



European
Nuclear
Disarmament

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UK warhead announcement

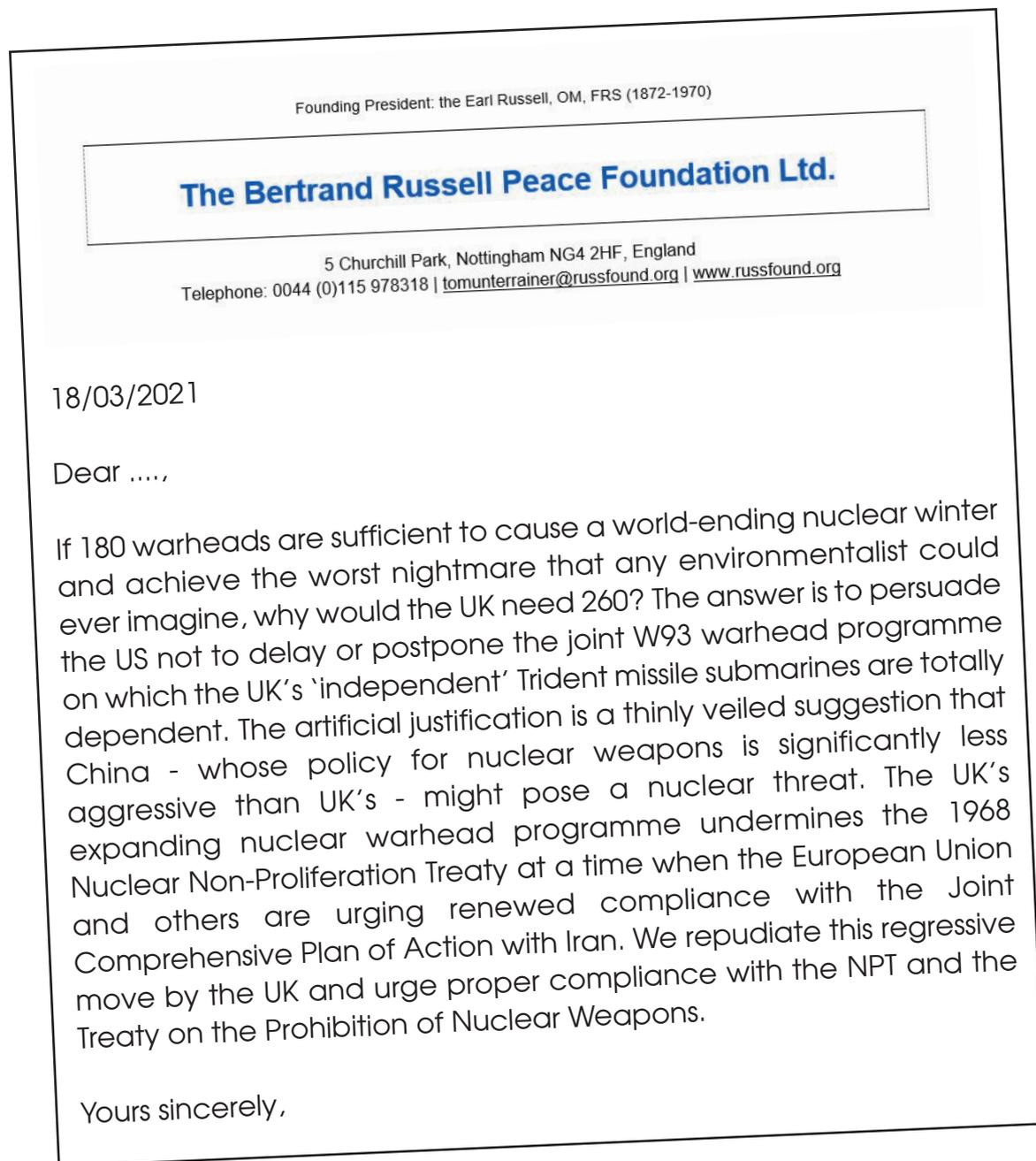
Immoral, Illogical, Illegal

"We remain committed to the long-term goal of a world without nuclear weapons" claims the British Government in their 'Integrated Review of Security, Defence, Development and Foreign Policy': *Global Britain in a competitive age*. It is unclear quite how this sentiment fits with a renewed commitment to Britain's nuclear weapon system and the announcement that the overall ceiling on nuclear warheads is to be increased: "the UK will move to an overall nuclear weapon stockpile of no more than 260 warheads."

If the empty pledge on disarmament and the alleged imperative of Britain retaining a nuclear capability came as no surprise, the announcement that the long-established intent to reduce the overall number of warheads ... *continued on page 3*

Warhead Alert!

The Bertrand Russell Peace Foundation initiated the following letter in response to the UK government's warhead announcement. The letter was sent to **Josep Borrel**, EU High Representative for Foreign Affairs, **Stefano Sannino**, Secretary General of the European Union External Action Service; **Marjolijn Van Deelen**, Head of Disarmament Policy at EEAS; **David Sassoli**, President of the European Parliament and to other politicians engaged in EU foreign policy. We will publish any responses in future.



Signatories: **Commander Robert Forsyth RN (Ret'd)** 2nd in Command Polaris submarine, commanded two other submarines and the Commanding Officer's Qualifying Course **Commander Rob Green** Former nuclear-armed aircraft bombardier-navigator **Denis Halliday** Former Assistant Secretary-General of the United Nations, Ireland **Julie Ward** MEP 2014-2020, UK **Marian Pallister** Chair, Pax Christi Scotland **Jeremy Lester** Clerk (Chair) Quaker Council for European Affairs & Chair, Saferworld Europe **Ludo De Brabander** Vrede vzw, Belgium **Reiner Braun** Executive Director, International Peace Bureau, Germany **Colin Archer** Secretary-General, International Peace Bureau (retired) **Professor Stuart Holland** University of Coimbra, Portugal **Professor Steven Rose** Emeritus Professor of Neuroscience, Open University, UK **Professor Andreas Bieler** School of Politics and International Relations, University of Nottingham **Axel Ruppert** Rosa-Luxemburg-Stiftung, Brussels Office **Carol Turner** Co-Chair Labour CND **Earl Turcotte** Chair, Canadian Network to Abolish Nuclear Weapons, Canada **Tony Simpson & Tom Unterrainer** Bertrand Russell Peace Foundation **Rae Street & Pat Sanchez** Rochdale and Littleborough Peace Group, UK **TJ Milburn** Chair, Exeter CND, UK **Christine Bousfield** UK **Christopher Butler** UK **Ulla Grant** UK **Ian Hewitt** UK **Till Geiger** UK **Brian Winters** USA

continued from page 1 ... was to be dispensed with sent a shockwave across the planet. A further shocking element of the report comes in the following passage: “we reserve the right to review this assurance (that the UK will not use, or threaten to use, nuclear weapons against NPT state parties) if the future threat of ... emerging technologies ... makes it necessary.”

Immoral

The British public, like the vast majority of the world’s population, opposes nuclear weapons. Repeated polling has not registered majority support for UK nuclear weapons, and a recent survey found that 77% of the population agreed that all nuclear weapons should be abolished.

The British government is massively out-of-step with the population on this question, yet unknown billions of pounds have been pledged to manufacture instruments of mass-murder just days after nurses were subjected to what, in effect, amounts to a pay cut.

The current British government is a serial rule-breaker and the scrapping of intent to reduce the overall number of warheads fits into this pattern of conduct. Far from providing increased ‘security’ the British decision to not only retain nuclear weapons but to increase the number of warheads can only increase tensions and generate greater risks.

Illogical

At the time of the announcement, the British government made no effort to justify its decision beyond general statements about “adversaries”, “threats to stability” and the “evolving security environment”. In subsequent interviews the Secretary of Defence, Ben Wallace, claimed that an increased number of warheads was a response to alleged changes to Russian missile defence. When questioned, Mr Wallace could not explain how 260 rather than a smaller number of warheads would make a difference.

As the Russian government has pointed out, the British decision comes weeks after agreement was reached between the US and Russia to extend New START for a further five years: an agreement that will reduce the overall numbers of nuclear weapons. How does the British decision fit with the global trends? What does the US, on which Britain is dependent for the vast majority of its nuclear capability, make of the announcement?

Could the failure to adequately explain the need for more warheads be linked to the fact that there is no good reason? Or could it be that the real story behind this decision is being

deliberately withheld? How does Britain’s lobbying of the US Congress over the W-93 warhead fit into the picture? Might Britain be planning to increase the number of Trident submarines on ‘Continuous At Sea’ patrol, which might make it necessary to have more warheads?

