

United Nations Adopts Historic Treaty on the Prohibition of Nuclear Weapons

North Korea, Alone Among Nuclear States, Voted “Yes” on Res. L.41 Authorizing this Treaty

By [Carla Stea](#)

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Theme: [Militarization and WMD](#), [United Nations](#), [US NATO War Agenda](#)

In-depth Report: [NORTH KOREA](#), [Nuclear War](#)

At approximately 11AM on July 7, 2017, following a recorded vote of 122 states in favor, 1 opposed (Netherlands in opposition, on behalf of all NATO states), and 1 abstention (Singapore), Ambassador Elayne Whyte Gomez, Costa Rican Ambassador to the UN in Geneva, and President of the “United Nations Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, Leading Towards their Total Elimination,” announced the adoption of this treaty, which had been awaited for 70 years, the legally binding norm prohibiting nuclear weapons.

Following Ambassador Whyte’s announcement, the entire assembly of ambassadors, other delegates and non-government organizations in Conference Room 1 immediately stood, many embraced and all 122 States in support exultantly applauded this historic and long overdue achievement by the majority of member states of the United Nations, none of whom possess nuclear weapons, and all of whom are unified in seeking to end the reign of terror imposed on the world by certain of the states possessing nuclear weapons.

Excerpts from the preamble to this landmark treaty state:

“The States Parties to this Treaty,

PP1: Determined to contribute to the realization of the purposes and principles of the Charter of the United Nations,

PP2: Deeply concerned about the catastrophic humanitarian consequences that would result from any use of nuclear weapons, and recognizing the consequent need to completely eliminate such weapons, which remains the only way to guarantee that nuclear weapons are never used again under any circumstances,

PP4: Cognizant that the catastrophic consequences of nuclear weapons cannot be adequately addressed, transcend national borders, pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security and the health of current and future generations, and have a disproportionate impact on women and girls, including as a result of ionizing radiation,

PP5: Acknowledging the ethical imperatives for nuclear disarmament and the urgency of achieving and maintaining a nuclear-weapon-free world, which is a

global public good of the highest order, serving both national and collective security interests,

PP9: Basing themselves on the principles and rules of international humanitarian law, in particular the principle that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited, the rule of distinction, the prohibition against indiscriminate attacks, the rules on proportionality and precautions in attack, the prohibition on the use of weapons of a nature to cause superfluous injury or unnecessary suffering, and the rules for the protection of the natural environment,

PP10: Considering that any use of nuclear weapons would be contrary to the rules of international law applicable in armed conflict, in particular the principles and rules of international humanitarian law,

PP11: Reaffirming that any use of nuclear weapons would also be abhorrent to the principles of humanity and the dictates of public conscience,

PP14: Concerned by the slow pace of nuclear disarmament, the continued reliance on nuclear weapons in military and security concepts, doctrines and policies, and the waste of economic and human resources on programmes for the production, maintenance and modernization of nuclear weapons,”

The 24 paragraphs of the preamble set forth incontestable reasons for the imperative and immediate adoption of this treaty by all member states of the United Nations. Reference to the full text of this treaty makes this imperative explicit, and in great detail.

The operative section of the treaty includes 20 Articles. Article 1, entitled “Prohibitions” states:

“1. Each State Party undertakes never under any circumstances to:

- Develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;
- Transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly or indirectly;
- Receive the transfer of or control over nuclear weapons or other nuclear explosive devices directly or indirectly;
- Use or threaten to use nuclear weapons or other nuclear explosive devices;
- Assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Treaty;
- Seek or receive any assistance, in any way, from anyone to engage in any activity prohibited to a State Party under this Treaty;
- Allow any stationing, installation or deployment of any nuclear weapons or other nuclear explosive devices in its territory or at any place under its jurisdiction or

control.”

