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An Analysis of the TPNW's Implementation and Potential for Impact

Preparing for the First Review Conference of
the Treaty on the Prohibition of Nuclear Weapons

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Executive Summary

This report examines the implementation of Articles 6 and 7 of the Treaty on the Prohibition of Nuclear Weapons (TPNW) in the lead-up to the treaty's First Review Conference (RevCon).

Articles 6 and 7 are distinctive because they impose positive obligations on States Parties, including responsibilities for victim assistance, environmental remediation, and broader measures to address the humanitarian consequences of nuclear weapons. How these obligations are implemented will be critical for shaping understandings of what constitutes 'success' within the TPNW at the First RevCon, but also in future review cycles.

The paper argues that Articles 6 and 7 provide a key lens through which to assess whether the TPNW functions primarily as a prohibition focused instrument or as a broader framework for justice and normative transformation. Observations from the experience of the Non-Proliferation Treaty suggest that abstract language and an emphasis on formal procedures over substantive action can limit the transformative potential of disarmament treaties. Pushing implementation into the future, rather than establishing concrete mechanisms in the present, risks repeating these patterns and potentially undermining the TPNW's promise to advance both prohibition and humanitarian objectives. Drawing on these insights, the paper offers targeted policy recommendations for the First RevCon. These include establishing clear understandings of what practical implementation of Articles 6 and 7 entails, clarifying implementation objectives, and prioritising tangible outcomes over procedural discussions. By taking proactive steps at the First TPNW RevCon, States Parties can reinforce the TPNW's transformative potential, setting a precedent for meaningful implementation in future review cycles.

Purpose of the report

With the TPNW entering an important phase between early implementation and long-term consolidation, the period leading up to the December 2026 RevCon presents an opportunity to assess how the Treaty's humanitarian obligations are being translated into practice. This report seeks to understand whether the TPNW operates solely as an instrument of prohibition or operates more broadly as an inclusive framework for justice. Articles 6 and 7, which address victim assistance, environmental remediation, and international cooperation, represent some of the most ambitious and complex commitments under the Treaty. Further, the purpose of this report is to understand implementation of Articles 6 and 7 through qualitative feminist policy analysis that centres questions of care and responsibility. In doing so, the report presents a basis for discussions at the 2026 RevCon which contributes to strengthening victim-centred and sustainable approaches to implementation and the future of the Treaty. This paper explores how Articles 6 and 7 of the TPNW are framed and operationalised in policy documents, examining what the language used reveals about the scope and limits of current approaches to implementation.

Report roadmap

The report begins by outlining an approach grounded in feminist ethics of care. Then, the report introduces the TPNW and the significance of Articles 6 and 7 at the First RevCon of the Treaty. The report then locates implementation within the broader non-proliferation and disarmament landscape in which States Parties operate. It subsequently identifies two recurring themes in policy documents related to Articles 6 and 7: the softening of responsibility and processes of abstraction. Drawing on this analysis, the report concludes by proposing a set of recommendations for States Parties and relevant stakeholders to consider in advance of November 2026.

Approach

The research conducted for this report is grounded in feminist inquiry which pays attention to both what is written explicitly within the documents, as well as what is implied, and what is absent.¹

This allows the research to stake a claim in how power and exclusion play out within the context of treaty implementation and presents recommendations for future implementation and discussion at the First RevCon. This report draws on official documents from and related to the three Meetings of States Parties (MSP) that have taken place to date. These include documents submitted to and developed from the MSPs such as Chair summaries, the Vienna Action Plan (VAP), working papers and national implementation reports.

The paper uses a feminist analytical perspective, focused specifically on the ethics of care to assess the implementation of Articles 6 and 7 of the TPNW. This approach is used in three key ways. First, the analysis draws on a feminist ethic of care, emphasising responsibility and long-term commitment to addressing harm.² In principle, Articles 6 and 7 align with such an ethic by recognising the enduring and intergenerational impacts of nuclear weapon use and testing, the need for gender-sensitivity and by requiring sustained assistance and environmental remediation.

The feminist care perspective suggests that meaningful implementation should not be intermittent or abstract. Instead, it requires continuity, intentional resourcing, and attention to lived experience.

The feminist care perspective supports assessing implementation in terms of continuity and responsiveness over time, rather than discrete outputs. This lens is particularly relevant for evaluating whether actions under the Vienna Action Plan (VAP) are designed to deliver lasting support to affected individuals and communities, or instead whether the language of implementation does something else. The VAP sets out the specific actions that States Parties should take during the intersessional period of the Treaty, with a specific emphasis on preparation for the Second Meeting of States Parties, which took place in November-December 2023. The VAP outlines 50 practical steps to implement treaty obligations with a dedicated section of actions (19–32) specifically addressing Articles 6 and 7, including national implementation measures, international cooperation, information sharing, and reporting. While these processes are essential, feminist analysis highlights the risk that procedural compliance may be mistaken for substantive progress. In the context of Articles 6 and 7, the feminist approach calls for closer scrutiny of whether institutional activity translates into material improvements in victim assistance and environmental remediation. In this way, the paper understands implementation of Articles 6 and 7 not only as a question of process, but also of tangible impacts (in line with the stated commitment to meaningful assistance).

