

## **The 6th Nagasaki Global Citizens' Assembly for the Elimination of Nuclear Weapons**

Workshop 4 Theme: How to Realize a Nuclear Weapon-free World

~NPT Regime and the Role of Treaty on the Prohibition of Nuclear Weapons~

18 November 2018

### **Our Divided World: The Quest for Nuclear Disarmament and the Growing Dangers of Wars Among Nuclear-Armed States**

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We are living in a time of extraordinary nuclear dangers. President Trump's announced intention to withdraw from the Intermediate-Range Nuclear Forces (INF) Treaty is another sign of deepening crisis among the nuclear-armed States. Following the 2002 U.S. withdrawal from the Anti-Ballistic Missile Treaty, it imperils the entire structure of arms control and disarmament, including prospects for extension of the START Treaty which expires in 2021, and could lead to new, unpredictable rounds of arms racing.

Earlier this year the U.S. declared that it will no longer implement the Joint Comprehensive Plan of Action (JCPOA) and will reimpose sanctions on Iran. This is a major blow to international governance and to peace and disarmament in the region and the world.

Mikhail Gorbachev, the Soviet leader who signed the INF Treaty with U.S. President Ronald Reagan in 1987 has warned: "The United States has in effect taken the initiative in destroying the entire system of international treaties and accords that served as the underlying foundation for peace and security following World War II."

In the early 1980's, U.S. deployment of Cruise and Pershing missiles to western Europe stoked fears that Europe would serve as the battleground in a U.S.-Soviet nuclear war. It was this fear that mobilized a massive global anti-nuclear movement, leading to negotiation of the INF Treaty.

Yet following the end of the Cold War, nuclear weapons fell off the public's radar screen. It was almost as if the planet itself breathed a huge sigh of relief. Most people believed that the threat of nuclear war had ended. But it hadn't.

Today, some 14,500 nuclear weapons, most an order of magnitude more powerful than the U.S. atomic bombs that destroyed Hiroshima and Nagasaki— 92% held by the U.S. and Russia, continue to pose an intolerable threat to humanity.

Last month, President Trump, claiming that Russia has violated the INF Treaty, issued a threat to the entire world. Referring to the U.S. nuclear stockpile he warned: "Until people come to their senses, we will build it up. It's a threat to whoever you want... it includes China, and it includes Russia, and it includes anybody else that wants to play that game.... We have more money than anybody else by far.... We'll build it up until they come to their senses."

On July 7, 2017, the majority of the world's countries adopted a historic treaty to prohibit the possession, development, testing, use and *threat of use* of nuclear weapons. The vote, by 122 to 1, unambiguously demonstrated that most of the world has indeed come to its senses regarding nuclear weapons.

**But we stand at a nuclear crossroads, in a sharply divided world.** While the TPNW represents the total repudiation of nuclear weapons by most of the States that don't possess them, all nine nuclear-armed States boycotted the negotiations, along with Japan, Australia, the ROK and all but one of the 28 NATO member states – all countries under the U.S. nuclear umbrella. Following the vote, the U.S., France and the United Kingdom jointly declared: “We do not intend to sign, ratify or ever become party to [the Treaty].”

Meanwhile, nuclear tensions have risen to levels not seen for decades.

While the Singapore and inter-Korean Summits appear to have greatly reduced immediate tensions on the Korean Peninsula, just last year, U.S. and DPRK leaders were making ominous threats and counter-threats of military strikes.

Fortunately, due largely to the skillful leadership and vision of ROK President Moon Jae-in, with strong grassroots support from the Candlelight Revolution, a new diplomatic opening has appeared. Hopefully the North-South and U.S.-DPRK Summits will lead to a diplomatic resolution of the 68-year crisis on the Korean Peninsula, including denuclearization on all sides. But the path ahead is very uncertain.

Derek Johnson of Global Zero has called today's nuclear threat “an unprecedented moment in human history. The world has never faced so many nuclear flashpoints simultaneously.... all of the nuclear-armed states are tangled up in conflicts and crises that could catastrophically escalate at any moment.”

An alarming trend is the increased scale and tempo of war games by nuclear-armed states and their allies, including nuclear drills. In the last month, both Russia and NATO have conducted some of the largest military exercises since the end of the Cold War: in Russia's case, with the participation of Chinese troops; in NATO's case, with the participation of Sweden and Finland – two non-NATO members. And risky close encounters between Russian and U.S./NATO forces have increased dramatically in the Baltic region and Syria.

In late September, amidst rising tensions, the U.S. flew two B-52 nuclear-capable bombers over disputed islands claimed by China. The bombers, escorted by Japanese fighter jets, flew near the Senkaku Islands which are controlled by Japan, but claimed by China. Just a week later a U.S. Navy destroyer narrowly avoided a collision with a Chinese warship in international waters in the Spratly Islands.

