

ALERT FOR NUCLEAR WEAPONS MANUFACTURERS, SUPPLIERS, SUB-CONTRACTORS AND INVESTORS:

NUCLEAR BAN TREATY ENTRY INTO FORCE 1/22/21

On 1/22/21, the Treaty on the Prohibition of Nuclear Weapons enters into force as law in the 50 ratifying countries. That means that everything to do with nuclear weapons will be completely illegal in those countries. Many more countries are expected to ratify in the near future, and the treaty will become law in those countries 90 days after ratification.

As of late December 2020, 135 countries have indicated their support for this Treaty, 86 countries have signed it, and 51 have ratified it. New signatures and ratifications are documented at:

[www.icanw.org/signature and ratification status](http://www.icanw.org/signature_and_ratification_status)

This treaty will not enter into force in the US or in any of the other nuclear-armed nations (Russia, UK, France, China, Israel, India, Pakistan, and North Korea) until they decide to join the treaty. However, nuclear weapons companies with offices, projects, subsidiaries, contracts, suppliers, or investors in these other countries will be affected immediately. There is no law that protects US companies, their directors or employees, from prosecution in another country when the laws of that other country are being violated.

It has *never* been legal to *use or threaten to use* nuclear weapons, in almost every imaginable scenario, under international laws of war already incorporated into US law. (To be legal, they would have to be used without causing disproportionate harm to civilians, without causing prolonged and superfluous suffering to soldiers, without adversely affecting neutral countries downwind, without causing long-term damage to the environment, etc.)

With this nuclear ban treaty, it is now *also* illegal to develop, test, produce, manufacture, transfer, station, possess, or stockpile nuclear weapons. Significantly, under this treaty, it's also illegal to assist, encourage, or induce anyone else to do any of those things. That includes financing those activities, in at least some of the countries that join the Treaty.

The consequences for violating treaty-enforcement laws in the ratifying countries will vary. But for example, in Ireland and Switzerland, any person (including a corporate decision-maker) who violates these laws may be **subject to large fines and a prison term as long as five years to life.**

Companies that make and maintain nuclear weapons will face increasing calls for divestment because of this treaty. Two of the five largest pension funds in the world have already divested from the nuclear weapons industry. The City of New York is expected to divest its pension funds in the near future. Investors will be increasingly concerned with "legislative risk" as well as with reputational risk and the possibility of stranded assets as future weapons contracts are cancelled.

The Treaty represents an absolute rejection of “deterrence theory” by most of the world. It stigmatizes nuclear weapons as a grave danger to all humanity, whether they are used as designed or detonate by accident. And it lays out a clear pathway for the elimination of all nuclear weapons from all countries, in line with existing legal obligations to disarm that the US and other nuclear-armed nations have already committed themselves to. It is worth noting that the International Campaign to Abolish Nuclear Weapons won the 2017 Nobel Peace Prize for its role in facilitating the Treaty.

Since you will thus be facing increasing domestic and international pressure to get out of the nuclear weapons business, it may be advisable to consider conversion, perhaps with government assistance, to other products, like green technologies that address climate change. This would have the added benefit of reputational repair.

We call on you to take this opportunity to relinquish all nuclear weapons-related activities of your company that are now illegal in 50 countries and soon in many more. We urge you to join us in demanding that the United States work to eliminate all nuclear weapons before they eliminate us, in line with our existing legal obligations under the Non-Proliferation Treaty. And we strongly recommend that you begin now to transition your work away from banned weapons and towards utilizing the skills and resources of your company to address the climate crisis and other pressing social needs.