The future of the nonproliferation regime: reflecting on the crisis in Ukraine

By Farnaz Lyla Alimehri

July 2022

I. Introduction

More than fifty years since the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was signed[1], global peace and security continue to hang in the balance at the hands of nuclear-armed states. Not since the bombing of Hiroshima and Nagasaki at the climax of Second World War, or the arms race between the United States and the Soviet Union during the Cold War has the international community lived in such fear of a war fought with nuclear weapons. The crisis in Ukraine has revived old terrors, and incited new ones as the unfolding devastation raises doubts for other non-nuclear-weapon states' national security.

This paper reflects on the implications of Russia's repeated threats to use nuclear weapons—threats that have the North Atlantic Treaty Organization (NATO)'s response to the conflict, and also threatened the integrity of security assurances, like those under the United States' nuclear umbrella. This paper also examines the broader implications of the conflict on nonproliferation and arms control. By reflecting and responding to the lessons from the crisis in Ukraine, the international community might once again restore the promise that nuclear weapons will never be used again.

II. The collapse of the nonproliferation regime?

The world erupted in outrage when Russian forces began the invasion in Ukraine in February 2022. The tension between the two nations had been brewing for nearly eight years, until finally bubbling over into an all-out war. Early on, many in the West predicted that the conflict would end quickly with a Russian victory, recalling the events of 2014.[2] Surprisingly, Ukrainians remained steadfast in their efforts to defend their country. Many countries, including the United States, Türkiye, the United Kingdom, Germany, and others, also supplied the Ukrainians with military equipment and imposed sanctions on Russia, bringing forth a more level playing field.[3] Now suffering the consequences of a prolonged conflict, Russia has issued threats to the West, emphasizing its willingness to use nuclear weapons to defend its national security.[4]

Since the late 1990s, Russia has indicated the option to use nuclear weapons remains open in its military doctrine. Russia believes a nuclear response may be warranted when retaliating to an attack with weapons of mass destruction or a conventional attack that threatens the existence of the state.[5] In light of the crisis in Ukraine this military doctrine has become especially problematic for international security. The threat to use nuclear weapons is no longer reserved as a last resort to defend national sovereignty. Instead, Russia is threatening to use nuclear weapons should other countries attempt to aid Ukraine, a sovereign nation defending its country from an illegal military assault. The very notion of using nukes in this manner sets a terrifying precedent, challenging the long-held stigma against the use

[1] The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was signed on 1 July 1968.
[2] Kirby, Jen, J. Guyer. "Russia's war in Ukraine, explained." Vox, 6 March 2022.
[3] "Weapons to Ukraine: Which countries have sent what?" Al Jazeera, 5 June 2022.
[4] Yamaguchi, Noboru. "The shadow of tactical nuclear weapons falling over Ukraine: the reason that the possibility of the use of nuclear weapons by Russia cannot be eliminated." The Sasakawa Peace Foundation, 30 May 2022.
[5] Davenport, Kelsey. "Nuclear Declaratory Policy and Negative Security Assurances." Arms Control Association, March 2022.

of such weapons of mass destruction.[6] Not only does this revive the fear of nuclear-armed states using tactical nuclear weapons[7] to strongarm their way to victory, other countries with territorial disputes, such as China, may use a similar tactic to ensure no other states will interfere in their military expeditions.

By threatening to use nuclear weapons, Russia has limited the capacity in which NATO can assist Ukraine. The organization will not risk nuclear escalation to come to the aid of a non-member, even when the situation has "become the most devastating conflict in Europe since World War II."[8] Furthermore, the United States' (US) and the United Kingdom's (UK) inability to block Russia's invasion in Ukraine, comes in direct violation of the Budapest Memorandum.[9] In 1994, Ukraine agreed to give up its nuclear arsenal and signed the NPT as a non-nuclear-weapon state. In exchange Russia, the US, and the UK agreed to "to respect the independence and sovereignty and the existing borders of Ukraine and to refrain from the threat or use of force against the country."[10] Now, nearly thirty years later, Russia's invasion in Ukraine and the limited response from the US and UK have effectively nulled the agreement, tarnishing the future of any similar security assurances and nonproliferation.

Russia's actions have raised alarm bells for non-nuclear-weapon states around the world. Former Soviet states watch in horror, wondering if they may be next. Other countries like Republic of Korea (ROK) or Japan fear for their national security should another, more powerful nation with nuclear weapons decide to invade. Negative security assurances will no longer assuage non-nuclear-weapon states' concerns, especially if there are doubts whether the international community will be able to offer support. The bedrock of security once felt by ROK and Japan under the United States nuclear umbrella, has further eroded and come into question as countries have become more disillusioned by the response to the conflict in Ukraine. Public support for an indigenous nuclear weapon program is over 70 percent in South Korea, and the debate has resurfaced in Japan as well.[11] The conflict has demonstrated that states cannot rely on security assurances to protect their independence and sovereignty.

Broader consequences for nonproliferation and the arms control community remain uncertain, but a future world with less nuclear weapons appears less attainable. Non-nuclear-weapon states want to protect their sovereignty, and the example that Russia has set in Ukraine is not one that supports relying on security assurances for national security. In fact, it promulgates the opposite: a nuclear response may be warranted in retaliation to an attack that threatens the existence of the state, thus furthering support for nuclear weapons proliferation.

III. Conclusion

While it might be too early to define any lessons learned from the ongoing crisis in Ukraine, many diplomatic ramifications have already become clear. First, a nuclear-weapon state can invade a non-nuclear-weapon state and threaten to use nuclear weapons if any country should militarily interfere in the conflict. Second, with the threat of nuclear escalation, the ability of military alliances to protect the national security of non-nuclear-weapon states has come into question. Lastly, supporters for non-nuclear-weapon states to pursue indigenous nuclear weapons programs have begun to resurface as many states fear they may become the next Ukraine. The impact the conflict has already had on global peace and security is significant.

---

[6] Tannenwald, Nina. "The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-Use." Cambridge University Press, 12 August 2003.

[7] Nuclear weapons that have lower yields than strategic nuclear weapons, designed for a military battle.

[8] Kirby, Jen, J. Guyer. "Russia's war in Ukraine, explained." Vox, 6 March 2022.

[9] Pifer, Steven. "Why care about Ukraine and the Budapest Memorandum." Brookings, 5 Dec 2019."

[10] Ibid.

[11] Kelly, Robert. "The U.S. Should Get Out of the Way in East Asia's Nuclear Debates." Foreign Policy, 15 July 2022.

Ironically, hope for the future of nonproliferation now rests in the hands of Russia. Withdrawing from Ukraine still remains out of the question as Russia continues to believe it is liberating ethnic Russians from persecution.[12] As a self-proclaimed proponent of nonproliferation, however, Russia can take steps to affirm its commitment to arms control, and recall its promise to uphold the NPT.[13] Fighting a war with nuclear weapons leaves no winners. Other countries need to hold Russia and themselves accountable too. Sanctions and other diplomatic means to persuade Russia to come to the negotiation table are only strong if they are fully implemented, without compromise. All states must be proactive in limiting the future use and proliferation of nuclear weapons. While the end of the war may not be yet in sight, the international community must make attempts to collectively respond to the crisis for the sake of the Ukrainians and the future of the nonproliferation regime.

[12] "Russia open to dialogue on nuclear non-proliferation, Putin says." Reuters, 29 June 2022.
[13] Ibid.