

From the NPT to the Ban Treaty: *Deterrence vs. Disarmament*

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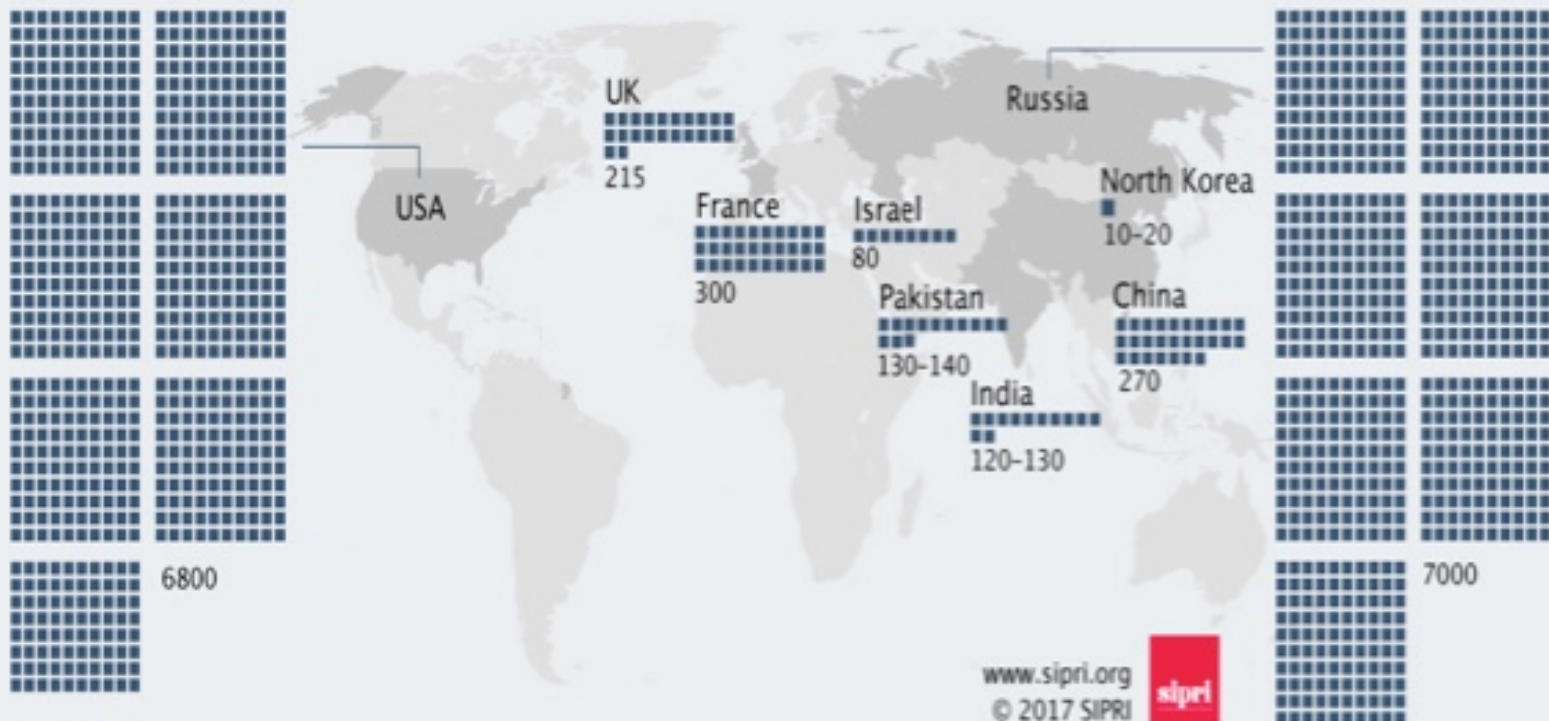
Preamble

- ◆ Indo-Australian
- ◆ 1998 tests
- ◆ 1996 CTBT
- ◆ Ban Treaty – hoist with our own petard?

