OVERCOMING THE OBSTACLES ON THE ROAD TO ZERO NUCLEAR WEAPONS

Content:
I. Abstract
II. Explanatory Notes to the Presentation
III. Conclusions
IV. References

Author:
Dominik Hatiar
ACUNS-ASIL 2013 Summer Workshop Participant

+ Presentation was given at the ACUNS 2013 Summer Workshop (United Nations Office in Vienna, 19-26 July 2013) held on the theme „Nuclear Disarmament and Non-proliferation: Challenges, Opportunities and Perspectives“.
++ The author is a BA student of Security Studies at the University of Sheffield and an active member of the Global Zero movement, dedicating his activities to elimination of nuclear weapons. This presentation does represent author’s personal perspectives and not necessarily those of the Global Zero movement.
Table of Contents

I. Abstract 2

II. Explanatory Notes to the Presentation 4

Introduction: Idea of the NWFW and the International Community in the 21st Century. 5

II.A. Justifying the Goal of a NWFW
1) The Argument against the Viability of Nuclear Deterrence 4
2) Existence of Nuclear Weapons Will Lead to their Proliferation 5
3) The Nuclear Terrorism Argument 6
4) The Moral Argument 6

II.B. Overcoming the Obstacles on the Path to a NWFW
1) NWFW is Impossible Because it would Require Complete Control of Civil Nuclear Energy Activities 8
2) NWFW is Impossible Because there is no GCD Regime And a World Government 9
3) NWFW is Impossible Because on the Path to it, a New Proliferation Dynamic would be Ignited 10
4) NWFW is Impossible Because on the Path to it, Incentives to Use Nuclear Weapons Will Increase 11
5) NWFW is Impossible Because of the Danger of Cheating in the NWFW Regime 12
6) In a NWFW, Use of Biological and Chemical Weapons will be More Likely 12
7) A NWFW Will Make the World Safe for Conventional Conflicts 13

II.C. Possible Way of Verifying the NWFW
1) Transparency 15
2) Civil Society Monitoring 15

II.D. Methods of Enforcing the NWFW
1) The Deficiencies of the Current Enforcement System 17
2) The New Enforcement System Needed for a NWFW 18

III. Conclusions 19

IV. References 20
I. Abstract

In overall this presentation, aims to build a case for a Nuclear Weapons Free World by challenging the arguments which for decades stood in the way of nuclear disarmament, as well as by justifying the goal of a NWFW and offering possible ways of achieving it. This presentation is divided into four major parts, II.A Justifying the Goal of a NWFW, II.B. Overcoming the Obstacles on the Path to a NWFW, II.C. Possible Way of Verifying the NWFW, II.D. Methods of Enforcing the NWFW. In general, the author, address the issue of nuclear disarmament in new way which is abiding to the security environment of the 21st, not the 20th century.

The case for a NWFW is developed in part II.A out of 4 key arguments. Firstly, it rejects viability of the nuclear deterrence doctrine in the 21st century. Secondly, it argues that in long term it will be enormously difficult to sustain the current double standards on nuclear weapons possession as others will always be tempted to obtain them as well. The third argument elaborates on the risks related to nuclear terrorism. It proposes a NWFW as the final solution where non-existence of national nuclear arsenals would make them impossible to obtain. The fourth, moral argument (human rights based approach) questions nuclear weapons in their essentiality as it views their usage and possession as morally unjustifiable. Here it is necessary to zoom out of the national security system and move towards normative ideas.

However, justifying the NWFW is easier than realizing the goal of a NWFW. Therefore the author in part II.B aims to challenge arguments which stand in the way of achieving a NWFW. The sceptics have been so far effective in making the NWFW seem unattainable. The criticism can be divided into two categories, obstacles on route to the NWFW and in the state of a NWFW. For example, the possibility of cheating seems to be the most commonly stressed danger linked with the state of being in the NWFW. In response to this argument, the author hypothesizes that in a NWFW the enforcement and verification methods will be functioning at a high level enough to make chances of being caught high and its consequences severe. Different means for obtaining and sustaining the NWFW is an internationally controlled nuclear deterrent functioning as a deterrent of the cheating states.

