

Reframing the Debate

Against Nuclear Weapons by Rhianna Tyson

“Some 35,000 nuclear weapons remain in the arsenals of the nuclear powers, with thousands still deployed on hair-trigger alert. Whatever rationale these weapons may once have had has long since dwindled. Political, moral, and legal constraints on actually using them further undermine their strategic utility without, however, reducing the risks of inadvertent war or proliferation. The objective of nuclear non-proliferation is not helped by the fact that the nuclear weapon States continue to insist that those weapons in their hands enhance security, while in the hands of others they are a threat to world peace. If we were making steady progress towards disarmament, this situation would be less alarming. Unfortunately, the reverse is true.”

— **United Nations Secretary-General Kofi Annan**

Something is wrong with the nuclear disarmament and non-proliferation regime. Although seemingly well-equipped with an arsenal of legal and political mechanisms, such as the Nuclear Non-Proliferation Treaty (NPT), the 1996 Advisory Opinion of the International Court of Justice (ICJ), decades’ worth of General Assembly (GA) resolutions and even a recent slew of ad-hoc, plurilateral initiatives such as the Proliferation Security Initiative, the regime created to prevent the catastrophe of nuclear war remains inadequate.

This insufficiency is even starker when viewed in relation to the regimes controlling other weapons of mass destruction. Despite its own challenges, the Organization for the Prohibition on Chemical Weapons remains relatively well-funded and well-situated to facilitate the implementation of the Chemical Weapons Convention (CWC). Even the Biological and Toxin Weapons Convention (BTWC), while still lacking the necessary verification mechanisms, has managed to effectively criminalize not just the use and threat of use of biological weapons, but also their production, development and stockpiling.

Meanwhile, the anti-nuclear regime seems to be faltering. Progress made in recent years has been all but negated; consensus-based agreements are rejected just a few years after being reached. Despite the threats posed by State or non-State proliferation, an increasing likelihood of a return to nuclear testing and the development of new nuclear weapons, a handful of powerful people continue to view these weapons as a legitimate source of security.

All States Parties and non-governmental organizations (NGOs) should approach the seventh NPT Review Conference in May 2005 as a major opportunity to reinvigorate the nuclear disarmament regime and transform it into an effective tool by which a true collective security can be ensured. First, however, we must reclaim the ground that has been eroded in recent years by the vertical and horizontal proliferation threats stemming from various corners of the globe.

A Dangerous Delinkage

One of the most disastrous trends in recent years has been the systematic attempts to break the inextricable link between disarmament and non-proliferation.

Many non-nuclear weapon States (NNWS) have noted the “mutually reinforcing” and complementary nature of the nuclear regime, a relationship of twin goals that Uganda has dubbed an “umbilical link between non-proliferation and disarmament.” This link ensures that, as UN Under-Secretary General for Disarmament Affairs Nobuyasu Abe asserted, “working on disarmament in the long run serves the cause of non-proliferation.”

Likewise, de-linking one from the other inarguably serves to undermine both. Recent non-proliferation measures, such as the Proliferation Security Initiative and Security

Council resolution 1540, are led by the very countries which hold nuclear weapons as an integral source of their own security. Furthermore, these initiatives are pursued in a context of abysmal progress on nuclear disarmament. As a result, “non-proliferation” is viewed by some as a goal for the nuclear mighty, leaving NNWS to harp only on disarmament objectives of the Treaty. This results in a false polarization, grossly demonstrated by the failed Third Preparatory Committee for the 2005 NPT Review Conference, with NNWS on one end of the advocacy spectrum and nuclear-weapon States (NWS) on the other. In the end, progress is made nowhere and threats to global security are exacerbated.

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It is not enough to reiterate the now clichéd truism of a two-sided coin; we need to explain that it is precisely the evil, cancerous nature of nuclear weapons that comprise the foundation of this inter-linkage. In a sick body, doctors do not try to contain cancerous cells to one organ of the body. Physicians understand that if even one cell contains a cancerous mutation, it will inevitably spread to other organs and eventually kill the person entirely. Likewise, the continued development, stockpiling and threats to use nuclear weapons (inherent in nuclear deterrence theory), by the NWS will ensure that eventually, at some point, despite decades of treaties, GA resolutions and ICJ rulings, others will succeed in acquiring nuclear weapons for themselves.

Prohibition vs. Control

The chemical and biological regimes, by contrast, are not predicated on a “Do As I Say, Not As I Do” mentality, even though, at the time of the CWC and BTWC negotiations (in 1997 and 1972, respectively) the weapons programs of a few States were decidedly more advanced than that of others. The key to these conventions, contrary to that of the NPT, is that they sought to delegitimize the weapons themselves. Governments at that time did not recognize the “use” and “threat of use” of biological and chemical weapons (BCWs) as evil; rather, it was the weapons themselves that abhorred governmental representatives and brought them to the negotiating table. Through negotiating a convention outlawing not only their use and threat of use, but also their production, development and stockpiling, governments implicitly recognized that complete prohibition remained the only way to guarantee against their use or threat.

