in Southeast Asia and the Pacific are strong supporters of the treaty. Ratifications are steadily proceeding. It is expected to enter into force and become binding international law around 2020.

**Labor parliamentarians welcome the Nobel Peace Ride to Parliament, September 2018**



# LABOR'S LEGACY

*"I will never forget, as long as I live, the colour of the sky on the day the Americans dropped the atomic bomb on that city on 9 August 1945. The sky was crimson."*

- Hon. Tom Uren AC (1921-2015), former Labor deputy leader, witnessed the bombing of Nagasaki as a prisoner of war. He might have had more reason than many to support the bomb, instead he became a lifelong champion of nuclear disarmament.

Labor has a proud history of advocating for nuclear disarmament and non-proliferation, as well as a longstanding commitment to the United Nations and the international rules-based order.

The Labor-initiated Canberra Commission of 1995 found that as long as some states possess nuclear weapons, others will seek to acquire them. It found that nuclear weapons are militarily irrelevant and any use would result in catastrophe. The Commission called for immediate and determined efforts to be made to rid the world of nuclear weapons.

The follow-up 2009 International Commission on Nuclear Non-Proliferation and Disarmament urged action on nuclear disarmament and a reduced role for nuclear weapons in national security strategies.

The 2015 national conference affirmed that "Labor firmly supports the negotiation of a global treaty banning [nuclear] weapons and welcomes the growing global movement of nations that is supporting this objective." An incoming Labor Government should sign and ratify the nuclear weapon ban treaty.





# 78% of all federal Labor parliamentarians have pledged to work for Australia to sign and ratify the nuclear weapon ban treaty

Anthony Albanese MP  
 Anne Aly MP  
 Sen. Catryna Bilyk  
 Hon Sharon Bird MP  
 Chris Bowen MP  
 Sen. Carol Brown  
 Tony Burke MP  
 Linda Burney MP  
 Mark Butler MP  
 Terri Butler MP  
 Anthony Byrne MP  
 Sen. Doug Cameron  
 Sen. Kim Carr  
 Nick Champion MP  
 Lisa Chesters MP  
 Sen. Anthony Chisholm  
 Sharon Claydon MP  
 Sen. Jacinta Collins  
 Julie Collins MP  
 Pat Conroy MP  
 Sen. Patrick Dodson  
 Mark Dreyfus MP  
 Justine Elliot MP  
 Kate Ellis MP  
 Joel Fitzgibbon MP

Mike Freeland MP  
 Steve Georganas MP  
 Andrew Giles MP  
 Patrick Gorman MP  
 Ross Hart MP  
 Chris Hayes MP  
 Julian Hill MP  
 Emma Husar MP  
 Stephen Jones MP  
 Ged Kearney MP  
 Justine Keay MP  
 Mike Kelly MP  
 Sen. Kristina Keneally  
 Matt Keogh MP  
 Sen. Chris Ketter  
 Peter Khalil MP  
 Catherine King MP  
 Susan Lamb MP  
 Senator Sue Lines  
 Jenny Macklin MP  
 Sen. Gavin Marshall  
 Sen. Jenny McAllister  
 Emma McBride MP  
 Sen. Malarndirri  
 McCarthy

Brian Mitchell MP  
 Rob Mitchell MP  
 Sen. Claire Moore  
 Brendan O'Connor MP  
 Clare O'Neil MP  
 Cathy O'Toole MP  
 Julie Owens MP  
 Graham Perrett MP  
 Tanya Plibersek MP  
 Sen. Helen Polley  
 Sen. Louise Pratt  
 Michelle Rowland MP  
 Joanne Ryan MP  
 Sen. Lisa Singh  
 Sen. David Smith  
 Warren Snowdon MP  
 Anne Stanley MP  
 Wayne Swan MP  
 Susan Templeman MP  
 Matt Thistlethwaite MP  
 Sen. Anne Urquhart  
 Maria Vamvakinou MP  
 Sen. Murray Watt  
 Josh Wilson MP  
 Tony Zappia MP

# MOMENTUM FOR CHANGE

Driven by a deep concern over the humanitarian consequences that would result from any use of nuclear weapons, parliamentarians worldwide are working to promote the signature and ratification of the Treaty on the Prohibition of Nuclear Weapons by all nations.

Seventy-eight per cent of federal Labor parliamentarians have pledged their support for the treaty, including two-thirds of the Shadow Cabinet. Many state and territory parliamentarians have also pledged their support.