The NWFW idea is also dependent on more effective verification and enforcement which elaborated by parts II.C and II.B. Verification could be improved by civil society monitoring, extensive transparency between states and international ownership of fuel cycle facilities. In order for the potential non-compliance states to be deterred by the prospect of their violation, political processes of enforcement must be more responsive and straightforward. In particular, immense time lags between the detection of non-compliance and implementation of the enforcement mechanisms cannot enable states to enjoy the benefits of the violation.

The continued existence of nuclear weapons predestines these weapons to be used one day, intentionally or not. The only way of eliminating this risk is eliminated the weapons themselves. A challenging task to achieve, nevertheless, as this presentation shows, a NWFW is attainable and the obstacles on the way to it can be overcome.
II. Explanatory Notes of the Presentation


- The idea of a Nuclear Weapons Free World (NWFW) has a long evolution and diverse history. Nevertheless, in the past decade it was most distinctively brought to the forefront by several US former officials, such as George Schultz and Henry Kissinger. As one of the authors of the article “A World Free of Nuclear Weapons” published in the Wall Street Journal, they urged the international community to take immediate steps towards a NWFW (Schultz, Perry, Kissinger, Nunn, 2007).
- It did not take long for the international community to respond, in various means. The idea of a NWFW was set as the key issue of the Oslo Conference in February 2008, the London Dialogue in March 2008 and an Experts’ Roundtable in Berlin in June 2008 which lead to the setting of an International Commission on Nuclear Non-Proliferation and Disarmament (Singh, 2010, p.113).
- Surge of the NWFW idea was also reflected by the launch of the Global Zero initiative which brings together more than 300 visionary political, military, business and civic leaders and experts from across the globe who support “our bold, step-by-step plan to eliminate all nuclear weapons” (The Global Zero Action Plan, 2008). The movement has been active ever since in building new grassroot movements and in placing topics of nuclear disarmament into public awareness.
- President Obama’s actions shouldn’t also be left unmentioned. In his 2009 Prague speech he said: “I state clearly and with conviction America's commitment to seek the peace and security of a world without nuclear weapons” (Obama, public address speech, Prague, 2009). The President has also chaired the passing of the United Nations Security Council Resolution 1887 that seeks "a safer world for all and to create the conditions for a world without nuclear weapons in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in a way that promotes international stability, and based on the principle of undiminished security for all." (Resolution 1887 of the Security Council, United Nations, 2009).
- More importantly, the 8th Review Conference of the nuclear Non-Proliferation Treaty (NPT) that was held in New York during May 2009 emerged as succesfull in adopting a consensus document “calling for initiating the process to a convention on nuclear weapons ban” (Singh, 2010,p 17).
II. A. Justifying the Goal of a NWFW

1) The Argument Against the Viability of Nuclear Deterrence

- The long indoctrinated theory of nuclear deterrence necessarily leading to peace and security through mutually assured destruction is being challenged as never before, namely by the proponents of the NWFW.

- The circumstances which may have enabled nuclear deterrence to function safely and effectively have changed, if not vanished with the end of the Cold War. For example, Sidney Drell draws on the argument that the U.S.–Soviet relationship was unique to its time, the effect of nuclear weapons in form of nuclear deterrence cannot be counted on in the post-Cold War era. The two nations had “no territorial claims against each other” and were “insulated by thousands of miles from daily frictions that arise when and adversaries live side by side” (Drell, 2008, p.28). Today, countries in the regions of Middle East or Asia may not enjoy the comfort of time to develop rules which will avoid the usage of these weapons.