¹ Brooke A. Ackerly, Maria Stern, and Jacqui True, eds, *Feminist Methodologies for International Relations* (Cambridge: Cambridge University Press, 2006), Cambridge Core, <https://doi.org/10.1017/CBO9780511617690>.

² Fiona Robinson, 'Methods of Feminist Normative Theory: A Political Ethic of Care for International Relations', in *Feminist Methodologies for International Relations*, ed. Brooke A. Ackerly, Maria Stern, and Jacqui True (Cambridge: Cambridge University Press, 2006), 221–40, Cambridge Core, <https://doi.org/10.1017/CBO9780511617690.014>; Marianne H. Marchand and Anne Sisson Runyan, eds, *Gender and Global Restructurings: Sightings, Sites and Resistances*, Third edition, RIPE Series in Global Political Economy (Abingdon, Oxon New York, NY: Routledge, 2025), <https://doi.org/10.4324/9781003036425>.

The analysis focuses on how **care** and **responsibility** are embedded within the treaty framework.

Finally, the report treats language and framing as significant in terms of shaping expectations for the future of the Treaty and its implementation. That is, how implementation of Articles 6 and 7 is spoken about at the 2026 RevCon, will likely influence the benchmarks of success and interpretations of future progress in relation to Articles 6 and 7. As an early operational document, the VAP has already begun to structure how obligations under Articles 6 and 7 are discussed and reported. Feminist analysis, particularly in Development Studies, draws attention to how terms such as “progress,” “assistance,” and “capacity-building” are used, and how these framings may solidify into benchmarks over time.³ A feminist perspective reinforces the importance of precise and ambitious language within the VAP framework, so that implementation standards and successes evolve in ways that reflect the treaty’s humanitarian objectives.

Specifically, the report examines how care and responsibility are articulated in the formal texts of the TPNW. As negotiated UN documents, these texts are shaped by established diplomatic and legal drafting conventions, which tend to translate normative commitments into standardised legal language. This does not diminish their significance: where references to humanitarian harm, victim assistance, or shared responsibility appear in such texts, they reflect language that has secured agreement within diplomatic missions and across states. The analysis therefore focuses on how care and responsibility are embedded within the treaty framework, recognising that the institutional style of UN drafting shapes how these concepts are expressed.

³ Andrea Cornwall, ‘Buzzwords and Fuzzwords: Deconstructing Development Discourse’, *Development in Practice* 17, no. 4/5 (2007): 471–84, JSTOR.

The Treaty on the Prohibition of Nuclear Weapons

The Treaty on the Prohibition of Nuclear Weapons (TPNW) entered into force in January 2021. Henceforth, States Parties to the treaty are committed to an extensive range of prohibitions on engaging and participating in nuclear weapons related activities.

States Parties are prohibited from developing, testing, producing, acquiring, possessing, stockpiling, using and threatening to use nuclear weapons. The Treaty also commits States Parties to the provision of assistance to individuals affected by the testing and use of nuclear weapons (Article 6.1) and to adopt measures which provide remediation for the environmental impacts of the use or testing of nuclear weapons (Article 6.2). Article 7 of the Treaty stipulates that States Parties to the TPNW must cooperate in implementing these obligations. Since January 2021, membership to the Treaty has extended to 74 States Parties (who have ratified the Treaty) and 95 Signatories (who have signed but not yet acceded to the Treaty). No nuclear weapon states are party to the TPNW and NATO allies collectively reject the TPNW, arguing in 2017 that the treaty “is at odds with existing non-proliferation and disarmament architecture.”⁴

The TPNW was adopted in 2017, following the successful negotiation of the Treaty text in Vienna. This moment came off the back of years of work undertaken through the Humanitarian Initiative, during conferences hosted by Norway, Austria, and Mexico.⁵ Emerging in the early 2010’s, the Humanitarian Initiative led by states and civil society organisations,

is a diplomatic process which seeks to centre the catastrophic humanitarian consequences of nuclear weapons.⁶ The Humanitarian Initiative seeks to avoid singular understandings of nuclear weapons as instruments of security and deterrence and instead reframes the nuclear weapons issue as one grounded in humanitarian and human rights challenges. The Humanitarian Initiative culminated in the Austrian Pledge, which called for the negotiation of a treaty placing legal prohibitions on nuclear weapons activities, whilst providing assistance to those impacted by their use and testing. The TPNW was a product of negotiations among states holding strategic and political perspectives, which resulted in compromises that not all states associated with the Humanitarian Initiative were willing to endorse. The role of transnational advocacy, namely the International Campaign to Abolish Nuclear Weapons (ICAN) was crucial in the negotiation and entry into force of the treaty.⁷

The First Meeting of States Parties culminated in the adoption of the VAP. The plan includes dedicated actions for the implementation of Articles 6 and 7 of the Treaty.⁸

Since 2021, three Meetings of States Parties have been organised to oversee progress to date on the Treaty, and to guide implementation of the various treaty obligations. In December 2026, the TPNW will undergo its first RevCon, marking a critical moment to evaluate the Treaty’s progress on implementation.

4 North Atlantic Council, *Statement on the Treaty on the Prohibition of Nuclear Weapons* (NATO, 2017), <https://www.nato.int/en/about-us/official-texts-and-resources/official-texts/2017/09/20/north-atlantic-council-statement-on-the-treaty-on-the-prohibition-of-nuclear-weapons>.

