



**INTERACTION
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**NUCLEAR DISARMAMENT:
THE ROLE OF THE NUCLEAR
WEAPON STATES**

by

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The Treaty on the Non-Proliferation of Nuclear Weapons (NPT), endorsed as the “cornerstone” of nuclear non-proliferation and disarmament, establishes two categories of States: nuclear weapon States and non-nuclear weapon States.

The former, as defined by the terms of the Treaty, are also the five Permanent Members of the UN Security Council, (P5): US, UK, China, Russia, France.

Three other States meet the Treaty definition of nuclear weapon status, having displayed nuclear explosive capability, (India, Pakistan, North Korea) and a fourth, (Israel), maintains a policy of ambiguity about its nuclear weapon status.

What these four also have in common is that they are not parties to NPT.

With exception of the Charter of the UN, no Treaty has more adherents than NPT and it is also unique in that it establishes the legal and political norm that no State should possess nuclear weapons: it provides that those who have them should get rid of them, and those who do not should never acquire them.

That this is the agreed, desirable, state of the world, has been affirmed by Treaty partners, most recently at their 2010 Treaty Review Conference at which it was resolved, unanimously: “to achieve the peace and security of a world without nuclear weapons, in accordance with the objectives of the Treaty.”

With respect to the nuclear weapon States, the Treaty incorporates their obligation to: “pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.” (Article VI, NPT).

In 1996, the International Court of Justice, in an advisory opinion given in the case “The Legality of the Threat or Use of Nuclear Weapons,” stated, unanimously that: “There exists an obligation to pursue in good faith and bring to conclusion negotiations leading to nuclear disarmament in all aspects under strict and effective international control.”

The UN General Assembly has endorsed, overwhelmingly the view that this opinion of the ICJ constitutes the authoritative interpretation of Article VI of NPT.

At the 2000 Review Conference of NPT, the Nuclear Weapon States gave an: “unequivocal undertaking to accomplish the total elimination of their arsenals”.

At the 2010 Treaty Review Conference, it was agreed, unanimously, that: “ In implementing the unequivocal undertaking by the nuclear weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear weapon states commit to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures.”

In July 2010, as a follow up to the Review Conference, the P5 met in Paris. They reaffirmed their agreement to the Review Conference Action Plan and Recommendations, and stated

that they were meeting: “with the determination to work together in pursuit of their shared goal of nuclear disarmament under Article VI of the NPT”.

But, they announced no actions other than that they would meet again at an unspecified date “in the context of the next NPT Preparatory Committee” (at some time in 2012-2015).

The central compact of NPT is that stated above: non-acquisition of nuclear weapons and nuclear disarmament.

The persistent failure of the weapon States to fulfill their side of the bargain is intrinsically alarming and jeopardizes that compact.

In its report of 1995, the Canberra Commission on the elimination of Nuclear Weapons, advanced two axioms; the axiom of proliferation – as long as any States possess nuclear weapons, others will seek to acquire them; the axiom of use – as long as nuclear weapons exist, they will one day be used, either by accident or decision.

These perceptions remain true and are widely viewed to be true.

The P5 typically resist suggestions that there is a connection between their inaction on their disarmament obligations and pressures towards proliferation.

Apart from the fact that this is mere argumentation the truth of which has been and continues to be challenged by the facts, it fails to address the insupportable dangers posed by their continuing to hold substantial quantities of nuclear weapons and, in some cases to expand or qualitatively improve their arsenals. These actions violate their obligations.

In a recently published trenchant criticism of the current situation Campbell Craig and Jan Ruzicka, two British scholars concluded: “As long as the tacit twin goals – selective nonproliferation and ineffectual abolition – continue to shape the international agenda, one outcome is certain: a world filled with nuclear weapons.”

The urgent need for the P5 to fulfill their obligation and honor their repeated undertakings, to establish and lead negotiations on significant and consequential negotiations on the progressive reduction and ultimate elimination of nuclear weapons, is an appropriate subject of advocacy by the InterAction Council.

The Council should also urge that action be commenced towards the negotiation of a Convention rendering the manufacture, possession, deployment, and use of nuclear weapons illegal; as has been achieved with respect to chemical weapons.

This proposal has been widely endorsed by the international community.

Recognizing that the pursuit of a world free of nuclear weapons will require the development of the needed framework for its governance, work should also be started on the construction of that framework, including, for example, a reformed UN Security Council.

The InterAction Council should commence a discussion of that framework.