- Put in different words, the well-known cliché pointing out that what works well in one case does not have to work in other, can also be applied to the case of nuclear deterrence (Brown, 2007, p.10). Furthermore, Henry Kissinger sees the reliance on nuclear deterrence in policy formation of particular countries increasingly hazardous and decreasingly effective.“ It is far from certain that we can successfully replicate the old Soviet-American "mutually assured destruction" with an increasing number of potential nuclear enemies world-wide without dramatically increasing the risk that nuclear weapons will be used.” (Kissinger, 2007, p.1)

- In addition, we have also witnessed arise of terrorism as new pressing threat to the security of states. Nuclear deterrence isn’t applicable to this threat as terrorist groups are not capable of being deterred. As Douglas Hurd in The Times writes, „Cold War calculations have been replaced by asymmetrical warfare and suicide missions.” (Douglas Hurd, The Times, 2008 June 30th.). The combination of reliance on nuclear deterrence as well as the continued rise of terrorism produces a hazardous threat. After all, it is today when a nuclear attack launched by terrorists is believed to be much more likely than a nuclear exchange between terrorists (Doyle, 2012, p. 221).

- At last but not least, the theory of nuclear deterrence can also be questioned in its entirety. This argument has also been put forward by Lawrence Freedman , “the case for abolition, though, is that it is hard to believe that the past 60 years of self- restraint can continue for the next 60 years” (Perkovich & Acton, 2012, p.308). Simply said, nuclear deterrence, as all social science theories, is fallible. However, the possibility of fallibility isn’t taken into account in this case and hence the annihilating consequences of the deterrence failing are being fully neglected. The possibility of deterrence failing and its devastating consequences do make reliance on deterrence too hazardous, what challenges its entire viability.
2) *Existence of Nuclear Weapons Will Lead to their Proliferation*

- As long as anyone possesses nuclear weapons, others will be tempted to obtain them as well. The double standards on possession of nuclear weapons, which are also embedded in the NPT motivate and enable new states to gain political advantages, by obtaining these weapons.
- Moreover, it will therefore be enormously difficult to sustain the current double standards on nuclear weapons possession. For this reason, severe nuclear disarmament steps with a goal of complete elimination must pursued be today, in order to avoid nuclear competition and proliferation in future.

3) *The Nuclear Terrorism Argument*

- While nuclear weapons may still be a viable currency used by states in furthering their political means and ensuring security, the usage of this currency in the age of global terrorism creates real security liabilities for all states.
- U.S. as well as Russian Intelligence agencies have numerous confirmed that al-Qaeda has had extensive activities in trying to develop or obtain biological, chemical, radioactive and nuclear weapons with the intention to use them against the U.S. or other enemies (Doyle, 2012, p.225). Furthermore, James Doyle states that there can be no doubt that terrorist groups such as al-Qaeda would be willing to use these weapons against they’re adversaries without much hesitation as the ultimate goal of terrorist groups is to spread terror and thus inflict the largest possible harm (Doyle, 2012, p.225). Strategy to avoid nuclear attack by terrorists or other sub-state actors must be developed, otherwise “with the spread of nuclear knowhow and material, we are facing an increasing danger that the deadliest weapons ever invented will be acquired by ruthless and suicidal terrorists” (Drell and Goodby, 2008, p.25).
- The most effective strategy in avoiding such an attack goes hand in hand with NWFW alternative under which the non-existence of national nuclear arsenals would make it impossible to obtain these weapons. In his own words James Doyle calls for “achieving absolute minimal stockpiles of nuclear weapons and materials throughout the world and preventing their spread to other states, because that spread increases the likelihood that terrorists could acquire them” (Doyle, 2013, p16). In essence, terrorism has become the key ingredient which makes proliferation and possession of nuclear weapons more risky as before and thus justifies the direction towards a NWFW.

4) *The Moral Argument*

- The Moral Argument takes a wholly different approach in justifying the NWFW because it questions nuclear weapons in their essentiality and legitimacy. The backbone of this argument are human rights which could refocus nuclear disarmament “away from state-centred approach to a people centred approach” (Mubiala, 2013,
p.1). At the same time, this approach could revitalize and accelerate nuclear disarmament effort.

