

Manuscript

ZeFKo Studies in Peace and Conflict Special Issue

Title

Represented But Not Always Heard: An Analysis of the Progress of Gender Equality at the United Nations through the Lens of the Treaty on the Prohibition of Nuclear Weapons

Abstract

Gender inequality has always been a structural problem at the United Nations. The voices of women as well as those of non-binary people and marginalised communities have always been present but often never truly heard. The elevation of some female perspectives has not remedied the fact that the voices of most women and non-binary people remain secondary to the traditionally male-oriented narrative of politics and power that is the foundation of the UN system. This paper interrogates the progress of incorporating feminist and humanitarian concerns in UN processes through the lens of the 2017 UN Treaty on the Prohibition of Nuclear Weapons (TPNW) — heralded as the first “gender-sensitive” international nuclear weapons agreement. This paper will draw from different points of criticisms within feminist international relations theory to argue that women’s representation in multilateral negotiation processes does not constitute positive progress towards their interests if gender-sensitive disarmament policies are not implemented.

Introduction

The Treaty on the Prohibition of Nuclear Weapons (TPNW), also known as the Nuclear Ban Treaty (NBT), was adopted at the United Nations (UN) to a euphoric standing ovation on 7 July 2017 and was opened for signature by the UN Secretary-General on 20 September 2017. The TPNW was a

landmark achievement in the signatories' shared goal of complete nuclear disarmament – it obligates absolute nuclear disarmament with no conditions. Equally notable was the inclusion of three gender-specific elements in the Treaty. In acknowledging the gendered dimensions of nuclear weapons, the TPNW is lauded as the only gender-sensitive nuclear weapons agreement in existence.

This article sets out to evaluate the TPNW against feminist international relations theory and related intersectional and postcolonial critiques. In order to provide context to the importance of the TPNW's gender characterisations, the paper will render an overview of the history of feminist activism in relation to peace and disarmament, starting from the Women's International League for Peace and Freedom (WILPF) in 1915. It will then situate the process by which the Treaty came to exist within the various political fissures that emerged because of the broader normative shifts that were happening in the realm of human security. These are most notably represented by UN Resolution 1325 (2000) establishing for the first time a *Women, Peace and Security* (WPS) agenda and UN Resolution 65/69 on *Women, Disarmament, Arms Control and Non-proliferation*. It will then explore how those fissures created a unique opportunity to advance advocacy for women and girls¹ in nuclear security. The main argument presented by the paper will sustain that the elevation and success of some women, and the inclusion of some female voices and perspectives throughout the UN's history, have not remedied three fundamental problems that are the object of feminist critique in international relations.

The first critique relates to the “misogyny of militarism”. This is concerned with the problem of female emancipation, and fact that the voices of most women and girls remain secondary to the traditionally male-oriented narrative of politics and power that is the foundation of the UN system. This narrative finds its manifestation in the theory of deterrence that has dominated international relations since the beginning of the atomic age. Feminist theory exposes deterrence as what seminal scholar Helen Caldicott (1984) described as “Missile Envy”, the masculine mentality that sustains power projection and competition between countries run by male politicians and generals, supported by the military industrial complex and its financial ecosystem. This section will

¹ In this article, “women and girls”, “gender”, and “gender equality” are addressed from a gender-inclusive and trans-inclusive approach, in opposition to the patriarchal and rigid female/male gender binary. Although the analysis will focus on women and girls, it does not exclude other systematically discriminated populations such as specific groups of men and boys, the lesbian, gay, bisexual, transgender, and questioning (LGBTQ+) community, and others. This research mainly focuses on gender dimensions; however, we recognise the importance of an intersectional approach to identify other conditions that exacerbate gender discrimination, such as age, race, sexual orientation, disability, migratory status, etc.

particularly analyse the process that led to TPNW negotiations and drafting, examining the statements made by states delegations and the extent to which their voices were heard and their concerns incorporated into the final treaty text. It will also consider the fundamental contributions of civil society organisations in driving the humanitarian and gender agenda forward.

The second critique will target the question of “the chronic underrepresentation of women at the UN”. This will challenge liberal understandings of feminism that reduce the question of women’s emancipation within patriarchal systems to a matter of tokenism and of participation measured in the number of seats at the table. This critique is preoccupied with the way the women who have broken through the glass ceiling in the UN and foreign policy circles actually do not challenge the problem of militarism and its functioning as a driving force of the securitisation discourse in international relations, thus contributing to reinforcing the ideological patriarchal architecture that has previously excluded them.

The third critique will take a more intersectional and postcolonialist approach, focusing on the question of “upending the nuclear patriarchy” and the importance to address the gendered discourse that is the foundation of the nuclear narrative. It will expound on how, in the context of nuclear disarmament, patriarchal systems of oppressions can be identified with the colonialist and racist practices that have caused damage to the environment and to the bodies of peoples living in the areas where nuclear tests and uranium mining were conducted.

Finally, the paper will conclude that although the TPNW represents substantive progress in advancing gender equality, it fails to address fundamental intersectional approaches to disarmament. These could have found better reflection if the preambular commitments to advancing an agenda of general and complete disarmament (GCD) had been further articulated in the Treaty. It will then expound on the merits of the GCD agenda to include concerns about conventional weapons systems such as small arms and light weapons. These are the types of arms mostly used to perpetrate violence against women and people with different gender identities, as well as different ethnic and religious minorities in societies with conflict situations. The paper will end with an optimistic note in the light of the concrete developments made in the operationalisation of gender-sensitive disarmament at the First Meeting of States Parties (1MSP) to the TPNW in June 2022, expressed in the commitments incorporated in the final Declaration and Action Plan.

