

First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons

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Operationalizing the gender provisions of the Treaty on the Prohibition of Nuclear Weapons

Working paper submitted by Chile, Ireland, Mexico and the United Nations Institute for Disarmament Research

I. Summary

1. The present paper seeks to contextualize and further elaborate upon the issues of gendered impacts and equal participation, which are of particular relevance to the preamble to the Treaty on the Prohibition of Nuclear Weapons and the obligations under its article 6. It also proposes concrete recommendations to the first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons with a view to ensuring that the gender-related aspirations and obligations of the Treaty are fulfilled.

II. Treaty on the Prohibition of Nuclear Weapons as a gender-responsive, legally-binding agreement

2. The Treaty on the Prohibition of Nuclear Weapons is a unique example of a weapons of mass destruction-related disarmament instrument that includes specific gender considerations and obligations.

3. In the preamble to the Treaty, it is recognized that the equal, full and effective participation of both women and men is an essential factor for the promotion and attainment of sustainable peace and security, and commits to supporting and strengthening the effective participation of women in nuclear disarmament.

4. Also in the preamble, it is acknowledged that nuclear weapons have a disproportionate impact on women and girls, including as a result of ionizing radiation, and the disproportionate impact of nuclear-weapon activities on indigenous peoples is recognized.

5. Reflecting best practices in the field of humanitarian disarmament, the Treaty contains a specific provision in its article 6 (1) by which it requires States parties to adequately provide age- and gender-sensitive assistance, without discrimination, to individuals under its jurisdiction who are affected by the use or testing of nuclear weapons.



6. Those provisions lay the ground for a gender-responsive implementation of the Treaty, including in the design, implementation and review of relevant projects, programmes and policies. That approach should take into account specific gender dynamics, including dominant social and cultural expectations and the roles of people based on their gender identities.

7. By underscoring the disproportionate impact on indigenous peoples, the Treaty also outlines avenues for addressing diversity within gender groups and for examining how gender intersects with other social aspects, including ethnicity, race and age.

III. Achieving gender equality in nuclear diplomacy

8. Research shows that the proportion of women participating in arms control, non-proliferation and disarmament diplomacy has grown steadily over the past four decades but that women remain underrepresented. The Prohibition Treaty is no exception. In fact, despite the inclusion of the aforementioned commitments to equal, full and effective participation, the average proportion of women participating in the Treaty negotiations themselves stood at 31 per cent, with only 15 per cent at the head of delegation level.¹

9. Nevertheless, negotiations on the Treaty stand apart from most disarmament processes and negotiations, having had a woman chairperson, and several prominent and active delegations led by women throughout the negotiations. The Treaty follows in the footsteps of pioneering humanitarian disarmament treaties, such as the Arms Trade Treaty, the Convention on Cluster Munitions and the Anti-Personnel Mine Ban Treaty, in which, over time in their outcome documents, the role of women in disarmament and arms control was recognized and encouraged, as was the differential gendered impacts of certain weapons.

10. Ensuring full, equal and meaningful participation of women in the Treaty is essential to enhance the effectiveness of the Treaty's processes and their outcomes. Diverse teams are more innovative, take more sustainable decisions and are more effective in resolving impasses. It is also a question of fairness and equality. As established in the women, peace and security agenda, women and men have the right to participate equally and meaningfully in decision-making processes and should therefore participate equally and meaningfully in negotiations and shape the decisions taken throughout the implementation of the Treaty.

11. Greater participation alone will not overcome gender inequality unless women can meaningfully influence decision-making, and there is a better understanding among multilateral practitioners of the ways in which the substantive issues they deal with are often gendered. Implementation of the Prohibition Treaty offers an opportunity to make progress on these issues and fight long-standing harmful stereotypes and gender norms that perpetuate the rhetoric around power structures and nuclear weapons. More reflection on the link between masculinities, gender roles and the prominence of nuclear weapons in security doctrines is necessary, both within the structure of the Treaty and across disarmament and arms control more generally.

¹ R. Hessmann Dalaqua, K. Egeland and T. Graff Hugo, "Still Behind the Curve: Gender Balance in Arms Control, Non-proliferation and Disarmament Diplomacy" (United Nations Institute for Disarmament Research (UNIDIR), 2019). Available from <https://doi.org/10.37559/WMD/19/gen2>.

