

Power of humanity

Council of Delegates of the International
Red Cross and Red Crescent Movement



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CD/22/X.X

**Original: English
For information**

**COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT MOVEMENT**

Geneva, Switzerland
22 – 23 June 2022

**Working Towards the Elimination of Nuclear Weapons:
2022–2027 Action Plan**

Background document

**Document prepared by
the International Committee of the Red Cross
in consultation with the
International Federation of Red Cross and Red Crescent Societies**

Geneva, September 2021

EXECUTIVE SUMMARY

The horrific devastation and suffering witnessed in Hiroshima and Nagasaki 76 years ago by medical staff of the Japanese Red Cross Society and International Committee of the Red Cross (ICRC) left an enduring mark on the International Red Cross and Red Crescent Movement (Movement). Ever since, the Movement has worked to influence debates, State policy and practice, and the development of international law on nuclear weapons, making a significant contribution towards nuclear disarmament.

The Movement's efforts to prohibit and eliminate nuclear weapons are rooted in a long-standing and deep concern about the catastrophic humanitarian consequences that would result from any use of nuclear weapons, in the lack of any capacity to mount an adequate humanitarian response in the event of their use and, therefore, in the humanitarian imperative to ensure that nuclear weapons are never again used. These efforts are informed by extreme doubts about the compatibility of the use of nuclear weapons with the principles and rules of international humanitarian law (IHL).

In July 2017, 122 States responded to the Movement's call by adopting the landmark Treaty on the Prohibition of Nuclear Weapons (TPNW), which comprehensively prohibits nuclear weapons on the basis of IHL. The TPNW's entry into force on 22 January 2021 provides the Movement with opportunities to continue raising awareness about the catastrophic humanitarian consequences of nuclear weapons and urging States to take further concrete steps towards a nuclear-weapon-free world.

While the prohibition of nuclear weapons marks a historic turning point, the risk of use of these weapons has increased in recent years to levels not seen since the Cold War. This deeply concerning development adds urgency to the Movement's efforts to urge States to prohibit and eliminate nuclear weapons. It also demands concrete action to reduce the risk of use of nuclear weapons: given their catastrophic humanitarian consequences, any risk of use of nuclear weapons is unacceptable.

The resolution "Working towards the elimination of nuclear weapons: 2022–2027 action plan" provides a framework for sustained Movement action to ensure the non-use, prohibition and elimination of nuclear weapons. It builds upon the remarkable results achieved through implementation of the commitments made in resolutions and plans of action adopted at previous Councils of Delegates.

1) INTRODUCTION

Through the resolution "Working towards the elimination of nuclear weapons: 2022–2027 action plan", the Movement is adopting the 2022–2027 Action Plan on the Non-Use, Prohibition and Elimination of Nuclear Weapons (2022–2027 action plan). This new action plan follows on from the current Action Plan on the Non-use, Prohibition and Elimination of Nuclear Weapons 2018–2021 (2018–2021 action plan) and has been updated to reflect recent developments related to nuclear weapons and nuclear disarmament. Under the 2022–2027 action plan, the components of the Movement commit to sustaining the global action they have undertaken on the basis of commitments made in Resolutions 1 of both the 2011 and the 2013 Councils of Delegates and Resolution 4 of the 2017 Council of Delegates.

The 2022–2027 action plan is driven by the knowledge that the efforts of the Movement have contributed to the unprecedented mobilization of States in recent years to prevent the catastrophic humanitarian consequences of the use of nuclear weapons and to the adoption of the TPNW.

2) BACKGROUND

On 22 January 2021, the TPNW entered into force as the first instrument of IHL to mitigate the catastrophic humanitarian consequences of the use and testing of nuclear weapons. As noted by the president of the ICRC, the entry into force of the TPNW represents “a momentous achievement and a significant victory for everyone who has advocated for the prohibition and total elimination of nuclear weapons”.¹

The TPNW is the first globally applicable multilateral treaty to comprehensively prohibit nuclear weapons, which is an essential step towards their elimination. It is premised upon the principles and rules of IHL, as well as the principles of humanity and the dictates of public conscience. While the TPNW binds only States Parties, it reinforces the taboo against the use of nuclear weapons, thus providing a further disincentive for their proliferation.