The World of Nuclear Weapons

Estimate of global nuclear weapons in January 2017

■ = 10 nuclear warheads



NPT → NWPT

- ◆ Original NPT three legs: PUNE, NNP, ND
- ◆ Imbalance between NNP & ND
- ◆ Double instrumentalization of NPT by NWS: legitimize indefinite possession by NWS & management tool to enforce NNP on all others (N5 = P5). Prohibition → NP regime
- ◆ i.e., deterrence trumps disarmament (national over int. security)
- ◆ Ban Treaty: disarmament trumps deterrence (int. over national security *and* humanity over security)

Ban What?

- ◆ Possession
- ◆ Testing
- ◆ Stationing...
- ◆ Use
- ◆ Threat of use

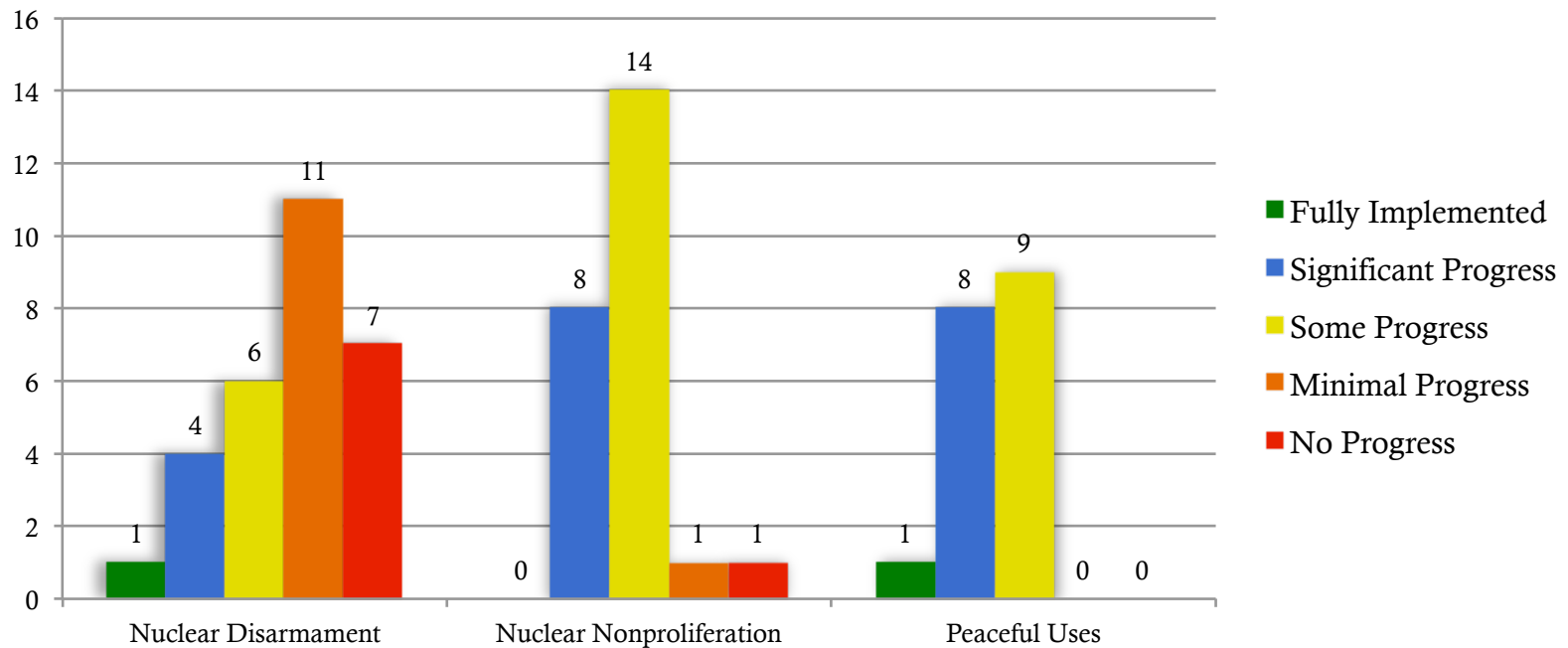
What Next

- ◆ E-i-F
- ◆ NPT PrepCom/RevCon
- ◆ UNHLCD

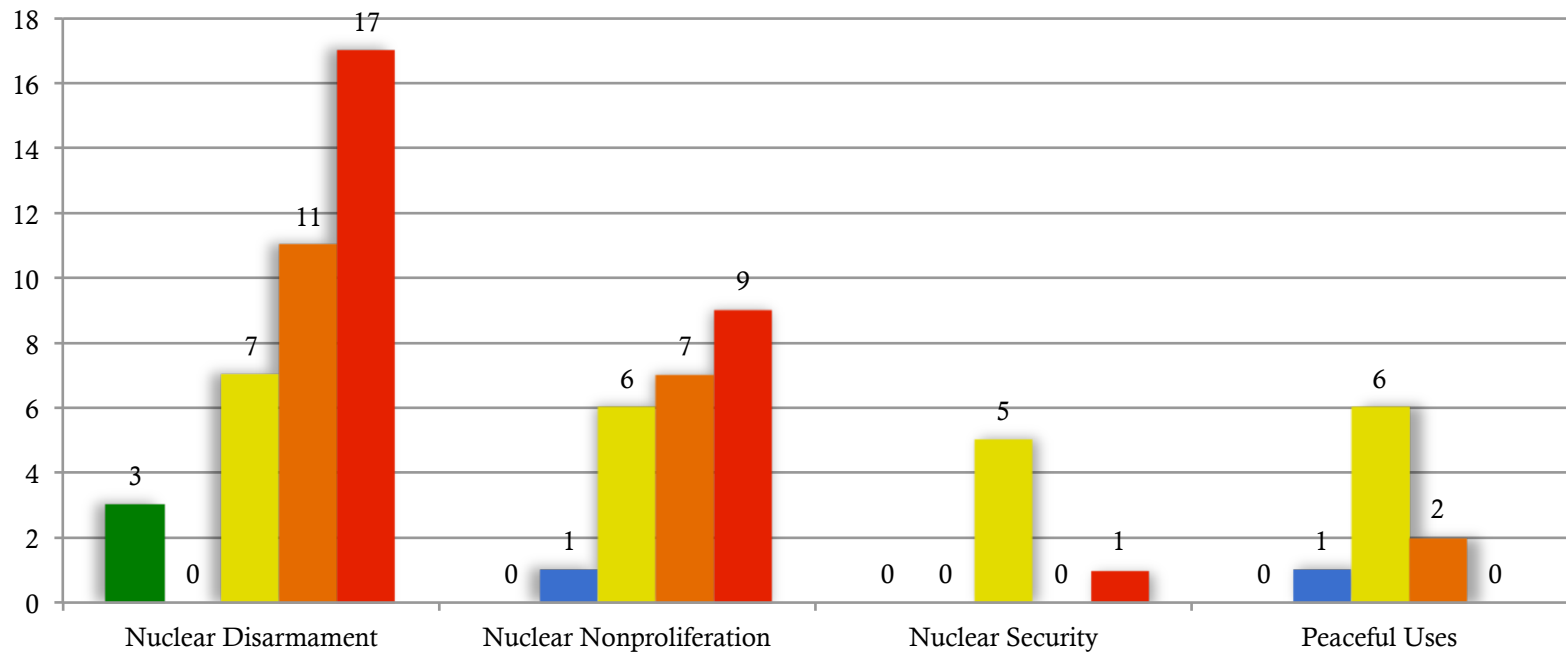
Why (Drivers)

- ◆ NWS have failed to eliminate nuclear arsenals

NPT RevCon 2010 (N=77)



ICNND 2009 (N=76)



