



## The Promise of Peace and Nuclear Abolition: Has large power aggression destroyed Common Security?

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### Abstract

*The UN Secretary-General is currently preparing a New Agenda for Peace, which is expected to broaden the traditional framework of security as it relates to relations between nations, to also include the notion of Human Security which focuses on well-being of individuals and communities. This Human Security framework integrates traditional peace and security approaches with achievement of the Sustainable Development Goals. However, Human Security is difficult, if not impossible, to implement when nations are at war, when they continue to rely for their security on the threat of force and when they continue to focus national resources on preparations for war. In order to succeed, a Human Security framework has to be complemented with a Common Security framework. This would ensure that the threat or use of force in international relations is replaced by diplomacy, conflict resolution and international law, liberating resources for sustainable development. This common security framework works well when nation states adhere to it. But what happens when powerful countries—especially the nuclear-weapon States—flout the law, ignore common security approaches to a conflict, and take aggressive military action? Since the end of the Cold War, this has happened a number of times, most notably the US-led invasion of Iraq in 2003 and the Russian invasion of Ukraine in 2022. This article focuses on opportunities for States and civil society to make more effective use of existing common security mechanisms, and to strengthen common security through upcoming UN Summits. This could help to prevent war, phase out the reliance on nuclear deterrence, and shift national resources from militarism to human security, facilitating achievement of the sustainable development goals.*

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### 1. The Common Security Approach

Common security is an approach to achieving national security by taking into account one's own security needs and also the security of other nations, including one's adversaries. It is based on the assumption that sustainable national security cannot be obtained by

undermining or threatening the security of others, but rather on resolving conflicts with one's adversaries and ensuring the security of all is upheld. It relies on diplomacy, negotiation, mediation, arbitration and on the application of international law to ensure fairness and human security for all.

Common security does not rule out national defence and some reliance on military power for security. However, a common security framework places a much greater emphasis on conflict resolution and international law, reserving military approaches to a last resort if all other methods fail.

## **2. The United Nations: A Promise and Potential for Peace, Common Security and Nuclear Abolition**

The United Nations was established in the wake of World War II as a global common security organization. The Charter prohibits the threat or use of force in international relations\* and requires the peaceful resolution of international conflicts.† It also outlines a number of approaches to resolving conflicts peacefully including diplomacy, negotiation, mediation, arbitration and adjudication.‡ And it establishes mechanisms to facilitate the peaceful resolution of conflicts and the application of law, including through the Security Council, UN General Assembly, UN Secretariat and the International Court of Justice.

In addition, the UN Charter requires the Security Council to adopt a plan for global disarmament in order to ensure that there is the least diversion possible of resources to militaries from economic and social development.§ And the very first resolution of the UN established the obligation to achieve the global elimination of nuclear weapons and other Weapons of Mass Destruction.¶

UN member states have made use of these approaches and mechanisms in numerous occasions in order to resolve conflicts, prevent or end war and facilitate lasting peace. However, the full employment of these common security mechanisms has been hampered by:

- A reluctance by member states—especially the nuclear-armed states—to cede sufficient sovereignty to UN bodies to enable them to effectively facilitate common security approaches in all conflicts. This reluctance is in evidence, in particular, in the veto power given to the five permanent members of the Security Council in order to persuade them to join (and stay in) the United Nations, and in the fact that only 73 of the 197 UN members have accepted the compulsory jurisdiction of the International Court of Justice.\*\*
- Most countries in the world continuing to place much greater emphasis on national defence and military security than on common security. This is evidenced by very high budgets for national and collective militaries (such as NATO) compared to very low budgets

\* UN Charter Article 2 (4) <https://legal.un.org/repertory/art2.shtml>

† UN Charter Article 2 (3) <https://legal.un.org/repertory/art2.shtml>

‡ UN Charter Articles 33-38 <https://www.un.org/en/about-us/un-charter/chapter-6>

§ UN Charter Article 26 <https://legal.un.org/repertory/art26.shtml>

¶ UN Resolution 1 (1) "Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy" <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/032/52/PDF/NR003252.pdf?OpenElement>

\*\* See ICJ Compulsory Jurisdiction <https://www.icj-cij.org/en/declarations>

allocated to common security mechanisms such as the United Nations, International Criminal Court and the Organisation for Security and Cooperation in Europe

Despite its imperfections, the UN remains the world's primary common security body, with the potential to be better used to resolve conflicts peacefully, uphold international law and facilitate disarmament, if member states choose to increase their focus on common security and reduce their reliance on military security.

