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NUCLEAR WEAPON-FREE ZONES AS A STRATEGY TO ABOLISH NUCLEAR DETERRENCE

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One of the great achievements of the TPNW¹ already is that it has made nuclear deterrence visible. Nuclear deterrence has been a hidden dimension of the Nuclear Non-Proliferation Treaty, the NPT. It is not included in its three pillars: disarmament, non-proliferation and peaceful uses. The treaty text does not even mention nuclear deterrence, even if the treaty allows five states to have nuclear weapons. The text only defines what is a nuclear weapon state. Since the TPNW entered into force, the five nuclear states (P5) have had to defend nuclear deterrence, often in very aggressive terms. The conflict between disarmament and nuclear deterrence is now in the open.

This enables us to have a strategy to oppose nuclear deterrence. One of the most important elements of this strategy is the existence of the nuclear weapon-free zones (NWFZ).² These zones, covering already the

1 Treaty on the Prohibition of Nuclear Weapons

2 The five zones are: Latin America (the 1967 Treaty of Tlatelolco), the South Pacific (the 1985 Treaty of Rarotonga),

majority of the world states and 38% of the populations, have limited the geographic area for nuclear deterrence. The zone-states have a double commitment to a nuclear-free status, as parties both to the NPT and to the regional treaty. No states from these zones have ever left the zone to become nuclear. States in the zones have never been threatened with nuclear weapons.

The main question here is how could these zones be expanded to cover more and more of the world area and thus further limit the geographic area of deterrence. There are already plans for the Middle East, and the Far East. The first zone ever was proposed for Europe after the WWII and has been on the table ever since.

When analysing the potential expansion of the zones three questions emerge:

- The states in the zones are non-nuclear, but are they protected against nuclear attacks?
- How could these zones make their common voice and influence more visible and better heard?
- How could a zone be established in cases, where there is one or more nuclear weapon states?

Southeast Asia (the 1995 Treaty of Bangkok), Africa (the 1996 Treaty of Pelindaba) and Central Asia (the 2006 Treaty of Semipalatinsk), for more see: United Nations Office for Disarmament Affairs (n.d.). Also, Mongolia's self-declared nuclear-weapon-free status has been recognized internationally through the adoption of a UN General Assembly resolution 55/33S on "Mongolia's international security and nuclear weapon free status", for details, see Nuclear Threat Initiative (2020).

Firstly, the issue of protection against nuclear threats and attacks. All the regional treaties have annexed protocols, in which each of the P5 are expected to give negative security assurances to these states, i.e. to certify that they will not attack with nuclear weapons. These guarantees are today not 100% proof. First of all because not all the P5 have signed and ratified their assurance protocols. The US has, for example, only ratified the Latin American treaty. None of the P5 have so far ratified the Bangkok treaty.

Secondly, these guarantees are not unconditional. On the contrary, the P5 are expanding the conditions under which nuclear attacks could take place. The original guarantees only included a nuclear attack in case a NWFZ-state attacked a P5-state in alliance with a nuclear state. Today even attacks by biological and chemical weapons as well as attacks with conventional weapons on critical infrastructure may be returned by a nuclear attack. Furthermore, there are doubts whether these security assurances are, in the end, legally binding as they are expressed only in annexed protocols.

Legally binding, unconditional security assurances have to be achieved for the NWFZ-states. Even the recent NPT review conference in August demanded these, including even the possibility to specify them in a

special law . However, the P5 are not willing to accept these as these would remove the "calculated ambiguity" built into nuclear deterrence.

Consequently, this links to the second question: How could the zones make their voice more powerful.

The zone states cover the majority of the world states, how could they better use their influence? The answer is by more intensive and effective coordination and cooperation. The zones are regional. They have different forms of organization, some are stronger, others weaker. So far, there is little cooperation across regions. This has improved since the VCDNP's³ report on the need for more information exchange and coordination.

This is, however, not enough. It is essential that the regional zones form a global, worldwide organization. Only thus can they use their majority effectively. A last pressure measure could be a walk out of a NPT review conference. So far only Egypt has walked out of one of these conferences, which take place every five years. A walk-out by over 100 nations to achieve legally-binding and unconditional assurances for them as NWFZ-states would have a totally different impact.

³ Vienna Center for disarmament and Non-Proliferation

The third question is the most difficult. How could Europe, with France and Britain as nuclear states become a NWFZ? There have been proposals of dividing the continent into partial zones to enable to avoid this problem. Furthermore, Mongolia is already an one -state zone.

I have worked with the Middle East as an example of how to create a NWFZ, in a case where there is one nuclear state.⁴ The Middle East Nuclear and other WMD-Free zone has been 50 years on the UN agenda. First suggested by Egypt and Iran in 1974, it was a critical commitment to NPT treaty's extension in 1995. Since then it has been a demand by the Arab states at each of the NPT review conferences -without any result.

Today a nuclear weapon-free zone in the Middle East is more urgent than ever. The JCPOA, the Iran deal, confirming that Iran would remain non-nuclear is practically dead. After the US exit of the deal in 2018, the renewed negotiations have not resulted in a revival. Iran is increasing its nuclear capacities. A final burial of the deal may result in nuclear weapons proliferation in the Middle East, not only to Iran but also to Saudi Arabia and others.

4 Tarja Cronberg (2022) The Security of Nuclear Weapon-Free Zones: The Middle East as a Test Case for Unconditional Security Assurances, *Journal for Peace and Nuclear Disarmament*, 5:1, 45-60, DOI: 10.1080/25751654.2022.2090097

To avoid this, progress regarding the NWF-zone is urgently needed. The model could be the following: The problem is that the one nuclear state is not willing to give up its nuclear weapons at the start of the zone. Unconditional and legally binding negative security guarantees might bring a solution. The zone treaty could include a transformational period. The security of the non-nuclear zone states would be guaranteed by these assurances by all nuclear weapon states, including Israel. And Israel would agree to, after certain trust –building period, to give up its nuclear weapons.

Today this model may seem as naive. Nevertheless, there is a historic example. Two hostile nations, Brazil and Argentina, both with a nuclear weapons program, joined the Latin American NWFZ-treaty. Both abolished their programs when entering the zone. Today they have a common (non)nuclear policy. In the Middle East the Abraham Accords have already changed the relationship between the Arab states and Israel. So there is an opening that should, at least, be tested.

Reaching the nuclear weapons free world by one regional zone at a time is a possible way forward. But we stand at a critical juncture, where

- 100% proof security guarantees have to be achieved,

- the regional zones have to cooperate globally and
- models are needed where a NWFZ is possible even when there is one or more nuclear weapon state .

Let Europe be the next example after the Middle East.