Donald Trump *entered* office with the U.S. poised to spend an estimated 1.2 trillion dollars over the next 30 years to maintain and modernize its nuclear bombs, warheads and delivery systems, and the infrastructure to sustain the nuclear enterprise indefinitely. This enormous estimate has already gone up to 1.7 trillion dollars and is growing.

Trump's Nuclear Posture Review, released in February, carries forward existing plans for the replacement and upgrading of submarine, land, and air-based nuclear forces, while adding a new sea-based cruise missile. It also calls for near-term deployment of low-yield warheads on submarine-based missiles. And it describes how nuclear weapons might be used in response to attacks of a non-nuclear nature, including cyber-attacks against critical U.S. infrastructure. This *anti-disarmament* program envisions U.S. reliance on extensive and diversified nuclear forces for decades to come.

Mirroring the U.S. stance, Russian President Vladimir Putin, in a March 2018 speech, boasted about new "invincible" Russian nuclear weapons, and gave a detailed description, complete with video animations, of an array of new nuclear weapons delivery systems, including a nuclear-powered cruise missile and an underwater drone.

All of the nuclear armed states are engaged in nuclear weapons modernization programs.

U.S. national security policy has been remarkably consistent since 1945. "Deterrence," *the threatened use of nuclear weapons*, has been reaffirmed as the "cornerstone" of U.S. national security by every President, Republican or Democrat, since President Harry Truman, a Democrat, oversaw the atomic bombings of Hiroshima and Nagasaki.

In October 2016, President Obama's UN Ambassador condemned the TPNW in the General Assembly: "Advocates of a ban treaty say it is open to all, but how can a state that relies on nuclear weapons for its security possibly join a negotiation meant to stigmatize and eliminate them".

We must keep both the promise of the TPNW *and* growing dangers of nuclear war fully in mind as we develop strategies to accomplish the urgent goal of a world without nuclear weapons.

The TPNW grew directly out of a long history of efforts by governments and civil society to rid the world of nuclear weapons.

The 1970 NPT represents the only binding commitment in a multilateral treaty to the goal of disarmament by the five original nuclear-armed States. Article VI spells out the disarmament obligation: "**Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.**"

In 1995, in connection with the NPT's indefinite extension, the States parties reaffirmed their pledge to undertake "**the determined pursuit... of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons.**"

At the 1995 NPT Review and Extension Conference, non-governmental organizations from around the world formed the Abolition 2000 Global Network to Eliminate Nuclear Weapons – still going strong, which in its founding statement called upon all States to: "Initiate immediately and conclude negotiations on a nuclear weapons abolition convention that requires the phased

elimination of all nuclear weapons within a timebound framework, with provisions for effective verification and enforcement.”

The Abolition 2000 Statement inspired an international consortium of lawyers, scientists, disarmament experts and activists, to draft a Model Nuclear Weapons Convention (NWC) that prohibits the use, threat of use, possession, development, testing, deployment and transfer of nuclear weapons and provides a phased program for their elimination under effective international control. The Model NWC was submitted to the UN by Costa Rica in 1997. It was updated in 2007, submitted to the UN by Costa Rica and Malaysia and circulated to member states as an official UN document.

In July 1996, the International Court of Justice (ICJ) issued an historic advisory opinion on the illegality of the threat or use of nuclear weapons. The Court unanimously concluded: “**There exists an obligation to pursue in good faith and *bring to a conclusion* negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.**” This is now the authoritative interpretation of Article VI of the NPT.

In response to the ICJ opinion, the UN General Assembly in 1996 adopted a resolution calling for early commencement of “multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination.” The resolution has been adopted annually since, with a citation to the Model NWC added in 2007. This year’s resolution welcomes the adoption in 2017 of the TPNW.

The United States has introduced a proposal called “Creating the Conditions for Nuclear Disarmament”, arguing that unspecified conditions must be met in order for the international security environment to improve before disarmament can take place. But the U.S. has it backwards. I advocate an approach I’m calling “Creating the Conditions for International Peace and Human Security”, which envisions real progress on nuclear disarmament as contributing to international peace—relations among States, and human security—the universal, indivisible security of all people everywhere.

Implementing the NPT’s nearly 50-year old disarmament obligations would be an excellent way for the nuclear-armed States to start rebuilding mutual trust and confidence in the global order.

After a brief post-Cold War lull, with its missed opportunities for meaningful and irreversible disarmament progress, arms racing has resumed among the nuclear-armed states, this time mainly qualitative in nature. The accelerating cycle of replacing aging nuclear weapons systems with new ones—in some cases, with enhanced military capabilities, should cease. Instead, the cycle of retiring and dismantling nuclear warheads should accelerate. Concrete actions like this would create the conditions for negotiations on reduction and elimination of nuclear arsenals.