There are a number of opportunities over the next two years to highlight the common security mechanisms and approaches of the UN, encourage nations to better use these, and also to improve them. These opportunities include the development by the UN Secretary-General of a New Agenda for Peace (with input from member states and civil society)\* and the UN Summit for the Future which is being convened in 2024 by the UN General Assembly.†

### 3. Common Security, the Helsinki Process and the OSCE

The common security framework established by the UN Charter was hampered severely for the UN's first 50 years by the post-World War II emergence of two super-powers (USA and Soviet Union) whose primary approach to national security was nuclear deterrence and a 'balance of power'.

The Cold War did not render the United Nations meaningless. Indeed, without the United Nations, it is highly likely the Cold War would have ended in a nuclear holocaust.

In addition, the United Nations was not the only multi-lateral body that was established with a common security framework and that has contributed to peace and nuclear war prevention. The *Conference on Security and Cooperation in Europe* (CSCE), established in 1973, provided a very important regional body to advance diplomacy, conflict resolution, nuclear risk reduction and adherence to international law between the two nuclear super-power blocs—the USA/NATO and USSR/Warsaw Pact countries.

The work of the CSCE was guided by the Helsinki Final Act‡, which like the UN Charter, requires members to resolve international conflicts peacefully, refrain from the threat or use of force in international relations and adhere to obligations under international law. Following the end of the Cold War, the CSCE was transformed and renamed as the *Organisation for Security and Cooperation (OSCE) in Europe*. This was formalized in 1996 with the adoption of the *Lisbon Declaration on Common Security*.§

### 4. Common security and the Palme Commission

Another important development in the advancement of common security was the Olof Palme Commission.

\* New Agenda for Peace, UN Political and Peacebuilding Affairs Department, <https://dppa.un.org/en/new-agenda-for-peace>

† See UN General Assembly sets date and modalities for a Summit of the Future <https://www.unfoldzero.org/un-general-assembly-sets-date-and-modalities-for-a-summit-of-the-future/>

‡ *Conference on Security and Cooperation in Europe Final Act, Helsinki 1975* <https://www.osce.org/files/f/documents/5/e/39501.pdf>

§ Full title is: Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the twenty-first century <https://www.osce.org/files/f/documents/1/0/39539.pdf>

A majority of countries, mostly less powerful ones, never bought into the nuclear deterrence framework and remained neutral or non-aligned. However, like ants in the field who get crushed when the elephants fight,\* non-nuclear states were also threatened by the nuclear arms race—and still are. Nuclear war could destroy everyone, not only those relying on nuclear weapons who are the targets of the opposing nuclear bloc.

In 1982, Olof Palme, Prime Minister of the neutral Sweden, established an *Independent Commission on Disarmament and Security Issues* in order to challenge the nuclear deterrence security framework and suggest its replacement with Common Security. In its report *Common Security: A Programme for Disarmament†* the commission described the consequences of nuclear conflict which could impact severely on the entire world. The Report challenged nuclear deterrence as a security framework, arguing that it was dangerous not only for the innocent non-nuclear States, but also for those relying on nuclear weapons. According to the Commission, threatening massive destruction of one's adversaries was a very risky and unsustainable way to achieve security. It could fail at any moment with disastrous consequences.

The Commission advanced ideas and approaches for advancing common security as an alternative to nuclear deterrence, based on the notions that “*States can no longer seek security at each other's expense; it can be obtained only through cooperative undertakings,*” and that “*Common security is security **together with**, and **not against**, a potential enemy.*” According to the Commission “*Ultimately, nations and populations can only feel safe when their counterparts feel safe.*”

The Commission discussed the two key tasks for achieving common security: a) regulating and resolving political conflicts between states, especially between the major powers; and b) arms control and disarmament, especially nuclear disarmament.