5 Although Norway was a leading supporter of the Humanitarian Initiative, it did not join the TPNW. As a NATO member reliant on extended nuclear deterrence, Norway’s position reflected the widening gap between some Humanitarian Initiative states and the prohibition-oriented legal framework that emerged in the final TPNW text.

6 For more on the Humanitarian Initiative and the negotiation of the TPNW see Rebecca Davis Gibbons, ‘The Humanitarian Turn in Nuclear Disarmament and the Treaty on the Prohibition of Nuclear Weapons’, *The Nonproliferation Review* 25, nos 1–2 (January 2018): 11–36, <https://doi.org/10.1080/10736700.2018.1486960>.

7 Gry Thomassen, ‘International Campaign to Abolish Nuclear Weapons (ICAN)’, in *The Palgrave Handbook of Non-State Actors in East-West Relations*, ed. Péter Marton et al. (Cham: Springer International Publishing, 2024), 229–38, https://doi.org/10.1007/978-3-031-40546-4_16.

8 States Parties of the Treaty on the Prohibition of Nuclear Weapons, *Vienna Action Plan*, TPNW/MSP/2022/CRP.7 (First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2022), https://documents.unoda.org/wp-content/uploads/2022/06/TPNW_MSP_2022.CRP_7-Draft-Action-Plan-new.pdf.

The significance of Articles 6 and 7

This paper focuses on Articles 6 and 7 of the TPNW as they are central to determining whether the treaty functions solely as a prohibition instrument or more broadly as a framework for justice and repair.

In addition, the positive obligations of Articles 6 and 7 have the potential for more plausible application in the short-medium term than the principle of prohibition which the treaty seeks to universalise. While much attention has been given to the TPNW's prohibition on nuclear weapons-related activities, Articles 6 and 7 establish positive obligations that address the ongoing human and environmental consequences of nuclear weapon use and testing, with an emphasis on international cooperation. These provisions represent a departure from traditional nuclear governance focused on state security, deterrence and arms control and offer an opportunity for the TPNW to advance a more inclusive, justice-oriented approach to security.⁹

Article 6 requires States Parties to provide assistance to individuals affected by the use or testing of nuclear weapons. This includes medical care, rehabilitation, psychological support, and measures to promote social and economic inclusion, delivered in an age and gender sensitive manner.¹⁰ Article 6 also obliges States Parties to take necessary and appropriate measures towards the environmental remediation of contaminated areas.

Article 7 complements these commitments by requiring international cooperation and assistance, recognising disparities in capacity among States Parties and the shared responsibility to address nuclear harm.¹¹ In theory, these provisions operationalise a collective response to the humanitarian consequences of nuclear weapons, rather than placing the burden solely on affected states and communities.

Articles 6 and 7 mark a normative shift in nuclear policy by embedding reparation for harm within the treaty framework. Historically, nuclear weapons diplomacy has been shaped by deterrence logic and strategic considerations, with limited recognition of the long-term and far-reaching impacts of nuclear weapons on individuals, communities, and the environment.¹² Articles 6 and 7 explicitly acknowledge that nuclear weapons produce enduring harm that requires redress. This shift calls for focused attention as it challenges prevailing assumptions about what nuclear disarmament treaties are designed to achieve. It is also significant given the currently open questions that exist around precisely who is responsible for redressing nuclear harms, and whether this evades comprehensive reparative justice.

⁹ R. Acheson, *Banning the Bomb, Smashing the Patriarchy* (Lanham, Maryland: Rowman & Littlefield, 2021).

¹⁰ United Nations, 'Treaty on the Prohibition of Nuclear Weapons [Entered into Force 22 January 2021]', United Nations, 2017, https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch_XXVI_g.pdf.

¹¹ BASIC's project on nuclear harm reduction seeks to formalise a harm reduction framework to facilitate a comprehensive understanding of the wide range of harms associated with nuclear arsenals from all aspects of the nuclear cycle. For further information see <https://basicint.org/nuclear-harm-reduction-an-introduction/>.

¹² Jonathan L. Black-Branch, *The Treaty on the Prohibition of Nuclear Weapons: Legal Challenges for Military Doctrines and Deterrence Policies* (Cambridge: Cambridge University Press, 2021), Cambridge Core, <https://doi.org/10.1017/9781108675307>.

A focus on procedural outcomes or symbolic reaffirmation **risks entrenching partial implementation** and weakening the treaty's transformative potential.

The interpretation and implementation of these provisions will be a key issue at the TPNW's first RevCon in 2026, as they are central to delivering the treaty's humanitarian commitments. The first RevCon of the TPNW in 2026 represents an important moment for consolidating the treaty's normative and practical trajectory. As the first formal assessment of implementation, it will establish what counts as "success" under the TPNW and, in doing so, set benchmarks for future review cycles, reporting practices, and institutional development. Decisions taken at this conference, particularly regarding the interpretation and implementation of Articles 6 and 7 will shape expectations around compliance for years to come. A RevCon that treats victim assistance and environmental remediation as central will reinforce the TPNW's identity as a treaty concerned with justice and repair, not only prohibition. Meanwhile, a focus on procedural outcomes or symbolic reaffirmation risks entrenching partial implementation and weakening the treaty's transformative potential.