Does the shift in nuclear posture embodied in “reserve the right to review” and in the direction of travel detailed in the wider report suggest a potential ‘war fighting’ nuclear posture, rather than an alleged ‘deterrence’ posture? Might Britain need more warheads if such warheads are to be ‘useable’?

The basic lack of transparency on nuclear questions and the illogical stance offered by the government generates large numbers of questions, all of which demand closer examination.



Illegal

Britain is not only a signatory to the Non-Proliferation Treaty, which demands ‘effective measures’ to end the ‘arms race’ (Article VI) but it is one of three ‘Official Depositories’ of the NPT. This status demands exemplary conduct and action from such states.

The decision to increase the number of warheads appears to be in breach of Article VI and Britain’s status and could, therefore, be illegal under international law. It will be left to international lawyers and the other parties to the NPT to decide whether or not this is technically the case, and it should be noted that several NPT signatories are already in breach. Whatever the material legal status, Britain’s decision will clearly act against the interests of non-proliferation and will surely induce other states - both nuclear armed and non-nuclear - to assess their own positions.

Letter of Protest

The Japan Council against Atomic and Hydrogen Bombs sent the following letter to UK Prime Minister, Boris Johnson, in response to the warhead announcement.

The Japan Council against Atomic and Hydrogen Bombs

(Gensuikyo) 2-4-4 Yushima, Bunkyo-ku, Tokyo 113-8464 Japan E-mail: antiatom@topaz.plala.or.jp
Tel: 81-3-5842-6034 Fax: 81-3-5842-6033 Web Site: <http://www.antiatom.org/english/>



In its integrated review of the national defense and foreign policy for the next 10 years published on March 16, the U.K. government announced that it would increase the cap of its nuclear warheads from the current 180 to 260.

With the entry into force of the Treaty on the Prohibition of Nuclear Weapons (TPNW) on January 22, to develop, test, produce, possess, use or threaten to use nuclear weapons have all become illegal. The recent decision of your government runs counter to this global trend. On behalf of the only A-bombed nation, we strongly protest against, and urge you to retract the decision.

The 10th NPT Review Conference will be convened on August 2. What is required to do in the current world is to cooperate in tackling such imminent problems facing the humanity as COVID-19, climate change, wealth gap and poverty, human rights suppression and genderrelated issues. To that end, the implementation of the previously agreed commitments is called for, including "to accomplish the total elimination of their nuclear arsenals" (2000) and "to achieve the peace and security of a world without nuclear weapons" (2010). The five nuclear weapon states, including the U.K., should be held most accountable for their implementation.

According to an opinion poll in the U.K., almost 60% of the public supports the government signing up to the TPNW. You must respond to the voice of the majority of your people in good faith.

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10 reasons why increasing the number of warheads is wrong



Commander Robert Forsyth, RN (Ret'd)

1. The UK is one of three official Depositories for the Nuclear Non Proliferation Treaty (NPT). In addition to administrative duties, UK is required to set high standards of conformity. The Integrated Review of Security, Defence, Development & Foreign Policy appears to be in breach of the letter of the NPT and definitely in breach of the spirit.

2. One 100kt Trident warhead is sufficient to physically destroy hundreds of thousands of people along with the infrastructure of a small State. It would also inflict generations of radiation effects on all its neighbours. The previous limit of 180 warheads was sufficient to kill millions of people and cause such devastation as would lead to a nuclear winter and extinction of multiple lifeforms. An additional 80 achieves no more than doubling up on this and ensuring any surviving life forms are extinguished

3. It may be that the Government envisages using low yield (5 - 10kt) warheads against chemical and biological threats - even from NPT signatories. While these may be slightly less than Hiroshima's blast and radiation effects - still being experienced 75 years later - their use could well trigger a nuclear exchange between third parties whose effects would be totally disproportionate to the reason for using them and replicate delivery of several 100kt warheads.

4. The threat of use of nuclear weapons in the past has not prevented non-nuclear warfare e.g. Korea and Vietnam. There is no reason to suppose that it would deter cyber or chemical/biological attacks or any other form of non-nuclear warfare.

5. The increase in warheads undermines the UK commitment to Article VI of the NPT and so significantly weakens the Treaty, i.e. 'The haves

can have more with impunity but not you' is not a good message.

6. The implication that UK may use nuclear weapons to counter non-nuclear attacks may encourage non-nuclear weapon States to provide themselves with nuclear weapons to have similar enhanced protection.

7. The 'Global Reach' military ambitions of the recent Integrated Review exceeds the capability available, even after implementing its recommendations, because of the extreme cost of nuclear weapons.

8. Nuclear weapons are a very blunt Cold War era instrument entirely inappropriate for nuanced reaction to say Russian incursions in the Baltic or China in the Pacific. Neither country would seriously consider that UK would actually launch a nuclear attack against them and so would proceed knowing we lacked the conventional force to oppose.

9. UK professes to be a 'rules based' society. The targets at which a nuclear warhead could be lawfully fired and arguably be compliant with current international laws are limited to mid ocean or uninhabited desert - provided there is no prevailing wind.

10. The US Biden administration is contemplating reducing nuclear weapons and to be used on a 'sole use' and not first use basis i.e. only to deter/retaliate to a nuclear weapon attack. The UK policy of 'deliberate ambiguity' which, by denying nothing, embraces all, will conflict with the US. The risk is that technical/political support for UK Trident might be withdrawn. The US is so deeply embedded in UK Trident, from supply of missiles, warheads, targeting procedures and the launch system, that it has the means to render UK Trident inoperable if it so wishes.

Call for action

For a nuclear weapon free Europe

The world stands at a crossroads. It is time for Europe to make strategic choices in facing existential threats. For two consecutive years, the Bulletin for Atomic Scientist have placed the Doomsday Clock at 100 seconds to midnight. Never has this symbolic clock been closer to a possible nuclear and climate nightmare. Nuclear weapon states are investing heavily in new nuclear weapons. The US wants to deploy new B61-12 nuclear weapons in Belgium, Germany, Italy, the Netherlands and Turkey.

The COVID-19 pandemic has taught us that we must work together to overcome the two existential threats of the 21st century: nuclear war and global warming. Increased military expenditure reduces investment in social infrastructure, while extensive military exercises and operations create major carbon emissions, driving us closer to extinction in more ways than one.



For years the people of Europe have expressed their desire to be nuclear-weapon-free by calling for the removal of US nuclear weapons. Now they are pushing for their governments to ratify the Treaty for the Prohibition of Nuclear Weapons (TPNW). According to recent online surveys in 6 countries, between 77% and 89% of the population want their countries to join the TPNW.

We must work together in the light of an understanding that all lives on the planet are interwoven, rethink what we mean by protection, redefine ideas of defence and develop towards a 'common security'. A nuclear weapon free Europe would be the most important step in the transition to a civil and shared security, abandoning the road of continuous militarisation.

We call on all citizens to organize against our possible extinction and to fight for a just, green and peaceful Europe, free of nuclear weapons, with security for all provided through other means. The situation is urgent. As the risks of nuclear confrontation spread from Europe, through Russia, the Middle East, China and the Korean peninsula, Europe must take a stand.

We appeal to everyone in Europe to act and to take part in a European month of action - September 2021. We ask social organisations, trade unions, environmental, youth and woman's movements, north-south and political organizations, people of all faiths and persuasions to join, endorse, promote and support the appeal for a nuclear-weapon-free zone in Europe.

We call on European governments to:

- **stop spending valuable resources on new nuclear weapons and their deployment**
- **end nuclear sharing**
- **sign and ratify the Treaty on the Prohibition of Nuclear Weapons (TPNW)**



September Actions

- Meeting of young activists in Büchel, Germany, 5 - 6 September
- Bike Tour: starting at Büchel, Germany, on 10 September and finishing at Klein Brogel, Belgium, 26 September
- Plans are being made for 'human chain' protests at the Büchel, Klein Brogel and Volkel (The Netherlands) bases
- The Italian peace movement hold regular, ongoing, protests at the Aviano and Ghedi-Torre bases. Plans are in development for a coordination of such protests to coincide with the September actions
- The Campaign for Nuclear Disarmament (CND) in the UK is developing plans for protest actions at the Faslane base in Scotland, where nuclear-armed Trident submarines are stationed, and at the Atomic Weapons Establishment in England where the UK's nuclear war-heads are developed and stored
- The French peace movement is in the process of planning actions and events to coincide with the September Actions

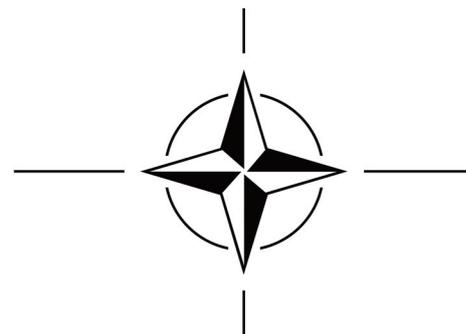
These are provisional details of the times, places and nature of planned actions. Further details will be given in future. If your organisation wishes to participate or to offer updates on actions, please contact julia.aufdembrinke@ipb-office.berlin.