Although the Commission did not lead to the renunciation of nuclear deterrence, the end to armed conflict or the full-scale replacement of militarism (the law of force) with common security and the force of law, it did revive public and political support for common security and détente. The Report was influential amongst a number of key leaders including Mikhail Gorbachev and was possibly a contributing factor to the end of the Cold War half a decade later.

## **5. Some Common Security Successes**

Most of the time, nations are managing their international relations and resolving conflicts with each other through diplomacy, negotiation and international law because to do so is recognized by all sides as mutually beneficial. In these cases, win/win solutions are being sought by both sides, and the common security mechanisms help facilitate this.

Of greater significance are the times when one or more parties in a conflict are attempting to subjugate the other and are aiming for a win/lose outcome, especially if one of the parties

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\* A Khmer/Cambodian proverb: “When the elephants fight, the ants get crushed.”

† *Common security: a programme for disarmament / the report of the Independent Commission on Disarmament and Security Issues*. London : Pan; 1982

is more powerful than the other. These are much greater challenges to common security. The successful use of common security mechanisms in these circumstances is much more significant. Here are just a few of the many examples:

- **French Nuclear Testing in the Pacific Region:** In 1974, New Zealand and Australia took France to the International Court of Justice over its atmospheric nuclear testing program in Te Ao Maohi (French Polynesia).<sup>\*</sup> In response to the case, France declared its sovereign right to continue atmospheric tests, but that they would end their atmospheric testing program the very next year (which they did). In response, New Zealand revived the case in 1995 with respect to underground testing by France. France announced its right to continue underground testing, but then ended the test program the very next year and closed down the nuclear test site.
- **Nicaragua v USA:** In 1982 Nicaragua lodged a case against the United States in the International Court of Justice challenging the US military support for the Contras who were seeking to overthrow the government.<sup>†</sup> The Court found in favour of Nicaragua. The US announced that it would not abide by the Court's decision. However, the US Congress then followed up by adopting the Boland Amendments prohibiting military aid to the Contras. The legal principles affirmed in the ICJ case also provided a strong supporting framework for the negotiations of the Central American Peace Accords, adopted in 1987, which helped end the civil wars in Central America.
- **French Terrorist Bombing of the Rainbow Warrior:** In 1985, the French DGSE (Secret Service) sunk the Greenpeace boat 'Rainbow Warrior' in Auckland Harbour (New Zealand) with limpet mines they had smuggled into the country. New Zealand police caught two of the DGSE agents, who were then prosecuted and convicted of manslaughter, one Greenpeace crew member was killed in the explosions. France responded by placing an economic boycott on New Zealand which prevented New Zealand trade with all of the European Economic Community, a primary market for New Zealand products. None of New Zealand's traditional allies (Australia, Canada, UK and USA) supported New Zealand because of the ban the country had just placed on nuclear weapons. New Zealand employed the mediation service of the Office of the United Nations Secretary-General to successfully move France to end the boycott against New Zealand, admit guilt and provide compensation for Greenpeace and the New Zealand government, thus resolving move France to end the boycott against New Zealand, admit guilt and provide compensation for Greenpeace and the New Zealand government, thus resolving the conflict with France and restoring friendly relations.<sup>‡</sup>
- **Costa Rica v Nicaragua:** In 2010, Nicaragua initiated dredging in the San Juan river between Nicaragua and Costa Rica, and dispatched a military contingent to Island of Calero on the Costa Rican side of the river in order to 'protect' the dredging operation.