The entry into force of the TPNW carries special significance for the Movement, which has been calling for the prohibition and elimination of nuclear weapons since 1945. This call has been driven by the unspeakable suffering and devastation caused by the atomic bombings of Hiroshima and Nagasaki, which the Japanese Red Cross Society and the ICRC witnessed first-hand while attempting to bring relief to the dying and injured.

More recently, on 20 April 2010, the president of the ICRC made an appeal to States to view nuclear weapons through the lens of humanity and IHL, and called on them to fulfil their existing obligations to pursue negotiations aimed at prohibiting and completely eliminating such weapons through a legally binding international treaty and to bring the era of nuclear weapons to an end.² Shortly thereafter, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) expressed for the first time “its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons” and reaffirmed “the need for all States at all times to comply with international law, including international humanitarian law”.³

In late 2011, the Movement adopted an historic resolution on nuclear weapons calling on States to negotiate a legally binding international agreement to prohibit the use of and eliminate nuclear weapons based on existing international obligations and commitments. The Movement’s position further galvanized international efforts to advance nuclear disarmament on humanitarian grounds. These efforts included a series of three intergovernmental conferences on the humanitarian impact of nuclear weapons, hosted in 2013 by Norway and in 2014 by Mexico and by Austria. The ICRC, the International Federation of Red Cross and Red Crescent Societies (IFRC) and National Red Cross and Red Crescent Societies actively participated in these conferences.

In parallel, in late 2013, the Movement adopted a forward-looking four-year action plan that committed the components of the Movement to raising awareness of the catastrophic humanitarian consequences of any use of nuclear weapons, and to disseminating the Movement’s position to governments and other relevant actors.

The efforts of the Movement to implement the four-year action plan, combined with the efforts of States and civil society organizations, generated remarkable results. A new State-

¹ Peter Maurer, president of the ICRC, in discussion with Yoshiharu Otsuka, president of the Japanese Red Cross Society, “A victory for humanity”, Humanitarian Law & Policy blog, Geneva, 21 January 2021: <https://blogs.icrc.org/law-and-policy/2021/01/21/victory-humanity/> (all websites accessed September 2021).

² Jakob Kellenberger, “Bringing the era of nuclear weapons to an end”, statement by the president of the ICRC to the Geneva diplomatic corps, Geneva, 20 April 2010: <https://www.icrc.org/en/doc/resources/documents/statement/nuclear-weapons-statement-200410.htm>.

³ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, NPT/CONF.2010/50 (Vol. I), Part I, Conclusions and recommendations for follow-on actions, section I(A)(v), p.19.

led humanitarian initiative aimed at “taking forward multilateral nuclear disarmament negotiations” resulted in a large majority of States at the 2016 United Nations General Assembly agreeing to convene a conference to negotiate a legally binding instrument to prohibit nuclear weapons. The ICRC and other components of the Movement were closely involved in these negotiations and submitted views on aspects of the draft treaty within its expertise, which influenced the final text.

In late 2017, the Movement adopted, through Resolution 4 of the 2017 Council of Delegates, an ambitious new four-year action plan, which provided a framework for intensified global action, notably for promoting adherence to and full implementation of the TPNW and other international agreements with similar objectives, including the NPT, the Comprehensive Nuclear-Test-Ban Treaty and regional treaties establishing nuclear-weapon-free zones. Partly as a result of the actions carried out by components of the Movement in fulfilment of this action plan, including continuing to raise awareness of the catastrophic humanitarian consequences of nuclear weapons and conducting extensive outreach to encourage States to sign and ratify or accede to the treaty, the TPNW entered into force on 22 January 2021.

3) ANALYSIS

76 years after the Movement witnessed the unspeakable suffering and devastation caused by the atomic bombings of Hiroshima and Nagasaki, there are still around 13,000 nuclear weapons in existence. Several thousand are kept in a state of high operational alert, meaning that they are ready to be launched within minutes.⁴ Although nuclear weapons have not been used in armed conflict since 1945, there has been a disturbingly high number of close calls in which nuclear weapons were nearly used inadvertently as a result of miscalculation or error.⁵

Any use of nuclear weapons – whether with intent or by miscalculation or accident – would have catastrophic humanitarian and environmental consequences.⁶ As has been well documented, most recently during an expert meeting organized by the ICRC and the IFRC in 2020,⁷ nuclear weapons release immense quantities of heat and kinetic energy, and prolonged radiation. They have massive destructive power which is impossible to contain in space and time. Their use would cause incalculable human suffering, especially in or near populated areas. There is no capacity to mount an adequate humanitarian response if a nuclear weapon were ever used.⁸ In addition, any use would involve a risk of escalation. A nuclear conflict would have catastrophic effects on people and societies around the globe, on human health, the environment, the climate, food production and socio-economic development. It would cause irreversible harm to future generations and threaten the very survival of humanity.

