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How the TPNW Complements, Reinforces, and Builds On the NPT

The **2017 Treaty on the Prohibition of Nuclear Weapons (TPNW)** was carefully crafted to reinforce, complement, and build on the **1968 Non-Proliferation Treaty (NPT)**, which obligates its parties to negotiate further legal measures to achieve nuclear disarmament. Both treaties are an integral and permanent part of the international nuclear non-proliferation and disarmament architecture, and have the same goal at their core: a nuclear-weapon-free world.

Implementing Article VI of the NPT

- Article VI of the NPT requires all NPT parties 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”. The TPNW is one such “effective measure”.
- At the first meeting of states parties to the TPNW in June 2022, TPNW parties [said](#) that they were “pleased to have advanced the implementation of the NPT’s article VI by bringing into force a comprehensive legal prohibition of nuclear weapons”.
- The preamble to the TPNW describes the NPT as “the **cornerstone** of the nuclear disarmament and non-proliferation regime” and reaffirms its “vital role” in promoting international peace and security.
- All [parties](#) to the TPNW are also [parties](#) to the NPT and remain firmly committed to the NPT’s full and effective implementation.
- It was never envisaged during negotiation of the NPT in the 1960s that nuclear disarmament could or would be accomplished solely through the single sentence that comprises article VI – hence its stipulation that “effective measures” be pursued.

- While a number of measures have been concluded to implement the non-proliferation and “peaceful uses” pillars of the NPT, little has been achieved with respect to the **disarmament pillar**. Indeed, the TPNW is the first multilateral “effective measure” under article VI to enter into force since the conclusion of the NPT in 1968.

“We recognise the [NPT] as the cornerstone of the disarmament and non-proliferation regime, and deplore threats or actions that risk undermining it. As fully committed states parties to the NPT, we reaffirm the complementarity of the [TPNW] with the NPT. We are pleased to have advanced the implementation of the NPT’s article VI by bringing into force a comprehensive legal prohibition of nuclear weapons, as a necessary and effective measure related to the cessation of the nuclear arms race and to nuclear disarmament.”

Declaration adopted by TPNW parties in Vienna in 2022

- There is **no contradiction** between the NPT and the TPNW. Any claims that the TPNW undermines or poses a threat to the NPT are entirely unfounded. The two treaties can – and do – exist side by side and are mutually reinforcing.
- The TPNW complements the NPT with additional prohibitions and obligations, just as the 1993 Chemical Weapons Convention (CWC) complements the 1925 Geneva Protocol. Nobody suggests that the CWC undermines the Geneva Protocol. There are many other examples of newer treaties building on older ones in a similar way.

Strengthening the Non-Proliferation Regime

- The TPNW strengthens the **non-proliferation regime** by prohibiting its parties from engaging in a wide range of activities related to nuclear weapons. These prohibitions make it harder for states to develop or acquire such weapons.
- The TPNW also strengthens the international **safeguards regime** administered by the International Atomic Energy Agency (IAEA), which aims to prevent nuclear materials and technology from being used for weapons. Like the NPT, the TPNW includes specific obligations to bring nuclear safeguards agreements into force.
- In a number of respects, the obligations in the TPNW extend beyond those of the NPT, filling what many states described as a **legal gap**. As the UN secretary-general, António Guterres, has [put it](#), the TPNW enables states “to subscribe to some of the highest available multilateral norms against nuclear weapons”.

“[I]t must be said that [the TPNW] is fully compatible with the [NPT] ... I believe there is complementarity, [and] no opposition.”

António Guterres, UN secretary-general

- The TPNW builds on the NPT by establishing a comprehensive prohibition on nuclear weapons, which applies to all of its parties, without discrimination; a framework for the verified, time-bound elimination of nuclear-weapon programmes; and a framework to address harm caused by the use and testing of nuclear weapons.
- The negotiation of the NPT, like the TPNW, was motivated by **humanitarian concerns**. Both treaties recognise in their preambles the inherent danger posed to humanity by a nuclear war and the consequent need to make every effort to avert such a war.

