

GLOBAL ENTERPRISE TO STRENGTHEN NONPROLIFERATION AND DISARMAMENT

DISCUSSION PAPER: POLITICAL STATEMENTS ON NUCLEAR DISARMAMENT, RISK REDUCTION, AND NONPROLIFERATION

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January 2019

I. Background

Since its inception, political context and political commitment have been important to the negotiation, conclusion, extension and implementation of the Treaty on the Non-proliferation of Nuclear Weapons (NPT). This has been particularly true in the context of Article VI and the goal of achieving nuclear disarmament and general and complete disarmament – especially when there is either the perception or reality of a logjam on nuclear disarmament.

That logjam now exists. For decades, the centerpiece of the nuclear disarmament agenda has been arms control between the world’s two leading nuclear powers, the United States and Russia. While the number of deployed U.S. and Russian strategic nuclear warheads – and overall U.S. and Russian nuclear weapon stockpiles – have been on the decline since 1991, the arms control architecture that for decades has provided restraints, verification, transparency, predictability and stability in nuclear force deployments between Russia and the United States is breaking down.

This began with the U.S. withdrawal from the 1972 Anti-Ballistic Missile (ABM) Treaty in 2002. Today, the future of the 1987 Intermediate Range Nuclear Forces (INF) Treaty, which removed from Europe and banned an entire class of destabilizing nuclear-capable missiles, is clouded by charges of noncompliance by both the United States and Russia and the U.S. announcement in December 2018 that it was suspending and – in the absence of a return to full and verifiable compliance with the Treaty by Russia – presumably withdrawing from INF. The future of the 2011 New START Treaty between the U.S. and Russia – which will expire in 2021 unless extended for another five years – remains unaddressed, meaning U.S. and Russian strategic nuclear forces may be completely “uncapped” with no verification in less than three years.

*This paper was commissioned by NTI to inform discussions related to the Global Enterprise to Strengthen Nonproliferation and Disarmament. The views expressed are solely those of the author and do not necessarily reflect those of NTI or of other participants in the Global Enterprise.

Moreover, there are no formal, ongoing bilateral negotiations between Russia and the United States – or multilateral negotiations among the P-5 – on achieving further nuclear reductions.

It is not just the fraying of the existing bilateral U.S.-Russia arms control architecture that is undermining the political context for and political commitment to the NPT. Given that the political commitment to complete the Comprehensive Nuclear-Test-Ban Treaty (CTBT) no later than 1996 was essential to the 1995 decision on NPT extension, the prolonged delay in bringing the 1996 CTBT into force – underlined by the inability of those countries necessary for entry into force to ratify – is a corrosive element. The inability of the international community to begin negotiations on a Fissile Material Cut-Off Treaty (FMCT) has also frayed the NPT regime.

Finally, one of the most prominent political commitments made over the past 25 years has been undermined. Russia's annexation of Crimea and ongoing intervention in eastern Ukraine is a violation of the 1994 "Budapest memorandum" on nuclear weapons and Ukrainian security. The 1994 agreement committed Ukraine to remove nuclear arms from its territory and join the NPT as a Non-Nuclear Weapon State (NNWS) in exchange for a commitment from the United States, UK and Russia to respect Ukraine's independence, sovereignty and existing borders and not threaten or use force against the territorial integrity or political independence of Ukraine. The demise of the Budapest memorandum twenty years after it was signed has damaged the credibility of security assurances as a global nuclear disarmament and nonproliferation tool.

Despite the existing logjam and decidedly negative international security currents, the relevance of political statements to the 2020 NPT Review Conference (RevCon) may be enhanced, precisely because we are in a new era of growing destabilization where progress on concrete steps may be limited against a backdrop of clashing national interests, insufficient dialogue, erosion of arms control structures, advancement in military technologies and cyber risks. Indeed, we may be back again in an era where political statements are a prerequisite to more concrete progress in nuclear disarmament, risk reduction and nonproliferation.