⁴ Stockholm International Peace Research Institute, *SIPRI Yearbook 2021*, Oxford University Press, 2021.

⁵ Patricia Lewis et al., *Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy*, Chatham House, 2014.

⁶ For an overview of the humanitarian and environmental consequences of the use and testing of nuclear weapons, see ICRC and IFRC, “Humanitarian impacts and risks of use of nuclear weapons”, International Committee of the Red Cross, Geneva, 2020: <https://www.icrc.org/en/document/humanitarian-impacts-and-risks-use-nuclear-weapons>.

⁷ ICRC, “Humanitarian impacts and risks of use of nuclear weapons”, International Committee of the Red Cross, Geneva, 2020: <https://www.icrc.org/en/document/humanitarian-impacts-and-risks-use-nuclear-weapons>.

⁸ As reported in R. Coupland and D. Loye, “Who will assist the victims of use of nuclear, radiological, biological or chemical weapons – and how?”, *International Review of the Red Cross*, Vol. 89, No. 866, June 2007, pp. 329–344; and R. Coupland and D. Loye, “International assistance for victims of use of nuclear, radiological, biological and chemical weapons: Time for a reality check?”, *International Review of the Red Cross*, Vol. 91, No. 874, June 2009, pp. 329–340. The ICRC has concluded in particular that an effective means of assisting a substantial portion of survivors of a nuclear detonation, while adequately protecting those delivering assistance, is not currently available at national level and not feasible at international level. It has also concluded that it is highly unlikely that the immense investment required to develop such capacity will ever be made. And even if it were made, it would likely remain insufficient.

The risk of nuclear weapons being used again is therefore a key humanitarian concern. The 2017 Council of Delegates expressed its deep alarm at “the increasing risk that nuclear weapons will again be used by intent, miscalculation or accident,” and stressed that “any risk of use of nuclear weapons is unacceptable given their catastrophic humanitarian consequences”.⁹

These risks seem to have increased further in recent years. On 23 April 2018, on the opening day of the Preparatory Committee for the 2020 NPT Review Conference, the president of the ICRC issued an appeal to States, global leaders and citizens, calling for urgent action to avoid a global nuclear catastrophe: “With previous restraints steadily falling away, and threats of use of nuclear weapons entering mainstream politics, we see a shift from a focus on non-use and elimination to making the use of nuclear weapons possible or more likely.”¹⁰

The increasing risk of use of nuclear weapons is driven by several factors. The 2020 meeting of experts organized by the ICRC and IFRC identified the following factors:

- After decades of significant cuts in the global nuclear arsenal, the trend towards nuclear reductions is now being replaced by a process of modernization and development of new nuclear weapons with novel, “more usable” capabilities.
- Nuclear weapons are taking on a more important role in the military doctrines and security strategies of nuclear-armed States, marked, most notably, by a return to considerations of “nuclear warfighting” and an expansion of the circumstances in which the use of nuclear weapons may be considered.
- Developments in technology generally and new missile technologies, along with increased activities in space and reliance on infrastructure there, as well as the integration of digital technologies in nuclear command, control and communications, increase vulnerability to cyberattacks and complexity in decision-making processes, thereby heightening the risk of misinterpretations and misunderstandings that could trigger the use of nuclear weapons.
- The erosion of the legal framework for nuclear arms control reduces transparency and predictability in policy and decision-making processes, making it more difficult to read the adversary’s intent.
- Broader geopolitical developments, characterized by increasingly tense relationships and the possibility of conflict across several contexts between nuclear-armed and nuclear-allied States, increase the risk of escalation.

A need for sustained Movement action

The disturbing trend towards a new nuclear arms race, and the resulting increased risk of use of nuclear weapons, add urgency to the Movement’s efforts to prohibit and eliminate nuclear weapons. The only way to guarantee that nuclear weapons are never used again is to prohibit and eliminate them.