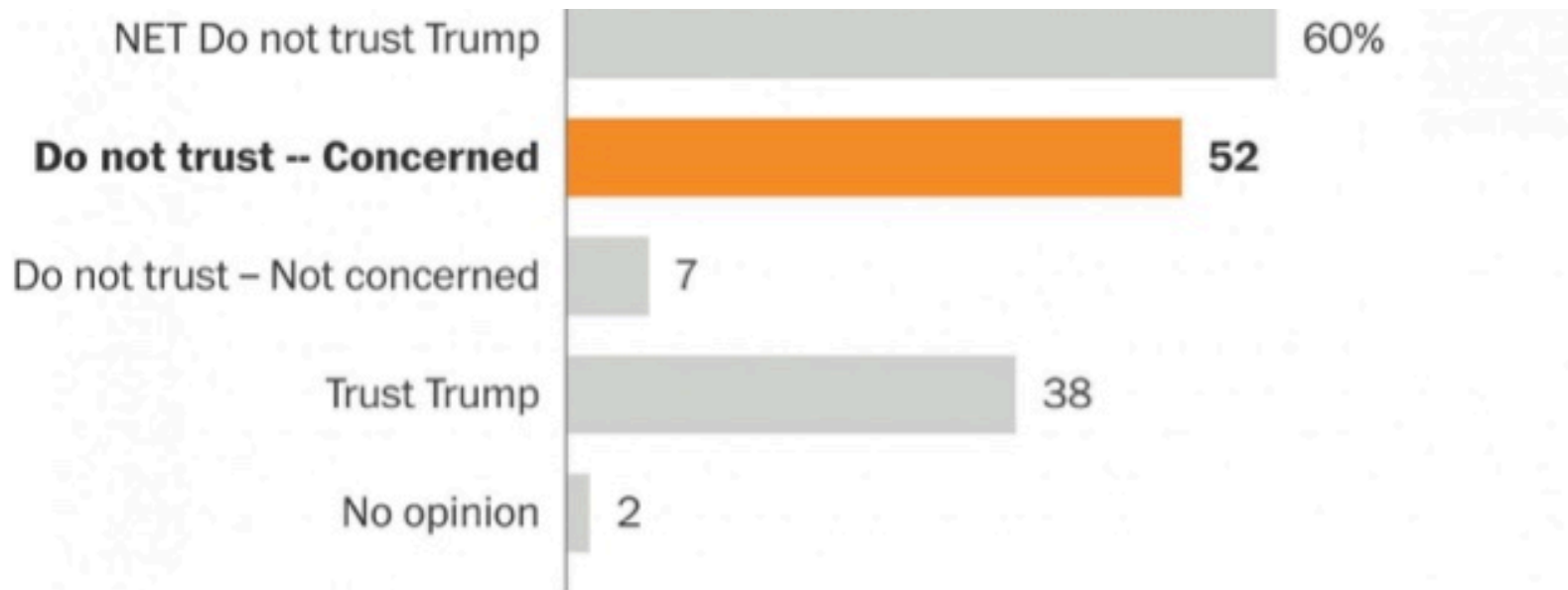
Why (2)

- ◆ Other countries have acquired the bomb
 - ◆ NWS 5 → NAS 9

Why (3)

- ◆ Arms control efforts: stalled/in reverse
- ◆ Nuclear risks: climbing
- ◆ Humanitarian consequences: catastrophic
- ◆ NPT: no longer fit for purpose (normative capacity exhausted)

Trump Effect



Note: "Concerned" includes very/somewhat concerned, while "Not concerned" includes not

