

CHAPTER 16

The Necessity to Reduce and Eliminate Nuclear Threats and Weapons in the Middle East and Internationally

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16.1 INTRODUCTION

In 2010, the States Parties to the Non-Proliferation Treaty (NPT) committed to achieving and maintaining a more secure world free of nuclear weapons, as well as promoting negotiations on a zone free of weapons of mass destruction in the Middle East (MEWMDFZ).¹ These objectives are also enshrined in one way or another in various consensus UN General Assembly (UNGA), and Security Council resolutions, which therefore cover the four states outside the NPT: Israel, India, Pakistan, and North Korea.

When I presented the first draft of this paper for the InterAction Council in May 2013, the NPT Preparatory Committee (PrepCom) meeting in Geneva had just finished. The United States and Iran had continued their tit for tat trading of diplomatic accusations, and Egypt had shocked the PrepCom by walking out in protest that the NPT-mandated 2012 Conference on the Middle East had not taken place and that no date was put on the calendar for 2013. While all sides had welcomed the U.S.-Russia New START Treaty, many countries complained that much more needed to be done to comply with nuclear disarmament obligations under the Treaty's Article VI. As they did at every NPT meeting, the nuclear-weapon states (NWS) claimed credit for past reductions but maintained that they would need

¹ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, NPT/CONE.2010/50 Volume I, Part I.

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nuclear weapons as long as anyone else had them. Frustrated with the prevarications of the NWS and the regime's inability to engage the nuclear-armed states outside the NPT, 80 states co-sponsored a statement on the humanitarian impact of nuclear weapons,² up from 16 at the 2012 PrepCom.³

At time of writing, there have been further important developments with impact on the international disarmament and non-proliferation agenda. Despite being boycotted by some of the nuclear-armed states (China, France, Israel, Russia, United Kingdom, and United States), in-depth multilateral discussions about nuclear disarmament took place in Geneva in an Open-Ended Working Group (OEWG) mandated by the UNGA. In contrast to the moribund Conference on Disarmament (CD), the OEWG discussed these issues with the Red Cross and speakers from various UN agencies, civil society experts, and governments, and considered different steps that could be taken, including humanitarian approaches and negotiations on a multilateral nuclear prohibition treaty to reinforce the non-proliferation regime and ban the use, deployment, production, and stockpiling of nuclear weapons, recognising the importance of reinforcing and achieving the NPT's obligation to eliminate all existing nuclear arsenals. Humanitarian disarmament arguments as well as support for the NPT characterised a special high-level meeting on nuclear disarmament held at the United Nations in September 2013, epitomised by the President of Austria's statement that "Nuclear weapons should be stigmatized, banned and eliminated before they abolish us."⁴

At the UN First Committee (Disarmament and International Security) meeting in October 2013, an unprecedented 125 governments co-sponsored the humanitarian disarmament statement, led this time by New Zealand.⁵ Following this, the Red Cross and Red Crescent societies unanimously adopted a further resolution titled "Working towards the elimination of nuclear weapons," with a four-year action plan. With regard to the Middle East, the news was mixed. Following the election of President Hassan Rouhani, the first steps towards confidence-building on nuclear issues with Iran were taken when an interim agreement between Iran's new government and the EU3+3 (also known as the P5+1: France, Germany, the U.K., China, Russia, and the U.S.) was hammered out in November 2013. However, talks convened by the Finnish facilitator Jaakko Laajava in Glion, Switzerland, in

2 Joint Statement on the Humanitarian Impact of Nuclear Weapons", delivered by Abdul Samad Minty, Permanent Representative of South Africa, on behalf of 80 states parties to the NPT, to the Second Preparatory Committee meeting of States Parties to the NPT, Geneva, 24 April 2013. http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/prepcom13/statements/24April_SouthAfrica.pdf.

3 "Joint statement on the humanitarian dimension of nuclear disarmament" delivered by Ambassador Benno Laggner of Switzerland on behalf of Austria, Chile, Costa Rica, Denmark, Holy See, Egypt, Indonesia, Ireland, Malaysia, Mexico, New Zealand, Nigeria, Norway, Philippines, South Africa, and Switzerland, to the First Preparatory Committee meeting of States Parties to the NPT, Vienna, 2 May 2012. Available at: <http://www.reachingcriticalwill.org/disarmament-fora/npt/2012/statements>.

4 Federal President of Austria, Heinz Fischer, High Level Meeting of the UN General Assembly on Nuclear Disarmament, New York, 26 September 2013.