Unions have a long, proud and continuing commitment to peace and nuclear disarmament. Many are now putting their weight behind the push for Australia to join the treaty. The Australian Council of Trade Unions is an ICAN partner organisation, representing almost 2 million workers and their families. Over twenty individual unions and Trades and Labour Councils have joined the campaign.

The World Medical Association and the International Committee of the Red Cross, the largest medical and humanitarian organisations in the world, have unequivocally called for all nations to sign and ratify the treaty as a humanitarian imperative.

The Melbourne and Sydney City Councils have unanimously declared that their citizens have a right to live in a world free from the nuclear threat, requesting the Australian Government join the treaty on behalf of the Australian people.



ICAN members with ACTU Secretary Sally McManus, April 2018

# MYTH-BUSTING

## EFFECTIVENESS

There is no doubt that the treaty has already had a significant normative impact. Even without the support to date of the states that possess nuclear weapons, the treaty is strengthening the global consensus against nuclear weapons.

Since the treaty's adoption, several major financial institutions around the world have excluded nuclear-weapon-producing companies from their investment portfolios, citing the treaty as their reason for doing so.

The treaty negotiators set out to establish new norms that would move states beyond long-held positions. Support will build over time, as it has. Monumental strides forward in human history rarely begin with all parties coming together to agree on a common course of action at the outset.

## THE BAN TREATY AND THE NPT

The ban treaty does not undermine, threaten or challenge the 1968 nuclear Non-Proliferation Treaty (NPT). All countries that have signed the NPT are obliged by Article VI to pursue and successfully complete nuclear disarmament negotiations, to achieve a world free of nuclear weapons. The ban treaty was explicitly drafted to complement other treaties governing nuclear non-proliferation and disarmament, and does not diminish the obligations of states parties under other agreements.

## SAFEGUARDS AND VERIFICATION

Like the NPT, the treaty requires all States parties to conclude and maintain a safeguards agreement with the International Atomic Energy Agency to ensure that nuclear materials and technology for peaceful purposes are not diverted to weapon programs. The ban treaty goes further than this in requiring an Additional Protocol for all those that have already accepted it.

The safeguards under the ban treaty are in fact stronger than under the NPT, as the NPT does not require the Additional Protocol for any states.

We support the development of a strong international monitoring and verification regime for the destruction of nuclear stockpiles. While no such regime currently exists, this will not prevent the ban treaty from making great gains towards elimination.

## **COMPATIBILITY WITH THE U.S. ALLIANCE**

Australia's alliance with the United States does not prevent each country from adopting its own policy positions on a wide range of foreign affairs and defence issues. Nothing in the ANZUS treaty requires Australia to support the notion that nuclear weapons are essential for defence. Australia was willing to join the global conventions prohibiting anti-personnel landmines and cluster munitions despite the fact that the United States was not, and is not, a State party to those conventions.

Australia has already accepted and gives effect to many of the prohibitions in the treaty. The main difference is that it would require Australia to disavow the notion of "nuclear protection" from the United States, as claims of nuclear protection constitute encouragement of use or threatened use of nuclear weapons.

Australia should have no difficulty ruling out any role for nuclear weapons in our own security arrangements, given that any use of such weapons would have catastrophic humanitarian consequences and violate fundamental rules and principles of international humanitarian law. These weapons are not a legitimate or lawful means of defence and they do not facilitate a safer world.

Nothing in the treaty would prevent Australia from maintaining an alliance with the United States, so long as this did not assist or encourage the United States to engage in any activities prohibited under the treaty. In ICAN's assessment, a decision to join the TPNW need not have any major or long-lasting negative implications for our enduring alliance with the United States.

Nuclear weapons have never made Australia a more secure country - and they never will. It is in Australia's fundamental security interests to work with other members of the international community to advance disarmament by strengthening the global norm against these worst weapons of mass destruction.

The ban treaty provides our shared planet with its best way to get rid of its worst weapons.

# 83% of Labor-voting Australians want a Labor Government to join the UN Treaty on the Prohibition of Nuclear Weapons

- Ipsos poll, November 2018



*“Nuclear tests have taken place all over the world, impacting First Nations people, including here in our own backyard. We need Australia to be on board now and support us, in actually signing the treaty.”*

Karina Lester, Yankunytjatjara-Anangu second-generation nuclear test survivor.

*“Your party has a proven record of supporting nuclear disarmament campaigns. You have a chance to become the next government. When that happens, I hope you will sign and ratify this treaty.”*

Setsuko Thurlow, survivor of the atomic bombing of Hiroshima.