The nuclear weapons regime, by contrast, continually thinks of new and innovative ways of *controlling* these deadly weapons, rather than of criminalizing the pursuit *and* possession of them, by States as well as non-State actors. Over the past few decades of WMD non-proliferation discourse, there occurred a severe disconnect: we have demonized the use of anthrax and sarin gas against soldiers and civilians, yet the destruction and radiation of generations of peoples remain an acceptable, albeit undesirable, option for some governments.

Human Security

Most of the major progress made toward disarmament in many areas can be attributed to the successful employment of a human security approach to the weapons. Advocates of a ban on landmines, for instance, constantly emphasized the devastating humanitarian effects of these weapons, even after the conflict had desisted. The success of the campaign to ban nuclear testing, too, was in large part due to the public attention to the levels of radioactive strontium-90 in the teeth of babies around the world as a result of atmospheric testing.

This type of advocacy effectively utilizes a human security approach to the disarmament discourse. The Independent Commission on Human Security (CHS) defines a framework of human security as one that protects “the vital core of all human lives in ways that enhance human freedoms and human fulfillment.”

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A human security framework focuses on the threats to personal and communal safety, rather than the defense of borders. It looks at what human beings need to feel secure in their daily lives. Do they have enough to eat? Are they literate and educated and able to make choices in their lives? Are they comfortable walking the streets, free from the fear of gun violence, sexual violence, racial violence? Do they feel safe traveling outside of their native areas, without fear of retribution for what their government has done to others in their name?

A national security framework, by contrast, focuses first and foremost on the defense of borders and the perpetuation of the current power structures on the national level. “National security” is often invoked as justification for the

rejection of important security treaties such as the Ottawa Convention, the Comprehensive Test Ban Treaty, or even the NPT. National security is also used to legitimize the development, deployment, use and threat of use of a weapon with the potential of eradicating an entire people.

It could be argued that our failure to suffuse a human security framework with that of national security has resulted in the current inadequacies of the nuclear regime. It is precisely this type of synthesized framework that can facilitate the shift from a control regime to one of prohibition.

Allies in the Fight

Civil society can help to reframe the nuclear debate. We include doctors who understand the disastrous effects of the nuclear age, from mining to testing to actual use. We are comprised of indigenous peoples who have suffered for more than 60 years. We include women who have given birth to jellyfish babies, whose radioactive environment ate away at their bones before they could fully develop in their mothers' wombs. We are also comprised of scientists and engineers, whose ingenuity that brought about the nuclear age, can help devise ways of getting the genie back into the lamp and create verifiable mechanisms for keeping him there.

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Many States have already recognized the invaluable contribution that NGOs have provided in the campaign to eliminate nuclear weapons. New Zealand, in its statement to the General Debate at the 59th session of the First Committee noted "the tireless and often unpaid work (of NGOs) in keeping information and debate flowing about these issues, and for keeping up the pressure on governments to take practical steps toward disarmament."

On an immediate level, NGOs have the ability to concretize and demonstrate the potential of agreements reached by governments. Step 12 of the 13 Practical Steps adopted by NPT States in 2000, for instance, calls for "regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI". To support this decision, the Women's International League for Peace and Freedom offers an annual "Shadow Report: Accountability is Democracy, Transparency is Security," which accounts for all nuclear holdings, both

military and civilian around the world. The report demonstrates the utility of such transparency, not only under the Step 12 framework, but also in the campaign to create a global inventory of all nuclear materials, as suggested by Germany in a working paper submitted to the Preparatory Committee (NPT/CONF.2005/PC.III/WP.16).

The utility of NGOs is illustrated not only in what they could help governments accomplish, but what they themselves have already achieved. The huge progress made in creating a prohibition regime of anti-personnel landmines was largely attributed to the work of NGO coalitions such as the International Campaign to Ban Landmines. Likewise, the International Action Network on Small Arms was also instrumental in bringing about the first Conference on the Illicit Trade of Small Arms and Light Weapons in All its Aspects, held in July 2001.

The UN Secretary-General reflected the potential of increased interaction with NGOs when, in his response to the Cardoso panel on UN reforms, he acknowledged the "need for a more organized and sustained dialogue with the NGO community", recognizing that "(m)ore effective engagement with NGOs... increases the likelihood that United Nations decisions will be better understood and supported by a broad and diverse public."

All governments should be urged to recognize, as Croatia has, "the growing beneficial role that civil society plays in the field of disarmament... (which) may give additional impetus to initiatives to break the deadlock and finally move the multilateral disarmament agenda forward."

