

# ‘Global nuclear disarmament and the role of non-nuclear weapon states’<sup>1</sup>

## Introduction

A new nuclear discourse is emerging. It is diverse and inclusive, with a focus on facts and the interface of nuclear weapons with human experiences. This new discourse, embodied in the international initiative on the humanitarian impacts of nuclear weapons, strives to provide a new forum for promoting nuclear disarmament and reframing the way all states conceptualize nuclear weapons.<sup>2</sup> After two years, the initiative continues to build momentum, and Non-Nuclear Weapon States (NNWS), particularly those that rely on nuclear deterrence, can contribute by promoting the new nuclear discourse and a ‘humanitarian norm’; ensuring a successful 2015 Review Conference (RevCon) of the Nuclear Non-Proliferation Treaty (NPT); and engaging with Nuclear Weapon States (NWS), such as by encouraging them to attend the next conference on humanitarian impacts in Vienna in December 2014.

Despite seven decades of non-use, nuclear weapons remain a threat to international security. Not only does North Korea continue to test nuclear weapons and delivery vehicles, but also prospects for further U.S.-Russia arms control remain unlikely, and new research demonstrates that the risks of unintentional nuclear use are higher than traditionally perceived.<sup>3</sup> Furthermore, as President Obama expressed in both Prague and Berlin, global nuclear disarmament may not happen in the near future. Nonetheless, there are readily available options to promote the principles of disarmament and develop a new discourse on nuclear weapons beyond purely security-based paradigms to facilitate and encourage the path towards disarmament.

The nexus between these ongoing threats and new discourses suggests an exciting opportunity for the future of nuclear policy. The humanitarian impacts initiative has also renewed talk of a legally-binding ban, which begs certain questions about the role for NNWS. What are the pros and cons of a nuclear weapons ban at this time? Should

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<sup>1</sup> The views expressed here are entirely my own and do not necessarily reflect those of the Royal Institute of International Affairs.

<sup>2</sup> Patricia Lewis and Heather Williams, ‘The meaning of the Oslo Conference on humanitarian impacts of nuclear weapons’ in John Borrie and Tim Caughley (eds.), *Viewing Nuclear Weapons Through a Humanitarian Lens* (New York: UNIDIR, 2013), available at: <http://www.unidir.org/files/publications/pdfs/viewing-nuclear-weapons-through-a-humanitarian-lens-en-601.pdf>.

<sup>3</sup> Eric Schlosser, *Command and Control* (New York: Allen Lane, 2013); and Patricia Lewis, Heather Williams, Benoit Pelopidas, and Sasan Aghlani, ‘Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy,’ Chatham House Report, April 2013, available at: <http://www.chathamhouse.org/publications/papers/view/199200>.

disarmament efforts proceed without NWS participation? And what role can NNWS play in promoting this new nuclear discourse?

This paper and subsequent presentation at the Research Center for Nuclear Weapons Abolition workshop will provide a background of the humanitarian impacts initiative and its progress to date, discuss challenges for the way forward with the initiative and its relation to the NPT, and -- finally -- outline recommendations for NNWS to engage with NWS to promote participation in the initiative and disarmament.

The paper does not take a theoretical approach, though it does draw from literature on norms, deterrence, and international law. Rather, the goal is to provide context for international disarmament efforts and situate NNWS opportunities, such as a nuclear weapons free zone in Northeast Asia (NEA-NWFZ), within that context. What I most hope for, however, is to generate discussion about the direction of the initiative towards disarmament, while taking the perspective of both NWS and NNWS into account. These discussions can look at short-term steps, such as those suggested here, along with long-term questions about strategic thinking. For now, however, NNWS, especially those that rely on nuclear deterrence, can maintain and increase momentum for the humanitarian impacts initiative and pursue opportunities to engage and build trust with NWS.

### **Frustration and Distrust: Impetus for the Humanitarian Impacts Initiative**

The humanitarian impacts initiative was born out of widespread frustration with the NPT process. The NPT is an inherently imbalanced treaty, causing many of its members to observe and bemoan the lack of progress by NWS towards fulfilling their Article VI commitment to pursue 'general and complete disarmament', along with a sense of being disempowered in NPT discussions. Nina Tannenwald summarized this view noting that while the NPT was meant to be transformative, it instead has become a 'status quo treaty' and developing countries acutely feel its unfairness.<sup>4</sup>