- In other words, the scope of the debate has to be zoomed out, away from arguments based solely on national security, towards arguments which include “normative, moral and legal considerations” (Mian, 2012, p.297). Within this argument, one may include three sub-arguments, the humanitarian case (catastrophic consequence of a nuclear explosion), the security case (threats posed by reliance on the deterrence doctrine) and the environmental case (all forms of life on Earth being at stake as result of a nuclear exchange).

- Hence, the case for elimination of nuclear weapons must be based on the view of the international community that such weapons are morally unjustifiable, illegal and illegitimate. Consequently, any justification of a state for possessing these weapons would not get away without admitting that its security interests require the capacity and intention to commit a crime against humanity.

- At the same time, the well moral argument is not to develop from any abstract ideas. Already in 1946 the United Nations General Assembly resolution called for “the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction”, where “any state using nuclear and thermonuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the laws of humanity and as committing a crime against mankind and civilization” (Mian, 2012, p.298). The case made by the moral argument is taking the threshold of committing a crime against humanity to a lower level, where not anymore the usage but actual possession would violate the Charter of the United Nations.

- All in all, not only does the Moral Argument justify the goal of a NWFW, but it also outlines one possible way of arriving to that state.
II. B. Overcoming the Obstacles on the Path to a NWFW

*In this section I would like to summarize on-going debates between proponents of a NWFW and its sceptics. By refuting the long embedded arguments which effectively hinder non-proliferation efforts, I intend to show that all theoretical as well as practical obstacles on the Path to a NWFW can be overcome.

1) **NWFW is Impossible Because it would Require complete Control of Civil Nuclear Energy Activities**

- Many proponents of a NWFW claim that a NWFW would require a “ban on or international control of nuclear energy activities” (Holdren, 1998, p.11). This is a very sensible claim as the current spread of nuclear energy leads to an increased demand for fuel cycle facilities, which goes hand in hand with rising proliferation risks.

- Sceptics of a NWFW see a fatal problem in the aforementioned assumption as they view control of Civil Nuclear Energy Activities of states stepping too far in the sovereignty of states. Perkovich correctly points out that “much more tension exists between the two objectives of nuclear disarmament and the expansion of nuclear energy than has been publicly discussed” (Perkovich & Acton, 2012, p.85). Without exaggeration, the sceptics view a NWFW as not feasible because “the countries of the world are never going to be willing to give up nuclear energy, or even to place under control an activity as important to their economic well being as nuclear energy is” (Holdren, 1998, p.12).

*Solutions*

*There are two different ways in approaching the aforementioned criticism elaborated by points a and b.

a) **Improve the Verification Possibilities of the IAEA**

- Improved IAEA safeguards could make a NWFW more feasible without having a regime where countries would put their nuclear activities under international control.

- “One relatively inexpensive option would be to move the starting point of material accountancy further up the production chain to place all yellowcake (refined uranium ore) under safeguards” (Perkovich & Acton, 2012, p.87).

- Furthermore, a vital improvement, suggested by Acton, is to cover as a safeguards material also neptunium-237 along plutonium and uranium, which are all necessary for nuclear weapons production.

- Unfortunately, verification is not an end in itself, but means to an end. The effectiveness of enforcement plays particularly important role here. Following sections of this presentation will handle the topics of verification and enforcement in greater detail.
b) International Ownership of Fuel-Cycle Facilities

- Acheson-Lilenthal Report proposes a new alternative to the traditional IAEA safeguards that aims that would internationalize the fuel cycle. Under such circumstances all fissile material would be produced and owned by an international agency. This agency would flowingly would make small amounts of fissile material available to nations for civil nuclear energy activities (Acheson-Lilenthal Report, 1946, p.5).
- Taking this point further, Marvin Miller and Jack Ruina have even argued that “The only real control of breakout in a [nuclear-weapons-free world] is strict international control of all facilities for the production of fissionable materials that could be used in nuclear weapons” (Miller & Ruina, 2010, p.101)
- The International Fuel Cycle Facility would also serve another purpose. If nuclear-armed states, and perhaps others, do not want all states to retain the right to “peacefully” enrich uranium and separate plutonium on a national basis, the best alternative would be to move towards a standard where only multinational facilities would be allowed to enrich uranium. This issue of nuclear equity will be among the most crucial and challenging that states will face in the nuclear realm, whether or not abolition becomes a priority. Nevertheless it shows an important and realistic step in achieving the NWFW, where the intention would be merely to halt proliferation.

