

What Nuclear-Weapon Possessor States Tell Us and What We should Reply (Marc Finaud, GCSP - IDN)

1. **We are told by nuclear-weapon possessor states that nuclear weapons have secured peace since 1945 and therefore are important to preserve their security and that of their allies.**
 - Historians have demonstrated, using undisputable evidence, that Japan did not capitulate as a result of Hiroshima and Nagasaki but because the Soviet Union declared war against it.¹ The whole foundation of **nuclear deterrence** is thus flawed.
 - Nuclear deterrence assumes that enemies will refrain from attacking nuclear-weapon possessor states because of the fear of devastating retaliation. However, there are many examples in history when nuclear deterrence failed and did not prevent war including between nuclear-weapon possessor states.²
 - **Proof by absence** is impossible: it may be for a number of other reasons apart from nuclear weapons that no major wars were fought among nuclear-weapon possessor states.
 - If nuclear weapons are considered so effective to ensure the security of the states that possess them, why deny this security to other states? In fact, the argument that nuclear weapons ensure security encourages **nuclear proliferation**. See the cases of Ukraine, Iraq, and Libya, whose nuclear weapon programmes have been terminated and who then have been invaded by nuclear-weapon states. No wonder North Korea now hesitates to disarm.

2. **We are told by nuclear-weapon possessor states that the concept of nuclear deterrence is a guarantee that nuclear weapons will never be used.**
 - One can argue that nuclear weapons are in fact used every day as **political instruments** of terror: just like terrorists attack or threaten to attack innocent civilians to put pressure on their governments.
 - Even if no nuclear weapons have been used in war since 1945, the **number of casualties** caused by nuclear weapons after 1945 has been much greater than Hiroshima and Nagasaki: it could reach half a million people killed by the effects of nuclear tests in the United States only³ or about 1.5 million people worldwide.⁴
 - Even if there was so far no intentional use of nuclear weapons in war since 1945, there were several documented **cases of ‘near-misses’** or potential accidental or unauthorised use that could have led to catastrophic consequences.⁵ Such a possibility is now enhanced with the potential offered by cyber warfare or hacking into command-and-control systems.⁶
 - All the developments in recent years, whether from a doctrinal or technological viewpoint, tend to **lower the threshold of use** of nuclear weapons: the United States, based on its Feb. 2018 Nuclear Posture Review, plans to introduce new so-called ‘low-

¹ W. Wilson, *Five Myths about Nuclear Weapons*, HMH Books, New York: 2013.

² Between: the Soviet Union and the United States in 1948; China, the DPRK and the United States in the Korean War; North Viet Nam and the United States in the Viet Nam War; Arab states and Israel in 1967 and 1973; China and the Soviet Union in 1969; Viet Nam and China in 1979; Argentina and the United Kingdom in the Falkland Islands (Malvinas) conflict; Iraq and Israel in the First Gulf War; Pakistan and India in 1999 and in 2019. See: V. Narang, *Nuclear Strategy in the Modern Era: Regional Powers and International Conflict*, Princeton University Press, 2014.

³ K. Meyers, “In the Shadow of the Mushroom Cloud: Nuclear Testing, Radioactive Fallout, and Damage to U.S. Agriculture, 1945 to 1970”. *The Journal of Economic History*, 79(1), 2015, 244-274.

⁴ Frank Barnaby, *How to build a nuclear bomb*, 2003, Granta.

⁵ P. Lewis et al., “Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy”, Chatham House, 28 April 2014.

⁶ B. Unal, “Cybersecurity of Nuclear Weapons Systems: Threats, Vulnerabilities and Consequences”, Chatham House, 11 January 2018.

yield' nuclear weapons into its existing arsenal and is upgrading its gravity nuclear bombs deployed on the territory of five European countries; it plans to withdraw from the INF Treaty and allow for the deployment of new intermediate-range missiles; Russia, China, and India are heavily investing in hypersonic missiles that are suited for evading missile defence and conducting a first strike.

- As a result, as the UN High Representative for Disarmament, Izumi Nakamitsu, stated on 2 April 2019 at the UN Security Council, **“The prospect of a nuclear war is higher than it has been in generations”**.

3. We are told by nuclear-weapon possessor states that they agree to the ultimate objective of a world free of nuclear weapons but that the only realistic way of reaching this goal is either a ‘step-by-step’ approach or ‘creating the conditions/environment for a world free of nuclear weapons.

