

A Global Ban on Nuclear Weapons: Time for Action

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The 2010 Review Conference of the Non-Proliferation Treaty took a big step forward by unanimously declaring: Any use of nuclear weapons would violate the essence of humanitarian law; and, True peace and security require the achievement of a nuclear weapons free world. It then put on the world agenda consideration of a Nuclear Weapons Convention.

Why, then, has the hope for a world without nuclear weapons, awakened by President Obama in his 2009 Prague speech, flickered out? Why are governments backing away from their own speeches at the 2010 Review expressing support for a Nuclear Weapons Convention? Is the world community now bogged down in lassitude because the job is just too big?

On a speaking tour around the world this summer, where I had meetings with government officials, politicians and civil society in China, India, Russia, Germany, Sweden, Norway, Belgium and the United Kingdom, I found weakened ideology in support of nuclear weapons. It became clear to me that the intellectual case for nuclear deterrence is crumbling. Governments today are relying on obfuscation to make their case for the retention of nuclear weapons. Even in NATO headquarters in Brussels, where my arguments for nuclear disarmament in past visits were greeted by the derisory comment, "mission impossible," the response this time could be characterized as "mission maybe."

Though the Cold War ideology is fading, governments are still making excuses for resisting collaborative efforts for a global ban on nuclear weapons. Even in Norway, Sweden and Germany, three countries thought to have progressive policies, the bureaucracies are playing an "After you, Alphonse" game of delaying the definitive action of calling a conference to start working on a ban. The officials I talked to said that if there were a demand from their superiors to start working on a Nuclear Weapons Convention, it would be done. But there is no demand -- even though governments have agreed they should move in this direction. The contradictions in the governmental attitudes to nuclear disarmament are stunning. The public is confused about this bafflegab and hence remains passive on a subject that will define how life is lived in the 21st century.

If they don't believe in the utility of nuclear weapons any more, why don't governments start to work actively to get rid of them? Inertia

is certainly one reason. But the main blockage comes from a recharged military-industrial complex, with its tentacles spreading through the political system. The military-industrial complex – meaning the mega corporations fattening their profit line every year with the high-tech and capital-intensive modernization programs for nuclear weapons – heavily influences the decisions of a number of key politicians, particularly in the U.S. system. This was evident in the way the nuclear defenders forced through the \$85 billion additional spending for nuclear weapons modernization when the U.S.-Russian START Treaty was being ratified in the Senate. Trading on the fears engendered in the public since 9/11, nuclear defenders are still insisting that nuclear weapons are the guarantee of security against the unknown forces that would attack the U.S. or its allies. Few politicians are willing to speak up against this untruth.

Support for U.S. allies is another argument advanced by the military-industrial complex, holding that cuts would unnerve friendly nations that depend on U.S. overseas commitments. Defence cutbacks would be taken as evidence that American retreat has begun and that the country is in terminal decline. Obama is caught in a terrible dilemma. His own instincts may be to recognize that the U.S. should be just a part of, not the dominant player in, the unfolding world, in which the rise of China and India, among other states, cannot be stopped, but he is surrounded by a political establishment whose very existence is predicated on America's superiority. Like it or not, Obama is forced to keep feeding the hungry monster of militarism.

All the other nuclear weapons states are just as guilty as the U.S. in aggrandizing their military strength, and all of them have their own forms of

industrialists and lobbyists who profit from the production and sale of arms of all kinds. The largest arms traders in the world are the permanent members of the Security Council. Russia maintains and is modernizing its triad of nuclear forces, and its official doctrine claims the right to use nuclear weapons in response both to a nuclear attack and to aggression against it with conventional weapons “that would put in danger the very existence of the state.” The U.K. is modernizing its Trident submarine to give it a nuclear striking power for decades to come. France and China both point to their military programs as a source of their strength. Nor should many countries in the developing world, which spend far more on their military than on education and health, adopt a sanctimonious attitude.

