

Global and Regional Nuclear Orders in a Moment of Geopolitical Uncertainty

Thursday, 16 March 2017

Meeting and discussion co-sponsored by the Permanent Mission of Austria, One Earth Future Foundation, Friedrich Ebert Stiftung New York Office, and the Academic Council on the UN System.

Speakers: **Ramesh Thakur**, Director of the Centre for Nuclear Non-Proliferation and Disarmament, The Australian National University, and Editor-in-Chief, *Global Governance*; and Daryl G. Kimball, Executive Director, Arms Control Association.

Moderator: **Angela Kane**, Senior Fellow, Vienna Centre for Non-Proliferation and Disarmament, former UN High Representative for Disarmament Affairs.

Hosted by: **H.E. Mr. Jan Kickert**, Permanent Representative of Austria
Closing Remarks by: Bettina Luise Rürup, Executive Director, FES NY.

This co-sponsored discussion was planned as an exchange of ideas among those who support the upcoming conference to negotiate a treaty to ban nuclear weapons as a positive effort to delegitimize nuclear weapons, and those who argue that such talks are a distraction from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The presentations and discussion took place under 'Chatham House Rules': the notes below therefore summarize the issues raised without attributing comments to any specific speakers.

No NPT signatory currently seeks to challenge the core goals of the Treaty or its centrality to the contemporary nuclear order; however, this does not mean that there is not deep dissatisfaction with the political context informing the NPT regime. It is in need of shoring up, responsibility for which rests on the shoulders of the Nuclear Weapons States. However, progress on nuclear disarmament as proposed in the 2010 NPT Review Conference Action Plan has stalled, and both Washington (under President Obama, and especially today under President Trump) and Moscow appear committed to upgrading and replacing their existing nuclear arsenals rather than seeking further reductions. In Washington, the Trump Administration appears not to have any clear strategy and instead White House pronouncements have been contradictory on the future of the 2010 *New Strategic Arms Reduction Treaty (START)* or a successor regime once it expires in February 2021. The Republican dominated Senate has seen legislation introduced to restrict US funding for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO).

The five NPT-recognized Nuclear Weapons States (NWS) use their weapons as a symbol of power and as an entitlement, defending their ongoing retention of nuclear arsenals on what are ultimately hazy national security considerations with no clear end in sight; they have largely ignored implementation of the 22 paragraphs in the 2010 Action Plan dealing with nuclear weapons; and the very late action of the US and UK in blocking agreement on a consensus Final Document at the 2015 Review Conference (over the issue of a Middle East Weapons of Mass Destruction Free Zone) has created high levels of frustration

and anger among Non-NWS – adding impetus to their effort to pursue the “ban negotiations” through the UN General Assembly instead of within the NPT framework.

The NPT RevCon was a missed opportunity, and by choosing not to participate in the Open Ended Working Groups of the Humanitarian Initiative meetings in Geneva, the NWS could not contribute to the debates and offer positions or options that may have changed the outcome. As a consequence there exist now two competing or adversarial blocs with hardened positions – an unfortunate situation in advance of the first PrepCom in May for the 2020 Review Conference.

An often ignored, but important and perhaps critical, perspective by which to look at the global nuclear order (or disorder) is from the Asia-Pacific. From this vantage point, while the NPT regime – including the Treaty, associated Treaty-based regimes such as the CTBT, and informal groups or arrangements such as the Nuclear Suppliers Group and the Proliferation Security Initiative – constitutes the global (especially Western/Northern) answer to the policy challenge of harnessing nuclear energy for peaceful uses, it is seen by many States as deeply flawed and increasingly problematic.

If the ‘first nuclear age’ was focused on the architecture and relationships or rivalries of the Cold War protagonists, we now live in a ‘second nuclear age’ where the site of great power and nuclear power rivalry has shifted to the Asia-Pacific. Four of the nine nuclear-armed states (NAS) are situated here, including three-quarters of the non-NPT NAS. Two, India and Pakistan, are non-NPT, and one, North Korea, is the only NPT defector state. China of course is the NPT-licit nuclear weapon state and a United Nations P5. Australia, Japan, and South Korea are (US) nuclear umbrella states, while the region also includes the majority of non-NWS States Parties to the NPT.

While the Asian NAS’ combined nuclear stockpiles constitute only some 3% of global nuclear arsenals, warhead numbers are growing in all four NAS and (currently) in none of the other five. In this context, we see multiple nuclear powers with varying networks of cooperation and conflict, fragile or potentially vulnerable C2 systems, threat perceptions between three or more NAS simultaneously, and asymmetric perceptions of the political and military value of nuclear weapons. We see complexities of deterrence relations, where changes in the nuclear posture of one NAS have cascading effects on several others strategically, politically, and conceptually. We also see eroding strategic boundaries between nuclear and conventional munitions. There are fewer nuclear weapons, but a great risk of nuclear conflict or nuclear weapons use – intentional, unintentional or accidental, and by State or possibly non-state actors.

In terms of promoting – or requiring – nuclear power for legitimate peaceful purposes, the Asia-Pacific contains one quarter of all global reactors currently in operation and generating nuclear sourced electricity; fifty-one percent of nuclear reactors under construction or planned; and a sixty-five percent share of nuclear electricity sourced from reactors that are under construction or planned.

The politics of the NPT regime do not take adequate account of this shift, or this regional importance and complexity. In terms of an action agenda moving forward, policy goals and paths for the global nuclear order may be divided into five options: cap and contain, delegitimize, reduce, prohibit, and eliminate. Only the NAS can undertake the first, third and fifth of these tasks. The non-NWS, who make up the great majority of the international community can pursue the two remaining goals, of delegitimation and elimination. They can do so by themselves as an affirmation of global norms (that is, standards as opposed to prevailing behaviour) and as one of the few means of exerting pressure on the NWS to engage with and pursue the other three goals.

This in turn, is where we see the ban treaty coming to the forefront – as an expression of non-NWS frustration, and as an instrument of policy. For those who support the ban treaty and for those (the NWS mainly, and their military-political allies) who argue it is a distraction from the NPT, one theme is held in common: while not in immediate danger, the global nuclear order should not be taken for granted. The question remains, what must be done? Two priorities deserve equal attention, and support: (1) reducing levels of tension in US-Russia nuclear relations, and (2) reducing the salience of nuclear weapons through the ban treaty.

In the first case, other NWS and NNWS should encourage Washington and Moscow to reaffirm commitment to the CTBT, extend the New START through to 2026 and seek deeper reductions in existing arsenals, and work to address the Intermediate-Range Nuclear Forces treaty compliance dispute through a meeting of the Special Verification Commission. Pursuing these goals would give greater credibility to the NPT regime. Advocates – and critics - of the ban treaty need to recognize that it is not a substitute for progressive steps towards nuclear disarmament by the NWS.

In the second case, the ban treaty is not a “distraction” and it will not undermine the NPT as long as advocates recognize its limitations as well as its value, and opponents understand that the strains on the NPT come from separate sources, not from the ban negotiations – especially, the actions of North Korea, the unwillingness of the major NWS to make real progress on disarmament and instead to pursue a technological arms race, and the failure to agree on the agenda for a Middle East WMD-free zone. To be effective, such a ban instrument will need to specify which activities are prohibited; be consistent with, and not undermine, existing treaties and agreements including the NPT, CTBT, and nuclear weapons free zones; and offer practical pathways by which current NWS and their allies can support such a ban treaty even before becoming full members.