Feminist international relations theory

Feminist international relations theory is the main conceptual framework that exposes the interrelation between militarism, patriarchy and global structural inequalities, such as colonialism and racism. It challenges realist understandings of international relations and the related doctrines of deterrence and strategic stability that belong to elitist circles of predominantly male policy-makers. Fundamentally, feminist approaches to international relations consider disarmament as a means to undermine militarism and the international patriarchal international system it sustains. Catherine Lutz defines militarism as:

The process of militarisation that “involves an intensification of the labour and resources allocated to military purposes, including the shaping of other institutions in synchrony with military goals. Militarisation is simultaneously a discursive process, involving a shift in general societal beliefs and values in ways necessary to legitimate the use of force, the organisation of large standing armies and their leaders, and the higher taxes or tribute used to pay for them (Lutz 2002).

In feminist international relations theory, the international system is perceived through the lens of patriarchy and the conduct of international relations is read as a performative masculinity. Masculinity can be defined as “the roles, behaviours and attributes that are associated with maleness and considered appropriate for how men should behave and look” (UN Women Training Center 2016, p.8). It is often associated with displays of leadership, toughness, and sometimes with the notion of being a perpetrator rather than a victim of violence. According to Carole Pateman (1988, p. 207), “the patriarchal construction of the difference between masculinity and femininity is the political difference between freedom and subjection”.

Carol Cohn (1987) has been influential in describing how elitist circles of defense intellectuals in the United States use gendered language in technostrategic discourse about nuclear weapons, at times using sexual references to support a display of masculinity and power. She exposed how nuclear strategic analysts tend to minimise the disastrous effects of atomic arms to serve abstract

theories of deterrence, thus disconnecting ideas of destruction from human reality and lived experience.

Feminism has the merit of identifying patriarchal ideology as the root of different epistemologies of violence, including colonialism and racism, that manifest across different spaces and groups of human beings. Because violence is often exercised with the use of arms, feminist thinking in international relations places the onus on disarmament as a strategy to defy violent masculinities as well as colonialist and racist ideas and practices.

History of feminist critique to the nuclear non-proliferation regime

In a context of international relations discourses dominated by ideas of masculinity, the road to signing the TPNW, heralded as the first historic gender-sensitive nuclear ban treaty, was long and arduous. The United Nations system was created in 1945 and, like the many structures of that era, was built from, and upon, a patriarchal system that had largely “othered” women and girls – a system that had either excluded or tokenised the expertise and experiences of women and girls. Indeed, gender equality has been a structural problem at the UN since its origin. Feminist activism and feminist perspectives to peace and disarmament have been paramount in creating a global constituency that would lead to the entry into force of the TPNW.

The history of feminist movements on disarmament started with the establishment of the Women’s International League for Peace and Freedom (WILPF) in 1915, after the First World War, thanks to the work of women who started contesting the violence caused by the conflict as well as their status as victims without a voice in the development of high politics. Their role was influential in creating a new culture of security that rests on the reduction of arms rather than on military strength and power projection. In a gathering in 1919, WILPF declared that it rejected “militarism as a way of thought and life, the privatised armed industry and recourse to war rather than dialogue” (Chinkin 2019).

In 1968, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), deposited after long negotiations by the then nuclear powers (the Soviet Union, the United Kingdom and the United States) and later signed by many non-weapons states, marked the beginning of the non-proliferation regime architecture that would define the new international order. To answer non-

nuclear states' contestations as to why they alone should be subject to the non-proliferation regime, nuclear weapons states included a provision in Article VI of the NPT that specifically asserts their commitment to pursue negotiations towards a "treaty on general and complete disarmament under strict and effective international control". Yet, to date, there is no legally binding treaty to keep nuclear powers accountable for pursuing disarmament and reducing their arsenals. Even after a judgement by the International Court of Justice (1996) established that the provisions of Article VI of the NPT should be respected and that NPT signatories should implement the disarmament agenda, the nuclear states never began to act upon their part of the bargain. This shows how nuclear deterrence and disarmament have always existed with the nuclear powers at the helm.

Between 1958 and 2022, there have been twenty-five treaties concerned with nuclear deterrence and disarmament². Many of these modified and amended parts of the NPT's bulwark promise in order to meet particular aspects of the nuclear powers' interests and politics at specific times and places, to the effect that the NPT has been consistently strained. As Harald Müller and Carmen Wunderlich (2020, p.172) put it, "multiple actors and motivations have rendered the nuclear order a patchwork drawing together contradictory impulses, not a coherent whole". The nuclear discourse fundamentally rooted power in the "haves" and marginalised and excluded the "have-nots".

The women-centred work of the "have-nots" went a long way to have their voices heard within the UN system, making important efforts to integrate a gender perspective into its conflict prevention and disarmament activities:

Feminist disarmament activists and academics, particularly those with groups like WILPF and the IANSA Women's Network, have been writing and campaigning on gender and disarmament for decades. UN agencies and some governments have

² Multilateral treaties include: 1959 Antarctic Treaty; 1963 Limited Test Ban Treaty; 1967 Outer Space Treaty; 1967 Latin America Nuclear Free Zone Treaty; 1968 Nuclear Non-Proliferation Treaty; 1971 Seabed Treaty; 1977 Environmental Modification Convention; 1985 South Pacific Nuclear Free Zone Treaty; 1996 Treaty of Pelindaba; 1996 Comprehensive Test Ban Treaty; 2005 International Convention for the Suppression of Acts of Nuclear Terrorism; 2017 Treaty on the Prohibition of Nuclear Weapons. Bilateral treaties include: 1963 Hot Line Agreement; 1972 Strategic Arms Limitation Treaty I (Interim Agreement); 1972 Anti-Ballistic Missile Treaty; 1974 Threshold Test Ban Treaty; 1974 Vladivostok Agreement; 1976 Peaceful Nuclear Explosions Treaty; 1979 Strategic Arms Limitation Treaty II; 1987 Intermediate-Range Nuclear Forces Treaty – INF; 1988 Ballistic Missile Launch Notification Agreement; 1991 Strategic Arms Reduction Treaty; 1993 Strategic Arms Reduction Treaty II; 2002 Strategic Offensive Reductions Treaty.

been working to mainstream gender in their programming for a long time, certainly since the adoption of UN Security Council Resolution 1325 in 2000 (Acheson 2018).