The world is steeped in militarism. The annual world spending of \$1.6 trillion on armaments of all kinds dwarfs what is spent on the development of peoples. The money devoted to the Millennium Development Goals is only 3.3 percent of military expenditures. We need to ask: Where are voices of moral concern about spending \$100 billion a year on nuclear weapons while the number of people living in extreme poverty and hunger surpasses 1 billion?

It is the US, the strongest economic state, the cornerstone of democracy and champion of liberty, the self-proclaimed leader of the free world, that people look to for a political agenda that meets the demands for true human security in the 21st century. When a leader of such a country comes along with the personal credentials and oratorical skills to foster the full application of human rights, it is to be expected that his country’s true mission will be put under the microscope.

Would a re-elected President Obama, joining forces with an already-re-elected Ban Ki-moon, start action in 2013 to build a legal ban on nuclear weapons? Or will the military-industrial complex, which has the money and lobbying power to get its way, still prevail? Can younger officials in many countries, already complaining about uselessly

spending \$100 billion a year for weapons whose use has been ruled out on military, political and moral grounds, be able to change their national policies?

As we consider the possibilities ahead, we should remember that already there is a historic shift under way in the political and bureaucratic commitment to nuclear weapons. That shift is being hastened by the gradual recognition that the processes of globalization, which are elevating the standard of living for millions upon millions of people, should not be jeopardized by the squandering of money on military “junk.”

When active work starts—as it must—on assembling all the legal, technical, and political elements of a Nuclear Weapons Convention, it does not matter if the precise model already submitted to the U.N. is used. The model doubtless needs refinements. Nor is it essential, at least at the outset, that only a single convention be the focus of discussion. A framework of agreements arrived at by continuing, in parallel fashion, the ongoing work of ratifying the Comprehensive Nuclear-Test-Ban Treaty, working on a treaty to ban the production of fissile materials, further reducing the numbers of existing nuclear weapons, and establishing an international verification agency will bring the international community together in a joint effort to achieve greater security. What is essential is that these steps be incorporated into a common effort with a visible intent to build a regime that bans all nuclear weapons.

The end goal must both define and drive the ongoing work. Working to bring all the parts into a comprehensive treaty would be a surer way of reaching the goal than relying on disparate steps that lack irreversibility. For comprehensive negotiations to take place, the political will of the nuclear powers must be raised to

make them see how their own security would be improved by a global treaty. Important middle power states can help give this assurance.

The questions of verification, compliance, and breakout in a regime governed by a Nuclear Weapons Convention raise even deeper questions about the architecture of security for a globalized world. Does the elimination of nuclear weapons require a new era of enlightened cooperation in which nations share the resources of the planet more equitably and willingly put themselves under the jurisdiction of the International Court of Justice? Or would pragmatic acceptance of the merits of a Nuclear Weapons Convention, implemented in stages, contribute to the evolution of such international thinking? Which comes first: nuclear disarmament, or a new security architecture? The defenders of nuclear weapons answer that there are too many risks in today's world to let go of nuclear weapons. Nuclear disarmament advocates must show that the reverse is true: the continued existence of nuclear weapons is a principal detriment to building a secure world.

After the Cold War ended, some began to see the possibilities of "a new world order," where global governance would replace the old national rivalries. That moment, which was surely premature in a world of expanding nuclear arsenals, did not last long. The Cold War ended, but the ideologies that drove it persisted. The world is characterized by disorder, despite the halting steps taken to make the political, military, finance, and trading systems more efficient. Failure to agree on efficient measures to combat global warming, the spread of poverty and hunger despite the Millennium Development Goals, and the gigantic increases in military spending are all the result of world leadership's still shutting its eyes to the rising demands for true human security. This is the mentality that keeps nuclear weapons in national stockpiles.