<sup>\*</sup> Nuclear Tests (New Zealand v. France) at <https://icj-cij.org/en/case/59> and Nuclear Tests (Australia v. France) at <https://icj-cij.org/en/case/58>. See also *Nuclear weapons and law for the future: The application of principles protecting future generations in international tribunals*, by Alyn Ware, Paper presented at 'Taking Legal Action on Behalf of Future Generations', November 17-18, 2017 University of Caen (France) <https://alynware.kiwi/blog/2020/12/nuclear-weapons-and-law-for-the-future>

<sup>†</sup> Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America) <https://www.icj-cij.org/en/case/70>

<sup>‡</sup> See *Nuclear-free New Zealand: Sinking the Rainbow Warrior*, NZ History, New Zealand government online <https://nzhistory.govt.nz/politics/nuclear-free-new-zealand/rainbow-warrior>

Costa Rica alleged that this was an illegal occupation of Costa Rican territory. While some voices in Costa Rica called for a military response, the Costa Rican government decided instead to use common security mechanisms including the Organisation of American States and the International Court of Justice, to which it lodged a case in 2010.\* The ICJ has made a number of rulings delineating the sovereignty of Nicaragua and Costa Rica over the disputed region, with Nicaragua emerging with superior rights over the river, and Costa Rica with sovereignty over most of the disputed wetlands. In light of the ICJ process, political tensions have de-escalated and neither country is considering military action.

- **Libya v Chad:** In the 1970s and 1980s, Chad and Libya had a serious conflict over the Aouzou Strip, a piece of mineral-rich land along the Chadian-Libyan frontier in the Sahara Desert. Claims by both sides to the strip led to military actions including annexation and counter-annexation, Libyan support for Chadian rebels attempting to overthrow the government and other armed conflict. Attempts to resolve the conflict were unsuccessful, until the two parties agreed to a proposal by the Organisation of African Unity that the case to go to the International Court of Justice. The ICJ delivered its judgement in February 1994, supporting Chad's claim on the territory.† As a result, Libya withdrew from the territory, under the supervision of the United Nations Aouzou Strip Observer Group.

## 6. Common Security and the Russia/Ukraine War

The Russian invasion of Ukraine, beginning in February 2022, provides a serious challenge to common security. Neither the United Nations nor the OSCE—nor the appeals to Russia from Ukraine, European countries and the United States—were successful in preventing Russia from invading. The UN Security Council has been unable to respond to the invasion due to the veto power of Russia. And efforts in other UN bodies including the UN General Assembly, Human Rights Council and International Court of Justice have also failed to stop the invasion and persuade Russia to withdraw from territories it has annexed.

However, an evaluation of common security with regard to the Russia/Ukraine conflict needs to consider not only its capacity or incapacity to impact on a powerful country such as Russia once that country has already decided to use force. Common Security needs to be assessed in the broader context of whether it might have been able to contribute better to managing the conflicts between Russia and Ukraine earlier—before they elevated to the Russian decision to invade, and so possibly preventing such a decision from being made.

In this broader context, one can argue that there were critical aspects to the conflicts that could possibly have been better addressed through common security mechanisms in order to prevent the war.

One of these aspects is the Russian allegation of genocide being committed by Ukrainian forces against Russian-speaking and allied peoples in the Donbas region. These allegations emerged in 2014. Ukraine's denial of the allegations was rebuffed as propaganda by Russia,

\* Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua) <https://www.icj-cij.org/en/case/150>

† Territorial Dispute (Libyan Arab Jamahiriya/Chad) <https://www.icj-cij.org/en/case/83>

and so the allegations continued unchecked until 2022, when they were cited by President Putin as a primary reason for launching the invasion of Ukraine.\*

Both sides allowed these allegations to fester, when they could have instead been addressed by an independent, third party legal mechanism—the International Court of Justice. Either of the sides could have decided to take the case to the ICJ under the Genocide Convention, which includes a provision for such jurisdiction regarding conflicts under the convention that cannot be resolved by other means. Such a case would have provided a proper process for each side to advance its evidence, have this evaluated objectively and then a ruling made. This could have resolved the issue, or at the very least eliminated the genocide argument that Putin gave for launching the invasion of Ukraine. Indeed, after the invasion, Ukraine decided to launch such a case<sup>†</sup>, but this was too late to prevent the invasion and is unlikely to reverse it.

Another of the conflicts between Russia and Ukraine is the status of Crimea.