5 Joint Statement on the Humanitarian Consequences of Nuclear Weapons, delivered by Ambassador Dell Higgie (New Zealand) on behalf of 125 states, UN First Committee, 21 October 2013. Available at http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com13/statements/21Oct_Joint.pdf

October failed to agree on a date or modalities for the delayed Helsinki Conference on the Middle East.

Recent developments continue to demonstrate, as the IAC recognised in *The Hiroshima Declaration* (see Appendix 3 in this volume), that a different, humanitarian-centred approach is now being put at the centre of international nuclear debates. Four significant inter-related factors have contributed to these recent changes in disarmament discourse and strategy:

- the growing importance accorded to international humanitarian law (IHL) in relations among states, including treaties to prohibit various weapons systems that are disproportionate, inhumane, and incapable of discriminating between civilian and military targets or between civilian non-combatants and armed combatants.
- a heightened understanding of the worldwide humanitarian consequences of unleashing nuclear weapons, informed by a new generation of civil society actors and studies on the impact of even limited uses of nuclear weapons on the global environment, climate, agricultural, and food resources, as well as devastating the most closely affected regions;
- a weakening of faith in the efficacy of nuclear deterrence combined with the recognition that as long as proliferation and nuclear weapons modernisation programmes continue, nuclear weapons could be used in irrational scenarios (including terrorism by government or non-state actors), with potentially catastrophic consequences; and
- emerging recognition by non-nuclear-weapon states that they have rights, responsibilities, and high security stakes in nuclear decision-making, and that they must take the lead to transform the nuclear security calculus and achieve a ban on nuclear weapons.

This essay considers the background and implications of the changing political environment affecting the national and regional context within which governments make nuclear-related decisions, and considers some constructive approaches for making progress towards the long-standing and vital objective of prohibiting and eliminating nuclear and other weapons of mass destruction regionally and globally.

16.2 NPT OBLIGATIONS AND COMMITMENTS

In Article VI of the NPT, which entered into force in 1970, there is a clear obligation to pursue nuclear disarmament “in good faith.” When the Cold War ended, aggregate numbers came down from over 50,000 warheads to around 17,000.⁶ But this was not considered sufficient, as the NWS have continued to extend and modernise their arsenals, so non-implementation of Article VI continued to be a major area of contention at successive Review Conferences. Recognising that the vague wording of Article VI let the NWS off the hook, in 2000, the ‘New Agenda Coalition’ (NAC) of seven ‘non-nuclear-weapon states’ (NNWS)⁷ led negotiations that achieved NPT consensus on a thirteen paragraph programme of disarmament, underscoring the NWS’ “unequivocal undertaking to accomplish the total elimination of... [all] nuclear weapons.”⁸

Despite agreeing to this, the NWS failed to live up to their commitments, and in the 2010 NPT Review Conference took the opportunity to roll the disarmament requirements back. Watered down and reduced to a couple of paragraphs amongst 64 ‘action points,’ “Action 5” urged the NWS to continue reducing their arsenals, further diminish “the role and significance of nuclear weapons in all military and security concepts, doctrines and policies” and measures relating to preventing the use of nuclear weapons, lessening the danger of nuclear war, and further reduce the operational status of nuclear weapons systems, enhancing transparency and reducing the risks of accidental use, with a further requirement to report back in 2014.⁹ Though many non-nuclear NPT parties have raised concerns that the nuclear disarmament requirements in the 2010 final document are generally weaker than the “13 Steps” adopted in 2000, it is important not to underestimate the changes in how the 2010 Review Conference framed the disarmament requirements, directly referencing for the first time the use of nuclear weapons, compliance with international humanitarian law, and the clear goal of achieving and maintaining a world without nuclear weapons.¹⁰

6 SIPRI Yearbook 2013, Stockholm International Peace Research Institute. <http://www.sipri.org>

7 The New Agenda Coalition (NAC) in 2000 comprised Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa, and Sweden. The most comprehensive plan agreed by NPT states parties was negotiated primarily between the P5 nuclear-weapon states and the New Agenda Coalition and adopted by the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, 20 May 2000, New York, NPT/CONF.2000/28 Part I. The commitments, dubbed ‘the thirteen steps,’ were largely ignored by the nuclear-weapon states for the next ten years and then renegotiated in a much weaker form in the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Volume I, NPT/CONF.2010/50 Volume I, Part I. For this history of how the ‘Thirteen Steps’ were achieved, see Rebecca Johnson, ‘The 2000 NPT Review Conference: A Delicate, Hard-Won Compromise,’ *Disarmament Diplomacy* 46 (May 2000), pp 2-21; and Rebecca Johnson, ‘Towards Nuclear Disarmament’ in W.Huntley, K.Mizumoto and M.Kurosawa (eds.), *Nuclear Disarmament in the Twenty-First Century*, Hiroshima Peace Institute, 2004.