The NPT (1968):

- Prohibits five of the nine nuclear-armed states – China, France, Russia, the UK, and the US – from transferring their nuclear weapons to anyone else or assisting other states to acquire nuclear weapons.
- Prohibits all other parties from manufacturing or otherwise acquiring nuclear weapons.
- Facilitates the exchange of equipment, materials, and scientific and technological information for the “peaceful uses of nuclear energy”, subject to safeguards agreements.
- Requires all parties to “pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race and to nuclear disarmament” (without specifying what those measures must be or imposing any timeline).

The TPNW (2017):

- Prohibits a wide range of activities relating to nuclear weapons, including their use, threatened use, development, testing, manufacture, and possession, as well as assistance with any of those activities.
- Establishes a legal framework for the verified, time-bound elimination of nuclear-weapon programmes and the removal of foreign-owned nuclear weapons from the territory of parties.
- Reinforces and extends the NPT requirement for safeguards to ensure that nuclear materials and technology are not used for weapons.
- Establishes a legal framework for assisting victims of the use and testing of nuclear weapons, and for the remediation of contaminated environments.

Continued Engagement with the NPT

- Since the TPNW's entry into force on 22 January 2021, TPNW parties have continued to call for the NPT's full implementation and universalisation, and have contributed actively to its review process.
- At NPT meetings, TPNW parties and signatories have emphasised the compatibility of the two treaties. In 2022, for example, [they](#) “reaffirm[ed] the complementarity of the TPNW with the NPT” and condemned actions that risk undermining the NPT.
- At the first meeting of states parties to the TPNW in 2022, TPNW parties [appointed](#) Ireland and Thailand as facilitators “to further explore and articulate the possible areas of tangible cooperation between the [TPNW] and the [NPT], and other relevant nuclear disarmament and non-proliferation instruments”.
- The UN secretary-general, António Guterres, has [called on](#) all states to “support the [TPNW's] goals and recognise its place in the **global disarmament architecture**”. He has also urged states to “reject the poisonous and flawed logic of endless nuclear competition”.
- The popularity of the TPNW reflects the strong desire of the international community and civil society organisations to see meaningful progress towards implementation of article VI of the NPT, which has long been lacking.
- The TPNW is already having a positive influence on the NPT and its review process, including with respect to gender inclusiveness in disarmament debates and the meaningful engagement of communities affected by nuclear testing.
- The TPNW has also prompted a number of states to conclude and bring into force IAEA comprehensive safeguards agreements – and, in some cases, additional protocols – resulting in greater compliance with the NPT.

Recommendations

All NPT parties should:

- Welcome initiatives aimed at advancing the full and effective implementation of article VI of the NPT – and recognise the TPNW as a **significant contribution** by a large number of NPT parties towards this end.
- Express their hope that the TPNW will bring **new impetus** to collective efforts to implement the NPT, in particular article VI.

- Welcome the fact that the TPNW reaffirms, in its preamble, “that the full and effective implementation of the [NPT], which serves as the cornerstone of the nuclear disarmament and non-proliferation regime, has a vital role to play in promoting international peace and security”.
- Acknowledge that nothing in the TPNW undermines or contradicts the NPT, and both treaties are fully compatible with each other.
- Commit to working constructively with all TPNW parties in advancing disarmament, just as all TPNW parties have [expressed](#) their “commitment to work constructively with all NPT states parties to achieve our shared objectives”.

Further Reading

[Complementarity with the Existing Disarmament and Non-Proliferation Regime](#)

Ireland and Thailand, working paper submitted to TPNW 1MSP, Vienna, June 2022

[The Relationship between the NPT and the TPNW](#)

Thomas Hajnoczi, *Journal for Peace and Nuclear Disarmament*, Volume 3 (2020), Issue 1

[Joint Statement by TPNW States Parties and Signatories](#)

NPT Review Conference, New York, 17 August 2022