The adoption of UNSC Resolution 1325 on *Women, Peace and Security* (S/RES/1325) was one such watershed moment at the UN, representing a widespread normative shift in how the international community talked about women in the context of international peace and security. Resolution 1325 called on the Member States to move women to the front and centre of peace and security processes and invited them to stop talking only about women's victimhood, but to equally focus on women's agency and participation. Resolution 1325 set out a bold agenda in which gender equality was established as a baseline for peaceful and inclusive societies. Notably, in 2010 the prime minister of Trinidad and Tobago, Kamla Persad Bissessar, announced at the UN General Assembly debate that her administration would request a resolution to recentre the debate on the role of women in decision-making processes on matters of disarmament. This led to the introduction of Resolution A/RES/65/69 on *Women, Disarmament, Arms Control and Non-proliferation*, the first instrument to officially acknowledge the importance of the disarmament agenda to fight gender-based violence. Another important legacy is represented by the inclusion of gendered provisions in the 2014 Arms Trade Treaty, establishing that, before approving international transfers of arms, states need to undertake risk assessments on the possible use of the same arms against women and vulnerable groups (Acheson 2018).

In 2012, a group of UN Member States gathered to express concern about the catastrophic humanitarian consequences of nuclear weapons and voted to create an Open-Ended Working Group (OEWG) to consider different approaches to nuclear deterrence and disarmament negotiations. At its organisational session on 14 March 2013, the OEWG elected by acclamation Ambassador Manuel B. Dengo, Permanent Representative of Costa Rica to the United Nations Office in Geneva, as Chairperson of the Working Group. The OEWG was structured in a way that it could deliberately provide a diversity of perspectives, so that different questions would be asked about nuclear politics “without prejudice to the eventual outcome and national positions, allow[ing] for frank and constructive discussion on ways to take forward multilateral nuclear disarmament negotiations” (UNGA 2013). UN Resolution 67/56 *Taking Forward Multilateral*

Nuclear Disarmament Negotiations (2012) was voted in by one hundred forty-seven votes. The four “no” votes came from France, Russia, the United Kingdom and the United States (China was one of the thirty-one absentees). The Working Group’s purpose was precisely to give a voice to the large majority of non-nuclear states and the hundreds of non-governmental organisations representing the humanitarian needs of societies and communities.

By October 2015, states had adopted another resolution (A/C.1/70/L.13/Rev.1) to establish a second Open-Ended Working Group to address the legal requirements of the groups’ ambitions for a world without nuclear weapons. The eventual Treaty on the Prohibition of Nuclear Weapons was adopted on 7 July 2017 – to a standing ovation and tears of joy – following years of advocacy by the “have-nots” and their civil society organisation partners.

Evaluation of the TPNW negotiations through feminist international relations theory

This chapter will present a critical analysis of the TPNW against three main points of criticism that are at the heart of feminist international relations theory. These are concerned with the need to address the following problems: the misogyny of militarism, the chronic underrepresentation of women at the UN, and the nuclear patriarchy. In particular, it will be argued that the aforementioned problems should be tackled by way of intervention in three main areas, which will be discussed in the following paragraphs:

1. Addressing the disproportionate effects of nuclear weapons on women and girls;
2. Addressing the chronic underrepresentation of women in nuclear policymaking;
3. Addressing the gendered discourse that is the foundation of the nuclear narrative.

(1) The Misogyny of Militarism: Ignoring the Disproportionate Effects of Nuclear Weapons on Women and Girls

A fundamental criticism in feminist international relations theory is the misogyny underlying the ideas and practices of militarism, referring to different aspects of discrimination caused by international nuclear security policies, conflict and weapons on people with different gender identities. Some aspects of discrimination entrenched in militarism include the disproportionate impact of ionising radiation on women and girls, the presence of military bases, the presence of land mines in fields where women often work, and the way in which women's victimhood in conflicts, vulnerability to crime and caring responsibilities for the household are not acknowledged as heroic in male-oriented war narratives. These aspects will be analysed in this section.

The TPNW is known to be the first feminist Treaty due to its gender-sensitive provisions. Yet, the scope of the TPNW is within nuclear politics, so it does not address the discourse of militarism and its effect on the lives of women and non-binary people outside this realm. From a feminist point of view, this is a limitation. Nevertheless, an analysis of the TPNW debate at the *UN conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination* (UN, 2017) shows how women concerns were discussed and approved by several delegations, also led by men.

Gender-specific aspects of the TPNW

As previously noted, the TPNW (2017) was remarkable insomuch as it included three gender-specific elements, namely:

Preamble: Cognizant that the catastrophic consequences of nuclear weapons cannot be adequately addressed... and have a disproportionate impact on women and girls, including as a result of ionizing radiation...

and:

Preamble: Recognising 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 committed to supporting and strengthening the effective participation of women in nuclear disarmament,

and:

Article 6(1) *Victim assistance and environmental remediation*: ...adequately provide age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.

The subject of nuclear weapons' effects on women only warranted three per cent of the TPNW content. This is such a small number, but when measured against the bloody and largely ignored history of women in armed conflict, it is perhaps a sign of hope for a more accurate representation of women and girls in international peace and security matters.

Description of the TPNW negotiations

From an analysis of the video-recordings of the *UN conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination* (UN 2017), it emerges that the main proponents of the gender-specific elements for women's empowerment were the delegations of Ireland, Liechtenstein and Sweden. Ireland, represented by a man, suggested to add references to women into the Preamble as part of the commitment to UN Resolution 1325. He suggested the following lines:

...the disproportionate impact of nuclear weapons on the health of women and girls..." and "...of the need to promote the equal, full and effective participation of both women and men in the process of nuclear disarmament.