For instance, the Non Proliferation Treaty (NPT) RevCon process demonstrates how an emphasis on procedural outcomes, notably the practice of defining success by the adoption of a consensus outcome document, has produced challenges for the treaty's legitimacy.¹³

Above all, the RevCon will cast a spotlight on whether the positive obligations of the Treaty are treated as binding legal obligations grounded in principles of justice, or as aspirational humanitarian commitments dependent on political will and voluntary action.

As such, the 2026 RevCon will function not only as an evaluation exercise, but as a constitutive moment in defining the scope, ambition, and credibility of the TPNW moving forward.

¹³ Rebecca Johnson, 'Rethinking the NPT's Role in Security: 2010 and Beyond', *International Affairs* 86, no. 2 (March 2010): 429–45, <https://doi.org/10.1111/j.1468-2346.2010.00890.x>; Robert Einhorn, *The NPT Review Process: The Need for a More Productive Approach* (Arms Control Today, 2016), <https://www.armscontrol.org/act/2016-09/features/npt-review-process-need-more-productive-approach>.

Structural and political context for implementation

The implementation of the TPNW, including its positive obligations under Articles 6 and 7, takes place within a complex and contested international environment.

These conditions include political resistance, institutional constraints, and uneven distributions of power and resources across the broader non-proliferation and disarmament regime. Understanding these factors is essential for assessing both the possibilities and limits of implementation, and for evaluating what meaningful progress can look like under the TPNW.

The fragility of the existing non-proliferation and disarmament regime forms a key part of this context. The NPT remains the dominant framework of nuclear weapons governance, yet it is widely recognised as being under increasing strain and pressure.¹⁴ Persistent disagreements over disarmament obligations, modernisation of nuclear arsenals, and the failure of nuclear-armed states to make measurable progress toward elimination have weakened confidence in the regime. The TPNW emerged in part as a response to these shortcomings, but it now operates alongside the NPT rather than replacing it.¹⁵ While the two treaties are not legally incompatible, their political relationship is characterised by contestation within the disarmament field.

The preamble to the TPNW reaffirms that the full and effective implementation of the NPT has a vital role to play in promoting peace and security. Despite the overlapping and sometimes conflicting norms and rules between the two legal instruments, what is often called regime complexity, the TPNW foregrounds the role of the NPT as a cornerstone of nuclear non-proliferation and disarmament.

This contestation shapes how implementation of TPNW commitments unfold. Nuclear-armed states and many of their allies continue to reject the treaty and challenge its relevance, framing it as unrealistic, polarising, or detached from prevailing security conditions.¹⁶ This political resistance does not directly prevent implementation by States Parties, but it affects the treaty's perceived legitimacy, the availability of resources, and its influence within multilateral disarmament forums. For Articles 6 and 7, which depend heavily on cooperation and technical support, this contested legitimacy has practical consequences. The absence of nuclear-armed states from the treaty limits access to resources, namely financial contributions, from those most responsible for nuclear harm. In turn, this creates additional burdens on affected and supporting states.

At the same time, implementation unfolds against the backdrop of a wider crisis of the liberal and rules-based international order, marked by intensifying geopolitical rivalry, eroding confidence in multilateral institutions, and growing contestation over the legitimacy and universality of established norms.¹⁷

¹⁴ Jana Baldus, Harald Müller, and Carmen Wunderlich, 'The Global Nuclear Order and the Crisis of the Nuclear Non-Proliferation Regime: Taking Stock and Moving Forward', *ZeFKo Studies in Peace and Conflict* 10, no. 2 (October 2021): 195–218, <https://doi.org/10.1007/s42597-021-00066-0>.

¹⁵ ICAN, *How the TPNW Complements, Reinforces, and Builds On the NPT*, Briefing note (2023), https://assets.nationbuilder.com/ican/pages/3204/attachments/original/1679360844/Briefing_Note_on_NPT-TPNW_Complementarity.pdf?1679360844.

¹⁶ Steven Hill, *NATO and the Treaty on the Prohibition of Nuclear Weapons*, with Royal Institute of International Affairs, Research Paper / International Security Programme (London: The Royal Institute of International Affairs, 2021).

¹⁷ Stephen Herzog, 'The Trilateral Dilemma: Great Power Competition, Global Nuclear Order, and Russia's War on Ukraine', *Peace Review* 36, no. 4 (October 2024): 581–94, <https://doi.org/10.1080/10402659.2024.2401058>; Marianne Hanson, *Challenging Nuclearism: A Humanitarian Approach to Reshape the Global Nuclear Order* (Manchester: Manchester University Press, 2022).

For Articles 6 and 7, addressing these conditions will be critical to translating the treaty's normative commitments into **concrete, sustained action.**

Rather than operating within a stable institutional framework, the TPNW is embedded in a period of order transformation in which existing hierarchies and governance arrangements are being renegotiated. This broader structural uncertainty both constrains and reshapes the treaty's implementation: it may reduce prospects for cooperation across geopolitical divides and for sustained resource commitments, while also creating space for non-nuclear weapon states to advance new normative and institutional initiatives.

The TPNW also operates within an increasingly crowded diplomatic landscape. Multiple parallel processes including the NPT and the Conference on Disarmament compete for political attention, resources, and institutional capacity. While this might create opportunities for collaboration across the treaty process, it can also dilute focus and fragment efforts. For States Parties with limited diplomatic capacity, sustained engagement across multiple tracks may be challenging for smaller delegations, shaping which issues receive priority. In this context, progress under Articles 6 and 7 risks being overshadowed by more visible or familiar disarmament debates unless explicitly elevated as core measures of success.