This frustration has been manifested in the emergence of other forums, such as the New Agenda Coalition (NAC), Non-Proliferation and Disarmament Initiative (NPDI), and Open-Ended Working Group (OEWG). These new forums endeavour to change the existing structure and narrative. According to John Borrie of the United Nations Institute for Disarmament Research, 'Some governments have moved on from lamenting their disempowerment and the state of the nuclear weapons control regime in forums such as the NPT and the deadlocked Conference on Disarmament (CD) to actively considering how they can best strengthen momentum towards elimination based on fresh assessments.'<sup>5</sup> In addition to these structural frustrations, the initiative was also inspired by increased attention on the humanitarian impact of other weapons, such as bans on land mines and cluster munitions, and the recent use of chemical weapons. The International Committee of the Red Cross (ICRC)<sup>6</sup> spoke to the issue of

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<sup>4</sup> Nina Tannenwald, 'Justice and Fairness in the Nonproliferation Regime,' *Ethics & International Affairs*, 27:3 (2013), pp. 299-300.

<sup>5</sup> John Borrie, 'Humanitarian reframing of nuclear weapons and the logic of a ban,' *International Affairs*, 90:3 (2014), p. 625.

<sup>6</sup> For example, one excerpt from the ICRC statement reads, 'Far more needs to be done to inform policy makers, the media and public of the catastrophic human costs of these weapons, of the imperative that they are never again used and of the urgent need for a legally binding international instrument that will

nuclear weapons in 2011, along with states that play a leadership role in the initiative, including Norway, Ireland, Japan, and South Africa. In the NPT context, the principles and objectives of the 2010 Action Plan include a 'deep concern at the catastrophic humanitarian consequences of 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.'<sup>7</sup>

This interest in a humanitarian-based approach culminated in the March 2013 Oslo Conference, where 128 states participated in a facts-based discussion about the effects of nuclear weapons detonations, including testimony from survivors of Hiroshima and Nagasaki, and those that lived near nuclear testing sites in the Soviet Union. Participants included India and Pakistan, which are not part of NPT discussions, along with all members of NATO, except for Bulgaria, France, the United Kingdom, and United States. Civil society groups played a key role at Oslo in generating interest and visibility for the conference, attracting a younger generation to nuclear weapons issues, and building momentum for the initiative. In his closing remarks at the Conference, Norwegian Foreign Minister Espen Barthe Eide stated, 'We have succeeded in reframing the issue of nuclear weapons by introducing the humanitarian impacts and humanitarian concerns at the very centre of the discourse.'<sup>8</sup>

NWS chose not to attend. Their stated reason was that the initiative was a 'distraction' from the 'step-by-step disarmament process' embodied in the NPT. In reality, each state likely had its own reasons for not attending, e.g. concern that the initiative would turn into a slippery slope towards a legally-binding ban on nuclear weapons, lack of interest and the perception that there was nothing new to the initiative, and commitment to maintaining a perception of 'P5 unity'. The 2010 NPT Action Plan called on the NWS to meet regularly to discuss steps for further disarmament, to reduce the salience of nuclear weapons, to minimize nuclear risks, and to 'further enhance transparency and increase mutual confidence.' As of the 2014 NPT Preparatory Committee, these meetings resulted in a common reporting form and progress on a common glossary of nuclear terms. According to many involved in the 'P5 process', while some of the states were interested in attending Oslo and Nayarit, they all declined and instead prioritized 'P5 unity' in decision-making and participation in such forums. Given recent events in Ukraine and other geopolitical shifts, this illusion of unity is unlikely to hold in the lead-up to the Vienna Conference.

India, Pakistan, and the majority of NATO members again attended the second conference in Nayarit, Mexico. Numerous topics distinguished Nayarit from Oslo. First, participation was higher, with 146 states participating, and momentum continued to build with Austria announcing that it would hold a third conference in Vienna.<sup>9</sup> Civil society again was highly visible. Second, a majority of speakers mentioned the need to uphold the NPT and work in conjunction with it, which was not as frequently raised at

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prohibit their use and lead to their elimination'. 'ICRC Statement to the United Nations', General Assembly, 66th session, First Committee, 11 October 2011.

<sup>7</sup> Gaukhar Mukhatzhanova, 'Implementing the 2010 NPT Action Plan: Disarmament, 2013 Monitoring Report,' CNS, 5 April 2013.

<sup>8</sup> Espen Barth Eide, final remarks to the Oslo Conference on the Humanitarian Impacts of Nuclear Weapons, 5 March 2013.

<sup>9</sup> It has since been announced that the Conference will be 7-8 December.