The above phrasing was endorsed by Austria, Brazil, Iran, Liechtenstein, Mexico and Nigeria. Brazil approved the amendment to the Preamble text whereby the word "maternal" was removed from the phrase "the disproportionate impact on the maternal health of women", explaining that "maternal health does not fully capture the current scientific understandings of the gendered impacts of nuclear weapons". Then, the Liechtenstein delegation, represented by a man, suggested in his intervention to "make the provision on women and girls broader" than what was in the draft Treaty text. He requested to remove the word "health" from the phrase "disproportionate impact

on the health of women and girls”, in order to “cover the breadth of the socio-economic effects” of ionising radiation on women and girls. The aforementioned amendments were successfully incorporated into the final draft of the TPNW.

It should be noted that the delegation of Sweden, represented by a woman, later expounded on the crucial importance of stressing the lack of adequate women’s representation in high-level negotiations, asking to add the following sentences into the Preamble:

Concerned by the low representation of women in multilateral disarmament forums...” and “Committed to the implementation of UNSC Resolution 1325, actively supporting the role of women in the resolution of conflicts and in peace-building and in stressing the importance of their equal and full involvement...”

Sweden’s proposal was endorsed during the debate by Austria and Brazil; however, the specific mention of Resolution 1325 was later strongly rejected by several other delegations – all represented by men. These included Ecuador, Egypt, Iran, Mozambique and Venezuela. They all extensively explained how inappropriate it would be to include references to the name of a resolution in a legally binding treaty, as opposed to a specific quotation of text from the resolution. It is apparent that those interventions represented diplomatic rejections to the idea of integrating Resolution 1325 and the *Women, Peace and Security* agenda into their national plans. Subsequently, Sweden had consultations with colleagues and came up with the following rephrasing of her proposed sentence, having removed a direct reference to Resolution 1325, and specifying that it was not important in which section of the Treaty it would be placed:

Supporting the important role of women in the prevention of conflict and in peace-building and stressing the importance of their equal and full involvement...

Regrettably, there is no mention of the above phrase in the final Treaty text. Ecuador only intervened after Sweden’s proposal to remark that it would be more appropriate to replace the wording “supporting the role of women in the prevention of conflict” with “supporting the role of

women in disarmament”, since the focus of the TPNW is advancing disarmament. Yet, what emerges from the final text is a replacement of the very words “the important role of women in the prevention of conflict” with two mentions about supporting “the participation” of women. This detail is crucial, because it reflects the vague idea that women’s participation in disarmament processes is enough to address women’s interests, whereas in reality it is important that women take an active role in preventing conflict.

The International Campaign to Abolish Nuclear Weapons (ICAN) and many of the 468 partner organisations across 101 countries that it counted in its network played a fundamental role in shaping the TPNW negotiations. The Treaty itself acknowledges in the last preambular paragraph the active role of “the International Red Cross and Red Crescent Movement, international and regional organisations, non-governmental organisations, religious leaders, parliamentarians, academics and the hibakusha” (TPNW 2017).

ICAN delivered four statements as a coalition, all presented by women (Linnet Ngayu, Thea Katrin Mjelstad, Maaïke Beenes and Setsuko Thurlow), highlighting the adverse effects of nuclear weapons’ lifecycle on women and girls and indigenous communities. Reaching Critical Will, WILPF’s disarmament programme represented by feminist scholar Ray Acheson, provided continuous inputs to delegations, as civil society groups were not allowed to participate in formal governments’ discussions. Notable is their input on the inclusion of terminology related to “gender-sensitive assistance” (Acheson 2021) into Article 6(1), denoting a non-binary term. Acheson stated that their suggestions were gathered from consultations with academics, activists and technical and legal experts, including both women and men.

The gendered impacts of weapons

A briefing paper by ICAN explains how nuclear weapons present particular and unique harms to women and girls through the risk of radiation exposure:

Women in Hiroshima and Nagasaki had nearly double the risk of developing and dying from solid cancer due to ionising radiation exposure. Research from Chernobyl indicates that girls are considerably more likely than boys to develop

thyroid cancer from nuclear fallout. Pregnant women exposed to nuclear radiation face a greater likelihood of delivering children with physical malformations and stillbirths, leading to increased maternal mortality. And yet, official evaluations have not considered gender - and age - sensitive impacts, meaning that the harm of ionising radiation has been systematically under-estimated and under-reported (ICAN 2020).

Speaking at the Women's March to Ban the Bomb, WILPF's President Kozue Akibayashi expressed a particular preoccupation with the fact that the effects of the Hiroshima and Nagasaki bombs have persisted through generations (WILPF 2018).

There are also studies on how the physicality of military bases can be a cause of women-specific harm and violence: "it is not a coincidence or an organic development that US military bases correlate with sexual exploitation, abuse, and trafficking. The situation has been deliberately created and sustained over time" (Acheson 2020). David Vine (2015) particularly contests the existence of "militarised societies" that, instead of providing more safety, cause more insecurity amongst people all over the world. Military bases are a foundational concept in feminist international relations theory, representing a highly masculinised space that exploits the surrounding populations of women and girls (Enloe 2014).

The core of this problem returns us again and again to the original power narrative that informs many international relations dynamics. Feminist approaches in international relations particularly point out how often Global South countries are feminised and reduced to being passive recipients of decisions taken by the industrialised countries of the Global North, especially the nuclear powers. For instance, Carol Cohn and Sara Ruddick (2003, p.18) state that "Third World countries are feminised, othered, and subjected to increasingly orientalist rhetoric"; hence, they constantly have to negotiate their place within a power structure that excludes and marginalises them from the negotiating table. Feminist theory identifies weapons possession as the key element that maintains and reproduces such a power structure in the international system and contests the masculine, patriarchal ideology that lies at its foundation. This ideology sustains a system that functions upon the threat of violence not only over less powerful states – which are therefore feminised – but also on women and girls.