Webinars

The Nuke Free Europe campaign has a number of online sessions planned in the months before September. The first 'webinar' will cover nuclear sharing arrangements in Europe and will be followed by sessions on Nuclear-Weapon-Free Zones, NATO, French and British nuclear weapons. Check the website for info:

www.nukefreeeurope.eu

Persistent objectors



Tom Unterrainer

END Info 22 (Feb 2021) reported on a recent report from Chatham House, 'NATO and the TPNW' (page 5). This report is, available online, is worth closer examination in one particular regard: the matter of 'persistent objectors'. The report states as follows:

While it is a general principle of international law that treaties do not create obligations for third states, **it is also an accepted principle that a rule set forth in a treaty could, under certain conditions, become binding on a third state as a customary rule ... However, this is not an automatic process.** Two distinct concepts are relevant here: the concept of so-called 'specially affected states', and that of '**persistent objectors**' ... As the ICJ has explained, a lack of consent from specially affected states may have the effect of preventing the required general state practice from emerging, preventing the rule from coming into being in the first place. **There is a strong argument that states with nuclear weapons and those in a nuclear alliance would be specially affected by a proposed ban on nuclear weapons.** Even if a rule is indeed created, **states that have objected to a certain degree to its emergence - so-called persistent objectors - will not be bound by it.**

(emphasis added)

What does all this mean and what does it explain? It seems that the hope that the TPNW will create a decisive 'normative shift' in international law with respect to nuclear weapons is in question. What Steven Hill¹ points out in his Chatham House report is that if a state or alliance of states persistently raise their objections to a treaty, then they can - in the terms set out in international law - prevent such

a treaty from becoming 'customary law' or binding on states which have not signed up to the treaty. So whilst the TPNW will be 'in force' in those states which have ratified the treaty, 'persistent objection' on the part of the nuclear-armed states and allies could prevent a more general application of the treaty provisions.²

How to address this potential barrier? How to react to the ongoing insistence of the nuclear-powers that their possession of instruments of mass murder is in any way legitimate?

An important step is to understand that the TPNW will not steadily accrue widespread legal status through the ongoing workings and mechanisms of international law. The 'persistent objections' of the US, UK, NATO and whoever else must be met with organisation and mobilisation of great legions of persistent objectors on the streets, in the conference rooms, inside political parties and social movement organisations. We must continue to find creative and imaginative means to apply the concrete lessons of the TPNW, to mount sharp arguments against 'nuclearism', to sound the alarm about the manifold dangers presented by such weapons and the geopolitical strategies of their possessors.

There is much work to do.

Notes:

1 Hill, Steven (2021) 'Nato and the Treaty on the Prohibition of Nuclear Weapons', Chatham House, London accessed at

<https://www.chathamhouse.org/2021/01/nato-and-treaty-prohibition-nuclear-weapons>

2 See Falk, Richard (2021) 'Challenging Nuclearism' in *The Spokesman 147: Challenging Nuclearism*, Spokesman, Nottingham for an extended discussion on this a related point

War Exercise Despite Pandemic



From German-Foreign-Policy.com, 04/03/21

NATO countries are preparing for a second major "Defender Europe" exercise. Opening activities are scheduled for May. Last year's Defender Europe 20 would have been, in its originally planned version, the largest exercise under US command since the end of the Cold War. Defender Europe is conceived as a series of annual exercises to maintain and expand Europe's new level of militarization. Defender Europe 21 - also targeting Russia - is planned on a comparable scale as last year's exercise, however, with a different regional focus - the Black Sea rather than the Baltic region. Germany is also involved, on the one hand, directly participating with its own soldiers and on the other with logistical support. Last year, civilian infrastructure had also been placed at the disposal of NATO troops. In addition to the Defender Europe exercises against Russia, the United States is planning a series of Defender Pacific exercises targeting China.

Defender Europe 20 had been initially planned to be the largest war exercise of NATO troops in Europe since the end of the Cold War. Around 20,000 US soldiers were to be relocated across the Atlantic to join US units already stationed in Europe, as well as, alliance and partner troops in the US-led exercise of an interdisciplinary conflict simulation. A total of 37,000 soldiers from 16 NATO and two partner countries were to participate. In essence, the objective was to familiarize the military with a variety of transfer routes from the USA through Europe to the Russian border. In addition, numerous war exercises were to be conducted in various countries from the Baltic to the Black Sea in a simulated "battlefield network." For its planning, the military alliance resorts to the kinds of exercises it has regularly been carrying out in the region for years.

The US-led exercise had just begun in early 2020, when the outbreak of the Covid-19

pandemic foiled the military's plans and prevented them from fully carrying out the exercise. Whereas civilian life was massively restricted in large parts of the world due to the pandemic, Defender Europe 20 was scaled down, but not completely halted. When, in March 2020, the decision had been taken to reduce the size of the manoeuvre, nearly 6,000 US soldiers had already arrived in Europe. Before transporting them back across the Atlantic, they conducted a few exercises in spite of the pandemic. The Bundeswehr officially halted exercise activities in Germany in mid-March due to the pandemic. Germany had not only placed its military infrastructure at the disposal of Defender Europe 20, but to a large extent its civilian infrastructure as well. The commanding general of the US Army Europe, General Christopher Cavoli, also stated in an interview that - within the framework of the so-called Host Nation Support - the German ministry of defense had subsequently covered the share of the costs of the exercise that the US armed forces normally would have had to assume.

In the summer of last year, leading US military officials announced that Defender Europe 21 was already in planning and should be carried out from spring to the summer of 2021. That announcement is now being confirmed. According to the German government, the manoeuvre is scheduled for between May 1 and June 14, 2021 - with around 31,000 military personnel, including 430 from the Bundeswehr. This year fewer German troops will be participating than last year, because the regional focus of the manoeuvres will not be the Baltic Sea region, but rather in the south, at the Black Sea. According to General Cavoli, the particular emphasis of the manoeuvre will be on the cooperation with Bulgaria and Rumania. According to the German government, in spite

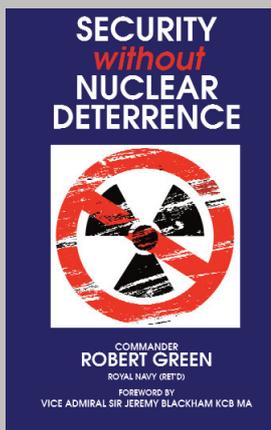
of their distance from the region of focus, the Bundeswehr, as was also the case last year, will assume logistical responsibilities for the relocation of the multinational units through Germany and other countries on the continent. Altogether, Berlin has currently earmarked €2.9 million for these manoeuvres.

As was confirmed by the German government, the US-led Defender Europe Exercises were conceived as annually recurring manoeuvres. In even years, the geographic focus of the exercise series will be "in the north, and, in uneven years, in the south of NATO's alliance territory." In addition, last year, the United States initiated a series of manoeuvres under the name, "Defender Pacific," aimed at exercising the deployment of troops against China. Defender Pacific 21 will focus on the southwest Pacific, according to US military sources. That vast area is comprised of numerous small islands and island chains and extends to Australia. During World War II, the Southwest Pacific area under allied command also included a large portion of the Southeast Asian islands including the Philippines and parts of Indonesia and Malaysia - as well as the South China Sea. The German government has announced that the Bundeswehr will not be participating. Nevertheless, a German warship is scheduled to make a training cruise this year through the South China Sea on its way to Japan.

Last February US Gen. Cavoli, who is in charge of the Defender Europe exercises explained, "We

prepare so that we are ready to fight and win." According to Cavoli, a primary aspect of those war preparations is military mobility in Europe. The Defender Europe exercise series were introduced to discover weaknesses in the infrastructure and to overcome political and regulatory obstacles. Cavoli mentions the "informal partnership" that the US Army Europe has with the EU, which provides enormous financing to enhance military mobility. The US Army catalogues the current European infrastructure and checks it out throughout the exercise, and then informs NATO of the improvements that need to be made. NATO then transmits the US wishes to the EU, and "helps the EU direct their infrastructure funding to dual-use." And the US military "has a say" in the military aspects of the EU's infrastructure measures. The challenge lies in the fact "that when NATO expanded, it expanded into territory that had previously been on the other side of the fence and its military infrastructure was designed for Warsaw Pact equipment and it was all pointing westward and we need infrastructure designed for western equipment that's pointing eastward" for the new cold war, whose borders between the blocks have been relocated right up to the Russian borders.