8 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, adopted 20 May 2000, New York, NPT/CONF.2000/28 (Part I).

9 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, NPT/CONF.2010/50 Volume I, Part I, Action 5.

10 For example, the NPT 2010 Final Document framed the actions in the context that “all States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons”, and expressed “deep concern at the catastrophic humanitarian consequences of

For years the NWS resisted calls for nuclear disarmament, but in 1994 were finally induced to negotiate a Comprehensive Test Ban Treaty (CTBT), though they endowed it with a pernicious Achilles heel in Article XIV, which imposed absurdly high entry into force requirements. Consequently, the CTBT has not yet entered into full legal force, despite having more than 180 signatories, of whom over 160 have fully ratified.¹¹ Nowadays, instead of blatantly resisting, the NWS now find it more useful to pay lip service to a ‘step by step process.’ Challenged by NPT states in 2005 and 2010 over their failure to implement the agreed ‘thirteen steps’ the NWS response was to weaken the steps and complain that the machinery or conditions are not conducive for the kind of steps or process that would constitute genuine disarmament in the eyes of the majority of NNWS.

The current strategy is to insist that until the Conference on Disarmament (CD) — which has been paralysed for 18 years — concludes the fissile materials (cut-off) treaty for which it adopted a negotiating mandate in 1995, no further multilateral steps can be attempted. Such a treaty has been promoted since 1946, but its political and disarmament value has diminished, and its purpose and viability have repeatedly been called into question during the long years of CD impasse, as some states argue that the question of whether existing stockpiles should be included in a fissile material treaty must be determined before negotiations can get underway. With regard to weapons reductions, Britain, France, and China say “you first” to the U.S. and Russia, who are not making much progress with further bilateral agreements as they continue to maintain and modernise several thousand long range and theatre nuclear weapons. India and Pakistan are caught up in an arms race, refusing to slow down unless the other side does so first. India, which was once a Non-Aligned Movement (NAM) champion of nuclear disarmament, now argues that the P5 — especially China — must reduce first. The ‘Disarmament Game’ these days shunts responsibility from one to another. As long as governments of the nuclear-armed states can point to the size of another nuclear arsenal they behave as though this is a reason and excuse for not moving forward with qualitative and quantitative disarmament steps, including ones previously agreed and adopted by NPT review conferences.¹² Rigidity over certain kinds of sequencing bedevils the processes of nuclear disarmament.

any use of nuclear weapons and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law”. 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, NPT/CONF.2010/50 Volume I, Part I.

11 Rebecca Johnson, *Embedding the CTBT in norms, law and practice*, (UNA-UK, London, 2013). For latest figures on signatures and ratifications, see CTBTO website <http://www.ctbto.org>. For history and background on the CTBT see Rebecca Johnson, *Unfinished Business: the Negotiation of the CTBT and the End of Nuclear Testing*, United Nations, 2009.

12 The NPT was useful in signing up most of the world (185 of its states parties joined as non-nuclear-weapon states) and developing a variety of additional procedures and agreements for nuclear monitoring, safe guards and export controls. Iran is the most recent to cause concern for manipulating the Article IV nuclear energy provision. Concerns about the unintended consequences of both Article IV and Article VI, are underpinned by science and history: almost all the nuclear-armed states developed their weapons capabilities through nuclear energy programmes.

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British leaders have publicly argued that the NPT gives the U.K. the “right” to modernise its Trident nuclear weapons system, France maintains that Article VI justifies holding on to nuclear weapons until there is general and complete disarmament, while China refuses to halt upgrading its nuclear arsenal until “the two largest arsenals” are brought down to a comparable size. Since North Korea pulled out of the NPT in 2003, conducted some nuclear tests and declared itself a ‘nuclear power,’ British and American leaders now cite even the possibility of a nuclear weapon in the hands of this small despotic regime as their justification for blocking and delaying disarmament initiatives. India cites China, Pakistan cites India, and so it continues into the ancient political rivalries of the Middle East. Not only does the NPT no longer have the tools or political credibility to provide solutions for preventing proliferation and achieving disarmament; as the world moved on, the NPT has become part of the obstacle course, adding more problems than it resolves. In some ways, nuclear weapons have been reduced to a sideshow in international politics, but they remain a threat that could destroy the world as we know it.