Although none of the states possessing nuclear weapons participated in the negotiations leading to the adoption of this treaty, it is, nevertheless a major achievement of the United Nations, and a fulfillment of one of the most important sections of the United Nations Charter. It is the expectation of those member states who participated in this long and grueling process culminating in the successful adoption of this treaty, that the very establishment of this treaty provides a legal norm which will exert significant pressure upon the states possessing nuclear weapons, and places the nuclear weapons states in de facto violation of international law. This newly adopted United Nations based legal norm stigmatizes the nuclear weapons states precisely for their possession of these ultimate weapons of mass destruction.

During the September 26, 2016 meeting calling for this treaty, it was emphasized that there are treaties prohibiting the possession and use of biological weapons, there are treaties prohibiting the possession and use of chemical weapons, but at that time there was absolutely no legal prohibition against the possession and use of the most devastating and horrific of all weapons of mass destruction ever devised by the human species, nuclear weapons. At that time powerful calls for this just adopted treaty were made by many states, in particular, forceful and eloquent speeches by South Africa, Sweden and numerous others.

On October 27, 2016 the UN General Assembly voted on Resolution L.41, to convene negotiations in 2017 on a “legally binding instrument to prohibit nuclear weapons, leading towards their total elimination.” It is of great significance that, alone among the states possessing nuclear weapons, only the Democratic People’s Republic of Korea voted “yes,” in support of these negotiations to create a “legally binding instrument to prohibit nuclear weapons,” which is powerful and virtually incontestable evidence that North Korea’s possession of nuclear weapons is purely and exclusively defensive.

The Press Statement by the US, UK, and France

At 12:51 AM on July 7, a joint press statement was issued by the Ambassadors of the United States, the United Kingdom and France, and reads:

“France, the United Kingdom and the United States have not taken part in the negotiation of the treaty on the prohibition of nuclear weapons. We do not intend to sign, ratify or ever become party to it.”

The statement then comments, irrationally, and absurdly, that the new treaty will create “even more divisions at a time when the world needs to remain united in the face of growing threats, including those from the DPRK’s ongoing proliferation efforts.

This treaty offers no solution to the grave threat posed by North Korea’s nuclear program.” No sane person would consider that the tiny number of defensive nuclear weapons allegedly possessed by the Democratic People’s Republic of Korea could possibly be a threat in any way comparable to the more than 15,000 advanced, sophisticated nuclear weapons possessed by the US, the UK and France, a nuclear arsenal capable of obliterating all life on earth. The exploitation of the DPRK’s tiny defensive weapons as a cynical justification for retaining the gargantuan arsenals possessed by the authors of this press statement also reveals dangerous paranoia by the most militarily powerful nations on earth. Indeed, even

The New York Times, on July 9, page 10 acknowledges that:

“During the Korean War, North Korea was hit with thousands of tons of American bombs. The conflict technically continues, and North Korea claims it needs a robust defense program to protect itself in case of a renewed American attack.”

It is surprising that the U.S., the U.K. and France have issued a statement flaunting their violation of the Nuclear Non-Proliferation treaty: they are required by Article 6 of that treaty “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control,” which is precisely what the new Treaty on the Prohibition of Nuclear Weapons constitutes.

The authors of this press statement evidently consider themselves above international law, and not beholden to any legal restrictions on their use of force. With this press statement, the US, the UK and France have forfeited moral legitimacy, and as permanent members of the Security Council are divested of any authority to sanction North Korea. Further, they should themselves be sanctioned for their violation of the Nuclear Non-Proliferation Treaty. Their indifference to this new treaty’s basis in international humanitarian law, one of the treaty’s pillars, gives the lie to their pretense of concern for humanitarian considerations which they frequently cite, deceptively, during their speeches at the Security Council.

But July 7, 2017 will remain a pivotal date in the history of the United Nations, the day on which the majority of countries of the developing world, and many of the responsible and mature nations of the “developed world” have confronted the nuclear states with the uncivilized character of their possession of nuclear weapons, and the moral and practical imperative of divesting themselves of these insane instruments of horror.

Carla Stea is Global Research’s correspondent at United Nations Headquarters, New York, N.Y.

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About the author:

Author and Geopolitical analyst Carla Stea is Global Research's Correspondent at United Nations headquarters, New York, NY.

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