

The Treaty on the Prohibition of Nuclear Weapons (TPNW) and its impact on NATO

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Pugwash France, 25 February 2021



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0

NPT (1968; 1970) Deal between NWS and NNWS

Five temporary but exclusive
NWS

in exchange for

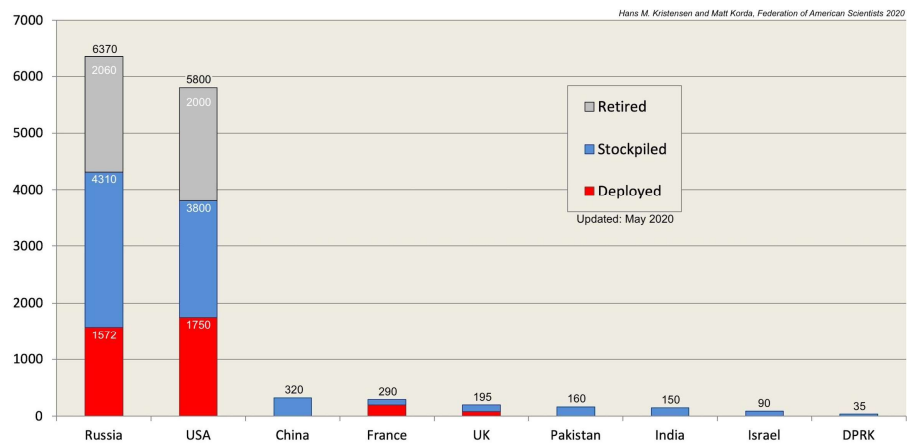
- 1) support for nuclear energy
- 2) nuclear disarmament (art.6)



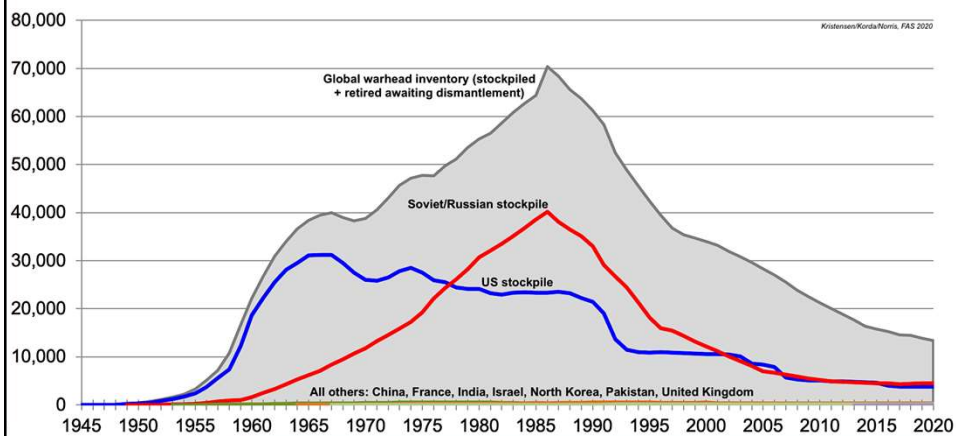
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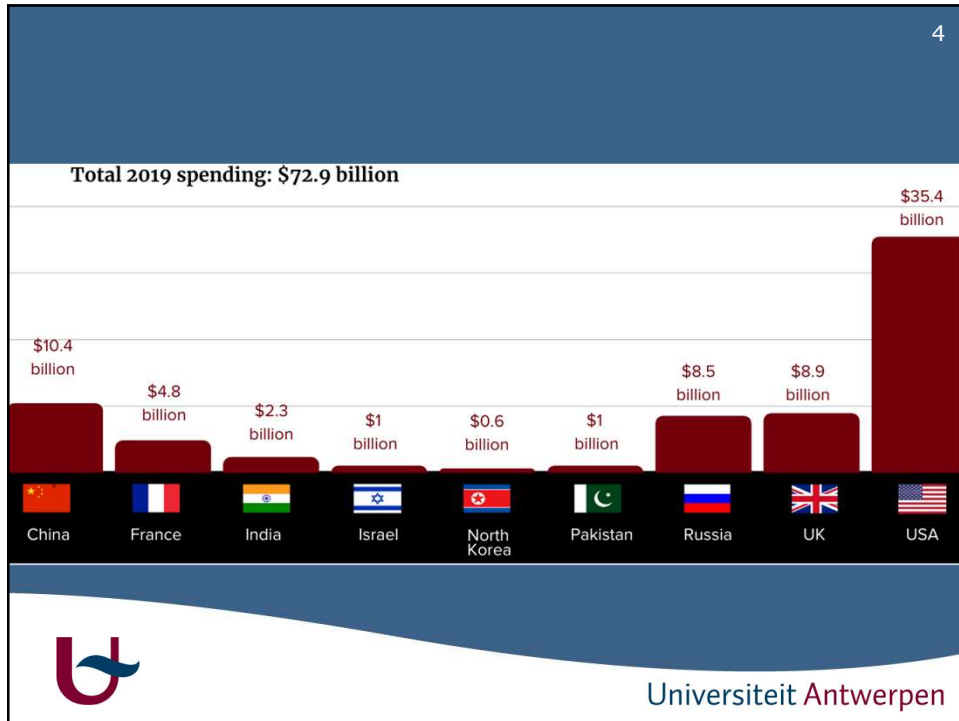
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Estimated Global Nuclear Warhead Inventories, 2020