16.3 REGIONAL CHALLENGES

One reason why disarmament was less hard fought by the non-nuclear NPT parties in 2010 was because the NAM had decided to prioritise the League of Arab States’ proposal for a conference and process to implement the 1995 Resolution on the Middle East.¹³ This commitment was adopted as the centrepiece of the 2010 Review Conference, building on Article VII, which encourages States to establish regional nuclear-weapon-free zones (NWFZ).

After being put on the international agenda by Egypt and Iran in 1974, the objective of a NWFZ in the Middle East has been an important factor in the policies of the League of Arab States (LAS). In 1990, following Saddam Hussein’s use of chemical weapons in the Iran-Iraq war, and in the context of negotiations on the Chemical Weapons Convention (CWC), Egypt widened the concept by proposing a WMD-free zone for the region. An annual resolution advocating this objective has continued to receive consensus from the UNGA, though more specific resolutions tend to be opposed by at least the U.S. and Israel. A Weapons of Mass Destruction Free Zone (WMDFFZ) for the Middle East has become a mainstream objective, prioritised in the NPT regime through the 1995 Resolution on the Middle East, that was adopted as part of a package of decisions underpinning the indefinite extension of the NPT in 1995. From then on, the Arab States have pushed hard in the NPT and other international fora for this resolution to be implemented. The Arab League’s proposal for a regional conference and special coordinator on this issue became the centrepiece of the 2010 NPT Review Conference. After tense negotiations that

13 Egypt was the prime mover in this strategy, and coordinated both the NAM and the NAC at the 2010 NPT Conference. See Rebecca Johnson, Tim Caughley and John Borrie, *Decline or Transform: Nuclear disarmament and security beyond the NPT Review Process* (London: Acronym Institute for Disarmament Diplomacy, 2012).

even involved U.S. Vice President Joe Biden, the Arab League won most of what they had proposed, with modifications that included an independent ‘facilitator’ appointed by the UN Secretary General and NPT depositaries (U.S., U.K., and Russia). The 2010 Middle East action plan enshrined the commitment not only to convene a regional conference in 2012, but to a *process* of engagement to take the issue forward.

As we enter 2014, there has been no conference, and the process appears stalled. The basic elements for a zone are generally understood if not agreed, including the geographic boundaries, basic obligations, and requirements for verification and implementation. Though negotiations would undoubtedly be difficult, the legal and technical issues are not obstacles to progress. That lies in domestic and regional politics, combined with out-dated rhetoric that may play to nationalist public galleries but which impede actual efforts to find disarmament and security solutions.

At root, nuclear issues in the Middle East highlight the gulf between NPT diplomacy and the security concerns and politics of the real world. Nuclear policies have high salience in the Middle East although (or because) all states except Israel have over time acceded to the NPT as NNWS. Israel, which is believed to have manufactured some 60-100 nuclear weapons while remaining outside the NPT, maintains a policy of nuclear ambiguity or opacity.¹⁴ Iran, which over three decades developed significant fuel cycle capabilities including uranium enrichment to 19.5 percent,¹⁵ has remained a state party to the NPT, claiming that its nuclear programme is justified under Article IV, which enshrined an “inalienable right” to nuclear energy for “peaceful purposes.”

The 2013 election of President Hassan Rouhani in Iran has paved the way for some positive developments, including the November 2013 Joint Plan of Action hammered out between Iran and the EU3+3 representatives in Geneva. It is too early to gauge whether the six month ‘interim’ action plan will be implemented and extended in ways that transform nuclear threats, fears, and programmes in the region.¹⁶

In addition to concerns about the Israeli and Iranian nuclear programmes, there are some indications that Saudi Arabia and potentially others may be hedging their bets by developing nuclear facilities, citing energy or research programmes for “peaceful purposes.” On the region’s borders to the East, India and Pakistan became overtly nuclear armed after each conducted nuclear tests in May 1998. In the past 15 years they have pursued a regional nuclear arms race and are believed to possess around 100-120 warheads apiece. In addition, Turkey hosts some 60-70 U.S.

14 Avner Cohen, *Israel and the Bomb*, (New York: Columbia University Press, 1998).

15 It is generally recognised that for nuclear energy it is sufficient to enrich uranium only to 3.5-4 percent. Some states use fuel enriched to 20 percent for nuclear submarines. Nuclear weapons generally require 90 percent enriched uranium or plutonium to sustain the fission reactions at sufficient speeds to create an explosion.