Oslo. Third, similarly, states expressed a stronger desire for NWS to participate in the next conference. Finally, the Nayarit closing proved more dramatic than Oslo's. To elaborate, in the Chair's summary, Mexico's Vice Minister for Multilateral Affairs and Human Rights, Ambassador Juan Manuel Gómez Robledo, stated 'The broad-based and comprehensive discussions on the humanitarian impact of nuclear weapons should lead to the commitment of States and civil society to reach new international standards and norms, through a legally binding instrument. It is the view of the Chair that the Nayarit Conference has shown that time has come to initiate a diplomatic process conducive to this goal.'<sup>10</sup> This closing highlighted a growing divide among states over 1) the future direction of the initiative, 2) whether the initiative was working towards a ban on nuclear weapons, and 3) whether or not to include NWS in the process.

### **A Ban versus the 'Step-by-Step' Approach**

While NWS claim to be pursuing a 'step-by-step' approach towards disarmament, based on slow and reciprocal reductions, NNWS are increasingly impatient with the paralysis in the CD and are exploring other options for speedier disarmament, with or without the NWS. One such option is a legally-binding nuclear weapons ban, as distinct from a verifiable nuclear weapons convention, and as suggested in the closing remarks at the Nayarit Conference. A ban, rooted in international law, could contribute to the pursuit of disarmament by setting a norm that promotes delegitimization of nuclear weapons on humanitarian grounds while also strengthening the existing norm of non-use, an idea which Ritchie observed is embodied in the humanitarian approach and initiative.<sup>11</sup> Freedman has similarly noted that given that the 'declared goal of disarmament is to prevent nuclear war; therefore, in the meantime before achieving absolute disarmament, (we) can examine other means of preventing nuclear war.'<sup>12</sup> The norm of non-use, based on 'basic prudence as well as moral inhibition', can contribute to disarmament endeavours.<sup>13</sup> Further strengthening the norms of non-use and disarmament can contribute to rethinking the utility of nuclear weapons, particularly given the high costs of maintenance and modernization. This could contribute to reducing the salience of nuclear weapons, a stated goal of President Obama's Prague speech and the 2010 NPT Action Plan.

In addition, a ban could empower the NNWS – particularly those in nuclear alliances such as Japan, South Korea, Australia and all NATO members – and allow them to proceed towards establishing the framework for a world free of nuclear weapons without waiting for the NWS. Previous humanitarian disarmament initiatives have begun with the establishment of a norm for a self-selecting group of states, many of which did not possess the weapons system itself. The weapons possessors have often joined a strong convention at a later date and then submitted the weapons for dismantlement.

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<sup>10</sup> It is important to note that these were explicitly the Chair's personal remarks and not necessarily those of the Mexican Government. The statement can be read in full:

<http://www.sre.gob.mx/en/index.php/humanimpact-nayarit-2014>

<sup>11</sup> Nick Ritchie, 'Waiting for Kant: devaluing and delegitimizing nuclear weapons,' *International Affairs*, 90:3 (2014), p. 95.

<sup>12</sup> Lawrence Freedman, 'Disarmament and Other Nuclear Norms,' *Washington Quarterly*, 36:2 (Spring 2013), p. 96.

<sup>13</sup> Freedman, p. 97.

A ban could provide a practical tool for promoting the interests of NNWS and the goal of global disarmament. In a recent piece published by the European Leadership Network, Kjolv Egeland and Torbjorn Graff Hugo argued that NWS seem to have no genuine interest in disarmament and ‘if meaningful progress is to be made towards the prohibition and elimination of nuclear weapons in the foreseeable future, it will have to be initiated and driven by other states.’<sup>14</sup> Therefore, they continued, ‘the international community should agree on a legally binding instrument that prevents all states from both using and possessing them (nuclear weapons)’ and proceed to agree on a nuclear weapons ban treaty.

Pursuing a ban at this time, however, could be premature and risky for at least three reasons. First, it could jeopardize progress to date on the humanitarian impacts initiative. Given the lack of state-based support for a ban at present, the majority of states participating in the initiative might get cold feet and withdraw their support for the initiative if it shifts to the pursuit of a ban. In this sense, NWS may not be the only ones that must rethink the role of nuclear weapons, but NNWS must as well, specifically those that rely on nuclear deterrence postures in their security policies (namely the states in nuclear alliance with the United States in the Pacific and the NATO states). Strengths of the humanitarian impacts initiative include its large and diverse participation, along with its success already in shifting the discourse and promoting normative change. These achievements, though perhaps more modest than some would like, could be jeopardized if the initiative shifted to promote a ban and participation dropped off.