Both the U.S. and Russia accuse each other of violating the INF Treaty. Wherever the truth lies, the solution is not to pull out of the Treaty, but to redouble diplomatic efforts to resolve the allegations. Russian Foreign Minister Sergei Lavrov has stated that Russia is ready to renew dialogue with the U.S. According to Lavrov, negotiations must deal with all aspects of strategic

stability including U.S. missile defense systems and should include serious dialogue aimed at preventing the militarization of space, a danger underlined by President Trump's June announcement directing the U.S. Defense Department to establish a Space Force as a new branch of the U.S. Armed Forces.

In an October 22 statement, former U.S. Secretary of Energy Ernest Moniz and former Senator Sam Nunn warned: "If the United States gives formal notice and withdraws from the [INF] Treaty in six months, a cascade of negative consequences for the United States, Europe and the world could be triggered.... Presidents Trump and Putin should follow through on their commitment at Helsinki last summer to begin a new dialogue on strategic stability focused on nuclear dangers." Echoing Lavrov, they stated: "Broadening the aperture of engagement to include forward-deployed U.S. and Russian nuclear weapons in and near Europe, missile defense, "prompt-strike" forces, cyber and space is also essential for reducing nuclear risks."

It is unlikely that any of the other nuclear-armed powers will be willing to engage in negotiations to eliminate nuclear weapons if the U.S. and Russia are abandoning arms control and moving in the opposite direction.

The international community must demand that the Trump Administration reverse its decision to leave the INF Treaty and engage in nuclear arms negotiations with Russia encompassing the full range of interconnected issues.

A viable international order requires the good-faith execution of agreements whether considered political or legal. It is therefore deeply disturbing that the U.S., a permanent member of the Security Council, has chosen to renounce its commitments under the Joint Comprehensive Plan of Action (JCPOA) and to disregard a closely integrated legally-binding Security Council resolution. Civil society and states together should support the continuing implementation of the JCPOA. That is indeed the position of the JCPOA's other parties—the UK, France, Russia, China, Germany, the EU and, of course, Iran. However, in its General Assembly resolution this year, Japan did not even mention the JCPOA.

On the Korean peninsula, the potential exists for a solution linking peace, development, and disarmament. All efforts must be made to achieve that outcome. An essential element is the elimination of the DPRK's nuclear weapons and associated capabilities. But that must come in the context of ending reliance on nuclear weapons by all concerned parties in the region. One constructive step would be ratification of the Comprehensive Test Ban Treaty by the U.S., China, and the DPRK.

On October 22, China, France, Russia, the UK and the U.S. made a joint statement in the First Committee reaffirming their commitment to the NPT "in all its aspects" and claiming: "We are committed to working to make the international environment more conducive to progress on nuclear disarmament." Remarkably, they added: "It is in this context that we reiterate our opposition to the Treaty on the Prohibition of Nuclear Weapons.... The TPNW fails to address the key issues that must be overcome to achieve lasting global nuclear disarmament. It

contradicts and undermines the NPT....We will not support, sign or ratify this treaty. The TPNW will not be binding on our countries, and we do not accept any claim that it contributes to customary international law; nor does it set any new standards or norms”.

Even though they are edging ever closer to nuclear war with each other, the P-5 would rather band together to assert their right to possess and threaten to use nuclear weapons while denying them to other countries, than to actually implement their NPT disarmament obligations.

The nuclear-armed states and their allies and the non-nuclear states *must* find a way to start talking *with* each other – rather than *past* each other. One approach would be for the nuclear-dependent states to acknowledge the TPNW as *strengthening* the NPT regime. The TPNW compellingly articulates principles and aspirations for a nuclear-weapons free world— a world which nuclear-dependent states *claim* to seek.

The TPNW’s unambiguous prohibition of *threat of use* is an essential point for the peace movements and civil society in the nuclear-armed and nuclear-dependent states to highlight in our public education and advocacy. The ideology of nuclear deterrence *must* be delegitimized and stigmatized to make progress on abolishing nuclear weapons, and *our* task is to change the discourse – from the bottom up.

To achieve the elimination of nuclear weapons and a global society that is more fair, peaceful and ecologically sustainable, we will need to move from the irrational fear-based ideology of deterrence to the rational fear of an eventual nuclear weapon use, whether by accident, miscalculation or design. We will also need to stimulate a rational hope that security can be redefined in humanitarian and ecologically sustainable terms that will lead to the elimination of nuclear weapons and dramatic demilitarization, freeing up tremendous resources desperately needed to address universal human needs and protect the environment.

Nuclear disarmament should serve as the leading edge of a global trend toward demilitarization and redirection of resources to mitigate climate change and meet the Sustainable Development Goals.