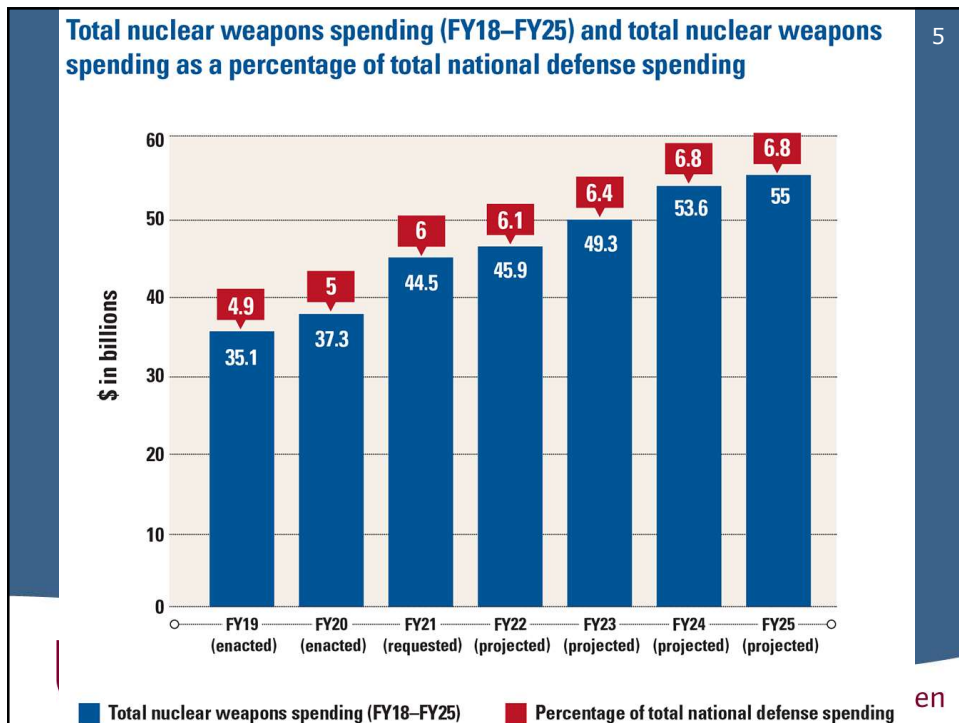


Estimated Global Nuclear Warhead Inventories 1945-2020





4



5

"Several countries have missiles with nuclear warheads, not one or two. But we cannot have them. This I cannot accept,"

*President Erdogan (Turkey),
September 2019*



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'Well, the American posture currently says we need to develop a few more additional nuclear weapons, but everyone else needs zero...I remember in government trying to explain that position without smiling, and I could never manage to do it',
Graham Allison



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'Imagine this: a country or group of countries serves notice that they plan to withdraw from the Nuclear Non-Proliferation Treaty (NPT) in order to acquire nuclear weapons, citing a dangerous deterioration in the international security situation. "Don't worry," they tell a shocked world. (...)



