

## There are no safe nukes

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*An excerpt from the Blix Report*

*In September 2003, Swedish Foreign Minister Anna Lindh informed the Russell Foundation of her Government's plans to sponsor an independent, international commission 'to stimulate new thinking and to offer new ideas on how to pursue disarmament and non-proliferation of weapons of mass destruction' (see Dealing with the Hydra: Proliferation and Full Spectrum Dominance by Ken Coates). Several days later, she was murdered while shopping in Stockholm.*

*These excerpts on nuclear weapons are taken from chapter three of the ensuing report on Weapons of Terror, chaired by Dr Hans Blix, formerly the United Nations' chief weapons inspector. The full report and the Commission's detailed recommendations are available online ([www.wmdcommission.org](http://www.wmdcommission.org)).*

So long as any state has nuclear weapons, others will want them. So long as any such weapons remain, there is a risk that they will one day be used, by design or accident. And any such use would be catastrophic.

The accumulated threat posed by the estimated 27,000 nuclear weapons, in Russia, the United States and the other Non-Proliferation Treaty nuclear-weapon states, merits worldwide concern. However, especially in these five states the view is common that nuclear weapons from the first wave of proliferation somehow are tolerable, while such weapons in the hands of additional states are viewed as dangerous.

In this view, the second wave of proliferation, which added Israel, India and Pakistan, was unwelcome – the lack of political stability in Pakistan being a special source of concern. However, efforts to induce these states to roll back their programmes – as South Africa did – have gradually been weakened and are now largely abandoned. As none of them was a party to the Non-Proliferation Treaty, they could not be charged with a violation of the Treaty.

The third wave of proliferation, consisting of Iraq, Libya, North Korea and possibly Iran, is seen as a mortal danger and has met with a much more forceful reaction.

The Commission rejects the suggestion that nuclear weapons in the hands of some pose no threat, while in the hands of others they place the world in mortal jeopardy. Governments possessing nuclear weapons can act responsibly or recklessly. Governments may also change over time. Twenty-seven thousand nuclear weapons are not an abstract theory. They exist in today's world. The Hiroshima and Nagasaki bombs, each of which had an explosive yield of less than 20 kilotons of TNT, killed some 200,000 people. The W-76 – the standard nuclear warhead used on US Trident submarine-launched ballistic missiles – has a yield of up to 100 kilotons. During the Cold War, the Soviet Union manufactured and tested nuclear

weapons with yields of over 50 megatons of TNT.

The questions of how to reduce the threat and the number of existing nuclear weapons must be addressed with no less vigour than the question of the threat from additional weapons, whether in the hands of existing nuclear-weapon states, proliferating states or terrorists.

It is probably true that an agreement by all nuclear-armed states to, say, a fissile material cut-off would not in itself prevent the proliferation threat posed by North Korea or Iran. Nevertheless, dissuading potential proliferators from moving further along the path of nuclear-weapon development, and maintaining support by the global community for non-proliferation, is made more difficult when the nuclear-weapon states make little effort to achieve nuclear disarmament. Explanations by the nuclear-haves that the weapons are indispensable to defend their sovereignty are not the best way to convince other sovereign states to renounce the option. The single most hopeful step to revitalize non-proliferation and disarmament today would be ratification of the Comprehensive Test Ban Treaty by all states that have nuclear weapons.

As was seen in 2005, both at the NPT Review Conference and at the United Nations World Summit, the world community will not agree to choose between non-proliferation and disarmament. This chapter advances recommendations on both fronts.

Over the six decades following the attacks on Hiroshima and Nagasaki, numerous initiatives have been launched to control and eliminate nuclear weapons and to prevent proliferation. They have had mixed results. Seen from one perspective, the efforts have failed. At least eight and possibly nine states have acquired nuclear weapons. Global stocks of these weapons are still huge, and

### **Some progress in reducing nuclear threats**

- The non-use of nuclear weapons since 1945 shows that there is a significant threshold against use.
- Nearly all states in the world have adhered to the NPT, including four states that have been in possession of nuclear weapons – South Africa and three former members of the Soviet Union. With a few notable exceptions the parties are abiding by their commitment not to acquire nuclear weapons.
- Regional nuclear-weapon-free zones have made virtually the entire southern hemisphere off-limits for the stationing of nuclear weapons. Other treaties outlaw basing such weapons on the seabed, in outer space and in Antarctica.
- The Partial Test-Ban Treaty bans nuclear testing everywhere except underground. While the Comprehensive Nuclear-Test-Ban Treaty has not entered into force, a moratorium against testing is being upheld.
- The US and Russia have withdrawn thousands of nuclear weapons from service. The UK has significantly reduced its arsenal after the end of the Cold War, while France no longer deploys nuclear weapons on surface-to-surface missiles or as gravity bombs.

more states and even terrorists might acquire them. But against this there have been some positive achievements (see Box).

The three major challenges the world confronts – existing weapons, further proliferation and terrorism – are interlinked politically, and also practically: the larger the existing stocks, the greater the danger of leakage and misuse. This chapter begins by addressing the proliferation issue because it has been at the forefront of international debate and action in recent years. But the Commission takes all three challenges equally seriously. Progress and innovative solutions are needed on all fronts.