The institutional environment also shapes how progress is framed and assessed. In the absence of established implementation benchmarks, reporting standards, or agreed definitions, advancement under Articles 6 and 7 risks being evaluated through ad hoc measures rather than substantive outcomes which can be understood collectively across States Parties.¹⁸ This is a question of qualitative assessment rather than technical verification: how harm is defined, whose experiences are recognised, and what counts as adequate assistance or remediation. These interpretive choices are inherently political. They will influence whether implementation prioritises procedural compliance or meaningful impact, and how these two outcomes interact.

These structural and political conditions underscore that implementation of the TPNW is not simply a matter of political will at the national level. It is shaped by broader dynamics of the non-proliferation and disarmament regime, including contested claims to legitimacy, differing institutional capacities, and the availability of resources and expertise. For Articles 6 and 7, addressing these conditions will be critical to translating the treaty's normative commitments into concrete, sustained action. Recognising and engaging with this context is therefore essential for developing justice-oriented benchmarks for implementation as the treaty moves beyond its initial phase and into the post-RevCon period.

¹⁸ James Reville, Renata Hessmann Dalaqua, and Wilfred Wan, 'The TPNW in Practice: Elements for Effective National Implementation', *Journal for Peace and Nuclear Disarmament* 4, no. 1 (January 2021): 13–33, <https://doi.org/10.1080/25751654.2021.1930737>.

The language of implementing Articles 6 and 7

The following section examines how implementation of Articles 6 and 7 under the Vienna Action Plan is being shaped through language. Language is important because the terms used to engage in policymaking actively shape common understandings about which policies and actions seem possible, acceptable, and successful.¹⁹ As mentioned above, applying an ethic of care foregrounds questions of continuity, responsibility, and adequacy over time, while feminist critiques of technocratic governance prompt closer scrutiny of whether procedural activity is being mistaken for substantive progress. On this basis, shifts in how obligations are articulated and the increasing reliance on abstract or encouragement-based language are not tangential. Instead, they are significant for how responsibility is distributed, resourcing is mobilised, and harm is addressed in practice.

Process-based accountability

The documents referring to Articles 6 and 7, emerging from the MSPs, present responsibility as process-based and ongoing rather than immediate. Rather than articulating clear, present obligations, the language used frequently softens responsibility by shifting from obligation to encouragement and recognition, and by situating key actions within future-oriented processes of discussion, feasibility assessments, and possibility. This framing may well reflect an attempt to sustain consensus and inclusivity among diverse perspectives of States Parties, but it also reshapes how accountability, care, and justice are imagined under the Treaty.

One way this softening operates is through the substitution of encouragement for obligation. While Articles 6 and 7 establish positive duties related to victim assistance, environmental remediation, and international cooperation, written documents about these articles often avoid directive statements. States Parties are “encouraged to” take action, to “recognise” harms, or to “enhance capacity,” rather than being explicitly required to undertake specific measures.²⁰ Though subtle, this shift in language matters as encouragement invokes goodwill and political aspiration for the future, whereas obligation suggests accountability and enforceability. Yet, this framing risks positioning care as voluntary.

The focus on process-based accountability is further reinforced through future-oriented and conditional language, particularly in relation to implementation mechanisms. Decision 3 of the Third Meeting of States Parties, for example, repeatedly frames action in terms of aims, feasibility, and further examination in the future.²¹ Key measures are described as goals to be worked towards, subject to continued discussion and assessment, rather than as commitments to be realised in the present.

¹⁹ For further discussion of the relationship between language, narratives and nuclear weapons see Laura Considine, “Cornerstones” and “Fire from the Gods”: The Role of Language in Nuclear Disarmament”, *Brown Journal of International Affairs* 27 no.1. (Fall-Winter 2020) 55-68

²⁰ Kazakhstan and Kiribati, *Report of the Co-Chairs of the Informal Working Group on Victim Assistance, Environmental Remediation, International Cooperation and Assistance (Kazakhstan and Kiribati)*, TPNW/MSP/2023/3 (Second Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2023), https://docs-library.unoda.org/Treaty_on_the_Prohibition_of_Nuclear_Weapons_-_SecondMeeting_of_States_Parties_%282023%29/TPNW_MSP_2023_3_Victims_Environment_Advance_Unedited.pdf; States Parties of the Treaty on the Prohibition of Nuclear Weapons, *Draft Declaration of the Third Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons: “Strengthening Our Commitment to a World Free of Nuclear Weapons amidst the Rising Global Instability”*, TPNW/MSP/2025/CRP.4 (Third Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2025), https://docs-library.unoda.org/Treaty_on_the_Prohibition_of_Nuclear_Weapons_-_ThirdMeeting_of_States_Parties_%282025%29/TPNW_MSP_2025_CRP.4_Draft_political_declaration.pdf.

²¹ States Parties of the Treaty on the Prohibition of Nuclear Weapons, *Draft Decisions of the Third Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons*, TPNW/MSP/2025/CRP.3 (2025), <https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/3msp/documents/CRP3.pdf>.