II. Exploring possible options

Political statements could be unilateral, coordinated, reciprocal, or joint – involving a combination of all or a sub-set of the NPT Nuclear Weapon States (NWS) and/or NNWS. The issue of "balance" (i.e., political statements by both NWS and NNWS) may come into play. Political statements could be issued prior to or during the NPT RevCon. And they could either be separate from, referenced, or included in any NPT RevCon Decision or document. In every case, political statements should, to the extent possible, be strengthened by concrete steps – both in terms of process and progress – relating to nuclear disarmament by NWS and NNWS. Without accompanying concrete steps the value of such statements is diminished.

Political statements in the context of nuclear disarmament and the NPT can be divided into four baskets, including statements relating to: (a) reaffirming the NPT and Article VI; (b) the role of nuclear weapons in international security policy; (c) nuclear use policy; and (d) politically-binding security assurances.

This paper lays out specific options that fall into four distinct baskets:

- Reaffirming the NPT and Article VI;
- Role of nuclear weapons in international security policy;
- Nuclear use policy; and
- Politically-binding security assurances

A. Reaffirming the NPT and Article VI

Option 1: Commitment to Key Elements of NPT

All NPT parties should reaffirm their commitment to the universality of the NPT; and NWS should reaffirm, as stated in Article VI, the commitment to pursue in good faith negotiations on effective measures relating to nuclear disarmament. These are examples of balanced political commitments that could be made in the context of the 2020 Review Conference.

Option 2: Balanced Commitments with Greater Specificity

With equal balance and somewhat greater specificity, NWS could reinforce their commitment to pursue nuclear reductions, with the ultimate goal of eliminating nuclear weapons (as was done in the 28 June 2018 Joint Statement by the three Foreign Ministers of the Depositary Governments); NNWS could reinforce their commitment to preventing the proliferation of nuclear weapons; and all States could commit to general and complete disarmament under strict and effective international control.

B. Role of nuclear weapons in international security policy

This is primarily an area for consideration by the NWS. The focus would be on political statements that pointed towards a recognition of the risks of any nuclear use and reducing the role of nuclear weapons in international security policy.

Political statements in this area could be most effective if issued at the Head of State / Head of Government level, recognizing that any aspect of nuclear policy is inherently “presidential” — and that presidential statements would reflect the greatest level of political commitment.

Option 3: New Presidential Joint Declaration by United States and Russia

A new presidential joint declaration by the United States and Russia confirming that a nuclear war cannot be won and must never be fought is one example of such a statement. In concept, this would mirror the 1985 Reagan-Gorbachev statement that was positively received then as the beginning of a new effort to improve bilateral U.S.-Russia relations and provide a foundation for arms control negotiations that were then floundering. Such a statement is inherently presidential and would be easily understood and positively received by publics. It would clearly communicate that, even during the current crisis in Russia-U.S. relations, leaders recognize their responsibility to work together to prevent nuclear catastrophe. This could also be a foundation for other practical steps to reduce the risk of nuclear use.

There may already be at least a rhetorical basis for such a statement. In 2016, then candidate Donald Trump stated, “I’d be the last one to use the nuclear weapons, because that’s sort of the end of the ballgame.” In 2017, President Vladimir Putin said, “It is impossible to consider [nuclear weapons] as a factor in any potential aggression, because it ... would probably mean the end of our civilization.” As recently as October 2018, Russian Foreign Minister Lavrov suggested reaffirming that a nuclear war cannot be won and must never be fought.

This is also an initiative that could include leaders in other NWS and possibly NATO and NATO leaders.

Option 4: Bilateral Statement between the U.S. and China Relating to Strategic Nuclear Stability

Such a statement between the world’s two largest economic powers and a commitment to reduce the risks of nuclear use in the Asia-Pacific context would also be perceived positively.

