



Contribution ID: 340

Type: **Paper Abstract (Closed Panels)**

The Universalization of the Treaty on the Prohibition of Nuclear Weapons : Lessons from the CWC and BWC and the Role of Customary International Law

Friday 27 June 2025 12:10 (20 minutes)

The Treaty on the Prohibition of Nuclear Weapons (TPNW) represents a critical step toward global nuclear disarmament, yet its universal adoption faces significant challenges, particularly due to resistance from nuclear-armed states. This paper examines the potential for expanding the TPNW's adoption by drawing insights from the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC), focusing on how customary international law can influence this process.

Through a comparative legal analysis, the paper explores the historical evolution of the CWC and BWC, analyzing how these treaties transitioned from limited regional agreements to near-universal legal instruments. It assesses the role of treaty design, enforcement mechanisms, and state practice in fostering compliance and legitimacy. By examining legal precedents and state responses to these treaties, the paper evaluates whether the TPNW could follow a similar trajectory.

Methodologically, this research relies on a doctrinal analysis of treaty text and state practice, complemented by a review of customary international law principles and relevant case studies. It compares enforcement, verification, and accountability provisions in the CWC and BWC with those in the TPNW to identify legal and institutional gaps that may hinder broader adoption. Additionally, the paper considers state discourse in international forums and legal scholarship to assess emerging norms surrounding nuclear disarmament.

The central question of this research is: Can customary international law and evolving state practice contribute to the universalization of the TPNW? The paper proposes a legal framework based on lessons from the CWC and BWC, suggesting that strengthening customary norms around nuclear non-proliferation could enhance the TPNW's legal influence and broaden its global acceptance.

By integrating historical precedent with legal analysis, this research offers new insights into how the TPNW could gain wider recognition and legitimacy in the international legal order.

What discipline or branch of humanities or social sciences do you identify yourself with?

international law

If you are submitting an Open Panel proposal, have you included all four abstracts in attachment?

No, I am submitting a Closed Panel abstract

Are you a PhD student or early-career researcher?

No

Author: BIDAS, Agata (University of Vienna)

Presenter: BIDAS, Agata (University of Vienna)

Session Classification: Weapons of Mass Destruction: Non-Proliferation and Arms Control

Track Classification: Closed Panels: Weapons of Mass Destruction: Non-Proliferation and Arms Control