2) NWFW is Impossible Because there is no GCD Regime and a World Government

- Many commentators don’t find the perquisite for a NWFW in form of intensive verification sufficient, moreover they believe that only “general and complete disarmament (GCD)”, including the abolition of war enforced by a world government, would make the NWFW possible (Holdren, 1998, p.12).
- These ideas lead us to the view of many sceptics of a NWFW “ that it is a utopian idea in the same class with GCD and world government...and thus will never need to be taken seriously except in the almost unimaginable event that world government becomes a plausible proposition” (Holdren, 1998, p.12). Therefore, putting the NWFW into the same basket with a GCD and world government has made the NWFW seem unachievable before the idea even made to the negotiation tables.

Solutions

- The international community has already managed to outlaw or eliminate several types of hazardous weapons such as banning biological, cluster munitions, antipersonnel landmines, chemical weapons, ban intermediate-range land-based ballistic missiles between the United States and the Soviet Union, ban testing of nuclear weapons, without having to wait for a GCD regime. Several mechanisms which are in place to ban or eliminate diverse weapons are yet to be fully enforced, nevertheless they are the
litmus test proving the possibility of eliminating different classes of military technology.

- The world government may not be necessary for a NWFW. The international community has broad experience with “building and operating a variety of global institutions that, while falling far short of constituting a world government, have been tailored to specific problems not likely to be adequately addressed by nation-states acting solely as independent entities. Institutions ranging from the International Atomic Energy Agency to the World Health Organization to the World Bank to the UN Security Council provide an “existence proof” for the capacity of the world community to address complex global problems collectively when the need arises” (Holdren, 1998, p.13). Hence, the prospect of building an institution or upgrading an existing one to face the challenges of a NWFW may not be completely unrealistic.

3) **NWFW is Impossible Because on the Path to it, a New Proliferation Dynamic would be Ignited**

- This argument can be divided into two distinct categories. The first one sees elimination of nuclear weapons problematic due to the inevitable loss of the extended deterrent. Second argument makes the case of smaller stockpiles motivating rogue states to obtain nuclear weapons as it would be easier to match the sizes of their new stockpiles with the ones of nuclear states.
- In particular, the first argument claims that countries such as South Korea or Japan, which now enjoy extended deterrence would be left vulnerable on the way to a NWFW, what would hence motivate them to obtain their own nuclear weapons.
- The second argument also argues that the goal of a NWFW would, in paradox, cause the opposite end, a new proliferation dynamic. This argument is based on the assumption that “the large size of the US and Soviet/Russian arsenals has been one of principal barriers to proliferation, insofar as most other countries could not hope to match these arsenals and would see little gain from creating nuclear forces that would necessarily be small by comparison” (Perle, 1997). In essence, a movement towards a NWFW would lessen the entry barriers for other states aiming to obtain nuclear weapons, causing opposite ends of those, which were intended (Holdren, 1998, p.13).

**Solutions**

- Extended deterrent is one of the “political-security” topics which need to be addressed when setting a plan for a NWFW. Nevertheless I believe that the problematic of the extended deterrence when talking about a NWFW is artificially overrated by the sceptics. Importantly, Japan, South Korea and Turkey all appreciate the extended deterrence they enjoy, but only as long as nuclear threats and nuclear weapons themselves exist. Accordingly, all of these states vehemently support nuclear disarmament. Concurrently, I must also add that the disappearance of the nuclear
deterrent in these few cases would certainly have to be substituted by conventional force balancing and confidence building measure.

