

Stakeholder submission for the 43rd session of the Universal Periodic Review

Report on Luxembourg

The International Campaign to Abolish Nuclear Weapons (ICAN) is a campaign coalition of over 600 non-government organizations in over one hundred countries. Following the historic achievement of the adoption of a strong nuclear weapons ban treaty, ICAN now campaigns for all States to sign and ratify the Treaty as a matter of urgency, take measures towards the global elimination of all nuclear weapons, and provide an overdue response to the victims of the humanitarian and environmental impact of nuclear weapon tests in the Pacific and elsewhere.

ICAN was awarded the Nobel Peace Prize in 2017 for “its work to draw attention to the catastrophic humanitarian consequences of any use of nuclear weapons and for its groundbreaking efforts to achieve a treaty-based prohibition of such weapons.”

*National Human Rights Framework*

The Treaty on the Prohibition of Nuclear Weapons has clear references to and implications for human rights law and practice. Preambular paragraph 8 reaffirms “the need for all States at all times to comply with applicable international law, including international humanitarian law and international human rights law” The most relevant rights concern from a nuclear weapons attack is the right to life, other relevant rights concerns include the prohibition of inhuman and degrading treatment, the right to a home and to property, as well as rights violations resulting from nuclear weapons testing.

Luxembourg has not yet signed or ratified the Treaty on the Prohibition of Nuclear Weapons (TPNW).

Luxembourg has consistently voted against an annual UN General Assembly resolution since 2018 that welcomes the adoption of the TPNW and calls upon all states to sign, ratify, or accede to it “at the earliest possible date”. Luxembourg supports the retention and potential use of nuclear weapons on its behalf, as indicated by its endorsement of various alliance statements of the North Atlantic Treaty Organisation (NATO), of which it is a member.

Luxembourg did not participate in the negotiation of the TPNW at the United Nations in New York in 2017 and thus did not vote on its adoption. On the opening day of the negotiating conference, it joined the United States and several other states in protesting the treaty-making process. In 2016, Luxembourg voted against the UN General Assembly resolution that established the formal mandate for states to commence negotiations on “a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination”. In a document sent to NATO members ahead of the vote, the United States “strongly encourage[d]” members, including Luxembourg, to vote against the resolution, “not to merely abstain”. In addition, it said that, if the treaty negotiations do commence, allies and partners should “refrain from joining them”.

ICAN now urges Luxembourg to sign and ratify the TPNW, as a matter of international urgency.