Doomsday Clock

Doomsday Clock - Minutes to midnight

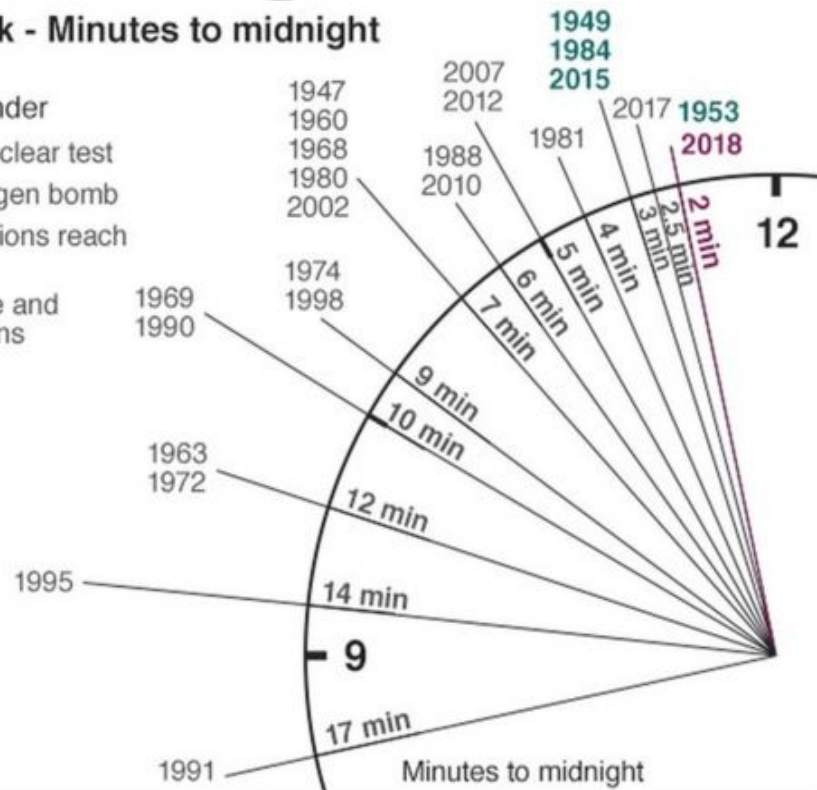
Three minutes or under

1949: Soviet's first nuclear test

1953: US tests hydrogen bomb

1984: US-Soviet relations reach lowest point

2015: Climate change and nuclear concerns



Non-Proliferation– Disarmament Link

- ◆ Logical and empirical truth: If NW did not exist, they could not proliferate; because they do, they will. That is, (i) existence of NW is *sufficient guarantee* of proliferation; (ii) ND is a *necessary condition* of NNP
- ◆ **Choice:**
 - ◆ If we want NNP, we must prepare for ND
 - ◆ If we fail on disarmament, we must be prepared for proliferation cascade and nuclear weapons use

Security Paradigm: Canberra Commission (1996)

- ◆ As long as any country has NW, others will want them
- ◆ As long as NW exist, they will be used again someday, if not by design then inadvertently through accident, rogue launch or system malfunction
- ◆ Any use of NW could be catastrophic for whole world

Humanitarian Imperatives (2013–14)

- ◆ No country individually, nor the international community collectively, has the capacity to cope with the humanitarian impacts of a nuclear war
- ◆ “It is in the interest of the very survival of humanity that nuclear weapons are never used again, **under any circumstances**”
- ◆ **The only guarantee of non-use is the total, irreversible and verifiable elimination of nuclear weapons**

Disarmament > Deterrence

- ◆ That is:
- ◆ **The collective interest of the international community in disarmament overrides the individual interest of the possessor states in national security that puts the world's very survival at risk**

For What (Impacts)

- ◆ Operational vs. normative
 - Non-proliferation
 - No testing
 - Non-use
 - Conventional/nuclear boundary
 - Deterrence (threat of use)
 - Disarmament (possession)

The Problem

- ◆ The bomb – original NPT premise
- ◆ Who has them – the instrumentalized reinterpretation of NPT
- ◆ Article VI VI (“each” party, “effective measures,” “early date”)
- ◆ ICJ Advisory Opinion (1996)
 - ◆ Generally contrary
 - ◆ State survival under threat
 - ◆ Pursue *and conclude* negotiations

Deterrence

- ◆ Historical Record
- ◆ Logic 1: marginal & questionable gains against risks
- ◆ Logic 2: equally dangerous if true (encourage & enable ME proliferation)

Conclusions

- ◆ Collective revulsion against bomb found double expression in NPT in prohibition of NP & call for ND
- ◆ Temp exemption for NWS = conditional acceptance of deterrence
- ◆ Changing perceptions of risks → *future possibility* of catastrophic consequences = *present unacceptability* of possession

Conclusions (2)

- ◆ Deterrence is a problem, not solution, for nuclear peace
- ◆ Disarmament is the solution
- ◆ Only possessor states can cap, reduce, eliminate
- ◆ Non-possessor states can close legal gap on prohibition
- ◆ Non-possessor states can stigmatize and delegitimize