Second, pushing a ban could further polarize the existing divide between NWS and NNWS and deepen distrust. Introducing a ban without at least some NWS participation could exacerbate this distrust and only serve to widen the divide, making NWS – and some of their allies – feel alienated and NNWS further frustrated were NWS not to engage.

Third, a ban would not necessarily lead to disarmament, particularly without NWS participation, for practical reasons. To state the obvious, it is NWS states that possess and control nuclear weapons, and their participation at some point be required if the weapons were to be abolished. Abandoning nuclear weapons would require a sea-change in strategic thinking in these countries. There are various ways to go about this, discussed below in greater detail, but a forced approach based on shaming NWS may not be the most successful. In short, a nuclear weapons ban potentially could end up preaching to the converted and failing to convince the NWS, especially if it does not work in parallel with other efforts to change strategic thinking.

What options, then, exist for NNWS to promote nuclear disarmament given that a ban is risky at present, and NWS remain committed to deterrence-based thinking of nuclear weapons?

## **Role for Non-Nuclear Weapon States and Concluding Thoughts**

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<sup>14</sup> Kjolv Egeland and Torbjorn Graff Hugo, ‘Banning the Bomb: Do Not Wait for Nuclear Armed States to Being,’ European Leadership Network, 22 August 2014, available at: [http://www.europeanleadershipnetwork.org/banning-the-bomb-do-not-wait-for-the-nuclear-armed-states-to-begin\\_1800.html](http://www.europeanleadershipnetwork.org/banning-the-bomb-do-not-wait-for-the-nuclear-armed-states-to-begin_1800.html).

Efforts to promote a humanitarian-based commitment to disarmament need not be seen as mutually exclusive from the step-by-step approach promoted by NWS. As Egeland and Hugo rightly point out, promoting disarmament and changing the nuclear discourse need not require NWS leadership. Instead NNWS can pursue two parallel tracks, one of which continues to promote the humanitarian approach to nuclear weapons, regardless of NWS participation, and another which strives to address the underlying distrust by encouraging NWS to engage with the initiative and build consensus. While such an approach is certainly no small task, it would demonstrate commitment to the ‘no stone unturned’ approach that has characterized many of the NNWS in their quest to rid the world of nuclear weapons.

Even without a ban, this is an important opportunity for NNWS. For the past two years, Chatham House has led a project with the support of the Norwegian Ministry of Foreign Affairs to conduct capacity-building workshops in London and abroad bringing together humanitarian workers, civil society, and nuclear experts. One of the findings from these workshops, which took place in Pretoria, South Africa, and Buenos Aires, Argentina, was the importance of a ‘moral authority’ in nuclear discussions. This was a key theme in the Argentina meeting, where participants were proud to be part of the oldest NWFZ, and saw themselves as responsible for maintaining international focus on disarmament and demonstrating the potential and precedent of a NWFZ. Similarly, participants in South Africa saw their country as precedent-setting in relinquishing nuclear weapons. This concept of a ‘moral authority’ can be applied to other NNWS, particularly Japan.

Another important measure for NNWS – specifically those in extended nuclear deterrence relationships – is to examine and reduce the salience of nuclear weapons in their own strategies. This will require consensus building within NNWS governments between different stakeholders and serious consideration for long-term security interests and the role of nuclear weapons in achieving those interests. In a recent book chapter on extended deterrence in Northeast Asia, for example, Linton Brooks and Mira Rapp-Hooper recommended the United States ‘develop new ways to reassure allies with regard to lower-level threats, given the change in strategic dynamics and threats, such as cyber and conventional; such as, coordination and attribution assistance.’<sup>15</sup> This is not necessarily to say the time is right to end strategies of extended nuclear deterrence; but rather, the time is right to weigh these strategies in conjunction with the potentially competing priority of global nuclear disarmament and/or a NEA-NWFZ, for example.