C. Nuclear use policy

A Presidential Joint Declaration that a nuclear war cannot be won and must never be fought could also be a foundation for political statements relating to nuclear use policy. These statements would revolve around the premise that the five NWS have a shared and overarching interest in preventing the use of nuclear weapons; and that a shared (or broadly shared) declaratory policy would reduce the risks of nuclear use, strengthen the foundation for nuclear disarmament and thereby strengthen the NPT.

Option 5: Shared Nuclear Use Policies

There is a range of possibilities relating to nuclear use policy that could be made as a political statement by the P-5 or a subset of the P-5. They include: (a) “fundamental purpose” (i.e., a statement that the fundamental purpose of nuclear weapons is to deter the use of nuclear weapons by others); (b) “sole purpose” (i.e., a statement that the sole purpose of nuclear

weapons is to deter the use of nuclear weapons by others); and (c) “No First Use” (i.e., a statement adopting a policy of no first use of nuclear weapons).

Option 6: Discussions on a Common Nuclear Use Policy

If a political statement on a shared declaratory policy is not possible, a statement by the P-5 or a subset of the P-5 committing to initiate discussions on the conditions under which a common nuclear use policy could be adopted could be perceived as a step forward.

D. Politically-binding security assurances

Politically-binding negative security assurances (NSA)—meant to reassure NNWS that they will not be subject to a nuclear attack—have been a part of the NPT fabric since the Carter administration’s 1978 assurance, delivered by then-Secretary of State Vance at the United Nations. For example, in 1995, the United States, UK, France, Russia and China all made similar NSA in conjunction with the indefinite extension of the NPT, and the UN Security Council adopted a unanimous resolution welcoming these declarations and incorporating them.

That said, there are still substantive differences separating the policies of the NWS, in particular with respect to possible “exceptions” to their individual assurances. In addition, some NWS have reserved the right to revisit these pledges in the context of future threats—possibly as a marker for narrowing their assurance at a later date and/or a reason not to move towards sole purpose or NFU pledges.

In this context, a joint statement reconciling the NSA of the P-5, or even a subset of the P-5, would be perceived as a step forward if it eliminated existing exceptions and reservations.

Option 7: Eliminate Exceptions

These relate primarily to states in alliance with NWS or states not a party to or in compliance with the NPT.

Option 8: Eliminate Reservations

These relate primarily to existential or future threats (e.g., chemical or biological weapons, or non-nuclear strategic attacks possibly including cyber-attacks).

III. Considerations to Inform Next Steps

Assessing which of the above four baskets is most actionable or most valuable is clouded by the extensive history surrounding each and the current international security environment, neither of which in the case of at least some of the four baskets is necessarily favorable to progress.

Moreover, the value of political statements will not emerge in a vacuum: political statements will be evaluated along with concrete procedural and substantive steps taken by NPT States, both nuclear and non-nuclear, in the run-up to and at the NPT RevCon.

That said, a number of considerations can be assumed. Political statements by the United States and Russia as the two countries possessing over 90 percent of global nuclear inventories would have significant weight. Political statements adopted by all five NWS would also be significant representing a shared commitment if not unanimity of views. A balanced set of statements—involving both nuclear and non-nuclear state parties to the NPT—could also be valuable, underscoring the significance given to these statements by all NPT parties.

Today, it would appear that Baskets 1 and 2 are the most “actionable,” in that conceptually similar if not identical statements have been made in the past; that said, for this reason, their value may be questioned—and if “reaffirming” or “reinforcing” in some way alters previously agreed text, it may even be viewed as a step back. Baskets 3 and 4 would appear to be harder in that they potentially require breaking more new ground; but the effort may be worth it if a broader consensus among NPT parties—in particular NWS—can be reached.

It should also be noted that failed efforts in these areas may underscore divisions and thereby weaken the NPT, even conceding that many of these divisions are well known and understood today. Finally, efforts to achieve progress simultaneously in all four baskets might distract from achieving results in baskets where progress appears more likely.