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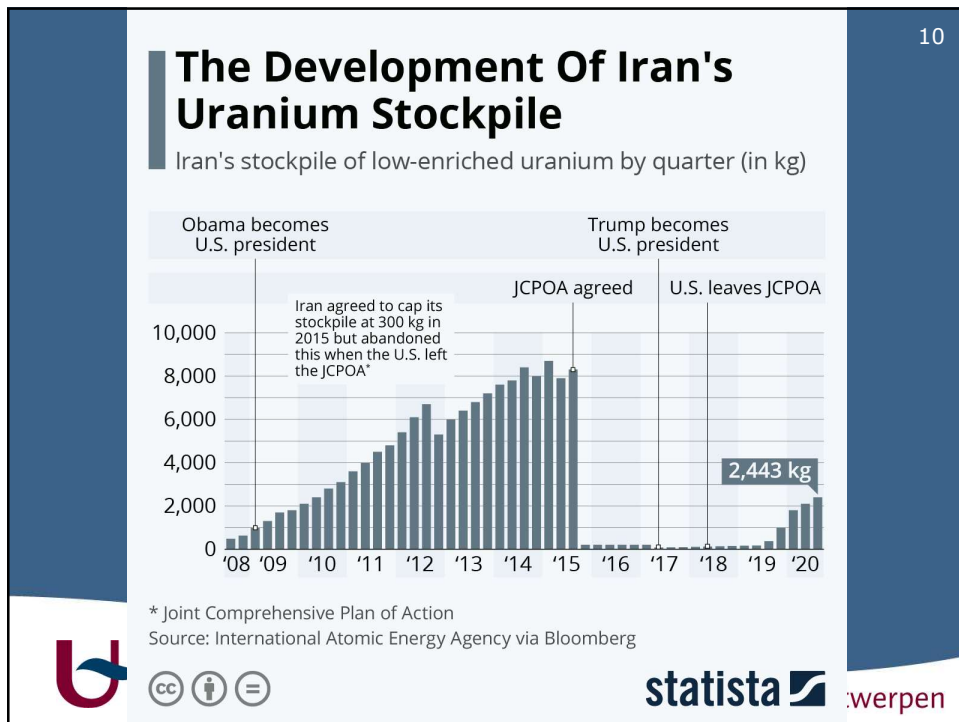
(...) *"The fundamental purpose of our nuclear forces is political: to preserve peace and prevent coercion and any kind of war. Nuclear weapons provide the supreme guarantee of our security"* (...)

'the rationale I have just cited to justify nuclear weapons is taken from NATO's current Strategic Concept',

Mohamed El Baradei ('Five steps towards abolishing nuclear weapons', in: Süddeutsche Zeitung, 4 February 2009)



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10

11

Future of proliferation

- Iran (no.10 ?): JCPOA ?
- If Iran, then Saudi Arabia (no.11 ?)
- If Iran and SA, then possibly Turkey (no.12 ?), Egypt,...
- Brazil ?
- The end of the NPT ?
- Risk of nuclear anarchy, including nuclear terrorism

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11

India-Pakistan

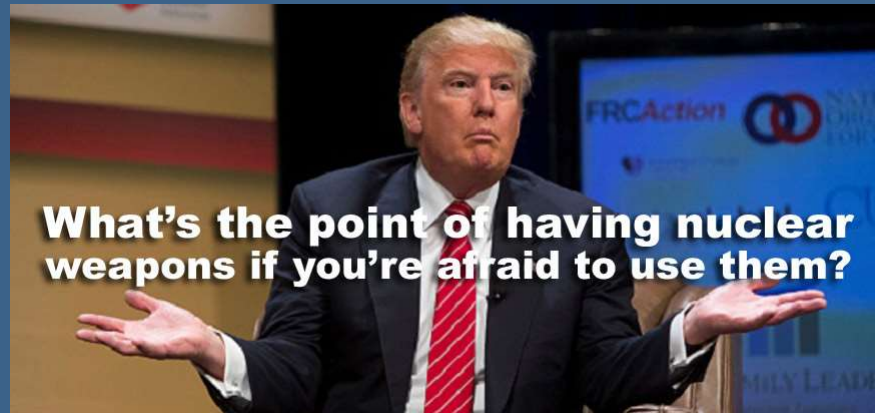
- Kargil crisis (1999)
- 2001 crisis
- Mumbai attacks (2008)
- Border clashes (2016,....)
- Pulwama conflict (2019)