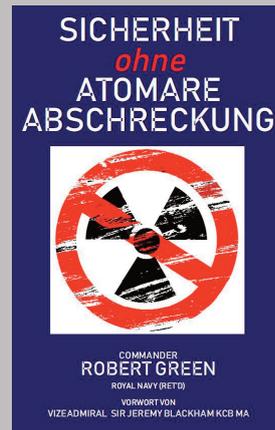
<https://www.german-foreign-policy.com/en/news/detail/8542/>



Security without Nuclear Deterrence

Sicherheit ohne Atomare Abschreckung

by Commander Robert Green
RN (Ret'd)



Foreword by Vice Admiral Sir Jeremy Blackham KCB MA
German translation by Dr.-Ing Joachim Wernicke

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US Bombing of Syria Worsens Regional Instability and Threatens Iran Nuclear Deal

Phyllis Bennis and Khury Petersen-Smith, Institute for Policy Studies, Washington, USA

The U.S. airstrikes (February 2021) against targets in eastern Syria escalate Washington's conflicts in the Middle East, adding more instability to a disastrous situation in Syria and creating new obstacles to the possibility of reducing tension with Iran and returning to the nuclear deal. If this is what President Biden's claim that "America is back" continues to look like, his promises to put diplomacy before war will show themselves hollow indeed.

The airstrikes were ostensibly in response to attacks in mid-February on Iraqi military sites housing US military forces. One U.S. contractor was killed and several U.S. and coalition troops were injured. As of 48 hours before the U.S. bombing, Pentagon officials were still admitting they didn't know who had carried out the attack on the Iraqi base, though after the airstrikes U.S. Secretary of Defense Lloyd Austin said that "we're confident that target was being used by the same Shia militants that conducted the strikes."

Iran has denied any involvement in the Feb. 15 attack on the Iraqi base, and it is not clear if the U.S. has any actual evidence to the contrary. Many militia groups operate across Iraq, some identifying as Shi'a and some not, some of which support and others target the Iraqi government and the U.S. troops operating in their country; of those, some are supported by Iran, though the level of control Tehran actually brings to bear varies widely.

But regardless of Iran's potential involvement in this particular attack in February, the U.S. bombing in Syria is an incredibly dangerous and provocative move. It follows a year of significant U.S. ratcheting up tensions with Iran, starting with the January 2020 assassination in Iraq of Iran's influential General Qassem Soleimani, part of Trump's "Maximum Pressure" operation against Iran. Trump launched that campaign following his 2018 abandonment of the Iran nuclear deal

signed by Obama three years earlier. The 2020 onslaught continued with the intensification of the Pentagon's naval and air exercises near Iran's borders, as well as the U.S. seizure of Iranian oil tankers in international waters. Most significantly, 2020 saw a continuing escalation of U.S. economic sanctions reimposed after the U.S. withdrawal from the nuclear deal. The sanctions have led to widespread poverty across the Iranian population, collapse of the health care system and resulting inability to respond adequately to the COVID-19 pandemic, food scarcity and malnutrition, and even the deaths of children from lack of access to medicines, something unprecedented in modern Iranian history.

President Biden has reaffirmed his intention to reengage with Iran and re-join the nuclear deal, known as the JCPOA, and he has taken some important steps in that direction. Those include moves to pull back from Trump's close embrace of Iran's regional competitor, Saudi Arabia, pausing some arms sales the Saudis want to continue their deadly war against Yemen and releasing at least parts of the intelligence report holding Saudi crown prince Mohammed bin Salman responsible for the 2018 murder of U.S.-based Saudi critic and journalist Jamal Khashoggi. He also appointed Wendy Sherman, a top Obama-era diplomat who led the team negotiating the JCPOA as second in command at the State Department, and significantly, was willing to spend some political capital to appoint Rob Malley as lead envoy to Iran, mandated to rejoin the JCPOA, despite opposition from many elite voices hostile to the deal.

This recent bombing, however, points in the opposite direction. The rationale for the U.S. bombing seemed to center on "sending a message" that the U.S. would use military power to avenge any attack on its forces anywhere in

the region—particularly if Iran could somehow be implicated. So the U.S. bombed Syria, a country whose people have already been suffering from years of war, repression and sanctions, in response to attacks two weeks ago on U.S. positions in Iraq, not in Syria, which the U.S. blames on militias ostensibly linked to Iran. Washington had no right under international law to attack Syria, where almost a decade of war has already killed some 400,000 people and displaced more than 13 million—more than three-quarters of the population. The Syrian war has long passed being a civil war, and has for years become a venue for regional and global powers to carry out proxy conflicts—in which Syrians continue to die and their country, its cities, water and environment, continue to be destroyed. Biden's move continues US involvement in this shameful pattern.

Pentagon spokesman John Kirby described the US bombing as acting "in a deliberate manner that aims to deescalate the overall situation in eastern Syria and Iraq." For a bombing in Syria that was clearly aimed at Iran, in retaliation for something that happened in Iraq, the notion that this would somehow "deescalate" the violence and insecure conditions of eastern Syria was a pretty astonishing claim. The real question in looking at the US response to the Feb. 15 attack on the Iraqi base is what the U.S. troops are doing in Iraq in the first place. Deployed in Iraq since 2014 ostensibly to take on ISIS, after 11 years of invasion, overthrow of the government and occupation of the country, by every measure the U.S. presence in Iraq has made life worse for Iraqis and others in the region. While the U.S. may claim its goal now is against ISIS, we cannot forget that the brutal extremist organization was created in Iraq in 2004 at the height of and in reaction to the U.S. occupation. And we cannot forget what so many generals, diplomats, war-makers and policy-makers, as well as peace and diplomacy advocates, have known and repeated for so many years, there is no military solution to terrorism.

If President Biden and his administration are serious about returning to the Iran nuclear deal—and they absolutely should be—this kind of attack sends absolutely the wrong message. Is this what "America is back" is supposed to mean? As Senator Bernie Sanders responded to the bombing, "last night's strike by US forces in Syria puts our country on the path of continuing the Forever War instead of ending it. For far too long administrations of both parties have interpreted their authorities in an extremely expansive way to continue military interventions across the

Middle East region and elsewhere. This must end."

There are varying reports, so far, of casualties resulting from the U.S. airstrikes in Syria. It's not clear yet how far these bombing raids were from the sprawling refugee camps scattered throughout eastern Syria, housing desperate people who have for so long suffered under their own and other government's bombs including those of the United States. We do know there is no military solution to the political instability and violence in Syria. And regardless of who is the commander in chief giving orders to U.S. bombers, we know that deploying U.S. troops and U.S. drones and U.S. warplanes across the region does not provide safety or security for Iraqis or Syrians. Not for Iranians, or for Americans.

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Commander Robert Forsyth RN (Ret'd)



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TPNW: question raised on Italy's failure to sign



Maurizio Acerbo & Gregorio Piccin,
Party of Communist Refoundation, Italy

PARLIAMENTARY QUESTION

To the Minister of Defense To the Minister of Foreign Affairs

Given that

- On 24 October, with the ratification of Honduras, the UN nuclear weapons prohibition treaty (TPAN) reached the 50 accessions essential for the entry into force that will legally bind the signatory countries and finally nuclear weapons will be banned as well as chemical and bacteriological ones;

- prior to the entry into force of this treaty, nuclear weapons were effectively excluded from the list of weapons of mass destruction prohibited by international law;

- 50 countries have signed the TPAN but Italy is not among them despite article 11 of our Constitution - "Italy repudiates war as an instrument for resolving international disputes" - and despite 246 deputies and senators (including the foreign minister) have signed the ICAN Pledge thus undertaking to support the path of ratification of the treaty in question by our country;

- on 6 August, on the occasion of the 75th anniversary of the atomic bombing of Hiroshima and Nagasaki by the United States, President Mattarella declared that: "Italy strongly supports the goal of a world free from nuclear weapons, through a progressive approach to disarmament that provides for the responsible involvement of each state. The international agenda cannot ignore this goal";

- unfortunately, instead, our country participates in the NATO "nuclear sharing" program by hosting dozens of US nuclear warheads in Ghedi and Aviano and training the pilots of the Tornado fighter-bombers for nuclear bombing and recently confirmed the purchase of the F-35s that will replace the Tornados in this function and initiated the modernization of the Ghedi air base for this purpose;

- our country hosts nuclear warheads and this makes them a target in case of conflict and therefore after the entry into force of the treaty Italy becomes a country hosting prohibited weapons of mass destruction on its territory;

- there are no official initiatives by Italy aimed at soliciting adhesion to the treaty by the countries adhering to NATO and by other nations equipped with atomic arsenals;

all that being said, we ask to know

- whether the ministers questioned believe that Italy should accede to the treaty in question and what are the reasons why the government has not proceeded to do so;

- if they do not deem it necessary to exit the NATO nuclear sharing program and interrupt the F-35 program (2247 million euros provided by the Ministry of Defense for the three-year period 2020-2022);

- what initiatives has Italy undertaken at the international level in the direction proposed by the President of the Republic.