For example, consider the unique burden presented to women and girls by land mines. The weaponry itself does not explicitly target women more than men; however, women face disproportionate exposure risks as they often are the gatherers of food. Then, the burden of caregiving that falls on women for the injured can upend female participation in the community and society. Furthermore, girls in conflict areas are often kidnapped to be used as child soldiers and are then forced into servitude by their male counterparts. Despite the known prevalence of such practices, girl soldiers' lack of physical armaments implies that they are not offered the same programs of recovery that are made available to boy soldiers.

Noeleen Heyzer (2003) remarks that when we talk about women in war, it is never in the same framework of power and valour that often attends male participation in war – the narrative does not permit honour or dignity in their victory or loss as it does for male involvement. Women's participation is more often framed within the narratives of fear, shame, and subservience, for which there are no attendant medals or venerated military graveyards. On the contrary, women are mostly celebrated only in virtue of their relationship to a male hero, like mothers or wives of fallen warriors.

(2) Seats at the Table: The Chronic Underrepresentation of Women at the UN

This section will engage in a critique to liberal feminism, arguing that this approach relies on a simplistic understanding of what advancing the role of women in policy-making requires. Feminist scholars Nancy Fraser, Cinzia Arruzza and Tithi Bhattacharya (2018, p. 117) define liberal feminism as being “dedicated to enabling a privileged few to climb the corporate ladder or the ranks of the military” and to feminising the social hierarchy rather than abolishing it, thus helping women attain parity with the men of the same class.

In the context of the UN, the main critique to liberal feminism relates to a liberal interpretation of UN Resolution 1325 on the *Women, Peace and Security* agenda, claiming that this was never intended to simply help women rise up the bureaucratic hierarchy in government departments, international institutions and strategic defense organisations, but rather to enable them to address gender-related issues that particularly affect women and girls and any marginalised group. Hence,

the main concern should not just be the inclusion of women in negotiations, but rather the inclusion of gender-sensitive women and men who are aware of the gendered impact of weapons, and who aim to pursue an agenda of denuclearisation and demilitarisation.

The presidency of the 2017 UN conference for the TPNW was held by Ambassador Elayne Whyte Gómez — a woman — of Costa Rica, and the negotiating delegation sent by Costa Rica was primarily composed of women. However, this gender composition of the Costa Rican delegation was not by specific design, it was by accident. That, in and of itself, represents a core part of the problem. The inclusion and active participation of women who are sensitised into the problems surrounding the impact of weapons on different gendered identities ought to be by intention. Still, the Costa Rican delegation to the conference for the TPNW was an anomaly: under twenty-five per cent of delegations to the conference were headed by a woman, and just over thirty per cent of the overall delegates were women (Dalaqua et al. 2019). In a briefing paper, ICAN (2020) points out the following:

The negotiations of the Treaty on the Prohibition of Nuclear Weapons featured female leaders. Many of the most active delegations were led by women, including Ireland, New Zealand, the Philippines, South Africa, Sweden, Switzerland and Thailand, and Elayne Whyte Gomez of Costa Rica was the negotiating conference president. The negotiations included civil society and international organisations led by women, who provided substantive input throughout. The Women's International League for Peace and Freedom, the oldest international women's peace organisation, was one of the leading civil society organisations in the negotiations.

These numbers are not terrible and may be seen as a measure of success. However, research (Dalaqua et al. 2019) has shown that larger conferences – usually of more than a hundred people – tend to have an outsize proportion of women compared to smaller forums that continue to be dominated by men. Indeed, if states can only send one person to a meeting, they almost always send a man, which begs the question: why is it still the case that space is made for women only after men have taken their seats at the table? We need to do more to challenge this stark reality.

So, beyond adding to our numbers, how do we really challenge and upend the structure that has incubated this problem?

The argument advanced by this paper is that the solution to mere tokenism is to integrate a disarmament focus into Resolution 1325. Inserting women into existing peace and security roles that do not aim to pursue a disarmament agenda may only legitimise the status quo of the patriarchy, with the justification that it has made space for women and that it is therefore supported by them. For example, one of the key practical effects of Resolution 1325 has been promoting female soldiers to increase the proportion of women in militaries and fielding all-women military units. However, the intent of Resolution 1325 was never to *encourage* more women to become soldiers, but rather to harness the dividends that can be reaped when women are permitted equal space as equitable participants in all peace and security solutions.

It is therefore important that women who have in-depth empirical experience in working at grassroots level are able to escalate hierarchies up to policy-making level. It has long been observed that “despite the leadership they exercise at the community level, women are not prominent in the political parties that emerge when armed groups lay down their weapons” (Heyzer 2003, p.6). Political processes are rendered more effective *when* women’s participation bleeds from the community organisational level to the elected or politically appointed level.

While Resolution 1325 can serve as a helpful normative guide to state practice, it does not in itself guarantee that national and community contexts will be conducive to the full participation of women in relevant peace policies and processes. This is due to the fact that Resolution 1325 is often subject to liberal feminist interpretations that do not incorporate disarmament concerns. For instance, Heyzer considers what a gender-inclusive approach to mine action could look like and contends that it certainly means more than making sure that there is an equitable gender distribution of mine-diffusion experts:

[A] gender-inclusive approach to mine action would include ensuring that those conducting demining operations consult with women, who often identify areas, such as transportation routes to fields or markets, that may be ignored by military or political authorities. Similarly, because women share vital information with their families and communities, particularly about signs of danger and preventing injury,

landmine awareness training may be made more effective by including women and disseminating information where women work or gather (Heyzer 2003, p.7).