16 Joint Plan of Action, Geneva 24 November 2013, agreed between Iran and the EU3+3 representatives (France, Germany, the UK and EU High Representative Baroness Ashton, plus China, Russia, the United States — also sometimes called P5+1).

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air-launched theatre nuclear weapons at the Incirlik air base, one of several NATO members that have nuclear weapons on their territory despite being NNWS parties to the NPT. Although the Arab States continue to evoke the NPT in all their public utterances, it is increasingly recognised (at least in private) that workable solutions need to be sought beyond the NPT, and efforts need to be accelerated to reduce the role and salience of nuclear weapons globally as well as within the region.

Israeli opinion about nuclear weapons and regional security is more divided than is generally acknowledged. There is little open debate, but when the International Campaign to Abolish Nuclear Weapons (ICAN) and the Israeli Disarmament Movement organised meetings with Hibakusha from Hiroshima and Nagasaki and brought Dr. Ira Helfand, Boston-based author of the “Nuclear Famine” reports, to speak in Tel Aviv and Jerusalem, they received unusually high public turnout and media interest, provoking discussions in unexpected places. Though the meetings were ostensibly to raise awareness about the humanitarian consequences of all nuclear weapons, they inevitably raised questions about the utility and role of Israel’s nuclear forces. Though fear of Iran developing nuclear capabilities is high, Prime Minister Benjamin Netanyahu has been relatively isolated in his dismissal of the November 2013 Joint Plan of Action with Iran as a “historic mistake.” Senior military and foreign affairs officials gave a cautious welcome to the EU3+3 deal as providing significant impediments to Iran’s nuclear programme and a preferable approach to military force.¹⁷

With regard to Israel’s own nuclear posture, the dominant position is that regional security, recognition and normalisation have to be established before nuclear weapons can be addressed. This “after you” attitude comes up against Arab views that Palestinian human rights, refugees, and the ongoing Occupation need to be resolved before there can be peace with Israel. The default position for most Arab States has been that Israel has to get rid of its nuclear weapons and join the NPT as a NNWS party as a precondition for others to accede to other treaties such as the CWC and the 1972 Biological Weapons Convention (BWC). The use of chemical weapons in the Syrian war has brought such linkages into question as Syria is propelled into acceding to the CWC and agreeing to have inspectors oversee the removal and destruction of its chemical weapons arsenal. Efforts need to be pursued to take all aspects of disarmament forward, notwithstanding the upheavals generated through internal and regional conflicts and other developments linked with the 2011 events characterised as an Arab Spring or Awakening. These may open up opportunities or they may further complicate nuclear disarmament prospects in the region.

Diplomatic attention for now is still focussed on trying to convene the Helsinki Conference, at least before 2015. Israel — still supported by the U.S., though the political strength of that relationship appears to be weakened by recent developments — remains reluctant to commit to anything that might lead to negotiations. Iran appears wary even though its diplomats continue to express official support. To avoid becoming derailed and deadlocked with recriminations

17 Raphael Ahren, Labor MK: Compared to strike, deal is ‘far superior’, *Times of Israel*, 24 November 2013. <http://bit.ly/17HESDj>

about the lack of a regional WMDFZ Conference — and while continuing to work on bringing all states together around the same table — there is growing interest in establishing some kind of Helsinki-type process for the Middle East. As with the Helsinki process at the height of the Cold War, a possible approach might be to establish three tracks of negotiations on inter-related themes that could be pursued regionally at government level and/or with civil society representatives to develop ideas and pave the way towards a WMD free zone in the Middle East.¹⁸

If such a proposal were to gain traction, a possible division of issues could be along the following lines:

- **Track 1** might focus on laying groundwork and preparing the way for a WMDFZ, dealing with technical and political issues relating to fissile materials production, fuel cycle technologies, missile programmes, adherence to and implementation of the various WMD-related treaties and Security Council resolutions, and a timetable for Israel to put its nuclear facilities progressively under International Atomic Energy Agency (IAEA) safeguards.
- **Track 2** could address principles for mutual security, human rights, and humanitarian issues, including refugees.
- **Track 3** could build confidence and understanding between all parties by focusing on ‘soft’ issues where there are more obviously common interests, such as shared resources like water, economic, scientific, technological, and environmental cooperation, and various kinds of cultural and educational exchanges.

