

BY: Senator SALAZAR

AFFIRMING New York State's commitment to denuclearization and support for the United Nations Treaty on the Prohibition of Nuclear Weapons, encouraging the divestment from companies involved in the production or maintenance of nuclear weapons, congratulating the International Campaign to Abolish Nuclear Weapons on receipt of the Nobel Peace Prize, and inviting all New York elected officials to sign ICAN's Parliamentary Pledge

WHEREAS, It is necessary for people throughout the world to speak out against the proliferation of nuclear weapons, to call for the prohibition of all nuclear weapons, and to address the public health risks associated with the use, testing, storage and transit of nuclear weapons, in this State and beyond; and

WHEREAS, This Legislative Body recognizes the enormous and incalculable suffering caused in the past by the development, testing, use and testing of nuclear weapons, including the use by the United States in 1945 of atomic bombs against the civilian populations of Hiroshima and Nagasaki; and

WHEREAS, This Legislative Body recognizes that any further use or testing of such weapons would result in catastrophic humanitarian consequences, and that such consequences would transcend national borders, and would pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security, the health of current and future generations, and would have a disproportionate impact on women and girls as a result of ionizing radiation; and

WHEREAS, The continued existence of nuclear weapons poses many risks, including from any nuclear weapon detonation by accident, miscalculation or design and these risks concern the security of New Yorkers and all humanity; and

WHEREAS, The global nuclear weapons stockpile remains almost 14,000 nuclear weapons possessed by the nine nuclear-armed nations, including more than 6,000 warheads in the US arsenal (many on high alert status); and

WHEREAS, Hundreds of thousands of Americans, including New Yorkers, have been exposed to the risks of ionizing radiation from nuclear weapons activities, including inter alia Japanese-American hibakusha; atomic veterans; participants in the Manhattan Project; residents of test sites in the USA, Republic of the Marshall Islands and Republic of Kiribati; "downwinders" exposed to radioactive fallout; those involved with uranium milling, mining and transportation; human subjects of radiation experiments; and those who have worked in environmental remediation operations; and

WHEREAS, Nuclear weapons activities have had disproportionate impact on indigenous peoples throughout the world; and

WHEREAS, The Manhattan Project uranium storage and transit facilities in the State have posed a public health risk, and while there have been environmental remediation activities, the precise scope of residual risk has been understudied; and

WHEREAS, As a party to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the US is obligated to "pursue negotiations in good faith on effective measures relating to nuclear disarmament" (Article VI); and

WHEREAS, This obligation was reaffirmed by the International Court of Justice in 1996; and

WHEREAS, Numerous United States cities and states have called upon our elected officials to step "Back from the Brink" of nuclear conflict by renouncing the option of using nuclear weapons first; ending the President's sole, unchecked authority to launch a nuclear attack; taking U.S. nuclear weapons off hair-trigger alert; canceling the plan to replace the entire U.S. arsenal with enhanced weapons; and actively pursuing a verifiable agreement among the nuclear armed states to eliminate their nuclear arsenals; and

WHEREAS, In 2017 at the United Nations in New York City, 122 nations adopted the Treaty on the Prohibition of Nuclear Weapons (TPNW); and

WHEREAS, Upon entry into force, the TPNW will establish a categorical ban on a) developing, testing, producing, manufacturing, otherwise acquiring, possessing or stockpiling, b) transferring or transferring control to any recipient whatsoever; c) receiving the transfer of or control over; d) using or threatening to use; e) assisting, encouraging or inducing in any way, anyone to engage in any prohibited activity; f) Seeking or receiving any assistance, in any way, from anyone to engage in any prohibited activity; g) stationing, installation or deployment any nuclear weapons or other nuclear explosive devices (Article 1); and

WHEREAS, The TPNW establishes 'positive obligations' on nations to assist victims of nuclear weapons use and testing under their jurisdiction; remediate contaminated environments under their jurisdiction or control; and engage in international cooperation and assistance (Articles 6 & 7) and identifies a responsibility for nations that have used or tested nuclear weapons to provide adequate assistance to affected nations, for the purpose of victim assistance and environmental remediation (Article 7); and

WHEREAS, The TPNW recognizes the importance of peace and disarmament education in all its aspects, including raising awareness of the risks and consequences of nuclear weapons for current and future generations, and disseminating the principles and norms of the Treaty; and