- Actual experience of nuclear proliferation does indeed undermine the second argument which voices that a significant decrease in the US and Russian stockpiles would diminish the entry barriers for potential new members of the nuclear club. For example, China, France or India didn’t want to compete with US and Russia in obtaining comparable amounts of nuclear weapons. Therefore Holdren highlights that these states were not “discouraged from going nuclear by their inability to compete in this way”. This suggests that nuclear proliferation does not depend on the sizes of arsenals but only on the ability to launch a nuclear weapon and cause severe damage, for what small fractions of US or Russian stockpiles suffice.

- The examples of Israel India and Pakistan do particularly show us that however big or small sizes of stockpiles of other members of the nuclear club, namely the superpowers, do not influence states decisions whether to go nuclear or not. Indeed, it would be sensible to claim that a small number amount of nuclear weapons can act as an “equalizer” of even several times larger stockpiles (Holdren, 1998, p. 13).

4) **NWFW is Impossible Because on the Path to it, Incentives to Use Nuclear Weapons Will Increase**

- Some scholars suggest that on the path to a NWFW, the incentives to use nuclear weapons would increase. They argue that the smaller number of nuclear weapons would make the “prospect of nuclear war seem less horrible than with today’s arsenals, or because a combination of the smaller numbers and the interaction of counterforce capabilities on one side and vulnerability of the nuclear weapons on the other might make a pre-emptive first strike seem an attractive proposition” (Calogero, 1995, p.191).

**Solutions**

- The above mentioned concern is a viable argument, nevertheless it must not be left unchallenged. First of all, the fact is that throughout 99% of the path to a NWFW the barrier to use nuclear weapons will not be lowered. This is due to the fact even if the stockpiles of nuclear weapons will be decreased from today’s thousands to hundreds or tens, a use of a marginal fraction of these stockpiles will still have devastating effect upon the whole civilization. Any prospect of a nuclear weapon war seems horrible, no matter if the number of stockpiles is in tens, hundreds or thousands. Therefore we may assume that a NWFW is possible because on the path to it, the barriers of not using these weapons (their devastating consequences) will remain the same.
5) **NWFW is Impossible Because of the Danger of Cheating in the NWFW Regime**

- The possibility of cheating seems to be the most commonly stressed danger linked with the end state of being in the NWFW. Reasonably, many fear that some may keep clandestinely some nuclear weapons “in the basement” or reconstitute their weapons, without having informed the international community. Especially dangerous situation could evolve if the cheating state would truly be the only one to have nuclear weapons at the particular time.

**Solutions**

- As Brown points out, the danger of a state cheating in the NWFW is essentially a matter of barriers and incentives (Brown, 2008, p.14). In this section I shall not touch upon the questions of barriers which are linked to the verification and enforcement methods covered by the next section. Nevertheless it seems reasonable to assume that in a NWFW the enforcement and verification methods will be functioning at a very high level and the chances of being caught would be very high and its consequences (military, political, economic) severe (Holdren, 1998,p.16).

- The incentives for a state to keep a nuclear weapon in a world where nobody else does derive from the benefits of the decision to do so. I am convinced that the cheating state would have just a marginal and temporary advantage, depending whether there would be an internationally controlled nuclear deterrent in the NWFW to function as a deterrent of the potential cheating states. If not, a cheating state, after having revealed its cheating (only then it could gain political and military leverage from it), would probably cause a new wave of proliferation where other states would use their remaining knowledge to acquire their own nuclear weapons. Hence, the advantage of a cheating state in the case of internationally controlled stockpiles would be close to zero, however even without internationally owned stockpiles, the advantage would be only temporary due to the ineradicable knowledge of building nuclear weapons.

- A detailed model of an internationally controlled deterrent, which was first developed by the US analyst Roger Speed, can be found in the enforcement section.