The use of phrases such as “with the aim of,” “if feasible,” and “continuing efforts to examine” situates responsibility in an anticipated future moment, contingent on additional political and technical processes.

Similarly, modal verbs such as “could” rather than “should” appear in the documents. This language renders implementation optional and contingent, rather than immediately required.²² Actions that “could include” certain forms of assistance or cooperation remain possibilities rather than expectations, leaving considerable room for States Parties to interpret what this means in practice. Civil society summaries of intersessional work reinforce this pattern, for instance noting that States Parties “aspire to establish” mechanisms such as funding arrangements, rather than committing to their establishment as a certainty.²³ While such language may reflect diplomatic caution, it also contributes to a broader discursive environment in which responsibility is diffuse and open-ended.

These framings should be taken as significant for several reasons. The shift from obligation to encouragement frames accountability as something that unfolds through ongoing processes rather than concrete acts. Care is deferred into an undefined future, managed through discussions, reports, and further meetings. Support is acknowledged as important, but without clear mechanisms to ensure delivery or to hold specific actors accountable for inaction. From a feminist standpoint, this temporal deferral is significant. Feminist ethics of care emphasise responsiveness to existing needs and the importance of immediacy for harm remediation; delays and conditionality can themselves constitute forms of harm, particularly for communities already living with the long-term effects of nuclear violence.

This tension is important given that Articles 6 and 7 address existing harms, not hypothetical future scenarios.

The Treaty and its documents recognise that nuclear weapons have already caused profound and ongoing damage to individuals, communities, and environments.²⁴

Victim assistance and environmental remediation as stipulated by Articles 6 and 7 are therefore not preventative measures but responses to harm that has already occurred. Against this backdrop, the deferral of implementation into future processes risks creating a mismatch between the urgency of harm and the pace of response.

Ongoing discussions about a possible International Trust Fund for victim assistance and environmental remediation illustrate this mode of implementation. The Fund is widely seen as a potentially important mechanism for supporting Articles 6 and 7 by helping affected states access resources for victim assistance and environmental remediation through international cooperation. However, debates have often framed the Fund as a voluntary expression of solidarity rather than as a concrete means of operationalising Article 7 obligations. At the Third Meeting of States Parties, states agreed to examine the feasibility of establishing such a Fund, with the aim of doing so at the First RevCon if deemed feasible.²⁵ While these steps signal recognition of the importance of Articles 6 and 7, they also place emphasis on continued discussion and feasibility assessments rather than on a firm commitment to establish the Fund.²⁶ The First TPNW RevCon will therefore be a key moment: it will show whether implementation continues to be deferred through procedural processes, or whether the Fund is formally established, shifting attention toward administering a stable and sustainable mechanism to support affected communities.

²² Kazakhstan and Kiribati, *Report of the Co-Chairs of the Informal Working Group on Victim Assistance, Environmental Remediation, International Cooperation and Assistance*.

²³ ICAN, ‘Article 6 & 7 Informal Working Group Meetings’, https://www.ican.org/tpnw_article_6_7_meetings.

²⁴ United Nations, ‘Treaty on the Prohibition of Nuclear Weapons [Entered into Force 22 January 2021]’.

²⁵ States Parties of the Treaty on the Prohibition of Nuclear Weapons, *Draft Decisions of the Third Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons*, 2.

²⁶ Civil society actors have been vocal and engaged on this point. See Harvard Law School’s International Human Rights Clinic, *Statement on Articles 6 and 7: Victim Assistance, Environmental Remediation, and International Cooperation and Assistance Delivered by Bonnie Docherty* (Third Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2025), [https://docs-library.unoda.org/Treaty_on_the_Prohibition_of_Nuclear_Weapons_-_ThirdMeeting_of_States_Parties_\(2025\)/Harvard_Law_IHRC-TPNW_3MSP_Arts_6-7.pdf](https://docs-library.unoda.org/Treaty_on_the_Prohibition_of_Nuclear_Weapons_-_ThirdMeeting_of_States_Parties_(2025)/Harvard_Law_IHRC-TPNW_3MSP_Arts_6-7.pdf).

At the same time, it is important to note that positive obligations under Articles 6 and 7 are widely recognised as a key test of the Treaty’s transformative potential. Statements by States Parties, including Ireland’s intervention in the Third Meeting of States Parties, have explicitly framed these articles as central to whether the TPNW delivers on its humanitarian commitments. Ireland stated that implementation of Articles 6 and 7 represent “a key test of the Treaty, and provides an important opportunity for the disarmament and non-proliferation framework to learn and reassess, through direct engagement with victims and affected communities.”²⁷ This recognition complicates a purely critical reading. The process-based framing can also be understood as an attempt to keep responsibility collective and adaptable, rather than imposing rigid compliance models that might exclude or marginalise certain states.

The analysis doesn’t necessarily understand softened responsibility in singular terms as a failure or evidence of bad faith. Instead, this can be read as revealing an unresolved tension within the Treaty’s implementation, between the desire to practise care through inclusive and consensual processes, and the need to translate justice-oriented commitments into material, time-bound action at a time when the parameters of institutional support remain intangible within the text of the Treaty.²⁸

By distributing responsibility across future meetings, working groups, and feasibility assessments, MSP documents keep the promise of care alive while simultaneously postponing its fulfilment.