Setting up such a process of talks would be challenging, and the devil — as always — would be in the detail. Given current levels of hostility and rivalry between some key countries, and internal instability and/or intransigent leaders, even talks aimed at agreeing on the modalities for such a process could well flounder, as have the consultations and discussions that Ambassador Laajava initiated to try and get preliminary agreement to hold the planned Helsinki Conference.

16.4 LOOKING TOWARDS 2015

While recognising that nuclear disarmament will continue to be an important factor for many states as they look toward the 2015 NPT Review Conference, the meeting’s success or failure could hinge on whether the promised Helsinki Conference takes

18 If the issues in each track are grouped appropriately, having three tracks lessens the risks of becoming as deadlocked as binary negotiations, such as the 1991-95 Arms Control and Regional Security (ACRS) twin track working group talks involving Israel, Egypt and twelve other Arab states, Palestinian representatives and others.

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place, and whether it establishes a constructive process to lay the groundwork for a zone free of nuclear and other WMD in the Middle East. In considering possible ways forward, there are lessons to be learned from the Helsinki process as well as other NWFZ negotiations, particularly those that established zones in Latin America (the 1967 Tlatelolco Treaty) and Africa (the 1996 Pelindaba Treaty).

Humanitarian as well as strategic concerns led to the prohibition of biological and chemical weapons through the BWC and CWC. Humanitarian and human security approaches are now leading efforts to ban and eliminate nuclear weapons. Power, economic, and security relations among states are being transformed in the twenty-first century, most notably through the haemorrhaging of U.S./Western economic, moral-democratic, and military credibility since the ill-conceived “war(s) on terrorism” and near collapse of several economies due to financial mismanagement and banking scandals. Other nations are gaining in economic confidence and taking more responsibility to support international legal and treaty regimes, while some appear bent on weakening such regimes. Viewing security as more interdependent than twentieth century military-derived concepts, more governments are questioning international structures that privilege the few to the detriment of the majority. They are also less inclined to accept the ‘authority’ and vetoes wielded by certain states that seek to control institutions such as the United Nations, Conference on Disarmament, and NPT.

Security, peace, environmental destruction, human rights and disarmament are increasingly framed as humanitarian — not just national — issues. When considering how best to implement long-standing disarmament and non-proliferation obligations, inspiration is being sought from more successful multilateral fora and processes, including recent treaty processes that have banned landmines and cluster munitions. The objectives are to develop processes that take everyone’s security into account and are open to all to negotiate. Framing the weapons as humanitarian problems rather than military assets, the cluster munitions and landmines negotiations were led by self-selected majorities of states rather than historically determined members of a cold war forum. Treating the security concerns and rights of all countries as equal, such approaches help to offset the coercive imposition of a few dominant states’ military-industrial interests.¹⁹ The resulting prohibition treaties have entered into force (unlike the CTBT, which was concluded by the 66-member CD in 1996 using established negotiating processes). Though work remains to accomplish the total elimination of landmines and cluster munitions, as well as biological and chemical weapons, the treaties have greatly accelerated and facilitated their stigmatisation and removal from deployment.

The protection of civilians and the role of women as agents of change are also being brought to the fore, regionally as well as internationally. In this regard, engaging the different perceptions and experiences of women and other traditionally marginalised peoples in negotiations on regional and global peace and security, as required under United Nations Security Council Resolution 1325 and other UNGA

¹⁹ Rebecca Johnson, Tim Caughley and John Borrie, *Decline or Transform: Nuclear disarmament and security beyond the NPT Review Process* (London: Acronym Institute for Disarmament Diplomacy, 2012).

and Security Council measures will be a test of how effective and sustainable future negotiations and arrangements will be.²⁰

Although the Helsinki Process and previous treaties offer examples that might be useful, nothing from the past can be simply reproduced. The point is to analyse what lessons might usefully be applied to dealing with today's regional and international disarmament and security challenges. Perceptions of nuclear possession and doctrines are being reframed to challenge the ways in which nuclear weapons are coveted for status or as a means of regional and global power projection. Governments that retain or seek nuclear weapons are no longer being allowed to hide behind deterrence theories, as if this conferred some magical and failsafe security to nuclear weapons possessors and their allies.²¹ The 'step by step' processes for nuclear arms control that have been promoted and adopted over years of NPT meetings have had little impact on the nuclear policies, modernisation and programmes of the nuclear-armed states. The humanitarian approaches now being pursued are shaking up the status quo and causing all governments — and peoples — to reconsider their options and recognise that nuclear weapons are security liabilities not assets.

