



## **Abolition of Nuclear Weapons**

### **CAPS-WAAS Workshop, New Delhi, February 7-8, 2011**

Nuclear weapons present a problem of immense complexity involving a multiplicity of actors, both nuclear and non-nuclear weapon states as well as non-state actors, with differing perceptions and security threats and compounded by the growing importance of nuclear energy and technological advances in conventional weaponry and cruise missiles. Yet a few things are transparently clear. Nuclear weapons are unusable. They are a destabilizing threat to international security and non-proliferation. Their use or threat of use constitutes a crime against humanity. The current non-proliferation regime is counter-productive, because it actually provides incentives for proliferation. As a democratically governed, nuclear weapons power that has consistently called for universal disarmament during the past 60 years, India has the credibility, motivation and perspective needed to take the lead in pushing for universal nuclear disarmament. These and related themes were examined at an international workshop jointly organized by the Centre for Air Power Studies (CAPS) and the World Academy of Art and Science (WAAS) in New Delhi on 7-8<sup>th</sup> February, 2011, involving Fellows of the Academy, members of CAPS research faculty, and high level experts from India's military and strategic community.

There was broad agreement that urgent steps should be taken to de-emphasize the role of nuclear weapons in national security strategy, delegitimize the use of these weapons under any circumstances, universalize the ban on first use as well as testing, and provide positive assurances against nuclear attack. But all of these issues are interlinked and progress on any one depends on proportionate effort in other spheres. Therefore, it was also recognized that, however necessary such measures are, they may not be sufficient to effectively address the issue. A complete and final solution necessitates adoption of a comprehensive strategy that addresses the threat perceptions of states.

Nuclear weapons undermine rather than enhance national security. Jasjit Singh, Director of CAPS, stated that "global abolition of nuclear weapons is a national security imperative for India." While India's nuclear arsenal may deter other nations from launching a nuclear attack, they complicate the country's ability to deal with terrorism. The proliferation of nuclear weapons in Asia and the risk of their falling into the hands of Non-State Actors, especially the Islamist/jihadi terrorists, increase the danger. India and the world would both be more secure, if any use of nuclear weapons were declared a crime against humanity and the weapons themselves completely eliminated. The only choice before mankind is between abolition of nuclear weapons and/or increased proliferation of such weapons. The road to abolition is going to be long and full of difficulties. Only unambiguous political resolve by major nuclear powers can get the world moving steadily on that road. The greatest obstacle is the persistent belief in the utility of nuclear weapons, which enjoyed widespread support

during the Cold War and is now being embraced by other countries seeking to enhance their security, prestige and power.

With Asia emerging as the new locus of global power, India's role in international security and its ability to push for universal nuclear disarmament will increase. Unless the development of scramjet technology is banned through a United Nations treaty, India and other countries will be compelled to develop it. High accuracy levels of conventional ballistic missiles and the use of nuclear delivery systems with conventional warheads is increasing the risk of unintended use of nuclear weapons (especially in countries with "first use" nuclear doctrine and strategy). Bilateral cooperation between the US and Russia on ballistic missile defense systems will not resolve problems of international security, nor facilitate disarmament, as it may heighten the threat perceptions of other countries. Use of nuclear weapons for multiple purposes such as insurance against regime change, bargaining, blackmail, fomenting terrorism, etc. has altered the deterrence dynamics, making it more difficult to make nuclear weapons states renounce these weapons. Pushpa Bhargava, WAAS Trustee and former member of India's National Security Advisory Council, identified the need to create a knowledge-based society in which every citizen understands the dangers of nuclear weapons as a pre-requisite for creating conditions conducive for a nuclear weapons free world.

A comprehensive solution to the nuclear threat must involve a shift from the current competitive security paradigm in which each nation is responsible for its meeting its own security needs to a cooperative security system in which all peace-seeking nations join together and enjoy collective protection from external aggression. Air Marshall Vinod Patney stressed that countries with weaker conventional weapons would have no incentive to renounce nuclear weapons unless a cooperative system was put in place to meet their security needs. Establishing rule of law based on cooperative security will go much further in enhancing national security than its current approach of seeking full spectrum dominance in security technologies. Garry Jacobs, chair of the WAAS Committee on Peace & Development, pointed out that such a system will ultimately require establishment of a global military capability similar to NATO capable of backing up security guarantees, as proposed by the International Commission on Peace & Food in its report to the UN.<sup>1</sup>

Great changes in history result from changes in our fundamental ideas and beliefs, of which the history of chemical weapons is a relevant example. The Hague Conference was conducted in 1899 to abolish chemical weapons, but it was not until 1925 that the Geneva Convention actually declared that the use and threat of use of chemical weapons is a crime against humanity. The convention did not require countries to give up chemical weapons and, in fact, permitted their use in self-defense. It was only in 1993, more than a century after the issue was first taken up by the international community, that a global convention to abolish chemical weapons was signed.