12

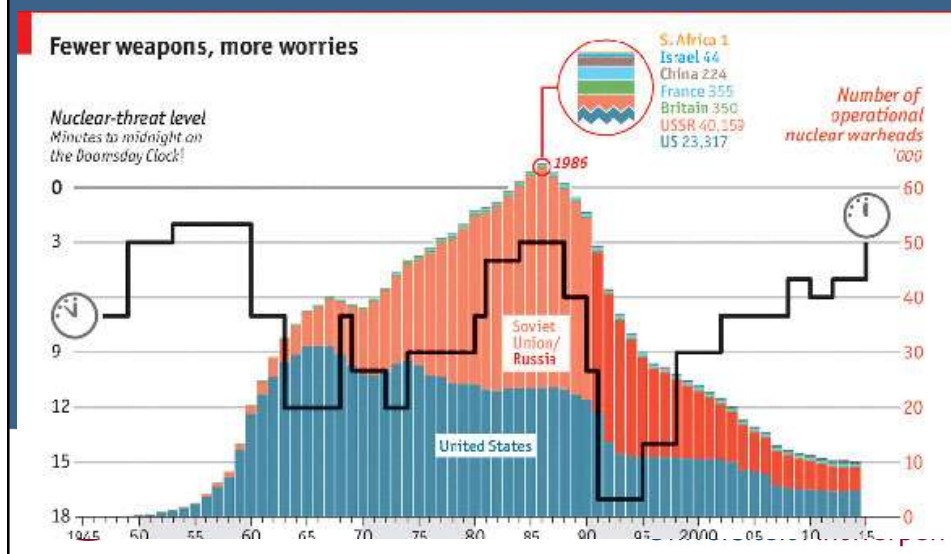


13



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14



15

Treaty on the Prohibition of NW (Ban Treaty)(2017)

16

- First AC/disarmament treaty since 2010
- First multilateral AC treaty since 1996
- First multilateral disarmament treaty since 1968 (122 states)
- More a prohibition than disarmament treaty: strengthening the norm against nuclear weapons, making them illegal; stigmatizing effect; a (last) signal to the nuclear armed states.



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Genesis of the Ban Treaty

17

- Frustration amongst (non-allied) NNWS, NGOs, and public opinion about lack of substantial nuclear disarmament (art.6 NPT).
- Unfulfilled disarmament promises by NWS in NPT and NPT Review Conferences (1995, 2000, 2010).
- Had the NPT worked, the TPNW would not have existed.
- For the first time in nuclear history, the non-allied NNWS take the lead.



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17

The Humanitarian Initiative

- Key question: What are the (humanitarian) consequences of the use of the weapons ?
- People (instead of states) are central
- Cfr landmines, cluster munitions
- Towards a ban
- New NGO's (since 2006): International Campaign to Abolish Nuclear Weapons (ICAN); Global Zero
- Supported by states like Austria, Switzerland, Norway, Mexico,...



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'Nuclear weapons are the most discriminate, disproportionate, and inhumane weapons ever created'

Norway (NATO member) during the NPT Review Conference 2010



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NPT Review Conference in 2010

'Expresses (...) deep concern about *the catastrophic humanitarian consequences* of any use of nuclear weapons, and reaffirms the need for all States *to comply with (...) international humanitarian law*'



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20

Humanitarian conferences

- Norway (Febr 2013): 125 states
- Mexico (March 2014): 143 states
- Austria (Dec 2014): 156 states
- Nuclear weapon states were absent (except India-Pakistan); US and UK present in 2014



21

Increasing support for the Humanitarian Initiative

- UN GA (1st Com) 2012: 34 states
- NPT Prepcom 2013: 80 states
- UN GA (1st Com) 2013: 125 states
- UN GA (1st Com) 2014: 155 states
- NPT RC 2015: 159 states



Historical resolution L.41 (Oct '16)

- UN GA (1st Com) 2016: 123 states agree to start multilateral negotiations in 2017 for a NW Ban Treaty
- 38 against: most NWS (incl. France) and (NATO) allies
- 16 abstentions: The Netherlands, India, Pakistan, China