US nuclear bombs in Aviano

Tiziano Tissino



The atomic bombs in Aviano are the classic secret of Pulcinella: everyone knows they are there, and everyone pretends not to know it, even if periodically authoritative analysts come to remind us. We have started a legal case with which we intend to demonstrate the illegality of the presence of the atomic bombs in Aviano and at the same time their dangerousness.

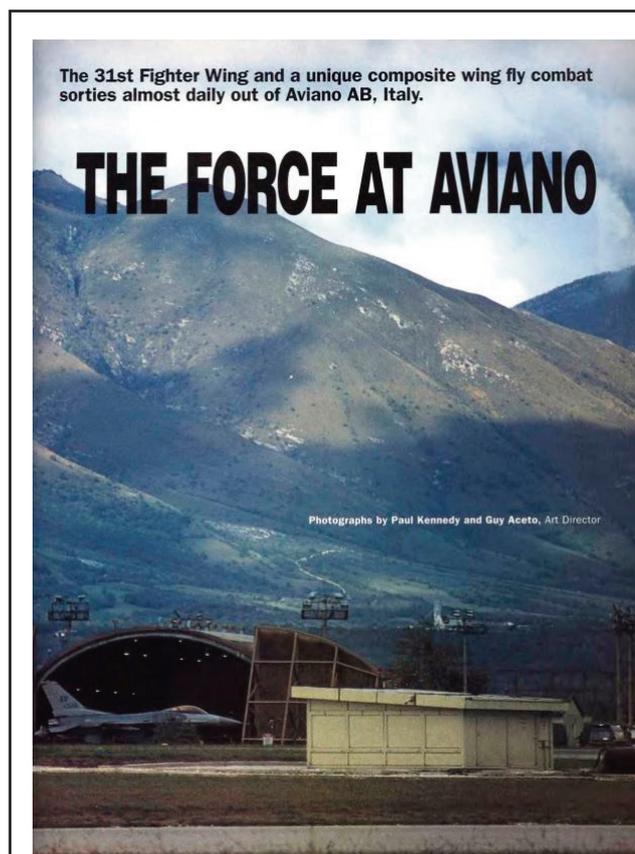
First published **March 13, 2006** at
<https://www.peacelink.it/editoriale/a/15307.html>

I guess you all know by now what the Aviano base is: granted to the US in the 1950s, it was a

secondary base for a long time. Things changed rapidly in the 1990s when Aviano became the US outpost to the Balkans. F16s were redeployed here after Spain, following a referendum, decided to evict them from their country. From here the air raids on Bosnia and Serbia started, first in 1995 and then in 1999.

As always, the atomic bombs in Aviano has been the classic secret of Pulcinella: everyone knows they are there, and everyone pretends not to know it, even if periodically authoritative analysts come to remind us.

Denying the evidence is the only way not to be forced to admit the blatant violation of the



Back in December 1996, the US *Air Force Magazine* published photos of an F-16 at the Aviano base (the photos of the service are by Guy Aceto and Paul Kennedy).

The point is that, just behind the bomber, a bunker for atomic weapons is clearly visible (which is very secret today as then).

Unfortunately, the image is not of excellent quality and to understand that it is an atomic weapons depot you need the original and an expert eye, like that of William Arkin, who first pointed out the matter in one of his books in 1997.

We report one passage:

"Finally, and probably coincidentally, the cover photograph of the December 1996 issue of Air Force Magazine shows an F-16 parked in front of What's Clearly a nuclear weapons storage facility at Aviano Air Force Base, Pordenone, Italy, about 900 miles from Libya."

See <https://www.airforcemag.com/issue/1996-12/>

Nuclear Non-Proliferation Treaty (NPT). By signing that treaty, Italy has undertaken not to receive nuclear weapons on its territory. For its part, the US has pledged "not to transfer nuclear weapons to any recipient" ...

A few months ago, we were contacted by the lawyer, Joachim Lau, vice president of IALANA (International Association of Jurists Against Nuclear Weapons). The lawyer Lau proposed that we sue the US government, saying that – from a strictly legal point of view – we should easily be able to prove the illegality of the presence of the nuclear weapons in Aviano and at the same time their dangerousness. Consequently, the Civil Court should order the United States to take away the nuclear bombs.

In our summons, we collected at least five known incidents that brought the world one step closer to nuclear war, in which Aviano would be completely destroyed. This risk is by no means a memory of the past, because Aviano is still a primary target in Russian military strategy and perhaps in the plans of some terrorists. Every day, the lives of the inhabitants of Aviano and its

surroundings are threatened. Coming to terms with such a reality is not easy, and this explains why many people avoid even thinking about it. But refusing to address the issue certainly doesn't make the threat go away.

In motivating our request, we made particular reference to the risk to which our life is subjected: the action before the civil judge, in fact, aims at recognizing the state of danger caused by the atomic bombs ...

We are well aware, however, that atomic bombs are also a threat to the lives of many other people around the world. Just as we don't want to live in fear of a nuclear attack against us, we don't want anyone else to be in the same condition as us.

So, although on a legal level all we can ask the Court of Pordenone is that the weapons be removed from here, it is clear that our goal is not a simple movement of these weapons from one country to another, but their dismantling.

Edited and abridged for publication

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Challenging Nuclearism *The Spokesman* 147

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From an economy of war to an economy of peace

Olof Palme

Speaking to the Socialist International in Helsinki in 1978, Olof Palme made a passionate speech for disarmament which was re-published in European Nuclear Disarmament, Bulletin of Work in Progress, No 1, 1980. Decades on, Palme's speech is worth considered attention as both a historical record and as a message from the past for future generations.

* * *

At our Geneva Conference in 1976 we stressed that "the chief object of international socialism is to substitute cooperation amongst peoples for confrontation between states." The Socialist International recognized "the purpose of detente has been achieved and maintained through the effective participation of two super-powers" but that we "nevertheless refuse to acknowledge partition of the world between two immovable and opposing blocs that produce tension and run the risk of dangerous confrontation as a permanent fact of international relations. In the existing situation, lasting security for the world cannot be achieved merely through equilibrium between the power-blocs on the basis of shared spheres of influence. Nor can it be brought about by a balance negotiated between the super-powers alone."

We considered that "the extension of detente must lead to greater co-operation between the nations, thus progressively reducing the sources of conflict and grounds for intervention in the great powers in fields that encroach upon the sovereignty and independence of States."

Two trends in world politics are gradually eroding our prospects for a future of peace and justice. If unchecked, they could have disastrous consequences for (humankind) already within the next decades. One is the widening gap

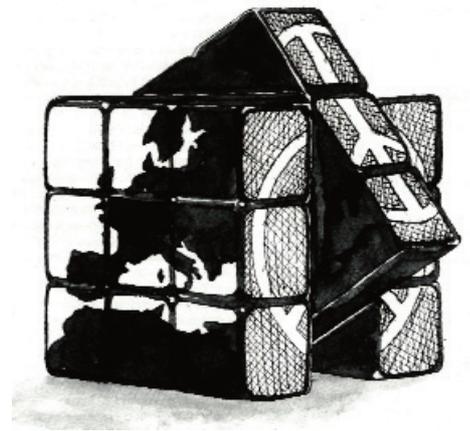
between rich and poor nations. The other is the arms race and the climate of confrontation and apprehension it engenders.

That rich nations grow richer while poor nations become poorer is intolerable from the point of view of solidarity and justice. But it is also intolerable because of the dangers inherent in such a situation of conflicts between the poor and rich, between north and south. The widening gap between rich and poor nations will inevitably lead to increased tensions between states and ultimately become a threat to world peace.