The Russian government argues that the transfer of authority over Crimea from Ukraine to Russia in 2014 was undertaken legally through referendum of the inhabitants. President Putin defends the referendum and transfer of authority as complying with the principle of the self-determination of peoples. In addition, the Russian government has argued that the territory of Crimea was a conditional gift to Ukraine in 1954 as part of Russia's efforts to ensure Ukraine remained strongly attached to Russia under the Soviet Union, and that this transfer of authority was never constitutionally ratified.

Ukraine, on the other hand, argues that Russia's invasion and annexation of Crimea in 2014 were illegal under international law and under specific agreements between Russia and Ukraine, most notably the Budapest Memorandum.

The United Nations General Assembly sided with Ukraine, but Russia dismissed this as just a 'majority rules' vote with no legal standing. What might have made a difference was if the Permanent Court of Arbitration and/or the International Court of Justice were brought into play on this issue.

The International Court of Justice, if utilized, could have provided an evidence-based forum—rather than a political forum—for each side to present its case and for this independent tribunal to evaluate and bring judgement. Such a judgement could potentially find solely in favour of one party or the other. Or it could be more nuanced, outlining legal rights and obligations of both sides, thus providing a stronger basis for a negotiated solution. Such a case could have been taken to the court either by mutual agreement of both sides, or by the UN General Assembly requesting an advisory opinion on the legal status of Crimea. Unfortunately, we do not know if this might have worked, as it was not tried.

Another aspect of common security relevant to the Russian invasion of Ukraine is the application of international law in the face of a serious breach to such law.

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\* See *Putin's claims that Ukraine is committing genocide are baseless, but not unprecedented*, Alexander Hinton, The Conversation, February 25, 2022. <https://theconversation.com/putins-claims-that-ukraine-is-committing-genocide-are-baseless-but-not-unprecedented-177511>

<sup>†</sup> Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation) <https://www.icj-cij.org/en/case/182>

In general, when one of the five permanent members of the United Nations (P5) violate international law relating to armed conflict, either through acts of aggression (invasion) or through commission of war crimes, their veto power on the Security Council prevents any significant action by the United Nations in response. What the Russia/Ukraine conflict has demonstrated is that other UN bodies can act in response to such violations of the law. The UN General Assembly established an emergency session\* to address the issue, adopting resolutions initially affirming that the invasion was an illegal act of aggression† and later rejecting the Russian annexation of the regions of Donetsk, Kherson, Luhansk and Zaporizhzhia.‡ The UN General Assembly also suspended Russian membership in the Human Rights Council in response to the invasion.§ And the International Criminal Court launched an investigation into Russian war crimes, which has already resulted in initial indictment of President Putin and Maria Alekseyevna Lvova-Belova, Commissioner for Children’s Rights in the Office of the President of the Russian Federation¶, and will likely result in further charges being laid against President Putin and senior Russian officials on charges of war crimes and/or crimes against humanity.\*\*

While none of these measures are likely to reverse the Russian invasion, they serve two important purposes relevant to common security and the application of international law: a) they provide a legal basis for other measures in response to Russia’s invasion including economic sanctions against Russia and military support for Ukraine; b) they ensure that Russia’s invasion of Ukraine does not provide a precedent for similar invasions by other powerful countries against weaker countries.

## 7. Strengthening Common Security: Building on Successes

There are a number of ways of strengthening common security, building on successes to ensure more successes and fewer failures in the future.

- The first, and most important, is to ensure much greater use of common security mechanisms. Governments, parliaments, academics and public need to be better aware of the range of common security approaches and mechanisms available and the many successes of these mechanisms, in order to ensure that they are utilized more often in conflicts, rather than to the threat or use of force.
- UN member states that have not already subscribed to the compulsory jurisdiction†† of the International Court of Justice for legal disputes should do so.
- When negotiating treaties, governments should make it a general practice to include in the treaties a clause providing for ICJ jurisdiction for conflicts arising under the

\* General Assembly holds emergency special session on Ukraine, UN News, 28 February 2022. <https://news.un.org/en/story/2022/02/1112912>

† United Nations General Assembly Resolution ES-11/1, adopted 18 March 2022 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/293/36/PDF/N2229336.pdf?OpenElement>