WHEREAS, The persistence of the US nuclear arsenal; the US boycott of the TPNW negotiations; the recent US withdrawal from the Intermediate-Range Nuclear Forces Treaty and to undermine the Joint Comprehensive Plan of Action (Iran Nuclear Deal) all demonstrate a lack of good faith pursuit of nuclear disarmament; and

WHEREAS, The International Campaign to Abolish Nuclear Weapons (ICAN) was awarded the 2017 Nobel Peace Prize "for its work to draw attention to the catastrophic humanitarian consequences of any use of nuclear weapons and for its ground-breaking efforts to achieve" the TPNW; and

WHEREAS, The equal, full and effective participation of all people in disarmament - including those marginalized because of age, color, disability, gender, gender identity, pregnancy, national origin or citizenship status, race, socio-economic status, religion/creed or sexual orientation; and intersections of these identities - is an essential factor for the promotion and attainment of sustainable peace and security and ICAN's advocacy efforts have sought to foreground the voices of those who have often been marginalized from policymaking on nuclear weapons, including victims of nuclear weapons, women, indigenous peoples, youth, LGBTQA persons, people of color and people from the Global South; and

WHEREAS, Other State legislatures, including California, Oregon, and New Jersey have expressed their support for the TPNW; and

WHEREAS, ICAN now seeks commitments from elected representatives to work for their government to join the treaty by signing its "Parliamentary Pledge", which states: "We, the undersigned parliamentarians, warmly welcome the adoption of the UN Treaty on the Prohibition of Nuclear Weapons on 7 July 2017 as a significant step towards the realization of a nuclear-weapon-free world. We share the deep concern expressed in the preamble about the catastrophic humanitarian consequences that would result from any use of nuclear weapons and we recognize the consequent need to eliminate these inhumane and abhorrent weapons. As parliamentarians, we pledge to work for the signature and ratification of this landmark treaty by our respective countries, as we consider the abolition of nuclear weapons to be a global public good of the highest order and an essential step to promote the security and well-being of all peoples."; and

WHEREAS, New York has a special responsibility, as a site of Manhattan Project activities, to express solidarity with all victims of nuclear weapons; support efforts to remediate contaminated environments; and to work for nuclear disarmament; and

WHEREAS, Religious leaders and other voices of public conscience in New York and beyond have condemned nuclear weapons as unethical, immoral and inhumane; and

WHEREAS, New Yorkers have a 75-year history of activism against nuclear weapons, including major nuclear disarmament marches in the 1970s leading to one of the world's largest ever demonstration against nuclear weapons held in Central Park in 1982; and

WHEREAS, New York's private sector can play a role in nuclear disarmament by refusing to do business with or by divesting from companies involved in producing key components for nuclear arsenals; and

WHEREAS, The elimination of all nuclear weapons is necessary in order to guarantee that such weapons are never used again under any circumstances; now, therefore, be it

RESOLVED, That this Legislative Body pauses in its deliberations to honor the courageous contributions and activism of individuals and organizations in every country who have worked to end the use of or testing of nuclear weapons, including the many thousands of committed New Yorkers who have organized, rallied, spoken out, advocated since the dawn of the nuclear age for the prohibition of nuclear weapons; and be it further

RESOLVED, That the New York State Senate reaffirms the State's commitment to denuclearization by: expressing support for the Treaty on the Prohibition of Nuclear Weapons; supporting divestment from companies involved in the production and maintenance of nuclear weapons; congratulating ICAN - including its members from New York - on the Nobel Peace Prize, and inviting New York's elected representatives (at local, State and Federal levels) to sign ICAN's Parliamentary Pledge; and be it further

RESOLVED, That the New York State Senate urges the United States to sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons and simultaneously to lead a global effort to prevent nuclear war by renouncing the option of using nuclear weapons first; ending the President's sole, unchecked authority to launch a nuclear attack; taking U.S. nuclear weapons off hair-trigger alert; canceling the plan to replace the entire U.S. arsenal with enhanced weapons; and actively pursuing a verifiable agreement among the nuclear armed states to eliminate their nuclear arsenals; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to each member of the United States Senate and the United States House of Representatives from the State of New York, and the International Campaign to Abolish Nuclear Weapons.