6) **In a NWFW, Use of Biological and Chemical Weapons will be More Likely**

- It is believed that the absence of nuclear weapons, as the ultimate and strongest WMD, would lead to use of other WMDs, in particular the biological and chemical weapons. Such a state of affairs would be highly undesirable as the ultimate aim of making the world a more secure place, would not be achieved.

**Solutions**

- The problem with the above mentioned argument, as pointed out by the Canberra Commission is that the assumption of nuclear weapons being the only way, the best way, or even a desirable way to discourage the use of biological and chemical is severely flawed (Canberra Commission, 1996, p. 37-38).

- As the current example in Syria shows us, chemical or biological weapons use can be retaliated not by threats to use of nuclear weapons against, but merely by the
possibility of using advanced conventional forces in which the current nuclear states are preponderant. States with smaller conventional forces would also find it undesirable to retaliate any use of BW from their neighbourhood by a nuclear strike because the possibility of further retaliation would be high and the use of a NW in a regional conflict would have devastating environmental and humanitarian consequences for the entire region. More importantly, if a country as powerful as the United States (for example) would insists it needs nuclear weapons to counter BW threats, then many less powerful countries will be tempted to conclude that they have an even greater need for nuclear weapons for this purpose, what is a clear prescription for nuclear proliferation.

- In conclusion, the use of biological and chemical weapons can be either retaliated by use of conventional forces and ultimately by furthering disarmament of these WMD weapon technologies. As shown above, the assumption of NW being the means of retaliating the use of biological and chemical weapons is deeply flawed.

7) **A NWFW Will Make the World Safe for Conventional Conflicts**

- This position is deeply rooted especially in the mind-set of cold war policymakers according to whom are nuclear weapons the single factor avoiding further conventional conflicts. Accordingly, this premise may lead us to believe that the elimination of nuclear weapons would unavoidably lead to proliferation of conventional conflicts. Simply said, elimination of nuclear weapons would minimize the barriers for state to enter wars.

**Solutions**

- The abovementioned argument is closely linked to the viability of the deterrence theory which was elaborated in previous sections. Therefore I will challenge the criticism conveyed by the point 7 in a different way, which will not elaborate upon the deterrence doctrine.

a) First of all, we must say that multilateral conventional military conflicts of various size have occurred in the past 60 years, despite existence of nuclear weapons and their influence upon foreign policy formation of the superpowers. These conflicts did encompass even nuclear-armed states, where risks of escalation into a nuclear war (e.g. the Cuban missile crisis) were possible. A relevant point is made by Holdren who writes that “It could easily have been a combination of good luck and good management, more than any immutable logic of deterrence, that got the world through this period without disaster” (Holdren, 1998, p.16).

b) Furthermore, nuclear weapons as the key barrier to conventional conflicts are overshadowed by numerous factors which contribute to avoidance of military conflicts. The Committee on International Security and Arms Control has managed to name all of the factors which contribute to peace and security (nuclear weapons are not included among these factors) : “the spread of democracy; the growth of information-based economic systems that do not depend on or benefit from territorial
conquest; expanding economic interdependence and integration; the emergence of strong international financial and political institutions, such as the United Nations and the International Monetary Fund; the diffusion of global communications and shared culture, which limit the degree to which governments can control information and propagate negative images of adversaries; the advent of modern intelligence and surveillance systems that facilitate accurate assessments of military capabilities and which make surprise attacks less likely to succeed; the development of collective security arrangements, such as NATO and the Organization for Security and Cooperation in Europe; and, more recently, deployment by the Western powers of modern conventional armaments, such as precision-guided munitions, which improve the effectiveness of defences against armoured attacks” (Committee on International Security and Arms Control, 1998, p. 74-75).

