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27.09.2023

Humza Yousaf MSP

First Minister

Scottish Government

St Andrew's House

Regent Road

Edinburgh

EH1 3DG

Dear First Minister

We are writing to request that the Scottish Government takes part as an observer in the forthcoming meeting of the Treaty on the Prohibition of Nuclear Weapons. The United Nations will convene the TPNW's 2nd Meeting of States Parties from 27 November to 1 December 2023 in New York.

The reasons for our government to participate include:

- Engaging with the 93 signatory states and the 69 states parties of the TPNW.
- Understanding initial efforts to implement the TPNW's provisions.
- Sharing our government's views and our country's expertise.
- Seeing how the ban treaty works and how to engage with it.
- Contributing to debates by making statements or submitting papers.

This meeting comes at a critical time. No other nuclear weapons treaty is making the same level of progress in reducing the chances of nuclear war. In addition, on a matter of deepest concern to all people, the TPNW addresses what nuclear weapons do to human beings and the environment.

During this year's commemoration of the 1945 atomic bombings, the Catholic archbishops of Hiroshima, Nagasaki, Santa Fe and Seattle met in Japan. As spiritual leaders from places where nuclear weapons were used or are based, they resolved to promote the signing and ratification of the TPNW.

It is most timely to engage with the TPNW as observers. In the current international security environment, amid heightened nuclear risks and widespread up-grades of nuclear forces, our government must support UN processes that are advancing the cause of nuclear disarmament. Unfortunately, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is failing to do so, again and again.

There are practical benefits from engagement with the TPNW. Representing a country that has nuclear weapons imposed on its soil, our government can help to shape debates on the treaty's application and implementation, including with respect to disarmament verification, safeguards, victim assistance, and environmental remediation.

Our government's participation can foster trust and cooperation between TPNW parties and non-parties. Reducing polarisation in the field of nuclear disarmament and nonproliferation is sorely needed.

Scotland can also show respect for the good-faith efforts of TPNW parties to promote implementation of Article VI of the NPT, given the strong complementarity between the two treaties.

At the TPNW's first Meeting of States Parties, four members of NATO attended the meeting as observers (Belgium, Germany, the Netherlands, and Norway). Two states applying for NATO membership also attended as observers (Finland and Sweden).

This year, two non-signatories have already confirmed their attendance as observers: Singapore and Switzerland.

Our country is welcome to attend (see Article 8.5 of the TPNW). The "broad participation" of non-parties as observers was recognised at the first Meeting of States Parties in June 2022. Now the UN Secretary-General has invited states not party to the treaty to attend the second such meeting as observers.

We would very much welcome the Scottish Government responding to the UN invitation by sending a delegation to this important treaty conference.

Thank you for all consideration of this request and for positive action.

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[Redacted S38]@gov.scot

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10 November 2023

Dear [Redacted S38]

Thank you for your letter of 27 September to Humza Yousaf MSP, First Minister of Scotland, requesting a Scottish Government delegation attend the Second Meeting of TPNW States Parties in New York between 27 November and 1 December. I am replying on the First Minister's behalf from the Directorate of External Affairs at the Scottish Government.

As you will be aware, the Scottish Government is strongly committed to the removal of nuclear weapons from Scotland. We recently published a paper on Creating a modern constitution for an independent Scotland which set out how an independent Scotland's constitution could ban nuclear weapons.

The Scottish Government is a strong supporter of multilateralism and the rules-based international system, and remains firmly opposed to the threat, use and possession of nuclear weapons. As you note in your letter, some NATO members will attend the Second Meeting of State Parties as Observers. We welcome this commitment to multilateralism and willingness to engage with the views of the majority of countries around the world on this crucial issue. Given the heightened tensions globally, it is crucial that the international community continue to make progress towards a world without nuclear weapons.

Finally, you asked if the Scottish Government could attend as an observer following the UN Secretary General's invite to "states not a party to the treaty". As foreign affairs are reserved to the UK Government, Scotland would not be able to attend the Second Meeting of TPNW States Parties, as we are not a UN member state in our own right.

Although Scottish Government officials will not be in attendance, we will monitor the outcomes to help inform our own thinking and actions in relation to nuclear disarmament.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



Thank you again for your letter.

Yours sincerely

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St Andrew's House, Regent Road, Edinburgh EH1
3DG
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