## **Preventing the proliferation of nuclear weapons**

### *The Non-Proliferation Treaty*

Having entered into force in 1970, the treaty is the cornerstone of the global non-proliferation regime. The original ‘bargain’ of the treaty is generally understood to be the elimination of nuclear weapons through the commitment by non-nuclear-weapon states not to acquire nuclear weapons and the commitment by five nuclear-weapon states to pursue nuclear disarmament. In addition, the treaty requires parties to facilitate peaceful uses of nuclear energy through exchanges of various kinds between themselves. They also promise to enter into safeguards agreements with the International Atomic Energy Agency and to exercise control over their national nuclear-related exports. Only four countries in the world (India, Israel, North Korea and Pakistan) are not parties to the treaty. What accounts for this near universality?

Many states did not perceive a need for nuclear weapons of their own. Some had assurances of protection through their alliances and other arrangements. Some may well have responded to political and diplomatic pressure to renounce nuclear weapons, while others may not have had a technical capability to develop them. Yet others, even if they could have made a nuclear weapon, have abhorred such weapons and wanted to join a treaty that could be an obstacle to the continued possession of the deadliest weapon in history.

Conversely, when states have perceived threats to their security (like India, Israel, Pakistan and South Africa) or have felt ostracized and at risk (like North Korea, Libya and Iran), this may have weighed heavily in their calculations. In Iraq’s case, by contrast, Saddam Hussein’s efforts to develop nuclear weapons may have been motivated more by a wish to dominate and expand Iraq’s influence in the region than by concerns about national security.

The two basic ideas at the heart of the Non-Proliferation Treaty continue to have strong international support – that more fingers on more nuclear triggers would result in a more dangerous world, and that non-proliferation by the have-nots and disarmament by the haves will together lead to a safer world. Nevertheless, the fact that the treaty is facing several problems must be squarely faced.

The first problem relates to the *failure to make progress towards nuclear disarmament* by the nuclear-weapon states parties.

The second set of problems concerns the *breaches of the treaty or of International Atomic Energy Agency safeguards obligations* by a small number of parties: Iraq,

Libya, North Korea and Iran. Their actions have undermined the confidence in the Non-Proliferation Treaty. A domino effect, it has been suggested, may lead more countries to acquire nuclear weapons. However, while it is necessary to examine the fundamental questions of verification, compliance, reliability and enforcement, one must note that the world is not replete with would-be proliferators nor, as yet, with nuclear-capable terrorists. As long as relations between the great powers are characterized by cooperation and regional tensions are not heightened, there is probably little reason to fear a collapse of the Non-Proliferation Treaty.

A third problem, related to the second and illustrated by the case of North Korea, is that the treaty's provision regarding *withdrawal* fails to identify such action as the serious event it is. It makes it simply procedural. Any notice of withdrawal must be brought to the attention of all other states parties and the UN Security Council, which will examine whether the planned withdrawal constitutes a threat to the peace and consider what measures it might take. If the Security Council fails to respond to a withdrawal, other parties might later decide to reconsider their own continued adherence to the treaty.

A fourth problem may be characterized as *technical*. The lack of any provision for a standing secretariat to assist the parties in implementing the treaty has proven inconvenient.

In fact, the Non-Proliferation Treaty is the weakest of the treaties on weapons of mass destruction in terms of provisions about implementation. The International Atomic Energy Agency and its Board of Governors are not the secretariat of the treaty, and the three depositary governments – the Russian, the British and the United States – have only been given the formal task of convoking review conferences. The NPT has no provisions for consultations or special meetings of the parties to consider cases of possible non-compliance or withdrawal, nor to assist in the implementation of the treaty between the five-yearly Review Conferences. The governments of Canada, Ireland and many other states have offered constructive proposals to address this institutional deficit, with options that include creating a standing bureau or executive committee of the parties. Yet the problem persists, and the periodic meetings of the treaty review process cannot offer an effective substitute for this needed institutional reform.

The problems described above do not diminish the fundamental support for the treaty but there is unquestionably a serious malaise among parties, as shown in their inability to adopt any common conclusions at the 2005 Review Conference.

The hope and expectation have faded – at least for now – that the basic bargain of the treaty between nuclear-weapon and non-nuclear-weapon states should lead to parallel and mutually reinforcing processes of non-proliferation and disarmament. There is a background to this concern.

#### *Evolving treaty commitments*

The negotiation of the Non-Proliferation Treaty in the late 1960s was not as easy as might be assumed. Several non-nuclear-weapon states were critical of the imbalance between the precise obligations of the non-nuclear-weapon states and

the imprecise commitments of the nuclear powers. One result was a provision stating that the treaty would remain in force for only 25 years, requiring a subsequent decision on an extension.

During the 1970s and 1980s, the failure of the nuclear-weapon states to make progress on disarmament and to halt nuclear testing led to growing criticism from the non-nuclear-weapon states. Many states, not only in the Middle East, voiced their concern that Israel remained outside the treaty while other states in the region were subject to NPT constraints. The indefinite extension of the NPT in 1995 was not a forgone conclusion.

