

# Prevent nuclear catastrophe

## A policy proposal

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An alarming situation threatening the world is indicated by thousands of deployed nuclear weapons currently on high alert, especially as tensions increase between nuclear-armed states. Not only do these weapons pose a massive risk to human life; their use would likely constitute a major violation of international law, as affirmed by the International Court of Justice (ICJ). Nevertheless, many nuclear-armed states retain the option to use these weapons in an unspecified variety of ways and implicitly challenge key principles of international law. The United Kingdom, as one of nine nuclear-armed states, is in a position to push back and take a significant and influential step in strengthening the norm against any use of nuclear weapons. I argue for the UK to adopt a *no-first-use policy* which, I believe, will make the world safer in important and immediate ways.

In order to advance a proposal that has a possibility of being adopted by the UK government, it is important to understand the role that nuclear weapons have in British security strategy. By affirming that 'defence and protection start with deterrence' the UK government has made clear that it is not yet ready to phase out nuclear weapons entirely from its security doctrine. None the less, it has adopted a number of measures reducing the role of nuclear weapons and their readiness for use. For instance, it cut by half the number of nuclear warheads, and changed from minutes to days the 'notice to fire' on ballistic missile submarines on patrol, among others measures.

If the UK is interested in furthering its commitment to a safer world, it could adopt

a *no-first-use policy* without undermining continued nuclear deterrence. This policy has already been adopted by India and China. If the UK embraced no-first-use, it would be able (along with China) to encourage other Permanent 5 members of the UN Security Council to follow suit, as well as use its position within NATO to influence certain key states. This is a diplomatic power neither China nor India possess. Indeed, the Obama Administration demonstrated an interest in the United States moving to no-first-use but indicated as a barrier the lack of support of some NATO allies, to whom 'extended nuclear deterrence' is provided. Yet, as an initial step, President Obama affirmed in the 2010 Nuclear Posture Review a 'primary purpose' of nuclear weapons being to deter only a nuclear strike from an aggressor, with the commitment to adopting a policy of deterrence against nuclear attack the 'sole purpose of their nuclear arsenal'.

This policy shift by the United States, along with increased international attention to the humanitarian consequences of any use of nuclear weapons, provides fertile ground for the United Kingdom to adopt no-first-use. In addition, the decision by the United Nations General Assembly to commence, in 2017, multilateral negotiations on a treaty to prohibit nuclear weapons places pressure on the nuclear-armed states to respond with a significant measure in the direction of disarmament, and possibly announce or adopt this at the UN High Level Conference on Nuclear Disarmament which will be held in 2018. No-first-use could be that measure.

Employing this policy could greatly improve not only national but also global security. To begin with, no-first-use would give Parliament a guarantee that a nuclear strike would not be authorised by the Prime Minister under the auspices of Royal Prerogative, unless the country has been attacked. First use of nuclear weapons constitutes a major act of war; a decision that should not be taken without democratic oversight. By ensuring that the Prime Minister could not authorise first use of nuclear weapons, Members of Parliament would protect democracy and their constituents' right to live in peace. This is particularly important in light of the Constitutional Reform and Governance Act 2010, which originally included a section on parliamentary approval required for the use of armed force, but this was dropped from the bill before it received royal assent.

Some security analysts might argue that no-first-use would undermine the ability of the UK to deter nuclear attacks by another nuclear-armed state. However, this is unconvincing given that the British nuclear arsenal is 'effectively invulnerable to pre-emptive attack' and is deployed using stealthy, nuclear-powered submarines. In the case of a nuclear attack on

British soil, the remaining nuclear force would be able to deliver a response with a significant, devastating blow to the aggressor.

Moreover, the UK also controls a powerful conventional military complex, the employment of which can conform to international law and morality, unlike the use of nuclear weapons. Indeed, since 1996 and the International Court of Justice's advisory opinion confirming the general illegality of use of nuclear weapons, there have been considerable developments in understanding the catastrophic humanitarian impact of any use of nuclear weapons, and of law protecting civilians, the environment and future generations. As such, it is irrefutable that any use of nuclear weapons would be illegal – and first use all the more so. It is likely that these developments influenced the Leader of the Opposition in the UK to affirm that, if he became Prime Minister, he would not push the button.

Adopting no-first-use would be a significant move that could bolster the UN Security Council Permanent Five (P5) Process initiated by the UK seven years ago, and make up for lack of progress so far. This is because British no-first-use policy would reduce the risk of nuclear catastrophe, triggering confidence-building measures amongst nuclear-armed states, reducing tensions that are reckoned to be at their highest since the Cold War. No-first-use impedes nuclear escalation that might result from such weapons being employed in a conventional military conflict as a result of such increased tensions, particularly between the West and Russia. In addition, Britain could positively influence the upcoming Nuclear Posture Review under the Trump Presidency, after no-first-use received strong support during the final year of the Obama Administration.

Finally, nuclear weapons pose a huge threat to our world. The UK could show leadership by reducing the role that such weapons play in security doctrines. This would challenge the dangerous Cold War-era reasoning that has re-emerged and help decrease tensions between nuclear-armed states. There is no doubt that a nuclear-weapon-free world would be much safer, but this seems unattainable in the short term. A no-first-use policy bridges this long-term goal with a feasible action that the UK could take *now* to reduce the likelihood of a nuclear catastrophe and build greater security.

*References available on request.*

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