Pending the elimination of nuclear weapons, however, any effective measure to reduce the risk of use of nuclear weapons should be welcomed and encouraged. Such risk-reduction measures could include: (1) measures to further delegitimize the use of nuclear weapons, given their catastrophic humanitarian impact, (2) measures to reduce the role of nuclear weapons in military and security policies, concepts and doctrines, including circumscribing the conditions for use through a commitment by all States possessing nuclear weapons to

⁹ International Red Cross and Red Crescent Movement, “Working towards the elimination of nuclear weapons: 2018–2021 action plan”, Resolution 4 of the Council of Delegates, CD/17/R4, 2017.

¹⁰ Peter Maurer, “Nuclear weapons: Averting a global catastrophe”, International Committee of the Red Cross, Geneva, 2018.

never to use nuclear weapons first,¹¹ (3) measures to reduce the risk of nuclear escalation, especially by removing nuclear weapons from “hair trigger” alert status, building confidence, ceasing the development of new types of nuclear weapons and refraining from qualitative improvements to existing nuclear weapons,¹² and (4) safeguards to reduce the risk of unauthorized or accidental use of nuclear weapons.¹³

While there is no specific legally binding requirement for States to reduce nuclear risks, there are multiple political commitments to do so, notably in resolutions of the United Nations General Assembly and in the action plan adopted by consensus at the 2010 NPT Review Conference. Components of the Movement have an important role to play in reminding States of the urgent need to reverse the trend towards a new nuclear arms race and reduce and eliminate the risk of use of nuclear weapons. The meetings of the NPT provide important opportunities to urge States to take concerted and immediate measures, in line with existing commitments and obligations, to reduce the risk of use of nuclear weapons.

Concrete opportunities provided by the TPNW’s entry into force

The entry into force of the TPNW provides the Movement with a set of opportunities to continue raising awareness of the catastrophic humanitarian consequences of nuclear weapons and to urge States to take further concrete steps towards a nuclear-weapon-free world. The entry into force triggers the TPNW’s implementation process, with biennial meetings of States Parties and review conferences at intervals of six years.¹⁴ As noted by Peter Maurer on 25 October 2020, the entry into force of the TPNW “is the beginning – not the end – of our efforts”.¹⁵

- First, components of the Movement have a unique role to play in promoting universalization of the TPNW. To date, 86 States have signed the TPNW and 55 States have also ratified or acceded to it.¹⁶ Accordingly, there is a need for sustained action to ensure that States sign and ratify or accede to the TPNW as soon as possible. This action may include outreach to the States possessing nuclear weapons and other States associated with nuclear weapons, none of which have signed, ratified or acceded to the TPNW.
- Second, the TPNW establishes a role for the Movement in the implementation of the TPNW’s obligations regarding assistance for victims of the use or testing of nuclear weapons and for the remediation of contaminated areas. Such assistance may be provided, *inter alia*, through “the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, or National Red Cross and Red Crescent Societies”.¹⁷ Components of the Movement can play a role in

¹¹ In line with Action 5 (c) and (d) of the action plan adopted by the 2010 NPT Review Conference: the nuclear-weapon States are called upon to promptly engage with a view to “further diminish the role and significance of nuclear weapons in all military and security concepts, doctrines and policies” and “discuss policies that could prevent the use of nuclear weapons”.

¹² In line with Action 5 (d), (e) and (g) of the action plan adopted by the 2010 NPT Review Conference: The nuclear-weapon States are called upon to promptly engage with a view to “discuss policies that could ... lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons”, to “consider the legitimate interest of non-nuclear-weapon States in further reducing the operational status of nuclear weapons systems in ways that promote international stability and security” and to “further enhance transparency and increase mutual confidence”.

¹³ In line with Action 5(f) of the action plan adopted by the 2010 NPT Review Conference: The nuclear-weapon States are called upon to promptly engage with a view to “reduce the risk of accidental use of nuclear weapons”.

¹⁴ TPNW, Article 8 (2) and (4).

¹⁵ Peter Maurer, statement on the entry into force of the TPNW, International Committee of the Red Cross, Geneva, 2020: <https://www.icrc.org/en/document/we-must-not-forget-prohibiting-nuclear-weapons-beginning-not-end-our-efforts-0>.

¹⁶ www.ihl-databases.icrc.org

¹⁷ TPNW Article 7(5)

ensuring that all human life harmed by nuclear weapons receives adequate care and assistance.