As begun by the March 2013 Oslo Conference on the Humanitarian Impacts of Nuclear Weapons²² and continued in 2014 when Mexico hosts a follow-up Conference in Nayarit, nuclear free governments and civil society are raising greater awareness of the regional and global "catastrophic humanitarian consequences" if nuclear weapons are used, even in what might be termed a "limited" regional context, whether in the Middle East or a neighbouring region, such as South Asia or Europe.²³ Whether it is successful in the near term in establishing negotiations

20 There is considerable literature on the importance of involving women in peace and security negotiations. See especially the website <http://www.womenwarpeace.org>

21 Ward Wilson, *Five Myths about Nuclear Weapons*, Houghton Mifflin Harcourt, 2012.

22 In his short summary at the end of the Oslo Conference, Norwegian Foreign Minister, Espen Barth Eide, noted (among other things) "The effects of a nuclear weapon detonation, irrespective of cause, will not be constrained by national borders, and will affect states and people in significant ways, regionally as well as globally." Chair's summary, Oslo Conference on the Humanitarian Impacts of Nuclear Weapons, 5 March 2013. See also Rebecca Johnson, "The fetishists of nuclear power projection have had their day", *OpenDemocracy*, 8 March 2013. <http://www.opendemocracy.net/5050/rebecca-johnson/fetishists-of-nuclear-power-projection-have-had-their-day>.

23 See, for example, "Working towards the elimination of nuclear weapons", Resolution adopted by the Council of Delegates of the International Red Cross and Red Crescent Movement, Geneva, 26 November 2011. EN CD/11/R1; Ira Helfand, "Nuclear Famine: Two Billion People at Risk", IPPNW, 2013 (updated from 2012); Rebecca Johnson, "Unacceptable Risks: UK-relevant reports on the humanitarian consequences of nuclear weapons"; Richard Moyes, Philip Webber and Greg Crowther, *Humanitarian consequences: Short case study of the direct humanitarian impacts from a single nuclear weapon detonation on Manchester*, UK. Article 36, February 2013; Frank Boulton, *Blood Transfusion Services in the wake of the humanitarian and health crisis following multiple detonations of nuclear weapons*, Medact, February 2013; John Ainslie, *If Britain Fired Trident: The humanitarian catastrophe that one Trident-armed UK nuclear submarine could cause if used against Moscow*, Scottish CND February 2013; Philip Webber, *The climatic impacts and humanitarian problems from the use of the UK's nuclear weapons*, Scientists for Global Responsibility, February 2013 (revised from SGR Winter 2008); Owen B. Toon, Richard P. Turco, Alan Robock, Charles Badeen, Luke Oman and Georgiy L. Stenichkov, "Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism"; also Alan Robock, Luke Oman, Georgiy L. Stenichkov, Owen B. Toon, Charles Badeen and Richard P. Turco (2007) "Climate consequences of regional nuclear conflicts", *Atmospheric Chemistry and Physics*. 7:2003-2012.

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and bringing into force a comprehensive nuclear ban treaty or not, the humanitarian approach is already changing the ways in which nuclear weapons and disarmament options are perceived, and that will undoubtedly feed into regional and international calculations in the run-up to the 2015 NPT Review Conference and beyond.

16.5 APPENDIX: TRADITIONAL VERSUS HUMANITARIAN APPROACHES

The following table graphically highlights the differences between the status quo arms control assumptions and approaches, and ways in which a humanitarian approach could free up different options and resources for achieving the goal that both approaches say they share: peace and security in a world free of nuclear weapons.

ARMS CONTROL AND NON-PROLIFERATION APPROACH (STATUS QUO REINFORCING)	HUMANITARIAN DISARMAMENT APPROACH (GAME-CHANGING)
Proliferation is bad but can be managed.	Proliferation is bad and is not being safely managed.
Nuclear disarmament issues are of primary national security interest only for the states that have nuclear weapons.	Nuclear weapons are a major human and global security issue, and nuclear disarmament is everyone's responsibility and in everyone's interests.
Status quo possession of nuclear weapons is stabilising, and proliferation is not affected by the actions and policies of recognised NWS.	The high value accorded to possessing nuclear weapons is a salient proliferation driver.
Nuclear weapons are by definition deterrents.	Deterrence is not a property or attribute of a weapon, but a complex, multifaceted relationship and process among potential adversaries, requiring accurate and effective communications and interpretations of information, intentions and cultural implications.
Nuclear deterrence requires doctrines and operations for use and deployment including scenarios and operations to demonstrate a readiness to fire and an ability to deliver "unacceptable loss." These operations create greater humanitarian threats, risks and instabilities than other deterrence tools.	The role of nuclear weapons in deterrence is questionable, unproven and unprovable. Threatening "unacceptable loss" is inhumane and will not deter non-state or many state adversaries. Other states' actions and intentions may be miscalculated or misinterpreted.
Nuclear deterrence ensures that responsible states can extend security to their allies and have freedom of action where necessary.	The illusions of deterrence lead nuclear-armed states to take more risks and think they can project regional or international power ("punch above their weight"), which is dangerous and destabilising.