Understanding this tension is essential to assessing how Articles 6 and 7 are being implemented, and to evaluating what kinds of accountability are being put forward within the TPNW framework.

The challenges of abstraction

Alongside process-based accountability, the documents addressing Articles 6 and 7 feature a high degree of abstract language on the topic of implementation. While this abstraction allows States Parties to articulate shared commitments across diverse political and social contexts, it also shapes how harm, responsibility, and care are made politically possible within the Treaty framework. A feminist analysis highlights how abstract language can both enable inclusivity and obscure accountability, particularly in relation to positive obligations focused on reparative justice.

The documents frequently rely on broad, procedural terminology to describe the process of implementation. Common formulations include references to “creating national plans,” “enhancing cooperation,” “increas[ing] efficiency,” and “promot[ing] inclusivity and cost-savings while ensuring regular convening.”²⁹ Such language signals alignment with the Treaty’s humanitarian principles but sidesteps specifying concrete actions, timelines, or responsible actors. As a result, implementation is framed less as a set of practices to be carried out than as an ongoing orientation or aspiration.

This abstraction is reinforced using passive constructions and collective subjects. Phrases such as “efforts will be made,” “consideration should be given,” or “measures may be taken” appear regularly in MSP reporting and decisions. These formulations diffuse agency, making it difficult to identify who is responsible for acting, funding, or delivering assistance. The dispersal of responsibility mirrors broader patterns in global governance in which care is everyone’s concern but no one’s obligation.

27 Ireland, *Intervention under Agenda Item 11(d): Victim Assistance, Environmental Remediation and International Cooperation and Assistance* (Third Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2025), 3, https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/3msp/statements/6March_Ireland_Art6-7.pdf.

28 Reville, Hessmann Dalaqua, and Wan, ‘The TPNW in Practice: Elements for Effective National Implementation’.

29 See for example Kazakhstan and Kiribati, *Implementing Articles 6 and 7*, Working Paper TPNW/MSP/2022/WP.5 (First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2022), <https://documents.un.org/doc/undoc/gen/n22/376/14/pdf/n2237614.pdf>.

The frequent use of terms such as “holistic” and “inclusive” is particularly notable in discussions on victim assistance.³⁰ These concepts are normatively attractive and resonate strongly with feminist commitments to intersectionality and survivor-centred approaches. However, in the documents they are often not accompanied by operational detail. There is limited clarification of what “holistic” assistance entails in practice, how inclusion is to be ensured, or how competing needs and priorities are to be addressed. Inclusion thus risks becoming symbolic rather than material.

Abstraction also shapes how harm itself and those experiencing harm are represented.

Nuclear harm is often described in generalised terms. Whilst this engagement is crucial, by the time this is translated into policy documents sustained engagement with specific histories, locations, or structures of responsibility diminishes.

Again, whilst generalisation can help to avoid reproducing hierarchies of suffering and might support a universal humanitarian narrative, it can also depoliticise harm by detaching it from colonial legacies, gendered experiences and asymmetrical global power relations. Abstract representations of harm can obscure the social and political conditions that produce vulnerability in the first place. Similarly, whilst “affected communities” are referred to throughout the documents, the boundaries of this group of subjects are uncertain.

This has been a point of contention raised by some States Parties, who call for greater clarity as to who is included in this group, and on what terms.³¹

At the same time, abstraction plays a political role. Given the diversity of States Parties and affected communities, overly prescriptive implementation guidance could risk imposing decontextualised understandings of victimhood and remediation. Abstract language keeps the implementation of Articles 6 and 7 open to local interpretation. In this sense, abstraction can be understood as a strategy to preserve space for relational and contextual forms of care. However, this openness can have drawbacks. Without clear benchmarks, abstraction makes it difficult for stakeholders in the Treaty to assess progress being made towards implementation. For instance, documents rarely specify indicators, minimum standards, or reporting requirements tied specifically to Articles 6 and 7. Instead, reporting is set out as voluntary and non-standardised (even whilst it should be acknowledged that guidelines have been made available through the Article 6 & 7 Working Group Co-Chairs).³² As a result, States Parties can signal compliance through participation in discussions and affirmation of principles, without necessarily delivering material assistance or remediation. Feminist political economy perspectives are particularly attentive to this gap between discursive commitment and material provision, especially where the labour of care is implicitly shifted onto affected communities themselves.

The tension between abstraction and accountability is significant owing to the reparative nature of Articles 6 and 7. These positively framed provisions are not proposed as aspirational. They respond to concrete violations on individuals’ lives, environmental safety and security. Yet the language in question often treats their implementation as a matter of coordination and capacity, rather than as redress for harm requiring redistribution and repair. This framing could normalise a managerial and procedural approach to implementation, in which processes are prioritised over outcomes.

³⁰ States Parties of the Treaty on the Prohibition of Nuclear Weapons, *Vienna Action Plan*.

³¹ Affected Communities and Allies Working Group and Manhattan Project for a Nuclear-Free World, *Statement* (Second Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, 2023), https://reachingcriticalwill.org/images/documents/Disarmament-fora/nuclear-weapon-ban/zmsp/statements/28Nov_AffectedCommAlliesWG.pdf.

³² For Voluntary report formats see Annex of Kazakhstan and Kiribati, *Report of the Co-Chairs of the Informal Working Group on Victim Assistance, Environmental Remediation, International Cooperation and Assistance*.