‡ United Nations General Assembly Resolution ES-11/4, adopted 12 October 2022 <https://digitallibrary.un.org/record/3990673?ln=en>

§ UN General Assembly votes to suspend Russia from the Human Rights Council, UN News, 7 April 2022 <https://news.un.org/en/story/2022/04/1115782>

¶ See Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova, International Criminal Court, <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>

\*\* See Situation in Ukraine, International Criminal Court, <https://www.icc-cpi.int/ukraine>

†† See Declarations recognizing the jurisdiction of the Court as compulsory, International Court of Justice, <https://www.icj-cij.org/en/declarations>



provisions of the treaty, if such conflicts are unable to be peacefully resolved in other ways.

- UN bodies, in particular the UN Security Council and General Assembly, should make greater use of their option to refer legal issues to the International Court of Justice when they are unable to facilitate resolution of critical conflicts. They can do this by requesting an Advisory Opinion from the International Court of Justice.\*

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*“In replacing nuclear deterrence and the threat or use of force with a common security approach, governments could drastically reduce military budgets and personnel, and reallocate these to human security objectives, including the sustainable development goals.”*

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The second way to strengthen common security is to improve the key common security mechanisms such as the United Nations and the Organisation for Security and Cooperation in Europe (OSCE).

One way to do this is to increase the political and financial capital of the institutions. Give them more resources to do the work. Refer to them more often in media and political discourse. Another way to do this is institutional reform. For the United Nations this could include increasing the membership of the UN Security Council and modifying the veto power of the Permanent five members, re-purposing the Trusteeship Council to provide better governance of the global commons (oceans, atmosphere, outer space, Antarctica, the seabed and possibly also cyber-space)<sup>†</sup>, elevating representation in the UN by elected representatives (either through enhancing the standing of the Inter-Parliamentary Union in the UN or establishing a parliamentary assembly) and developing independent funding so that the UN is not beholden to the countries making the biggest contributions. Such reforms have been proposed for consideration by governments and possible adoption in appropriate United Nations forums including the 2024 UN Summit of the Future<sup>‡</sup>, or in a special conference on UN Charter reform held according to UN Charter Article 109.

## **8. Conclusion: Nuclear Weapons, Common Security and Human Security – Fulfilling the Promises**

Article 26 of the UN Charter requires action by the UN Security Council to adopt a

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\* See *Advisory Jurisdiction*, International Court of Justice <https://www.icj-cij.org/en/advisory-jurisdiction>

† The UN Secretary-General recommended this in Our Common Agenda, and the proposal is being considered in conjunction with the UN Summit of the Future. See *A new trustee for the global commons*, Ramu Damodaran, Senior Advisor, University for Peace, SDG Action, 26 October 2021. <https://sdg-action.org/a-new-trustee-for-the-global-commons/>

‡ See Report of the Peace and Security consultations for the Global Futures Forum and UN Summit of the Future, UNFOLD ZERO, March 17, 2023. <https://www.unfoldzero.org/wp-content/uploads/Report-Peace-and-Security-consultations-for-GFF-and-UN-Summit-of-the-Future-final-2.pdf>

plan for arms control and disarmament in order to release resources for economic and social development (human security). The very first resolution of the UN established the objective to achieve the global elimination of nuclear weapons and other Weapons of Mass Destruction (WMD).\*

Both of these objectives were affirmed as obligations in the Non-Proliferation Treaty adopted in 1970.† However, the objectives remain unfulfilled. Global military expenditure has increased (not decreased) to over \$2 trillion annually, while the sustainable development goals remain woefully under-financed. And since 1946, the number of nuclear armed countries has increased to nine, with another 35 countries relying on extended nuclear deterrence. Together, they comprise most of the northern hemisphere and nearly 2/3rds of the world's population.