Extended deterrence and a NWFZ are not mutually exclusive if the NWFZ contains exceptions and caveats. For example, the Treaty of Semipalatinsk established a NWFZ in Central Asia, and at the 2014 NPT PrepCom, the NWS signed the Treaty’s protocol. What is unique about this zone is that three of the five member states (Kazakhstan, Kyrgyzstan, and Tajikistan) are also under a nuclear ‘umbrella’ as part of the Collective Security Treaty Organization (CSTO) which relies on Russian extended nuclear deterrence. This case demonstrates the increasing use of zones as a means of promoting disarmament, which is possible in regions that continue to rely on the promise of nuclear deterrence and, interestingly, the influence of the humanitarian norm and

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<sup>15</sup> Linton Brooks and Mira Rapp-Hooper, ‘Extended Deterrence, Assurance, and Reassurance in the Pacific during the Second Nuclear Age,’ in Ashley Tellis, Braham M. Denmark, and Travis Tann (eds.), *Asia in the Second Nuclear Age* (Washington, DC: National Bureau of Asian Research, 2013), pp. 295-296.



discourse. If the long-held desire for a world free of nuclear weapons is to be realised, the countries that incorporate extended nuclear deterrence can be working now to reduce that reliance with a view to eventually relying on other strategic approaches.

This emerging humanitarian discourse does not undermine the NPT, and NNWS can play an important role in promoting that message whilst also strengthening the NPT. For those few who remain sceptical of the humanitarian impacts initiative, one concern is that it will undermine and dilute the NPT by promoting another forum for discussing nuclear issues and disarmament. In addition, this other forum focuses on only one of the three NPT pillars. Nonetheless, this is not necessarily the case, for some would argue that the humanitarian impacts initiative not only complements work being done in the NPT and provides an opportunity for NWS and NNWS to engage as equals, it is also an invaluable venue for discussion, considering the alternative is the CD which has not been able to agree on a programme of work to begin and sustain negotiations in eighteen years.

NNWS, particularly those that rely on nuclear deterrence in their defence postures, can engage with NWS to rebuild trust between the two sides and confidence in the NPT. In the lead-up to the 2015 RevCon, there are three immediate steps the NNWS can take:

1. *Encourage NWS to participate in the Vienna Conference*, particularly the United States, the United Kingdom, and China. Momentum and interest for the humanitarian initiative remains high. Attendance at Vienna would provide an opportunity for NWS to demonstrate responsibility as the possessors of nuclear weapons, present their own research on humanitarian impacts, and introduce topics of interest, such as the impacts of nuclear testing and consequence management, which is also mandated as part of the 'P5 process.'
2. *Ask for observer status at P5 discussions*. Lack of transparency with NWS proves to be a continuing source of frustration and distrust. The 'P5 process' is proving to exacerbate this problem and producing minimal tangible results. As the possessor states continue to meet and explore options for reducing the salience of nuclear weapons from a NWS perspective, allowing NNWS to sit-in on some discussions would demonstrate a good faith commitment to rebuilding trust in the context of the NPT and acknowledge that nuclear weapons are not only the business of those who possess them, but also those who rely on them for extended deterrence and others that live in fear of their use, whether intentional or accidental.
3. *Establish an NPT cross-cultural working group*. All countries have different attitudes and interests in nuclear weapons. One option for capturing these various interests in a more concentrated fashion would be to establish a humanitarian working group with representatives from NWS, NNWS in nuclear weapons free zones, and NNWS that rely on nuclear deterrence. The group would address all three pillars of the NPT with the goal of exchanging information to uphold the credibility of the NPT as the foundation of the global nuclear order and promote transparency, whilst also demonstrating that the humanitarian approach is not mutually exclusive from the NPT. The working group would also be multi-disciplinary by incorporating international law, humanitarian organizations, and nuclear experts.

Humanitarian-based approaches inject a degree of morality, common sense, and fairness to the nuclear discourse, which is often missing in NPT discussions. The humanitarian impacts initiative presents a unique and timely opportunity not only for NNWS to express their frustration with the lack of progress towards disarmament and strengthen a humanitarian norm, but also to rebuild trust with NWS and explore continued reliance on nuclear weapons as a source of security. The Vienna Conference is but the next step in a trend that continues to gain momentum and provide a venue for much needed creative and practical ideas in creating a safe world for the next generation.

### **About the Author**

Heather Williams has been a Research Fellow on Nuclear Weapons Policy in the International Security Department at Chatham House since January 2013. She has attended both the Oslo and Nayarit Conferences, and is a co-author of the April 2014 report, 'Too Close for Comfort: Cases of Near Nuclear Use and Options for Policy.' Heather is completing her PhD in the Department of War Studies at King's College London on trust in U.S.-Russia strategic arms control (expected November 2014), and previously worked for the Institute for Defense Analyses in Washington, DC, and in the Office of the Secretary of Defense Chemical and Biological Defense Program. She has an M.A. in Security Policy Studies from The George Washington University and a B.A. in International Relations and Russian Studies from Boston University.