If the 2005 NPT Review Conference is to avoid the type of stalemate that has mired so much else of the disarmament machinery, any additional impetus is needed more than ever.

Opportunities at Hand

One of the goals of the Review Conference, then, should be to utilize the opportunity to reframe nuclear weapons to ultimately push us toward a viable prohibition regime. The first step is to reassert the inalienable relationship between disarmament and non-proliferation; this must remain one of the most important goals.

In the absence of a total prohibition regime, the Review Conference should seek to ensure "tit for tat" measures that appease both the disarmament advocates and the non-proliferation champions.

Non-nuclear weapon States should engage in broad consultations amongst themselves, with a view to reach consensus on a variety of strategic non-proliferation measures. Such unified NNWS support would demonstrate good faith commitments to the non-proliferation goals of the NPT and

would also provide incentive and pressure on the NWS to offer their own creative offers of disarmament.

There already exist a range of important and potentially effective non-proliferation measures that continue to amass support. The support for the additional protocol to IAEA safeguards agreements as a condition to Article IV, for example, has grown exponentially since the idea was first floated years ago. All NPT States should also heed the advice of the Secretary-General's High-Level Panel on Threats, Challenges and Change, which asserted that, "Multilayered action is required. The first layer of an effective strategy to prevent the proliferation of nuclear, radiological, chemical and biological weapons should feature global instruments that reduce the demand for them. The second layer should contain global instruments that operate on the supply side — to limit the capacity of both States and non-State actors to acquire weapons and the materials and expertise needed to build them. The third layer must consist of Security Council enforcement activity underpinned by credible, shared information and analysis. The fourth layer must comprise national and international civilian and public health defence."

Meanwhile, NWS should be prepared to submit national plans on disarmament to the Review Conference. These national plans would demonstrate the "good faith" efforts to "unequivocal(ly) undertak(e) to accomplish the total elimination of their nuclear arsenals," as agreed upon in Step 6 of the 13 Steps. Experts such as Dr. Patricia Lewis, Director of the United Nations Institute for Disarmament Research, has already put forth this proposal at the 59th session of the First Committee, and NGOs have incorporated this call in a new, global abolition campaign entitled "Dare To Plan."

National plans would outline the conditions that must be met in order for them to start dismantling their arsenals in an irreversible manner. Israel, for instance, while a non-signatory to the NPT, has offered several times that peace treaties with its neighbors could serve as an invaluable impetus to reining them into the NPT family. France and the UK often maintain that significant reductions from Russia and the US must be a precursor to further cuts in their own arsenals.

The national plans would then also outline what unilateral steps they would take after these conditions were met, replete with timeframes and milestones. How long would it take each government to de-alert all nuclear weapons? What steps would have to be taken prior to and during the dismantlement process? What are their plans for the remaining fissile materials and what kind of assistance, if any, would be necessary in order for them to fulfill their plans?

India, another non-NPT State, has already devised such a national plan for disarmament under the Rajiv Gandhi

administration, which the current Congress government is seeking to purportedly update and revise.

Such plans would not only be a welcome demonstration of their commitment to Article VI; they would also facilitate a greater working relationship with the civil society community of experts, technicians, scientists and security analysts, who can offer insight and analysis and help them to refine and execute their plans when the time is right. Grassroots NGOs would also be offered food-for-thought, a platform around which they could mobilize public support and launch outreach and educational initiatives to promote the goals and objectives of disarmament in a human security framework.

A Choice of Futures

The world's governments soon will review the oft-cited "cornerstone of the disarmament regime." If the 2005 NPT Review Conference is allowed to dissipate into a prostrated, ineffective talk shop, polarized by diverging, narrow concepts of national security, they will ensure security for no one. All States and citizen groups must work to reinstate the primacy of the grand bargain: non-proliferation in exchange for disarmament. They must not pit one of the twin goals against the other; rather, they should utilize the opportunity to engage with civil society, high-level governmental representatives and each other in order to ostracize the nuclear weapons, rather than those who seek them, as the threat to global security that they are. Fulfilling this potential will take concerted effort from all, most especially from those already in possession of these deadly arsenals.

As Dr. Ron McCoy, President of the Nobel prize-winning International Physicians for the Prevention of Nuclear War, has stated on behalf of more than 70 NGOs, "When we ask you to consider the human implications of the choice between proliferation and non-proliferation, between disarmament and a perpetual enslavement to nuclear weapons, we are really presenting you with the choice between two futures. Only one of these futures is acceptable or worth pursuing. The NPT will only be an effective tool in that pursuit if the States Parties commit themselves to the urgent task of revitalizing the Treaty as both a non-proliferation and a disarmament agreement. At its heart, this is a choice between hope and hopelessness. We submit to you that we can no longer put off making this choice."

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