While the parties ultimately agreed in 1995, after intensive negotiations, to extend the treaty indefinitely, this decision was adopted only as part of a package of commitments. This included a decision on principles and objectives for non-proliferation and disarmament, a decision on strengthening the treaty review process and a resolution on the establishment of a weapons of mass destruction-free zone in the Middle East. The disarmament goals called for completion of a comprehensive test ban treaty, negotiations on a verifiable fissile material cut-off treaty, and further systematic progress on reducing and eliminating nuclear weapons. The parties showed that it was possible to reconcile their strong and diverse individual interests.

The treaty's 2000 Review Conference carried on this process of multilateral cooperation. It agreed on a Final Document that included 'the thirteen practical steps' for further progress towards nuclear disarmament. These were seen as representing a continuation and development of the agreements that had secured the indefinite extension of the Non-Proliferation Treaty five years earlier.

At the 2005 Review Conference this cooperative approach was missing. The conference ended in acrimony and without any final statement. 'The thirteen practical steps' were played down by the nuclear-weapon states and not recognized as important commitments. The inability of the World Summit in September 2005 to adopt any statement about disarmament and non-proliferation was caused by a renewed failure to balance commitments in the two areas. The obvious question therefore is: what can be done to revitalize the Non-Proliferation Treaty?

### **Commission Recommendations**

- All parties to the Non-Proliferation Treaty need to revert to the fundamental and balanced non-proliferation and disarmament commitments that were made under the treaty and confirmed in 1995 when the treaty was extended indefinitely.
- All parties to the Non-Proliferation Treaty should implement the decision on principles and objectives for non-proliferation and disarmament, the decision on strengthening the Non-Proliferation Treaty review process, and the resolution on the Middle East as a zone free of nuclear and all other weapons of mass destruction, all adopted in 1995. They should also promote the implementation of 'the thirteen practical steps' for nuclear disarmament that were adopted in 2000.

- To enhance the effectiveness of the nuclear non-proliferation regime, all Non-Proliferation Treaty non-nuclear-weapon states parties should accept comprehensive safeguards as strengthened by the International Atomic Energy Agency Additional Protocol.

The states parties to the Non-Proliferation Treaty should establish a standing secretariat to handle administrative matters for the parties to the treaty. This secretariat should organize the treaty's Review Conferences and their Preparatory Committee sessions. It should also organize other treaty-related meetings upon the request of a majority of the states parties.

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### **Nuclear-weapon-free zones**

In the late 1940s and 1950s, the failure to outlaw nuclear weapons led some governments to look for intermediate steps towards that goal. One such initiative was to ban the stationing, testing, use or development of nuclear weapons in certain geographic areas – nuclear-weapon-free zones. Early efforts focused on unpopulated areas or environments, resulting in treaties covering Antarctica, the seabed and outer space.

The Tlatelolco Treaty, signed in 1967, broke new ground by seeking to include within the designated zone the entire populated region of Latin America and the Caribbean. The Treaties of Rarotonga (1986), Pelindaba (1996) and Bangkok (1997) created nuclear-weapon-free zones in the South Pacific, Africa, and Southeast Asia. Also, five former Soviet republics have provisionally agreed upon the text of a treaty to establish a nuclear-weapon-free-zone in Central Asia. The concept of nuclear-weapon-free zones has emerged as a success story.

Nuclear-weapon-free zones serve some important functions. They fill the gap in the NPT that allowed the foreign deployment of nuclear weapons on the territory of non-nuclear-weapon states – no such weapons may be stationed in the zones. They complement and reinforce the basic non-proliferation commitments of the NPT. Through protocols to the treaties creating such zones, the nuclear-weapon states can provide legally binding negative security assurances to members of such regimes. They also contribute to the strengthening of comprehensive ('full-scope') IAEA safeguards, by requiring the domestic application and/or requirement of such safeguards for exports leaving the region. Furthermore, they help to strengthen the global norm against nuclear testing, pending entry into force of the Comprehensive Test Ban Treaty.

These regimes, however, face many challenges. For instance, the Pelindaba Treaty, although almost a decade old, has still not entered into force. Of all the protocols to the nuclear-weapon-free zone treaties, only the relevant protocol to the Tlatelolco Treaty has been ratified by all five nuclear-weapon states. None of the nuclear-weapon states has ratified the protocol to the Bangkok Treaty, although China has said that it may agree to it independently of the other nuclear-weapon states.

In addition, many states in the zones have failed to conclude their required full-scope safeguards agreements with the International Atomic Energy Agency. And while all the treaties creating such zones are of indefinite duration, they all contain withdrawal clauses. This opens questions about the reversibility of the commitments made.

### **Commission Recommendation**

- All Non-Proliferation Treaty nuclear-weapon states that have not yet done so should ratify the protocols of the treaties creating regional nuclear-weapon-free zones. All states in such zones should conclude their comprehensive safeguards agreements with the International Atomic Energy Agency and agree to ratify and implement the Additional Protocol.