- Third, the TPNW commits each State Party to adopting the necessary measures to implement its obligations under the treaty, including by taking “all appropriate legal, administrative, and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Treaty”.¹⁸ Components of the Movement can assist States in their efforts to implement the TPNW in domestic legislation, including through national committees on IHL and other relevant national bodies.
- Fourth, the TPNW is part of a broader nuclear disarmament and non-proliferation architecture, which it reinforces and complements. The TPNW reaffirms the importance of full and effective implementation of the NPT, recognizes the vital importance of the Comprehensive Nuclear-Test-Ban Treaty, and reaffirms that treaties establishing nuclear-weapon-free zones strengthen the nuclear non-proliferation regime and contribute to realizing the objective of nuclear disarmament. Moreover, the TPNW sets out pathways for adherence by States possessing nuclear weapons and for the elimination of their nuclear weapons. Components of the Movement are uniquely placed to continue to underline the complementarity between the TPNW and other treaties with similar objectives, notably the NPT, which urgently requires real progress on its nuclear disarmament obligations if it is to maintain its credibility.
- Fifth, the entry into force of the TPNW provides the components of the Movement with an opportunity to discuss the relevance of the rules and principles of IHL for the use of nuclear weapons in armed conflict. In particular, the ICRC holds the view that it is extremely doubtful that nuclear weapons could ever be used in accordance with the principles and rules of IHL.¹⁹ This is a more assertive position than the position adopted by the ICRC and the Movement in 2010 and 2011 respectively, according to which it was “difficult to envisage” how any use of nuclear weapons could be compatible with IHL. As of 2014, the ICRC began to present its view in progressively stronger terms, based notably on new evidence about the humanitarian impact of nuclear weapons presented during the intergovernmental conferences mentioned above. This more assertive position also reflects the evolution in States’ views over the last decade. This evolution is reflected notably in the consensus view of NPT States Parties in 2010 that any use of nuclear weapons would have catastrophic humanitarian consequences, and in the large and increasing number of States, and the preamble of the TPNW, that assert that any use of nuclear weapons would be contrary to IHL.

The resolution “Working towards the elimination of nuclear weapons: 2022–2027 action plan” provides a framework for sustained Movement action to seize the opportunities offered by the entry into force of the TPNW, respond to the increased risk of use of nuclear weapons, and work towards the complete prohibition and elimination of these weapons.

4) RESOURCE IMPLICATIONS

The entry into force of the TPNW as a new instrument of IHL generates opportunities for communication, advocacy and humanitarian diplomacy for the Movement. As the 2022–2027 action plan seeks to advance efforts that are already ongoing under the 2018–2021 action plan to promote the Movement's concerns and messages on nuclear weapons, the resources for the new action plan are expected to be drawn mostly from existing financial and human resources in the Movement.

¹⁸ TPNW, Article 5(2).

¹⁹ See the ICRC's 8-point position on nuclear weapons, International Committee of the Red Cross, Geneva, 2021 (forthcoming).

However, some of the commitments outlined in the 2022–2027 action plan involve a new or scaled-up effort and may therefore require additional resources. These include, notably, the draft commitments to (a) increase the role and visibility of National Society leaders, (b) promote the active involvement of young people in support of Movement objectives and (c) promote the action plan through regional Movement bodies.

In addition, coordinating the action plan's implementation is expected to require some continued resource investments. The need for these resources is reflected in the draft commitment by all Movement components to “contribute financial and expert support to the common effort of implementing this action plan”.

5) IMPLEMENTATION AND MONITORING

The draft resolution invites the ICRC and other Movement components to support the implementation of the 2022–2027 action plan and to report, as necessary, to the Councils of Delegates on its progress. In addition, the draft action plan stipulates that the Movement Support Group, established under Resolution 4 of the 2017 Council of Delegates, will continue its work to support and guide implementation of the action plan.

6) CONCLUSION AND RECOMMENDATIONS

The draft resolution “Working towards the elimination of nuclear weapons: 2022–2027 action plan” builds upon the success of the 2018–2021 action plan and proposes that the Council of Delegates adopt a new action plan for the period 2022–2027, which has been updated to reflect recent developments related to nuclear weapons and nuclear disarmament. Under the 2022–2027 action plan, the components of the Movement commit to sustaining their global action undertaken on the basis of commitments made in Resolutions 1 of both the 2011 and 2013 Councils of Delegates and Resolution 4 of the 2017 Council of Delegates.