



Stakeholder submission for the 42nd session of the Universal Periodic Review

Report on the Republic of Korea

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. Preambulary 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.

The Republic of Korea 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” South Korea supports the retention and potential use of US nuclear weapons on its behalf, as indicated in various policy statements and rooted in the 1953 Mutual Defense Treaty. In June 2017, one week before the adoption of the TPNW, the then-US president, Donald Trump, and South Korean president, Moon Jae-in, issued a joint statement in which the United States reiterated its “commitment to provide extended deterrence to [South Korea], drawing on the full range of US military capabilities, both conventional and nuclear”.

The Republic of Korea 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, South Korea 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”.

At the last UPR of the Republic of Korea in November 2017, Guatemala recommended that the Republic of Korea sign the TPNW.

ICAN now calls upon the Republic of Korea to sign and ratify the TPNW, as a matter of international urgency.