The arms race has now reached such levels that it is getting out of control. Intellectually one can perhaps afford the argument that there is no direct evidence of the relationship between armaments and the risks of war. In the nuclear age, complacency based on such a hypothesis becomes too risky a proposition. If the nuclear arms race continues unabated it might well become what Herbert York has called a "race to oblivion".

At the root of this gigantic arms race is the mutual distrust which has prevailed for quite a long time and which prevails between both superpowers and the nations committed to each. The policy of detente has partly dispelled this suspiciousness. When in this respect we speak of detente, it important to keep in mind that we are talking about relations between nations with vastly different social systems. Distrust among these nations can be further decreased or dispelled mainly in one way: through a dialogue, by broadening contacts, by cooperation in all possible areas. The greatest possible reciprocal openness is the only means we have at our disposal.

The conference for security and cooperation in Europe has laid an important foundation for



continued efforts in this respect. Today there is a well-oiled apparatus for conferences and consultations. This should provide an incentive for all the parties of the International to go on working in this field. One of the parties of the Socialist International - the SPD - has, through its foreign policy, laid some of the most important cornerstones for a policy of detente. This entails an obligation, not only for the SPD, but for all of us who are affected by European security.

If we have a strength in this regard, it is in our ideas. We feel this strength. Only those who are weak and uncertain are reluctant to engage in discussion with those who have different views and ideas. A multitude of contacts among the various nations and peoples of Europe should be the next stage in the policy of detente. The dialogue should be elaborated into a many-facetted chorus. In this way, information and opinions can be exchanged and ideas tested against one another. This could lead to a further lessening of distrust. In the wake of this phasing out of distrust there is going to flow mutual confidence that national security can be created and maintained in ways far less financially detrimental and eternally deadly than the methods which prevail today in the military systems of all countries. We have to widen the concept of national security. A broad offensive to inject new life into all the elements of the policy of detente is thus the first point I would like to designate as basic to the disarmament efforts of the future.

My second point concerns the question of whether the arms race, and particularly the nuclear arms race and the related strategic weapons systems in general, are relevant, if the objective is to safe-guard national security. Alva Myrdal has maintained the theory, in her comprehensive work on disarmament, that the arms race is really just a consequence of a gigantic miscalculation. Developments in recent years have obviously confirmed this theory. The military expenditures in the world were estimated in 1977 to have amounted to close to 400 billion dollars. This means more than a billion dollars each day. These enormous expenditures stand in no kind of proportion to the increased security which they are intended to buy. In point of fact, they increase the threat to people's security in all countries. The arms race is also intolerable because it represents a tremendous waste of human, material and technological resources for destructive instead of constructive purposes ...

But even if today we are facing a quantitative arms race of tremendous proportions, perhaps the qualitative arming is even more perilous. It seems there is no limit at all to what military

research and development can cost. New weapons see the light of day, not because they are needed in any sense of the word, but because it is possible to develop and produce them. And if there is no strategy for their employment, then such a strategy is invented ...

Nuclear disarmament remains the most important objective. It is obvious that the two major nuclear weapons states, the Soviet Union and the United States, will have to take the lead in this disarmament process. That the powers have been able to achieve agreement on limitations of their nuclear arsenals must be regarded as an important victory for statesmanship and rationality. On the other hand, they have not been able to agree on any genuine measures of disarmament, and they have not been able to agree on a comprehensive test ban treaty, long overdue. They have given solemn pledges to the world community to reach real results in their talks in nuclear disarmament. Impatience in the world community is growing, not least in view of the fact that other nations have been queuing up to acquire nuclear weapons and the chimerical status and security that go with these weapons.

As my third point, I would like to take up a special aspect of the nuclear arms race. The vast nuclear weapons arsenals on the European Continent pose a threat not only to their possessors and the countries allied with them. They pose a threat, as well, to all the peoples of Europe. All the ideas and every initiative which can remove or decrease these threats are to be welcomed. A former Swedish Minister for Foreign Affairs, Östen Undén, once presented the thought to the United Nations of a nuclear-free club some 15 years ago. This thought has continually been revised in various forms ever since, in international discussions.

In Europe there are no immediate or acute threats of conflicts of a military nature. But the disagreements between the great power blocs still cast their shadows across Europe. No tangible progress in the disarmament talks has been achieved during recent years. This is disturbing.

Thus Europe is no special zone where peace can be taken for granted. In actual fact, it is the centre of the arms race. Granted, the general assumption seems to be that any potential military conflict between the superpowers is going to start someplace other than in Europe. But even if that were to be the case, we would have to count on one or the other party - in an effort to gain supremacy - trying to open a front in our continent, as well. As Alva Myrdal has recently pointed out, a war can simply be transported here, even though actual causes for

war do not exist. Here there is a ready theatre of war. Here there have been great military forces for a long time. Here there are programmed weapons all ready for action ...

Today more than ever there is, in my opinion, every reason to go on working for a nuclear-free zone. The ultimate objective of these efforts should be a nuclear-free Europe. The geographical area closest at hand would naturally be Northern and Central Europe. If these areas could be freed from the nuclear weapons stationed there today, the risk of total annihilation in case of a military conflict would be reduced.

This would make it possible to fully exploit the international agencies to prevent, postpone and ameliorate the effects of a conflict. It would improve the possibility to prevent a nuclear war being started by mistake.

Here I would like, as a fourth point, to remind you of the negotiations which have been going on since 1973 in the Austrian capital on arms limitations in Europe. The risk that a conflict will be transmitted to our continent would be reduced if the weapons arsenals of Europe could be radically reduced. During the five years that these talks have been going in Vienna, however, no positive results have been achieved, so far. Instead, the negotiations seem to have more nearly been paralyzed. There has been no lack of concrete proposals but the paralysis is of political nature ...

This brings me to my fifth point. I firmly believe that it is imperative to start a process of disarmament for development, a process of redeploying the resources spent on armaments to civilian purposes. Two trends which threaten peace - the arms race and the growing disparities between rich and poor in the world - could be transformed into one process that would enhance the possibilities of peace.

The human, material, technological and financial resources spent on armaments constitute an immense potential reserve for development purposes, for a new international economic order.

The changes in the flow of resources which we are working to achieve - away from military expenditures over to constructive appropriations for development - present a challenge to our common sense and an incentive for radical initiatives in all countries. It is essential to talk over the various kinds of adjustment problems which can arise in the industrialized countries as well, when resources for research and development and for production are switched over from military to civilian ends. The structure of the arms industry should be investigated and an

alternative use of military-industrial technology for civilian purposes promoted, in an effort to contribute toward a continued economic development which can be used to satisfy social needs. Studies of the economic and other consequences of such a changeover can facilitate disarmament talks ...

Both at the international and national level we have to make the general public aware of the magnitude of the resources that are now devoted to armaments and the tremendous potential for development these resources represent.

Trade unions can play an important role in a process of disarmament. One of the greatest obstacles is the widespread misconception that disarmament will lead to unemployment and a lower standard of living. I would like to stress here that the labour unions have a decisive role in working out plans for change in the employment structure and to make such a change acceptable to their members.

My emphasis on the need to inform and mobilize public opinion derives from my faith in the principles of democracy and in the sound judgment and reason of ordinary people. I believe that the vital issues of our time can be grasped by anybody who is in the possession of the basic facts. People need not be defenceless victims of technological progress. And I believe in particular that public opinion will react very strongly once it has been made aware of the contrast between the needs of the poor and the waste of resources represented by the arms race.

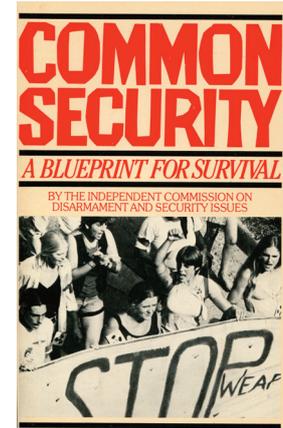
A strong and informed public opinion is also necessary in order to turn the tide. It is essential to underpin and strengthen political will in the effort to initiate the process of disarmament and development. It is now time to switch over from a world economy based on the threat of war to one dedicated to peaceful social construction and social needs, - in a word, from an economy of war to an economy of peace.

To establish peace in today's world is first and foremost a question of creating a just social order for all the world's people. The responsibility for failing to economize the world's resources lie with the rich countries who spend colossal resources on military weapons. It is these countries who must create an economy of peace. The change has to begin there. The change has to begin now.

The Bertrand Russell Peace Foundation has an extensive archive of materials from the END initiatives of the 1980s. Get in touch to find out more.