Greater *awareness* must translate into *effective* and *thoughtful* inclusion – and not just be the inclusion of a number. The goal of gender mainstreaming is to avoid making gender an “add-on”. It is important to ensure that every aspect of a given activity, such as peace or disarmament negotiations or post-conflict operations, be assessed for its gender implications. As UN Women Executive Director Phumzile Mlambo-Ngcuka stated in her remarks on 2021 International Women’s Day, “the universal and catastrophic lack of representation of women’s interests has gone on too long” (UN Women 2021).

As such, the success of the TPNW must be evaluated in terms of whether the inclusion of its gender-specific elements is more than tokenism, and whether said gender-specific elements will amount to measurable and actionable outcomes that have a positive impact on advancing disarmament goals.

(3) Upending the Nuclear Patriarchy: A Highly Gendered Discourse

This section draws from feminist standpoint theory and challenges the discourse of “nuclearism”, which Robert J. Lifton and Richard Falk (1982) describe as “a political and psychological dependence on nuclear weapons to provide an impossible security”. Feminist standpoint theory builds on intersectional and postcolonial epistemological approaches and “acknowledges the variety of experiences and knowledge ... of different individuals and groups and considers how these experiences are shaped in their intersecting social identities (Weldon 2006, p.64). It places the onus on incorporating into mainstream nuclear discourse the voices of all communities that have historically been marginalised by multiple and co-existing patriarchal systems of oppression ultimately enforced by practices of militarism.

As Carol Cohn explains in her revered article *Sex and Death in the Rational World of Defense Intellectuals* (1987), the discourse of nuclearism rests on terminology that evokes masculinity and power and uses sexual referents along with technical jargon to discuss nuclear weaponry and

strategy. She found that readiness to use nuclear weapons is associated with masculinity in policy-makers' strategic circles, whereas talking about disarmament is considered feminine and weak. Indeed, the "haves" of the world have long maintained a discourse that prioritises their own experience over the experiences of those that exist in their world only to suffer the consequences of their actions. Military power is "brave" and "bold". Those who engage in traditional conflict are "victorious" or "villainous". In nuclear policy, this has resulted in language that describes the "haves" as those who make correct and responsible decisions with their power and the "have-nots" as too irresponsible even to be trusted with it.

This language is interwoven in an extensive symbolic system that is highly gendered and infused with conceptual dichotomies such as masculine/feminine, rational/emotional, hard/soft, and active/passive (Fuller et al. 2021). This narrative elevates the "nuclear patriarchy" and frames women as secondary operatives in the nuclear framework. The consequences of this "othering" are direct and measurable and exacerbate women's exclusion from decision-making processes (Minor 2017).

Feminist standpoint theory embraces postcolonial perspectives to international relations and is concerned with the voices of those traditionally considered as "subaltern" in the international system, as described by feminist postcolonial scholar Gayatri Spivak in her seminal work *Can the Subaltern Speak?* (1988). The disarmament agenda has traditionally been a prerogative not only of feminist movements, but also of countries from the Global South that were parties to the Non-Aligned Movement (NAM) since the Cold War, meaning that they were not aligned with the two world superpowers. Even after the Cold War, these countries continue to find themselves at the receiving end of decisions taken by global powers in the international system, which feminist international theory associates with militarism. They are in fact subject to what Dan Plesch defines a "militarised and corporate-driven international policy [that] has led to an unnecessary and disastrous convergence of underlying economic, military and ideological dangers" (2020, *The Baraaza*).

Many postcolonial countries still experience political and social instability as a result of the continuous armament of state and non-state actors via both licit and illicit arms trade. The weapons trade often brings high profits to arms producers and dealers who are situated in the Global North, and also benefits the corporate military-industrial complex that often plays a role in defining

international security priorities and in driving foreign policy interests. Profiting from the nuclear order are private companies that “build nuclear weapons, their delivery systems and manage nuclear weapon laboratories” (Acheson 2022a, p.10). There are about 325 financial institutions investing hundreds of billions in these companies around the world, and there is a vested corporate interest in maintaining war economies (Snyder 2019). This issue is hardly mentioned in public politics debates, and this is why feminist approaches to disarmament are so important.

Nuclear treaty development has always been built upon the truism that nuclear power states are interested only in the political optics of disarmament, not the reality of actually dispossessing themselves of nuclear power. Hence, critics of the TPNW (Fruhling and O’Neill 2020) point out that the Treaty represents more an exercise of wishful thinking than a realistic solution to nuclear disarmament. They also point out that it lacks adequate enforcement mechanisms that may guarantee its practical implementation. Indeed, the complete ban has not stopped signatories from further acquiring and developing nuclear weapons; however, the core issue at the heart of the TPNW’s success may not lie entirely in its treaty-based outcomes.

In fact, as Rosanagh Fuller, Robyn Harris and Marissa Conway (2021) note, the TPNW’s main impact consists in raising critical awareness among the international community on the question of how common security is articulated:

Who defines and constructs the practices of global security? By which means? How are women and men affected differently by the nuclear arms race? Most significantly, what are the human costs of nuclear weapons? (Fuller et al. 2021, p.20).

The success of the TPNW is multifaceted: of course, when defined by the binary question of whether or not nuclear weapons continue to exist, then the Treaty has so far “failed”, but if its success is defined by whether or not there has been a reframing of security that takes stock of war and weapons “from the perspective of women’s lives, making women’s experiences a central rather than marginal concern” (Cohn and Ruddick 2003, p.6), then the outcome of the TPNW is still very much a work in progress.

The TPNW has held up a mirror to the ways in which traditional narratives of power exclude and undermine women. Whether it is having women in the room, taking account of the disproportionate effects of nuclear weaponry on women and girls, or elevating women's experiences and perspectives so that they sit equally alongside masculinised narratives of power, then the TPNW is a document that at least situates a gendered conversation in spaces that historically would not allow it.