- One of the main reasons invoked by nuclear-weapon possessor states for preserving their nuclear weapons is the risk of **nuclear proliferation**. They mention the cases of Iran or North Korea. But even this mantra of non-proliferation, supported by the whole international community within the Non-Proliferation Treaty (NPT), is eroded by the behaviour of nuclear-weapon possessor states: on the one hand, they ritually call on non-NPT States Parties (India, Israel, North Korea, Pakistan) to accede to the NPT as non-nuclear states, and on the other hand the United States concludes an agreement with India on its nuclear civilian programme that will support its military programme; having withdrawn from the Iran Nuclear Deal that prevents Iran from producing fissile material for nuclear weapons, the United States is ready to allow Saudi Arabia to produce such material; France sells the Rafale fighter jet to India as a means of delivery of its nuclear weapons; Germany, a nuclear umbrella state, also sells to Israel submarines as means of delivery of its nuclear missiles.
- The nuclear-weapon possessor states and their allies reject the **Treaty on the Prohibition of Nuclear Weapons** (TPNW) arguing that it is a radical and unrealistic solution. Claiming to remain committed to ‘a world without nuclear weapons’ as proclaimed within the NPT framework or UN Security Council resolutions,⁷ they advocate a ‘step-by-step’ or progressive approach or, more recently, condition their support to nuclear disarmament on a number of factors that, in their view, would facilitate nuclear disarmament.⁸
- The legally binding obligation contained in **Article VI of the NPT** to “negotiate in good faith” towards nuclear disarmament is not subject to any condition. The reference in the same Article to ‘general and complete disarmament’ is an additional and not a conditional obligation. In any case, since 1970, much progress has been accomplished in non-nuclear disarmament (biological, chemical, and conventional weapons).
- Moreover, in its 1996 Advisory Opinion the International Court of Justice unanimously stated that “A threat or use of nuclear weapons should also be compatible with the requirements of the international law applicable in armed conflict, particularly those of the principles and rules of **international humanitarian law**”(IHL). This is because any use or threat of use of nuclear weapons would be incompatible with the IHL principles of distinction, proportionality or prevention of superfluous injury or unnecessary suffering that the majority of states decided to prohibit nuclear weapons in the TPNW.
- It is true that, in general, arms build-ups, including weapons of mass destruction, are the symptoms of root causes such as **conflicts and threat perceptions**, and, in that respect, addressing those factors would facilitate nuclear disarmament.
- But the current behaviour of nuclear-weapon possessor states does not go into that direction and if a propitious environment for nuclear disarmament is not created, the nuclear-weapon possessor states can only blame themselves: the UN Security Council is

⁷ United Nations, Security Council, Resolution 1887 (2009) of 24 September 2009.

⁸ U.S. Department of State, “Creating the Conditions for Nuclear Disarmament: A New Approach”, 17 March 2018.

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Basel, Switzerland. April 12-13, 2019

again paralysed by the actual or potential veto of some Permanent Members thereby hampering any conflict resolution efforts (on Ukraine, Israel/Palestine, Syria, Yemen, etc.).

- The so-called ‘step-by-step’ approach would require **new negotiations between the United States and Russia** towards further reductions not only of their strategic deployed nuclear weapons (currently 1,550 for each under the New START Treaty) but also of non-deployed and non-strategic weapons (a total of over 10,000 weapons) as well as antimissile defence. But no such negotiations are in sight.
- This approach also includes the entry into force of the 1996 **Comprehensive Nuclear Test Ban Treaty**, but this is still blocked by the lack of ratification of some nuclear-weapon possessor states (China, India, Israel, North Korea, Pakistan, and the United States) as well as Egypt and Iran.
- This approach also includes the negotiation and adoption of a treaty prohibiting the **production of fissile material** for nuclear weapons (FMCT), but one nuclear-weapon possessor state, Pakistan, is blocking this negotiation because the other nuclear-weapon possessors only want to address future production while existing stocks could allow the manufacture of over new 200,000 new nuclear weapons.⁹
- Creating an environment favourable to nuclear disarmament is incompatible with the on-going **modernisation programmes** of nuclear weapons for several decades: some \$1.7 trillion in the United States until 2046;¹⁰ Russia has a programme for 2018-2027 of unknown costs; ¹¹ France will spend €37 billion on its nuclear forces between 2019 and 2025 (i.e. a 60% increase over the previous five-year plan) but the life extension of some weapons goes as far as 2080.¹²
- In sum, if the ‘**step-by-step**’ approach is not making any progress, the responsibility cannot be shifted to non-nuclear weapon states or the TPNW.

In conclusion, there are three urgent priorities:

1. Reducing the risk of nuclear war, whether intentional, accidental, or terrorist, by placing all nuclear weapons **off high alert**, i.e. separating warheads from means of delivery;
2. Initiating new negotiations among nuclear-weapon possessor states to adopt a **policy of non-first use** that would preclude first strikes and preserve strategic stability;
3. Launching new negotiations for **reductions** of nuclear weapons of all categories and a parallel freeze of all **modernisation** and new deployment programmes.

⁹ International Panel on Fissile Material (IPFM), *Global Fissile Material Report 2015*, p. 2 and p. 24.

¹⁰ Arms Control Association, “U.S. Nuclear Modernization Program”, August 2018.

¹¹ P. Podvig, “Russia’s Current Modernization Program and Arms Control”, *Journal for Peace and Nuclear Disarmament*, Volume 1, Issue 2, August 2018.

¹² H. Kristensen, “French Nuclear Forces 2019”, *Bulletin of Atomic Scientists*, Volume 75, 2019 - Issue 1, 17 January 2019, and J.-M. Collin, “L’illusion nucléaire a encore frappé !”, *La Tribune*, 8 June 2018.