Remembering and shaping the future: for a policy of common security

Reiner Braun and Peter Brandt



More and more people have the feeling that we are living in a time of escalating confrontation and even the possibility of a great war again presents itself. Uncertainty shapes our daily life more and more. The statement of the Bulletin of the Atomic Scientists that their 'Doomsday Clock' remains at '100 seconds to Midnight', is a concise expression of these dangers threatening us all, especially - in the long term - the climate disaster, and directly the 14,000 nuclear weapons on earth.

Is there an alternative that a social and political majority - nationally and internationally - will support? An alternative that helps to ensure survival and ensure a better life? A strategy that combines historical experiences with answers to current challenges? As Willy Brandt, among others, put it: "Peace is not everything, but everything is nothing without peace"!

The political alternative is a policy of "common security" - a policy that is conservative and revolutionary at the same time. Conservative because it does not aim to change the social systems and political orders of the individual countries; it accepts socialism and capitalism, or whatever the rulers characterize their system. It recognizes the variants of an authoritarian, liberal and welfare state-regulated capitalism as well as a democratic or authoritarian constitution of non-capitalist states as systems that exist and which can only be legitimately changed only from within. In this way, it creates the prerequisites for peaceful competition between these systems in the first place.

It is revolutionary because it excludes war as the continuation of 'politics by other means', because it no longer allows this murderous method of 'conflict resolution', which has cost hundreds of millions of deaths over millennia and has raised the question of the very existence of

humanity for more than 60 years. In other words, it raises humanity and the planet to a new level of coexistence based on elementary humanism.

The policy of common security can bring us closer to one of the great aims of humanity: a world without war!

Almost 40 years ago, common security was formulated as a concept in Olaf Palme's report *Common Security a Blueprint for Survival*, written by an international group of experts. Next year it is to be updated with the participation of the International Peace Bureau and International TUC.

What are the basic principles of this still current concept?

- In the atomic age, security cannot be created by an individual state or in opposition to other states, but only together and in partnership
- War is no longer a political tool in the atomic age; all conflicts and controversies must be resolved peacefully, through dialogue and negotiation. Violent changes of borders, the appropriation of territory are excluded and state sovereignty and supranational unions remain untouched.
- Cooperation is the basis for peaceful coexistence, this must develop in steps and includes the development of trust. Cooperation encompasses all levels: economy, ecology, science, culture, sport. Consultations at all levels and joint crisis responses are part of this.
- Human rights are respected and their realization is repeatedly urged in negotiations and discussions - from all sides and in relation

to all human rights: civic and social. However, human rights are not a fighting instrument in interstate disputes in order to label the other as "bad guys".

- Armaments limitation and disarmament are indispensable. This always includes small first steps to demilitarization, equalization of troops and other confidence-building measures such as contacts between the military. Openness and verifiability of measures are essential. In the long term, exclusive military alliances like NATO should either be demilitarized into existing inclusive networks and completely redesigned (like the OSCE in Europe) or dissolved.

If the policy of common security was originally a Euro-Atlantic concept, it is now a global one and precisely for this reason it must be regionalized more intensively.

Very specific concepts are necessary for common security strategies for different regions

"There is one overriding truth in this nuclear age - no nation can achieve true security by itself. No matter how many weapons a nation develops, no matter how strong its armed forces become, they can never guarantee its freedom from attack ... The fact is that there are no real defences against nuclear armed missiles - neither now nor in the foreseeable future. To guarantee our own security in this nuclear age, we must, therefore, face these realities and work together with other nations to achieve common security. For security in the nuclear age means common security.'

Cyrus Vance,
Former US Secretary of State
from the Prologue to *Common
Security: A Blueprint for Survival*

of the world, not only for Europe.

The détente policy of the 21st century is unthinkable - this is also a further development compared to approaches from the 70s and 80s of the last century - without the peace movement as one of the large, cross-border social movements and without an international civil society. They are the engine for a new policy of détente, drive these developments forward and secure them against crises through comprehensive diplomacy from below.

The basic idea of the Palme Report is very simple: My safety is only guaranteed if the safety of my counterpart is also guaranteed. There is only security if it is reciprocal.

Disarmament - also a lesson from the 1970s and 1980s - is the indispensable "materialization" of détente policy. That is why disarmament is absolutely crucial. It could be decisively advanced through unilateral calculated steps, especially by those in the stronger position. In the northern hemisphere, that's NATO.

LEFT, LEFT, LEFT



A personal account
of six protest campaigns
1945-1965



Peggy Duff

Left, Left, Left

Peggy Duff was the first General Secretary of CND and a life-long campaigner for peace.

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TPNW deflates nuclear sharing



Joachim Wernicke

“Umbrella” vs. “Sharing”

NATO was founded in 1949 with the claim that a US ‘nuclear umbrella’ would protect non-nuclear member states. In 2018, the British government affirmed that its nuclear Trident SSBN missiles are part of “*the defense of our NATO allies*”¹. The French government, meanwhile, never made such explicit claims about using its nuclear ‘*Force de Frappe*’ for non-French interests.

Besides this ‘*umbrella*’ situation, five out of the 27 non-nuclear NATO member states (Turkey, Italy, Germany, Netherlands, Belgium) have taken part in US *nuclear sharing*², since the 1960s: US nuclear free-fall bombs are stored in these countries. In the event of war, fighter-bomber planes and aircrews from these countries are supposed to drop US nuclear bombs on selected targets. As the NATO commander-in-chief is always a US general, European aircrews in the nuclear sharing system function as *de facto* foreign legionnaires of the USA.

The operational radii of the fighter-bomber aircraft are about 1,000 km, thus (except Turkey) the ‘*sharing*’ targets are necessarily in European region. Given NATO’s overall posture in Europe, Russia is presumably the main target.

In this precision guided missile era the dropping free-fall nuclear bombs from decades-old manned aircraft is dangerous for the air crew. In order to drop the bomb the aircraft has to take a flight path over its target. What chance does a German nuclear fighter-bomber Tornado – a 50 year old ‘*veteran*’ – have to penetrate modern air defence systems?

Differing risks for NATO members

Nuclear sharing illustrates different levels of risk among the NATO states: 22 non-nuclear NATO

member states are allegedly “*protected*” passively by the US “*nuclear umbrella*”. For the 5 “*sharing*” states this “*umbrella*” has holes, as they – and only they – are commanded to become accomplice to actions which otherwise would legally burden the USA alone, who are the owner state of the nuclear weapons. The US nuclear airbases in the “*sharing*” states obviously present high-ranking targets for any US adversary. In none of the five NATO states was nuclear sharing ever put to a public vote³. France, Czech Republic, Denmark and Iceland do not allow US bases in their territory. Iceland doesn’t even have a military. Thus even neighbouring NATO states carry widely differing risks.

“Sharing” dependent on personal decision

The functionality of nuclear sharing has a peculiarity: It doesn’t depend on government or military decisions. Instead it is up to the will of individuals, in this case air force personnel being citizens of the ‘*sharing*’ states. In the decision of such air force personnel to obey or refuse a nuclear command the following should be considered:

- (a) the consequences of personal insubordination,
- (b) the consequences of being accused as a war criminal at the International Criminal Court (ICC) in The Hague (Netherlands) and
- (c) personal, moral and related aspects.

Insubordination

If air force personnel refuse the command to deploy nuclear bombs, they might have a setback in their professional career, but nothing more. European ‘*sharing*’ states no longer shoot

'disobedient soldiers', as historic predecessors regularly did. This liberalization removed an ancient principle of the military: The soldier follows blindly the commands from the political leadership, they are not to ask questions. The 'sharing' air force personnel are citizens of democracies. They will have experienced the fact that democratic governments can fail and even lie to the public regarding the 'justifications' for war. The most prominent example was the 2003 US/UK Iraq invasion, as has been shown by the 2016 Chilcot Report to the British government.

Each member of a 'sharing' fighter-bomber crew has the personal obligation to respect the international law of warfare. To refuse a command which, according to the available information, appears illegal is no insubordination contrary to discipline but a citizen's obligation. If the air force personnel happens to be a German citizen, they are expressly obliged to obey international law by the constitutional 'Basic Law'.

Air force personnel as professional soldiers are trained and familiar with the international law of warfare, including awareness of its rapid development concerning nuclear weapons in the recent decades. This culminated in the Treaty on the Prohibition of Nuclear Weapons (TPNW), which has been in force since January 2021 for the – till present – 54 states which ratified it. It is backed by the consent of 122 of the 193 UN member states. Major European states which have ratified the TPNW are Austria and Ireland. The Treaty has finally internationally stigmatised nuclear weapons in line with chemical and biological weapons. Thus the question "Is a threat or use of a nuclear weapon legal?" is no longer pending, as nuclear weapon states and their entourage kept claiming over decades, but it is answered for good by a general and unconditional "No".