A New “Have-Nots” Narrative: Humanitarian Nuclear Disarmament

This section will explore the impact of the TPNW in reframing nuclearism by way of integrating the discourse of human security and international cooperation into a legally binding international treaty. Thus, it officially challenges the dominant realist international relations discourse that conceives the international system as characterised by anarchy, where states need to prioritise the national interest and security. It will be argued that this represents the main breakthrough of the TPNW, a fundamental stepping stone in changing the way international relations work.

The notion of human security was formally introduced at the UN by the UN Development Program in 1994, with the Human Development Report. This defined human security as “safety from chronic threats such as hunger, disease, and repression as well as protection from sudden and harmful disruptions in the patterns of daily life – whether in homes, jobs or communities” (UNDP 1994, p.23). The Report shifted the notion of security from “security of territory from external aggression, or as protection of national interests in foreign policy or as global security from the threat of a nuclear holocaust” to “the legitimate concerns of ordinary people who sought security in their daily lives” (UNDP 1994, p.4). With the TPNW, states parties embraced this definition of security and considered the elimination of nuclear weapons as a priority for human security and survival.

The so-called “humanitarian turn” in nuclear diplomacy can be traced back to the signing by 159 states of the Humanitarian Pledge presented by the Austrian Government in 2015, following the failure of the 2015 NPT Review Conference to “fill the legal gap for the prohibition and elimination of nuclear weapons” (UN 2016). The initiative had built on a series of earlier

conferences that had been exploring the theme of the Humanitarian Impact of Nuclear Weapons. The Humanitarian Pledge also followed in the legacy of previous humanitarian treaties, including the Anti-Personnel Mine Ban Treaty (1997), the Convention on Cluster Munitions (2008), and the Arms Trade Treaty (2014), each acknowledging the disproportionate gendered impacts of specific weapons systems.

Humanitarian aspects of the TPNW

The TPNW entered into force on 22 January 2021. Its adoption represents a normative shift in the narrative that had dominated all previous nuclear treaties. It essentially upended the previous “nuclear-patriarchy” narrative and claimed that international peace and security is dependent upon the elimination of all nuclear weapons, and that the time for piecemeal political acquiescing of nuclear power by the “haves” is over. This change is marked in the language used in the TPNW (2017):

Deeply concerned about the catastrophic humanitarian consequences that would result from any use of nuclear weapons, and recognizing the consequent need to completely eliminate such weapons, which remains the only way to guarantee that nuclear weapons are never used again under any circumstances...

and:

Cognizant that the catastrophic consequences of nuclear weapons cannot be adequately addressed, transcend national borders, pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security and the health of current and future generations...

The TPNW voiced states parties’ collective reckoning with the ever-known but largely ignored truth that weaponised security, especially nuclear weaponry, does not make everyone safer. Indeed, nuclear weaponry privileges a small number of “haves” at the expense of largely everyone else. It was only by elevating the voices of the “have-nots” that the TPNW was made possible.

According to Ray Acheson (2018), the new humanitarian turn to the securitisation discourse and the inclusion of marginalised voices was a necessary condition to create a new culture of disarmament:

Our current situation is dire. Trillions of dollars are being spent on militaries and technologies of violence while poverty, inequality, and climate change threaten our collective security and safety. Disarmament, as a policy and practice that leads us away from militarism and towards peace, requires new understandings, perspectives, and approaches to weapons and war. It requires the effective and meaningful participation of survivors of gun violence, of nuclear weapons use and testing, of drone strikes, of bombardment of towns and cities. It requires the effective and meaningful participation of marginalised communities — LGBT+ folks, people of color, those at a socioeconomic disadvantage, people with disabilities.

But it is not enough — not nearly enough — to look at the TPNW and conclude that gender equity in nuclear disarmament, or indeed in any aspect of the UN, is a finished task. While the TPNW process certainly made space for women to be represented, it does not wholly upend the traditional power narratives surrounding nuclear weapons. The substantive text of the TPNW amounts to just under four thousand words. Of these four thousand words, only three paragraphs, or just one hundred eleven words, deal directly with women and girls. That just about adds up to three per cent. Of course, gender equity is about more than just numbers. Still, the numbers indicate that the treaty spends significantly more time discerning how states parties will equitably share the costs of hosting meetings and conducting business than it does making space for people from marginalised communities.

Feminist disarmament and the General and Complete Disarmament agenda

These observations support the argument that feminist approaches to disarmament, concerned with intersectionality and postcolonialism, would find a more satisfactory accomplishment in advancing an agenda of *general and complete disarmament* (GCD) rather than simply *nuclear disarmament*. In fact, all kinds of arms, conventional and non-conventional, from small arms and light weapons (SALW) to chemical and biological weapons, play a discriminatory effect on women, girls, and the LGBTQ+ community. Chemical, biological, and nuclear fallouts have a peculiarly detrimental impact on women's health, fertility, and the health of unborn children during pregnancy. However, the reproduction of patriarchal power and mindset is most often associated with the possession, threat of use and use of guns and small arms against women and disadvantaged social groups rather than with nuclear weapons in the everyday reality of conflict zones or domestic spheres (Small Arms Survey 2014).

GCD has been included into the Preamble by a group of states – Chile, Colombia, Ecuador, El Salvador, Guatemala, Jamaica, Indonesia, Peru, Philippines, Uruguay, Venezuela, and – with the support of civil society and disarmament organisations, such as the *Strategic Concept for Removal of Arms and Proliferation* (SCRAP Weapons)³. During the TPNW negotiations, Chile made the following statement on behalf of the aforementioned states:

General and Complete Disarmament ... and Humanitarian Disarmament share a common and rich history. Humanitarian motives were at the core of campaigns for general disarmament arising from the indiscriminate slaughter of WWI and WWII. [...] The nuclear ban treaty will contribute to making significant progress towards nuclear disarmament. It will also considerably reinforce the existing broader disarmament architecture. As such, the ban Treaty should not be viewed as an end in itself but as a critical piece of a wider web of Treaties that jointly advance humanitarian disarmament and GCD (SCRAP Weapons Project Archive 2017).

