

“Untying the Nuclear Bonds: Opportunities for non-nuclear allies”

By Paul Meyer

Adjunct Professor of International Studies and Fellow in International Security, Simon Fraser University
and Senior Fellow, The Simons Foundation

Meeting for National Societies in States associated with nuclear weapon-based policies on
implementation of Resolution 1 of the 2011 Council of Delegates and its Plan of Action 2013-17

The Hague, Netherlands, June 16, 2014

As we have heard earlier this morning the “humanitarian impact” initiative has attracted wide support, with 125 states aligning themselves with a statement on this theme delivered at UNGA last October. Conspicuously there was also a minority statement on the part of 17 non-nuclear weapon states, chiefly NATO member states and states, such as Australia and Japan, with alliance links to a nuclear weapon state. These states while espousing the humanitarian theme also set out a dissenting view that banning nuclear weapons wasn’t a sufficient guarantee of their elimination and it would be necessary to engage “substantively and constructively those states with nuclear weapons, and recognizing both the security and humanitarian dimensions of the nuclear weapons debate”. Humanitarian sentiments were not enough – the focus had to be on “practical and effective measures” in the relevant forums.

Although it was not explicitly stated at this time, the indications were that these states, beyond being apologists for the nuclear weapon states which had chosen to turn their backs on the humanitarian initiative, were defending the existing allied policy of nuclear deterrence which in turn was predicated on the credible threat to use nuclear weapons in some contingencies. As this stance was at variance with the basic finding of the humanitarian initiative, namely that any use of nuclear weapons was incompatible with international humanitarian law and hence should be prohibited; these states were put into something of a dilemma. While these states were normally champions of humanitarian law, in this case they shied away from the policy consequences of the logic as set out in resolution 1 and were not prepared to endorse the majority view that “nuclear weapons are never used again, under any circumstances...”.

It is fair to say that this is an uncomfortable posture for many of these states to assume – something akin to straddling the proverbial picket fence. This discomfort and underlying support for the aim of nuclear disarmament can and does provide an opening for engagement with them on the part of other NNWS but also by concerned civil society groups. A key to such engagement is focusing on the elements of allied security policy that aligns with the basic goals of the nuclear disarmament movement.

In this connection the primary policy statements of NATO, the Chicago Summit declaration of 2012 and the Strategic Concept of 2010 yield some helpful passages. The Strategic Concept, the primordial statement of allied security policy, has a Janus-faced declaration, set out in its summary: “It [the Concept] commits NATO to the goal of creating the conditions for a world without nuclear weapons – but reaffirms that, as long as there are nuclear weapons in the world NATO will remain a nuclear alliance”. The second part of this declaration has to be one of the great tautologies of modern statecraft. Try reversing the sub-clauses to appreciate its true meaning: ‘as long as NATO remains a nuclear alliance there are nuclear weapons in the world”.

The first part of the pronouncement however suggests that NATO has embraced the goal of a nuclear weapon-free world, and just in case you thought this might be evidence of originality on the part of the alliance, please recall that President Obama, the leader of its mightiest member had espoused this goal a year earlier in his famous Prague speech. The reformulation of this objective in the Strategic Concept however adds several elements between the word “goal” and a “world without nuclear weapons” – under the Concept, NATO is only committed to the goal of creating the conditions for a world without nuclear weapons”. So between the alliance and the realization of nuclear weapon elimination there stands a requirement to have certain unspecified conditions, to be created in an unspecified manner and with the status of an abstract “goal” devoid of any supporting action plan or timetable.

The Strategic Concept assured that the Alliance would “play our part in reinforcing arms control and in promoting disarmament of both conventional weapons and weapons of mass destruction”. It also however affirmed that NATO would maintain an appropriate mix of nuclear and conventional forces. An observer might well ask how significant would this pursuit of nuclear disarmament be, if the Alliance’s defense posture was requiring nuclear weapons in its mix of forces? In an effort to channel some intra-Alliance discontent with aspects of the Concept’s treatment of nuclear matters the Lisbon Summit decided to initiate a separate review of its deterrent and defense posture which was to report to the Chicago Summit two years hence. This document was duly released in May 2012 at the Chicago Summit and largely proved to be a reiteration of the nuclear deterrence orthodoxy of the Strategic Concept. Strategic nuclear forces are once again glorified as the “supreme guarantee” of allied security and a core component of NATO’s capabilities for deterrence and defense. Just in case anyone might think that the alliance’s embrace of missile defences might reduce or eliminate the need for nuclear-based deterrence the review specifically asserts that missile defences are no substitute for nuclear weapons in allied deterrence.

Given the reaffirmation of the centrality of nuclear weapons to NATO strategy it should come as no surprise that the world without nuclear weapons goal reappears in an even more diluted and caveated fashion than it did in the Strategic Concept. Now the commitment is “to create the conditions for a world without nuclear weapons in accordance with the goals of the NPT, in a way that promotes international stability and is based on the principle of undiminished security for all”. So beyond the persistent and still undefined general conditions, there are now further procedural conditions applied to our goal. It has to be done in a way that promotes international stability – but who decides whether a given disarmament step is stabilizing or de-stabilizing. And while “undiminished security for all” sounds like a jolly, three musketeer-like vow, does this mean that any one dissenting state is to possess a veto over global disarmament action if it perceives its security in some manner diminished by such action?