So theoretically, each crew member has to make a personal decision as to whether a given command to drop a nuclear bomb on a specific target is legal. For the details of this see the work of Robert Forsyth, former Commanding Officer of a British Polaris nuclear ballistic missile submarine, who points out¹: the legal situation demands for the soldier (a) to know the identity of the target (which the Polaris crew didn't) and (b) to assess the damage to be expected at this target from the bomb drop under the given conditions, particularly with regard to civilian collateral damage. For targets in inhabited areas the result is clear: such attacks are illegal.

Concerning nuclear weapons, a German Bundeswehr airman or airwoman is in a legally

clear situation: According to the MoD service instructions of 2006, it is forbidden for her or him to use anti-personnel mines, nuclear weapons, bacteriological weapons and chemical weapons⁵. So he or she doesn't have the choice but the obligation to refuse a command to drop a nuclear weapon, regardless what the government does.

Accusation of war crime

The Rome statute of 1998, the basis of the International Criminal Court, contains a clear definition of which actions are treated by the court as war crimes. It refers explicitly or implicitly to long existing international law like:

- the Hague Convention of 1907 (prohibiting firing into dwelling quarters),
- the Nuremberg Charter of 1945 (declaring that a command doesn't free the soldier from his or her obligation to check if this command may be illegal, if he or she had the personal choice to refuse an illegal command),
- the Geneva Red Cross Conventions of 1949 with their Protocol Additional I of 1977 (prohibiting attacks which cannot discriminate between combatants and civilians) and
- the Advisory Opinion of the International Court of Justice (ICJ) of 1996 (declaring both the threat and the use of any nuclear weapon to be illegal).

The US law professor Richard Falk⁴ adds that the unwritten nuclear taboo (never to use nuclear weapons) has been in effect for more than seven decades and therefore is evidence that it is a customary legal norm.

Since 2002 the ICC searches, prosecutes, judges and punishes war criminals. Following the Rome statute and seeing the effects of nuclear weapons, the use of a nuclear weapon in an inhabited area is unavoidably a war crime, regardless of weapon yield and air or ground burst. In other words: No scenario is known where use of a nuclear explosion in an inhabited area could be legal.

The 'sharing' air force personnel who pressed the nuclear button and survived the mission flight despite air defence finally will stand alone in front of the ICC. Except for the US and Turkey, all NATO states are members of the Rome statute. Thus the US denies the responsibility of the ICC for actions of their military personnel which might be assessed as war crimes according to the Rome statute definition. This may be formally right, but is it acceptable for NATO's supreme command? In the case of nuclear sharing the US will –

perhaps rightfully – argue that the ‘sharing’ air force personnel were not their citizens so the US are not involved. NATO will – perhaps rightfully too – refuse any responsibility for nuclear sharing and will point to the national government of the personnel concerned. However, this government will not be able to protect its personnel from the ICC procedures. In case of a ‘sharing’ nuclear explosion the responsible government officials (MPs, MoD and air force command chain) will be accused at the ICC too, comparable to the Nazi offenders at the Nuremberg tribunal from 1945.

Before the TPNW came into force the ‘sharing’ air force personnel could claim for her or his defence that they trusted, in good faith, the legality of the actions and commands of their government to which they may have sworn an oath of loyalty. With the TPNW in force it is no longer a debatable political opinion but an undisputable fact, regardless of whether a particular government has signed the treaty or not: The military strategies of the nuclear weapon states and their entourage are based on the preparedness to commit monstrous war crimes.

Personal aspects

If the air force personnel has family she or he might think about their children at home who will ask one day what they had done in the war. Shall they tell them: *“I pressed the button and killed some ten or even hundred thousand people. For a similar number of surviving people I made their future life hell. These people had never harmed our country. I made their country uninhabitable for generations. This crime carries my name. I could have refused the command but I obeyed”?*

The airman or airwomen knows that ‘the system’ or ‘the politicians’ do not press the nuclear button, but they themselves according to their free will. They also might think about how for the rest of their life they will be chased in their dreams by the nightmare scenes on the target ground, either learnt from media reports or from their own imagination. They wouldn’t only ruin the lives of the victims. They would ruin their own and their family’s lives too.

And even if they somehow escaped punishment by the ICC: their name as a crew member responsible for the nuclear bombing will be in the history files. Therefore they might expect personal revenge by a secret service of the victim state or even privately by survivors who will trace and find them. Similar has happened: In 2002 a midair collision of two airliners occurred over Southern Germany, killing 71 people

including 49 children. In 2010 the father of a victims family met the responsible ground based air traffic controller who had ‘mis-performed’ and stabbed him to death.

Nuclear sharing in retreat

NATO claims that the TPNW is irrelevant because the nuclear weapon states and their entourage are not members. This is formally correct. But since the TPNW, according to the will of the majority of the UN states, stigmatises nuclear weapons like chemical and biological weapons, there is no longer space for claims that there are conditions under which the use of nuclear weapons might be legal.

A side problem for NATO is that non-NATO countries consider the US nuclear sharing a violation of the nuclear Non-Proliferation Treaty (NPT) of 1970 and an illegal nuclear proliferation: After take-off the non-US national air crew has the power of disposal over a nuclear weapon. Exactly this is prohibited by the NPT. For instance the crew could decide to desert and emergency-land with the nuclear weapon on enemy ground.

To further illustrate the problem, one may think about a fictional nuclear sharing, legally a copy of NATO’s action: Saudi-Arabian or Iranian aircraft carry nuclear bombs shared by Pakistan as the owner state.

NATO member state governments keep claiming that the 1996 advisory opinion of the ICJ is ambiguous for the extreme case that nuclear weapon use is the “Last Resort” to save the very existence of a state, and therefore it could be legal (on this question the ICJ judges voted 7:7 undecided). Whatever this could mean for a nuclear weapon state, such a “Last Resort” scenario can only be valid for the nuclear weapon state itself, not for any third parties like its allies, thus not for the five European states involved in nuclear sharing.

Will there be *at any time any* Turkish, Italian, German, Belgian or Dutch air force personnel of clear mind and morality prepared to obey a command to drop a nuclear bomb on *any* target in Europe? How will the air forces of the five European nuclear sharing states under the TPNW – regardless if signed by them – recruit their nuclear bomber crews? What will be the result of an open public discussion on this question? It looks like the TPNW indeed has deflated US nuclear sharing.

Steadfast Noon

An open question will probably remain as to

whether the participation of air force personnel of the “sharing” states in the yearly NATO maneuver ‘*Steadfast Noon*’ is legal. With or without nuclear bomb mockups, nuclear missions are practiced in this maneuver. Is it a threat against Russia and her ‘allies’? According to the ICJ 1996 Advisory Opinion it is. The ‘*sharing*’ governments may claim it isn’t. By principle a valid statement could be obtained from the ICC following an accusation from a state which might see itself as threatened, as a member of the Russian-led “*Collective Security Treaty Organization*” (CSTO): Russia, Armenia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan. But these states are not members of the Rome statute, with the exception of Tajikistan. This country, however, is located more than 2,000 km from the nearest NATO area (eastern Turkey), so technically it is out of range of US ‘*nuclear sharing*’.

Notes:

- 1 Robert Forsyth, *Why Trident?*, Nottingham 2020: Spokesman, ISBN 978-0-8512-4890-5.
- 2 *Nuclear Sharing: the facts*, END Info Issue 22, February 2021, Russell Peace Foundation, www.spokesmanbooks.com/Spokesman/PDF/ENDINFO22.pdf
- 3 Beatrice Fihn and Daniel Hogsta, *Changing Europe’s Calculations - Treaty on the Prohibition of Nuclear Weapons*, The Spokesman No. 147, February 2021, Russell Peace Foundation, ISBN 978-0-8512-4895-0.
- 4 Richard Falk, *Challenging Nuclearism*, The Spokesman No. 147, see above.
- 5 Bundesministerium der Verteidigung R II 3, *Druckschrift Einsatz Nr. 03 Humanitäres Völkerrecht in bewaffneten Konflikten – Grundsätze*, August 2006, DSK SF009320187, www.bits.de/public/documents/taschenkarte03-2006.pdf

Der Aufstand der Kinder



An updated German edition of Joachim Wernicke’s pamphlet is available for download at <https://docdro.id/TdB25Zv>. An English translation of the first edition, *The Revolt of the Children* can be downloaded at www.spokesmanbooks.com

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The next issue of *END Info* will be published in May, 2021. Please send information, articles, pictures, news items and reports to tomunterrainer@russfound.org.