For the RevCon in 2026, this is significant in terms of what gets celebrated as a success of treaty implementation, and whether the focus falls primarily on commitments to developing processes, or instead on the harms that the Treaty sets out to remediate for in the first place.

From a feminist standpoint, the issue here is language that gestures toward care without consolidating it in material practices and the embodied experiences of the individuals and communities that Article 6 sets out to provide care for.

Feminist ethics of care emphasise responsiveness and responsibility. Abstraction may support inclusive agenda-setting and prioritisation by keeping discursive space open, but without responsiveness and responsibility it can also function as deferral.

Ultimately, the abstraction found in the documents reflects the Treaty's broader attempt to navigate between ambition and political feasibility. Some of this boils down to the rapid negotiation of the treaty, as well as the nuanced approach required to provide victim-assistance and reparations for environmental harm.

Articles 6 and 7 are framed as sites of collective learning and evolving practice, rather than fixed programmes. A feminist analysis can acknowledge the value of this flexibility while also insisting that reparative approaches to nuclear disarmament require more than shared language alone.

It requires that abstraction be progressively translated into tangible commitments for States Parties to deliver on the humanitarian principles of the treaty.

The current implementation trends under the VAP raise important questions about whether Articles 6 and 7 are being operationalised in ways that reflect their care-oriented logics and humanitarian principles. The softening of obligation toward encouragement risks diluting responsibility and undermining predictable resourcing, while the normalisation of abstract language makes it difficult to assess whether assistance is delivering meaningful, sustained support. Ultimately, assessing implementation of Articles 6 and 7 requires moving beyond whether activities have occurred to whether care and justice is being enacted over time. The First RevCon will be an important moment to assess the impact of the current linguistic framing of implementation. This includes a number of considerations: first, whether institutional arrangements such as reporting frameworks and funding mechanisms are designed to support long-term responsibility, second, whether resources are predictable and adequate, and third, whether the experiences of affected communities are shaping priorities. Through such an approach can implementation under the Vienna Action Plan be evaluated as advancing the TPNW's positive obligations in practice, not only in principle.

Recommendations ahead of the First Review Conference

Ahead of the upcoming RevCon, this paper proposes the following points for consideration:

RECOMMENDATION 1

Responsibility

States Parties and observers of the Treaty should remain vigilant as to how responsibility for the implementation of Articles 6 and 7 is structured and distributed in practice.

This relates not only to how the operationalisation of these commitments will be funded, but also in terms of how long term commitments are collectively sustained. States Parties will need to continue discussions around how Articles 6 and 7 have precluded some states from joining the treaty, namely the Marshall Islands. At the First RevCon, it will be imperative to consider how the implementation of Articles 6 and 7 can be progressed whilst taking into consideration the implications different courses of action will have for further universalisation of the Treaty. This includes developing a clear shared definition of what implementation of Articles 6 and 7 entails and a precise articulation of implementation objectives accompanied by a practical roadmap to achieve those objectives.

RECOMMENDATION 2

A long-term approach

States Parties should approach the implementation of Articles 6 and 7 as a 'living' goal, rather than a time-bound commitment.

In this way, the implementation of these Articles should be designed to endure beyond the contemporary challenges of the non-proliferation and disarmament regime, funding environment and early Treaty milestones (including RevCons). The establishment of a clear mechanism of institutional support would bolster an approach that can sustain the durable implementation of Articles 6 and 7, along with other provisions of the Treaty.

RECOMMENDATION 3

Authority and decision-making

States Parties should move beyond understandings of participation that prioritise presence or consultation alone.

Instead, they should ensure that affected communities hold meaningful authority and ownership within decision-making processes related to Articles 6 and 7. Relational responsibility and power-sharing require that participation should be defined by lived experience rather than resource access. Within this broadening of participation, those who stand to benefit from the positive obligations of the Treaty should be integral to the process of shaping implementation priorities, evaluation of implementation and resource allocation. Without decision-making power of affected communities, participatory mechanisms risk becoming symbolic, undermining the treaty's transformative humanitarian potential.

RECOMMENDATION 4

Success

The First RevCon will be significant in shaping the benchmarks of success towards Articles 6 and 7.

In this way the RevCon represents an important moment in shaping how success will be understood within the Treaty process going forward. If progress at the First RevCon is measured by the creation of new procedural mechanisms or reporting structures, there is a risk of entrenching procedural compliance as a proxy for substantive progress and impact. The trajectory of the NPT should serve as a cautionary example. Over time, an emphasis on procedure could set a precedent that narrows future review processes and weakens the treaty's positive obligations. By adopting outcome-oriented indicators, states parties can ensure that the treaty's humanitarian commitments are reflected in material improvements for affected communities rather than primarily in institutional consolidation. Such indicators would formalise the process of reporting on progress against Articles 6 and 7, and provide a clear roadmap for evidence based reporting in this regard. The discussion of impact and implementation of Articles 6 and 7 should also foreground the assessment and priorities of affected communities, to set out a course of action for the future. A reflexive and responsive assessment of Articles 6 and 7 will be essential to ensure that benchmarks of success remain contextualised and informed by lived experiences.

BASIC promotes meaningful dialogue amongst governments and experts in order to build international trust, reduce nuclear risks, and advance disarmament.

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