It is probably uncharitable of me to point out that a cynic (or lawyer) might even flag the Alliance action on all this is to be done “in accordance with the goals of the NPT” but not necessarily with its provisions.

I have spent some time elucidating these passages from the 2010 Strategic Concept and the 2012 Deterrence and Defense Posture Review, because these are the authoritative policy texts of the Alliance and should be the basis on which other partners and civil society actors can hold responsible governments to account. A great point of entry to any discussion with concerned officials on this subject matter is to seek an account of what has been done by their government to implement the policy direction set out. It is crucial that we move beyond declaratory policy and enumerate the actual measures taken to advance towards the agreed goal. And for all the obfuscation and remoteness that

colours the description of this aim in allied pronouncements, the elimination of nuclear weapons remains the agreed goal. Even the US Department of Defense recognized this when in its report to Congress on US nuclear employment strategy, it reiterates that while a world without nuclear weapons “is a long term goal, [but] it is imperative that we continue to take concrete steps toward it now”.

I would add to this that it is equally imperative that states account for these steps taken in a regular and forthcoming fashion to their fellow NPT member states and to the public at large. Some clear lines of engagement suggest themselves:

1. Seek clarification of what NATO considers to be the essential conditions for a world without nuclear weapons.
2. Politely inquire as to what specifically NATO members have done, individually or collectively, to create these conditions.
3. Ask for what steps allies have taken in accordance with the goals of the NPT to further the fundamental purposes of that treaty.

Beyond these basic accounting for what NATO has done to implement its own express policy there are several specific measures which merit particular attention. These are measures that have all been previously agreed to by all alliance members and all NPT states parties in the context of the outcomes of the once in five years Review Conferences of the NPT – the essential decision-making gatherings of the treaty’s membership. These outcomes are all adopted by consensus and hence represent a political commitment on the part of the participating states. Several of these measures directly affect the possibilities for nuclear disarmament and yet the implementation record remains spotty. Among leading candidates for remedial attention are:

1. The initiation of negotiations on a treaty to ban the production of fissile material for nuclear weapons. Promised for over 20 years these negotiations have not even begun let alone produce the demanded treaty. Pressing for meaningful action on this file is a priority.
2. The entry into force of the CTBT is still blocked by 8 recalcitrant states, including one ally, denying full authority and effect to a treaty opened for signature 18 years ago. NWS have promised to ratify the treaty “with all expediency” and yet nothing has been done on this score. Perhaps it is time to apply some real political and economic pressure on the hold-outs.
3. Reducing the operational status of deployed nuclear weapons has been agreed for years yet the US and Russia still maintain large numbers of their nuclear forces on high-alert status. This posture, raises the risk of accidental or unauthorized use of nuclear weapons, endangering us all.
4. All NPT states have pledged to reduce the role of nuclear weapons in their strategies and still there are doctrinal and budgetary pronouncements that are at variance with this commitment. Pending comprehensive nuclear disarmament, having allies embrace a stance that the sole function of nuclear arms is to deter a nuclear attack would be a step against possible use.
5. Further reductions of nuclear weapons of all types, deployed and non-deployed is an obligation observed more in the breach than in the observance. The bilateral reductions process cannot be left stalled and there needs to be the initiation of a multilateral process that ensures the engagement of other nuclear weapon possessors in the disarmament enterprise.

6. Verification would be an essential component of nuclear disarmament, but little seems to have been done to develop the verification procedures and capabilities this task will require. States should be pressed to invest in such programs and demonstrate their results.
7. Reporting and Transparency are existing commitments which need to be made more effective and regular. Standard reporting formats and annual submissions are elements to be operationalized.
8. Although not part of the agreed conclusions from the 2010 conference, accountability within the NPT would also be strengthened by institutional reform that would provide the NPT with annual empowered meetings, some institutional continuity and persona and an implementation support unit with dedicated staff.

Accountability is a crucial theme for states and civil society to apply to the performance of those allies and NPT members with respect to commitments made. One is on solid ground in pressing for an account of what someone has done with respect to a commitment they have freely entered into. Hence it is most effective to focus on the fulfillment of undertakings already made by states. For those in NATO, an opportunity for an update on achievement will be the summit to be hosted by the UK in September of this year. For the wide community of NPT states parties the key reference is the Action Plan covering the period 2010-2015 and the May 2015 NPT Review Conference will be the chief occasion to extract an accounting from states for their implementation of that Action Plan.

Those seeking such an accounting will need to be insistent and persistent in their pursuit of the truth. They cannot be fobbed off by suggestions that the Action Plan is only a guideline of indefinite duration that its provisions are mere aspirations rather than obligations or that implementation was foiled by domestic opposition or supplanted by other priorities. States must have their feet held to the fire – figuratively at least – to ensure that their record of action or inaction is made known and the forces of peer pressure and civic advocacy are brought to bear.