Nuclear Weapons Ban Treaty in 2017

- Negotiations in March and June 2017
- 7 July: agreement by 122 states; one abstention; one vote against
- Update (2021): 86 signatures; 54 ratifications
- Entered into force on 22 January 2021 (after 50 ratifications)



24

STRATEGIECS
THINK TANK

**UN Treaty on the Prohibition of
Nuclear Weapons (TPNW)**

Treaty terms

- 1** Each state party undertakes never under any circumstances to use, threaten to use, develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices.
- 2** States parties must declare that they possess nuclear weapons, or if they retain the nuclear weapons of another country on their territory, so that they should be disposed of.
- 3** Any nuclear-weapons state has the right to join provided that it dispose of its nuclear weapons, either before or after joining.
- 4** The treaty obligates states parties to provide compensation to those affected and to repair the environments affected by the use or testing of nuclear weapons.

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25

Nobel Peace Prize 2017

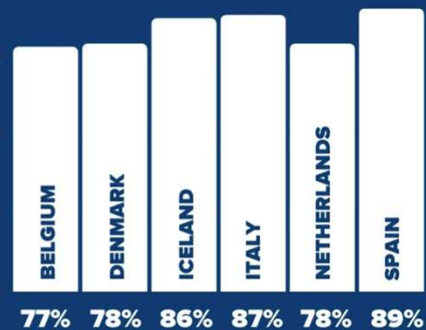


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26

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Do you think your
country should join the
UN Treaty on the
Prohibition of Nuclear
Weapons?
#YES



Source: YouGov Poll 2020



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27

TPNW = a shock to NAS and NATO

- Addicted to nuclear deterrence
- Only rhetorically in favor of nuclear elimination
- TPNW = a shock to the nuclear order (dominated by the NAS and Allies)(N.Ritchie)
- TPNW = the first real challenge of the NAS and Allies, seen as subversive
- TPNW = disruption of the existing power structures (Kjolv Egeland)



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28

Critics of TPNW: NAS and NATO

- Tone: patronizing, insulting, dismissive
- Content:
 - 'not important', 'no impact'
 - 'Not much about verification'
 - 'Will not lead to disarmament'
 - 'Will destroy the NPT'
 - 'Leads to polarisation'



29

NATO Statement (15 Dec 2020)

'we collectively reiterate our opposition to this treaty, as it does not reflect the increasingly challenging international security environment and is at odds with the existing non-proliferation and disarmament architecture'...'We continue to support the ultimate goal of a world without nuclear weapons'...'The NPT remains the only credible path to nuclear disarmament'...



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30

'the ban treaty lacks any rigorous or clear mechanisms for verification, and has not been signed by any state that possesses nuclear weapons, and thus will not result in the elimination of a single nuclear weapon. It risks undermining the global non-proliferation and disarmament architecture'... 'Allies are determined...to reject any attempt to delegitimise nuclear deterrence'



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31

Ban Treaty has already impact

- Private sector: banks, pension funds,... (Norway, NL, Belgium,...)
- Cities (Berlin, Paris, Oslo, Geneva, Washington DC, Toronto, Sydney,...)
- NGOs (ICAN, IPPNW,...)
- Catholic Church (2014)



Vatican

- 1983:
 - use is immoral, except in extreme circumstances
 - threat of use is immoral, but OK as long as numbers go down
- 2014:
 - All use is immoral
 - Threat of use is immoral
 - 2017: use and possession should be condemned



TPNW leads to new societal/political debate

34

- NL (2015-2017); elections 2021
- Belgium: coalition agreement Sept 2020
- Spain: FA Committee declaration Dec 2020
- Germany: SPD and B-61; elections in 2021
- Other allies (Canada,...) and even NAS: change of tone



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34

Belgian coalition agreement (2020)

35

'Belgium will play a proactive role in the 2021 NPT Review Conference and, together with its European NATO allies, it will examine how to strengthen the multilateral nonproliferation framework and how the UN TPNW can give new impetus to multilateral nuclear disarmament'



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35

Prediction

if NAS and NATO do not significantly move on disarmament in the short-term, then it may have extremely negative consequences for the NPT:

- States may withdraw (cfr N Korea):
e.g. Iran, Saudi Arabia, Turkey,...
- If many withdraw (e.g. Latin America),
it is the end of the NPT



Crucial question

Will the nuclear armed states and allies start acting before or after some/many of the NNWS will withdraw from the NPT, threaten to build NWs, and maybe start building them ?