THE NECESSITY TO REDUCE & ELIMINATE NUCLEAR THREATS AND WEAPONS

ARMS CONTROL AND NON-PROLIFERATION APPROACH (STATUS QUO REINFORCING)	HUMANITARIAN DISARMAMENT APPROACH (GAME-CHANGING)
<p>It is not necessary to consider the consequences of nuclear detonations because nuclear deterrence will ensure that these nuclear weapons will not be used.</p>	<p>It is important to recognise that the humanitarian consequences on nuclear detonations will be catastrophic. Deterrence has failed in history and will undoubtedly fail again, with or without the presence of nuclear weapons, so it is important not to deploy weapons that are unsurvivable when deterrence fails.</p>
<p>Nuclear deterrence is not necessary for non-nuclear countries, unless they are in alliance with nuclear-armed states, but the existence of nuclear weapons and deterrence in 'responsible' hands provides global stability.</p>	<p>If nuclear deterrence worked as theorised, every state should have the right to nuclear weapons of their own. That would of course be a recipe for instability, insecurity and humanitarian disaster.</p>
<p>Proliferation is best stemmed by tightening nuclear security procedures and controls, especially on non-nuclear-weapon states in regions of concern.</p>	<p>Halting proliferation requires preventing the acquisition, modernisation, and spread of nuclear weapons and stigmatising nuclear as well as other WMD as inhumane, and their use as pariah/ha'aram.</p>
<p>The NPT's role is to limit proliferation and enable the 'recognised' nuclear-weapon states to manage this high value and important weapon while stopping its spread to others.</p>	<p>The NPT's core security objective is to accelerate the elimination of all nuclear weapons through a universally applicable nuclear prohibition treaty that will change the legal and political context of nuclear decision-making.</p>
<p>Realism, nuclear trade, and regulation dictate that if certain states acquire nuclear weapons outside the NPT then the international community should accommodate them.</p>	<p>Accommodating the nuclear interests of nuclear armed states — whether in or out of the NPT — just perpetuates instability, dangers, and proliferation incentives.</p>
<p>The NWS should continue to talk about step by step reductions in the context of the NPT while maintaining infrastructure and options for the current nuclear-armed states to keep modernizing and rearming.</p>	<p>The nuclear-free governments must take the lead to achieve a global treaty that will ban the use, deployment, production, stockpiling, and transporting of nuclear weapons and require their total elimination. This will give us stronger tools to stop proliferation, close down nuclear programmes and bases, and hold our governments accountable.</p>
<p>More regional NWFZ have to be established before a global treaty can be considered.</p>	<p>Regional and international nuclear problems are interconnected. International initiatives to ban nuclear weapons will reinforce and accelerate strategies to conclude further NWFZ.</p>

ARMS CONTROL AND NON-PROLIFERATION APPROACH (STATUS QUO REINFORCING)	HUMANITARIAN DISARMAMENT APPROACH (GAME-CHANGING)
Next steps must be focussed on incremental reductions plus counter-proliferation and “nuclear security” approaches to prevent nuclear weapons being acquired by new or “bad” actors.	Next steps should delegitimise nuclear weapons use and doctrines of threatened use (including nuclear deterrence) and create clear legal obligations to prohibit and eliminate the weapons.
Working towards a comprehensive nuclear ban treaty will undermine and distract from the NPT, the Conference on Disarmament, and other established fora.	Working towards and achieving a nuclear ban treaty will help to fulfil the aims and objectives enshrined in the NPT, just as the 1996 Comprehensive Test Ban Treaty (CTBT) reinforced and fulfilled the 1963 Partial Test Ban Treaty (PTBT).
You cannot put the nuclear genie back into the bottle.	Nuclear weapons can be legally prohibited, politically neutralised, and physically eliminated, because they are inhumane, useless, and contrary to humanity’s interests and survival.