³ SCRAP Weapons Project – *Strategic Concept for the Removal of Arms and Proliferation*. Website: www.scrapweapons.com.

At the same time, GCD remains less mainstream than nuclear disarmament in conversations that are held predominantly in the Global North. From a feminist standpoint, the TPNW annual meetings should focus discussions on expanding the scope of the Treaty to include the general and complete disarmament agenda, as this has the merit to better address humanitarian concerns and the fact that it is the circulation and availability of firearms that often weakens the ability of women and people with different gendered identities to negotiate their existence in patriarchal spaces.

Establishment of Gender Focal Points at the First Meeting of States Parties to the TPNW

Considering that the success of the TPNW must be evaluated in terms of whether the inclusion of its gender-specific elements will amount to measurable and actionable outcomes that have a positive impact on the inclusion of women-centric voices into nuclear policymaking, it is possible to argue that considerable progress was made at the First Meeting of States Parties to the TPNW (1MSP) that took place in Vienna in June 2022.

Here the delegations of Chile, Ireland, Mexico and the UN Institute for Disarmament Research (UNIDIR) submitted a Working Paper on *Operationalising the gender provisions of the TPNW* (UN 2022), recommending that the 1MSP outcome document include four points of action. First, that the gender considerations of the TPNW are implemented across all Treaty-related national policies, programmes and projects; second, that states parties establish a Gender Focal Point to support implementation of the gender provisions; third, that states parties develop guidelines for ensuring age- and gender-sensitive victim assistance, and fourth, that a Scientific Advisory Board is established to discuss “gender-responsive intersectional methodologies” for states parties’ activities (UN 2022, p.4).

A Reaching Critical Will report explains that the Declaration and Action Plan adopted at the 1MSP presented concrete steps for implementing the TPNW gender provisions, including also “starting work on a trust fund to support people harmed by the impact of nuclear explosions ...[and] setting a ten-year deadline for destruction of nuclear weapons” (Acheson 2022b, p.1).

Yet, according to Acheson (2022b), although the Action Plan can be commended for incorporating commitments to implementing the TPNW gender provisions – a crucial and unprecedented

achievement – its limitation lies in its failure to integrate intersectional perspectives and breaking down the gender binary, an issue that continues to be neglected in important multilateral negotiation processes. Deconstructing the gender binary is not only important to take into account the experiences and lived realities of people with non-binary identities, but also because it plays a role in reinforcing the man/woman hierarchy and the normalisation of masculinity as the stronger referent in international relations discourses.

Overall, one year after the entry into force of the TPNW, significant progress has been made in considering gender-sensitive provisions in nuclear disarmament discussions. There is hope that further progress will be made in the future Meetings of States Parties. As of September 2022, more states have joined the TPNW and more may join in the near future, hopefully one day reaching a number of adherents that can help nuclear disarmament become international customary law. At the very least, every state joining the Treaty has or will need to address gender-sensitive provisions that will contribute to advancing feminist approaches to disarmament.

Conclusion

The inclusion of gender-sensitive policies in nuclear diplomacy as well as in any multilateral fora is never the result of simply adding more women at the table. Liberal understandings of feminism that focus on tokenism are deleterious to the cause of defending the interests of women and girls and non-binary people, since they often serve to legitimise rather than challenge patriarchal systems of oppression, often overlapping with racism and colonialism. Feminist international relations theory offers a useful framework to analyse how the complex predicament of women and groups from marginalised communities are often neglected, and the multiple ways in which their lived experiences affected by militarism are downplayed, in the face of dominant international relations discourses based on nuclearism and securitisation policies. Drawing from epistemologies of intersectionality and postcolonialism, feminist approaches to disarmament aim to address how the subjectivities of people with different gender identities suffer differently from the effects of nuclear policies and environmental radiation, as well as from ideas and practices of militarism that encourage the use of arms by men. Similarly, indigenous communities and groups in the Global

South bereft of social power are often the victims of conflicts waged with weapons produced by private corporations situated in the Global North, which thrive on the suffering of distant others.

The TPNW is concerned with giving voice to numerous social groups that have been at the margins of global structures of power. Furthermore, it strengthens the discourse of human security vis-à-vis that of state-centred national security in international relations. In this regard, the TPNW is an enormous achievement in reframing the debate not only on nuclear diplomacy, but also on the importance of privileging practices of international cooperation as opposed to power projection, which means, interpreting the international system as a fertile terrain for advancing human development instead of a hostile environment where anarchy prevails.

In acknowledging the gendered dimensions of nuclear weapons, the Treaty is lauded as the only gender-sensitive nuclear weapons agreement in existence. Nevertheless, much progress still needs to be made to give justice to the voices of women, as well as of the “have-nots”. As the analysis of the UN debate on the TPNW shows, Sweden’s proposal to include a mention of UN Resolution 1325 was strongly rejected by several delegations represented by men, and the proposal to include a phrase on women’s role in conflict prevention was replaced with recommendations about promoting women’s participation in nuclear disarmament mechanisms. Yet, ensuring participation is never enough to guarantee change. The objective is not just widening representation, but effectively advancing the interests of marginalised communities. The article argues that this requires incorporating disarmament issues at the heart of gender-sensitive policies. In fact, weapons are the main materialisation of militarism and patriarchal ideas. A further recommendation of the paper is that humanitarian concerns could be further advanced if a general and complete disarmament agenda were pursued by states parties to the Treaty, as contemplated in its preambular provisions. This agenda would target the production, trade and supply of the types of conventional weapons that are actually used in acts of domestic violence as well as state and non-state violence around the globe, which constitutes the lived reality, often unheard, of women and people belonging to subaltern groups and communities.

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