Jonathan Granoff, President, Global Security Institute, documented the recurring history of monitoring errors and accidents relating to nuclear weapons in the USA and elsewhere, showing that even the most technologically sophisticated precautions cannot ensure protection against accidental or mistaken use of these weapons so long as they exist in any national arsenals.<sup>2</sup> He argued that the existing nuclear taboo should be transformed into a legal norm. It is not sufficient to only lay down the steps for disarmament. It is also necessary

to pass legislation giving them the force of law. Substantial progress has been made in delegitimizing nuclear weapons under international humanitarian law, but more is required to remove the legal justifications for their existence. A Nuclear Weapons Convention may not be immediately possible in the present context, however, it is time to begin a formal preparatory process which would follow up on the proposal of the UN Secretary General to make progress on obtaining a convention or framework of agreements that will lead to nuclear disarmament. India could play a significant role based on its history, interests, and articulated policies. The political opportunity is open given the joint statements of US and Indian heads of government. This process would include the many states and leading civil society organizations currently frustrated with the lethargic pace of disarmament, the distance between rhetoric and practice, and would address and plan out strategies to identify and overcome the current roadblocks to progress. Reduction in nuclear arsenals has been mainly by way of rationalization of numbers due to changed threat perceptions, which is of limited value for universal nuclear disarmament. There is need for an alternative approach that devalues nuclear weapons by legislating a universal no first use agreement or a convention banning the threat or use of nuclear weapons in order to leapfrog to disarmament even with the present numbers of nuclear warheads.

The legal status of nuclear weapons poses a difficult, classical problem of the clash between law and effective power, as emphasized by WAAS trustee Winston Nagan. The sheer power of nuclear weapons represented a reality that transcends the international law of the U.N. Charter. President Obama's decision to look to a world free of the threat of nuclear destruction is in keeping with the tradition of law that insists on the importance of reason as an appropriate limit on the unrestrained exercise of power. Commanding a globally unified position on nuclear weapons and using effective strategies of both law and power to build a foundation of international law that will support the process of complete nuclear disarmament.

It is impossible to prevent nuclear proliferation unless there is a visible credible commitment to nuclear disarmament. Manpreet Sethi, Senior Fellow, CAPS emphasized that non-proliferation is unsustainable unless the same rule is applied uniformly and without discrimination. Resurgence of interest in nuclear energy complicates the present challenges of enforcing non-proliferation. Research and development on proliferation-resistant reactors, multilateralization of nuclear fuel cycles and greater efficacy of safeguards can offer some ways of preventing proliferation. Multinational fuel supply schemes or the IAEA fuel bank suffer from the potential problems of political manipulation and discrimination and hence countries are yet wary of these ideas. Focus on non-proliferation has largely been on restricting supplies through technology denials and export controls. But these measures have had only limited success. It is necessary, therefore, to work towards removing the attractiveness of nuclear weapons. This calls for addressing the security perceptions of nations.

Bob Berg pointed out that levels of violence have declined dramatically since the end of the Cold War as a result of the reduction in superpower rivalry, a five-fold deployment of multilateral security forces under the UN, rapid economic growth, especially in Africa, home to 6 of the 10 fastest growing economies in the world, and increasingly active civil society organizations. These developments have generated a positive atmosphere for progress on nuclear disarmament.

Ivo Šlaus, Trustee of WAAS, member of Pugwash and the European Leadership Network perceives abolition of nuclear weapons as the first step toward a world without war. He reinforced India's potential leadership role, stating that India's heterogeneous society and inclusive democracy serves as a model for other emerging nations in the 21<sup>st</sup> century. What is needed is a comprehensive solution that addresses the inter-linkage between inter-state security and nuclear abolition. This, in turn, calls for a new intellectual framework that focuses on a broader conception of human security that includes political freedom, access to food and remunerative employment, ecological sustainability and social stability. These in turn must be founded on a truly democratic system of global governance. Nuclear disarmament is inevitable because it fulfills humanity's deepest aspiration for peace and security.

*This news article is based on a report prepared by Jasjit Singh, WAAS Fellow and Director of the Centre for Air Power Strategy, New Delhi.*

## **Notes**

1. International Commission on Peace & Food, *Uncommon Opportunities: Agenda for Peace & Global Development*, Zed Books, London, 1994.
2. Jonathan Granoff, "The Process of Zero", *World Policy Journal* Winter 2009-10, Vol. 26, No. 4, Pages 85-93.