Campaigns to highlight the humanitarian impact of nuclear weapons have helped to develop restraint on actual use, a 'nuclear taboo'. Nuclear weapons have not been detonated in armed conflict since 1945. But such campaigns have had minimal, if any, impact on the production, possession and deployment of the weapons. Indeed the global nuclear weapons budget has increased to over \$100 billion per year.‡

This is because nuclear deterrence will continue to be maintained as a part of security doctrines—and nuclear weapons will continue to be deployed to as part of these doctrines—unless the nuclear armed and allied states can be convinced that the security provided by nuclear weapons is no longer necessary, or can be replaced by something else. That something else could be common security combined with conventional force utilized strictly in accordance with international law.§

The Russia/Ukraine conflict has demonstrated that nuclear deterrence, while rationale on paper, fails miserably in real life situations. President Putin tried to use nuclear deterrence as a coercive tool to prevent Western military support for Ukraine. This failed. Military aid has poured into Ukraine and has been a major reason for the failure of Russia to quickly subjugate Ukraine. From the other side, the USA realized that nuclear threats against Russia would be counter-productive. This realization led to the remarkable agreement at the G20 Summit in Bali (agreed by China, France, India, Russia, the UK, USA and others) that '*The threat or use of nuclear weapons is inadmissible*'.¶

This realization has opened the door to a process engaging the nuclear armed and allied states on a situation-specific evaluation of the role of nuclear weapons in conflicts and better

\* UNGA Resolution 1 (1), Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/032/52/PDF/NR003252.pdf?OpenElement>

† Article VI of the NPT requires States Parties 'to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.'

‡ [How much do the nuclear weapon states spend on nuclear weapons? Move the Nuclear Weapons Money campaign](https://www.nuclearweaponstates.org/campaign/), December 21, 2021.

§ See for example Rule of Force or Rule of Law? Legal Responses to Nuclear Threats from Terrorism, Proliferation, and War, Alyn Ware, *Seattle Journal for Social Justice*, Volume 2, Issue 1, Fall/Winter 2003. At <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1441&context=sjsj> and Nuclear threats, common security and disarmament, by Alyn Ware at <https://alynware.kiwi/blog/2022/06/nuclear-threats-common-security-and-disarmament/>

¶ See G20 Bali Leaders' Declaration, paragraph 4 <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/16/g20-bali-leaders-declaration/>

alternatives to nuclear weapons in each of these situations, including the use of common security approaches and mechanisms. Indeed, in an increasingly inter-connected and globalized world, nuclear deterrence has less and less relevance and value.

The common security approaches outlined in the UN Charter and the Helsinki Final Act can be used instead of nuclear deterrence to address aggression, the threat of aggression and other threats to the peace and serious violations of international law. Non-nuclear states already rely on their security through these approaches and mechanisms and can play a positive role in working with the nuclear-armed and allied states to make the transition to non-nuclear security.

This positive approach to ending the reliance on nuclear deterrence—and the broader reliance on the threat or use of force—is much more effective than the failed and counter-productive attempts by the ‘humanitarian approach’ to ‘stigmatise’ the nuclear armed and allied states for relying on nuclear deterrence. The nuclear armed and allied states, for example, have all opposed the Treaty on the Prohibition of Nuclear Weapons which takes a ‘humanitarian’ approach without addressing any of the security reasons for nuclear deterrence. In contrast, nuclear armed and allied states have given agreement in principle for a framework agreement or nuclear weapons convention that address such security issues\*. A common security approach, building on this agreement, could therefore play a vital role in helping to establish the peace and security of a nuclear weapon free world in our lifetimes.

In replacing nuclear deterrence and the threat or use of force with a common security approach, governments could drastically reduce military budgets and personnel, and reallocate these to human security objectives, including the sustainable development goals.†

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\* States Parties to the Non-Proliferation Treaty (NPT), which includes five nuclear-armed states and all the nuclear allied states, agreed at the 8<sup>th</sup> NPT Review Conference that “All States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Conference notes the Five-Point Proposal for Nuclear Disarmament of the Secretary-General of the United Nations, which proposes inter alia the consideration of negotiations on a nuclear weapons convention or a framework of separate mutually reinforcing instruments backed by a strong system of verification”

† See, for example, Opportunity costs of nuclear-weapons programs: What the nuclear weapons budgets could instead support. Move the Nuclear Weapons Money campaign. <http://www.nuclearweaponsmoney.org/opportunity-costs/>