IV. Addressing the gendered impacts of nuclear weapons

12. In arms control and disarmament, gender analysis has proven to be a useful tool to assess how the attributes, opportunities and relationships associated with a gender identity may affect issues, such as the likelihood of being targeted by weapons systems, the prospects of becoming a victim/survivor of armed violence, the ability to gain access to medical attention in the aftermath of armed conflict and the long-lasting biological and physiological impacts of weapons on individuals.²

13. Applying a “gender lens” to nuclear weapons has helped to uncover differentiated impacts. While the detonation of one or more nuclear weapons would cause immediate catastrophic humanitarian consequences, there is clear evidence that, over the long term, women and girls have a far higher risk of developing cancer than men or boys if exposed to ionizing radiation. A lifespan study of survivors of the 1945 nuclear weapon attacks on Hiroshima and Nagasaki in Japan found that the risk of developing and dying from solid cancer due to ionizing radiation exposure was nearly twice as high for women as for men.³ Furthermore, pregnant women exposed to high doses of ionizing radiation face a greater risk of delivering children with birth defects or stillbirths, as well as a greater risk of maternal mortality.⁴

14. In view of the above, article 6 (1) of the Prohibition Treaty establishes obligations for States parties with respect to individuals under its jurisdiction who are affected by the weapons banned by the Treaty. Under that provision, such States parties must provide adequate age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.

15. According to article 6 (2), each State party, with respect to areas under its jurisdiction or control contaminated as a result of activities related to the testing or use of nuclear weapons or other nuclear explosive devices, shall take necessary and appropriate measures towards the environmental remediation of areas so contaminated.

16. Seen as a whole, article 6 of the Prohibition Treaty represents a novel approach to nuclear disarmament, one that goes beyond acknowledging the harmful consequences of nuclear war and actually translates human rights and environmental concerns into legal obligations.⁵

V. Recommendations

17. As States parties move forward with implementation of the Treaty, it is crucial to reflect on the gender-related provisions of the Treaty and consider specific

² International Gender Champions Disarmament Impact Group, “Gender & Disarmament Resource Pack” (UNIDIR, May 2022) Available from <https://unidir.org/publication/gender-disarmament-resource-pack>.

³ In this instance, “risk” refers to “excess relative risk per gray”. See K. Ozasa et al., “Studies of the Mortality of Atomic Bomb Survivors, Report 14, 1950–2003: An Overview of Cancer and Noncancer Diseases”, *Radiation Research*, 177 (3): pp. 229–243 (2011). Available at <https://doi.org/10.1667/RR2629.1>.

⁴ See “Gendered impacts: the humanitarian impacts of nuclear weapons from a gender perspective” (UNIDIR, 2014). Available at <https://unidir.org/publication/gendered-impacts-humanitarian-impacts-nuclear-weapons-gender-perspective>. See also “Gender and Nuclear Weapons” (International Campaign to Abolish Nuclear Weapons, February 2020). Available from www.icanw.org/gender_and_nuclear_weapons.

⁵ See J. Revill, R. Hessmann Dalaqua and W. Wan, “The TPNW in Practice: Elements for Effective National Implementation”, *Journal for Peace and Nuclear Disarmament*, vol. 4, iss. 1 (2021). Available from www.tandfonline.com/toc/rpnd20/4/1.

implementation actions that can operationalize the gender provisions in the Treaty. To that end, the present working paper recommends that the outcome of the first Meeting of States Parties to the Prohibition Treaty should include the following elements:

(a) States parties should emphasize the gender-responsive nature of the Prohibition Treaty and recommend that gender considerations be mainstreamed across all Treaty-related national policies, programmes and projects;

(b) States parties should establish a gender focal point to work during the intersessional period to support the implementation of the gender provisions of the Treaty and report on the progress made to the second Meeting of States Parties to the Prohibition Treaty;

(c) During the intersessional period, States parties should begin work to develop guidelines for ensuring age- and gender-sensitive victim assistance, taking into account relevant approaches in other humanitarian disarmament instruments;

(d) States parties should encourage the scientific advisory board (if established) to convene a meeting to discuss and develop gender-responsive, intersectional methodologies for their activities.