Crucial choice for NATO allies (like Germany, Italy, Belgium, the NL,...)

Torn between:

- NATO membership ('nuclear Alliance'), and
- UN/NPT/International Humanit.Law obligations

Allies help NAS legitimizing their NW:

- B-61
- No first use
- ...



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Recommendation: De-collectivize NATO's nuclear deterrent

- Washington Treaty (1949)
- First two NATO Strategic Concepts
- Footnote policy by Denmark, Norway, Spain, Iceland and Lithuania
- Withdraw US tactical nuclear weapons
- Group of Friends of TPNW
- Sign the TPNW



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40

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**We must show courage and boldness
and join the UN Treaty on the
Prohibition of Nuclear Weapons.**

Open letter in support of the UN Treaty on the Prohibition of Nuclear Weapons co-signed by 56 former presidents, prime ministers, foreign ministers and defence ministers from 20 NATO member states, Japan and South Korea, including:

<i>Ban Ki-Moon – UNSG, South Korea</i>	<i>Thorbjørn Jagland – Norway</i>
<i>Lloyd Axworthy – Canada</i>	<i>Jóhanna Sigurðardóttir – Iceland</i>
<i>Willy Claes – Belgium, NATO</i>	<i>Javier Solana Madariaga – Spain, NATO SG</i>
<i>Joschka Fischer – Germany</i>	<i>Hanna Suchoka – Poland</i>
<i>Hatoyama Yukio – Japan</i>	<i>Guy Verhofstadt – Belgium</i>



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40

41

In short and medium term

- Change attitude and language vis-à-vis TPNW
- Do not use false arguments against TPNW
- Be present at first meeting of states parties in Vienna as observer (Jan 2022)
- Do not vote against TPNW resolution in UN GA in 2021
- Do not modernize B-61 in 2022
- Do not make F-35 dual-capable
- Delegitimize role of NW inside NATO: no first use, ...

41

Further reading

42

- Tom Sauer, 'It is Time to Outlaw Nuclear Weapons', in: The National Interest, 18 April 2016.
- Paul Meyer and Tom Sauer, 'The Nuclear Ban Treaty: a Sign of Global Impatience', in: Survival, vol.60 (2), 2018.
- Tom Sauer and Mathias Reveraert, 'The Potential Stigmatizing Effect of the Treaty on the Prohibition of Nuclear Weapons', in: The Nonproliferation Review, Vol.25 (5-6), 2018.
- Joelen Pretorius and Tom Sauer, 'Is it Time to Ditch the NPT?', in: The Bulletin of the Atomic Scientists, 6 September 2019.
- Tom Sauer, Jorg Kustermans, and Barbara Segaert (eds), *Non-Nuclear Peace. Beyond the Nuclear Ban Treaty*, Palgrave/Macmillan (London), January 2020.



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42

43

- Tom Sauer and Ramesh Thakur, 'How many intensive care beds will a nuclear weapon explosion require?', in: The Bulletin of the Atomic Scientists, 28 April 2020.
- Tom Sauer, 'Power and Nuclear Weapons. The Case of the European Union', in: Journal for Peace and Nuclear Disarmament, vol 3 (1), 2020, pp,41-59.
- Tom Sauer and Clare Nardon, 'The softening rethoric by the nuclear-armed states and the NATO allies on the TPNW', in: War on the Rocks, 7 December 2020.
- Tom Sauer, 'NATO Allies, don't dismiss the TPNW', in: ELN Commentary, 21 January 2021.



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43

Similar voices in the academic world

- Paul Meyer (Simon Fraser University, Canada)
- Joelen Pretorius (Univ of the Western Cape, South Africa)
- Thomas Doyle (Texas Univ, US)
- Rebecca Davis Gibbons (Harvard University, US)
- Ramesh Thakur (Australian National University)
- Nick Ritchie (University of York, UK)



Questions ?