A genuine effort to free the world of the burden of nuclear weapons is needed not only to eliminate the unacceptably high risks of nuclear destruction but

to build the conditions for the international community to address the other challenges to human security successfully. Nuclear disarmament is a prerequisite to moving human civilization to a higher level. As Judge Christopher Weeramantry puts it, a Nuclear Weapons Convention is both “an SOS to the whole human race” and an initiative that takes the world to a new level where “we can all look forward to reaching that sunlit plateau of peace and justice, which has been the dream of humanity throughout the ages.”

The long-range benefits are considerable, but it is the immediacy of the moment that demands our attention and action. The limited capacity of the Non-Proliferation Treaty and associated safeguards, the deceptive arms agreements that are always accompanied by enlarged modernization programs, and the retention of nuclear doctrines have all undermined the non-proliferation regime. Israel, India, Pakistan, and North Korea have joined the nuclear club, and Iran is close to achieving nuclear weapons capability. Without a comprehensive plan to get rid of all nuclear weapons, they are bound to spread further. The list of immediate dangers now includes terrorism. The opportunities for terrorists to acquire fissile material and fabricate a crude nuclear bomb are now alarming world leaders. A Nuclear Weapons Convention would make it very difficult for a terrorist organization to steal the materials for a nuclear bomb. It might not be impossible, but the verification systems under a convention would make it easier to discover a potential terrorist threat.

Another immediate benefit of a convention would be the strengthening of humanitarian law. At the moment, nuclear weapons defenders claim that international law, allowing for self-defence, trumps humanitarian law, which rules out indiscriminate attacks. The customary norm against the production or use of nuclear weapons that would be achieved by a convention would fortify international law to make it crystal clear that a nuclear weapon could never be used

legally, in any circumstances. International law has been growing through the Geneva and Hague Conventions and the Statute for an International Criminal Court, and now needs to contain an express prohibition of nuclear weapons. The rule of law must be the basis for order in the new globalized world. The present two-class standard for nuclear weapons—they are permissible for friendly countries but not for those considered hostile—is inimical to the principle of universal justice. A law containing a self-contradiction will always be in disrepute.

The holistic approach to nuclear disarmament through a Nuclear Weapons Convention has one other great, and perhaps determining, attribute: involvement of civil society. It will be states that do the negotiating and ratify the treaty, but the involvement of leading individuals and organizations in education, public policy, law, health, human rights, environmental protection, social justice, ethics, religion, and other fields will bring a deep human dimension to work that has too often in the past been dominated by bureaucrats and arcane terminology. For too long, governments have confused the public with the jargon and an esoteric minutiae of faltering steps. With the public left out, the diplomatic terrain has been occupied by those who specialize in technical details but have no clear vision of how to move the world. The principal exception to this was during the 1980s when the “nuclear freeze” campaign galvanized the public because it was understandable and had a clear goal: to stop the development of nuclear weapons.

It was civil society leaders who wrote the model convention treaty. Now that the subject is on the international agenda, the way is open for scientists, engineers, technicians, and corporations working in the nuclear field to contribute their expertise. The combined efforts of citizens and supportive non-nuclear weapons governments can lead the way in mobilizing public opinion for a global treaty.

A Nuclear Weapons Convention is attractive because it is a single-focused idea that would get rid of all nuclear weapons in a safe and secure way. It provides

a legal basis for phasing in concrete steps with a visible intent to reach zero nuclear weapons in a defined time period. The public can easily understand such a clear notion. Mayors, parliamentarians and civil society groups are now building up this campaign. Last week, High Representative Sergio Duarte told the U.N. First Committee that he believes there is growing interest worldwide in negotiating a Nuclear Weapons Convention. This is the moment to act. Abolition 2000, which has long been in the forefront of the struggle to eliminate nuclear weapons, has a great opportunity now to inject new energy into the nuclear disarmament movement.

For many years, nuclear disarmament has been a desultory process, doing little to stir public imagination. It has been buried in a welter of statistics and acronyms. The drive for a Nuclear Weapons Convention breaks through this torpid atmosphere. Its clarity puts energy and vigour into the process. It enables a new public campaign to be mounted to free humanity from the spectre of its own destruction.