- Altogether, these arguments do convincingly support the case for a NWFW and do away with the assumption that a NWFW would lead to proliferation of military conflicts.
II. C. Possible Ways of Verifying the NWFW

1) Transparency

- Transparency is the most effective measure when it comes to confidence building and demonstration of states good faith. Transparency which would prove “not the absence of evidence but evidence of absence” could do away with suspicions of a state having allegedly kept some clandestine weapons in a NWFW (Perkovich & Acton, 2012, p. 69). The South African case is a good example of how transparent approach can even overcome discrepancies and whatsoever suspicions connected to dismantling nuclear arsenals in a country with a long and substantial nuclear program. It is almost impossible to verify all of the country’s production history to confirm the absence of highly enriched material. This task is complicated as discrepancies between recorded data and real yields occur. Furthermore, the data necessary to measure this have not been collected at every facility, especially not in the case of older facilities. Hence, the older a nuclear program is, the more suspicion it is objected to. South Africa, as pointed out by Acton as a case example because it has managed to overcome all of the aforementioned challenges by convincing the international society that it has truly dismantled its nuclear weapons and returned all HEU for peaceful use. Perkovich observes that “it did so by being highly transparent and cooperative” (Perkovich & Acton, 2012, p.70). Such a level of transparency is achieved by full compliance with the inspectors’ demands, what also meant giving them unlimited access to all data and facilities. In essence, the model of transparent behaviour embodied by South Africa should be replicated we are to achieve a NWFW.

- Exchange of stockpile data between nuclear weapon states could form into an effective transparency building measure. The data would include “the numbers of nuclear stockpile weapons added, retired, dismantled and remaining in service, broken down by categories” (Canberra Commission, 1996, p.74). This exchange of data will be vital for the disarmament process not only because it would provide a “comprehensive picture of states military nuclear activity” but moreover because of the potential of this model to undeclared nuclear weapon states (Canberra Commission, 1996, p74)

2) Civil Society Monitoring

- Achievement of the goal of a NWFW could be accelerated by the idea of civil Society Monitoring, which would further increase the effectiveness of verification and thus chances of being caught violating the NWFW regime. The main form of societal verification is by inducing the citizens of the countries signing the treaty to report to an appropriate international authority any information about attempted violation going on in their countries. For this system of verification to be effective it is vital that all such reporting becomes the right and the civic duty of the citizen. This right and duty will have to become part of the national codes of law in the countries party to the
treaty. The adoption of such laws would be greatly facilitated if this was made an integral part of the treaty on the elimination of nuclear weapons, and explicitly expressed in a specific clause of that treaty (Rotblat, 1993, p.7). Under these conditions, the burden of responsibility for violating the treaty would be also shared by the society.

- An option to further enhance societal verification is to add personal responsibility to the sphere of production and possession of weapons of mass destruction. Simply said, the individuals directly working with nuclear weapons would be conducting a crime according to the international law. Therefore it would not only be the state responsible but also the individuals involved in the nuclear program. The goal here is to create effective incentives for individuals “not to participate in or support state weapons of mass destruction programs and an incentive for whistle blowing particularly by persons who might otherwise be seen as being implicated in an illegal activity” (Canberra Commission, 1996, p.98).
II. D. Methods of Enforcing a NWFW

1) The Deficiencies of the Current Enforcement System

- Always when the international community managed to halt proliferation, it was the result of a collective action which offered its collateral benefits, as in the cases of South Africa, Libya and Iraq in 1991.
- However, as Muller highlights, when the enforcement system was successful in determining that no breach occurred, “unilateral preventive war happened and created chaos in Iraq 2002” (Muller, 2011, p.11)
- Conversely, when a breach was detected and proved, in the cases of North Korea and Iran, the system turned out to be unsuccessful in mounting conclusive action at the UNSC level.
- Source of the abovementioned deficiencies stem out of diverse disagreements as well as systematic problems. Disagreements about the actual occurrence of the break out, whether it took place or not are common, in the same way as whether the occurred break out is serious enough to require enforcement. Diagreements about the means of enforcement and their effectiveness also hinder the system. At last several states may find the particular enforcement measures taken as means of “enhancing power and authority of the enforcers” (Acton & Perkovich, 2012, p. 101).
- Furthermore, politicking and the veto power does entirely invalidate the verification system. It is often the case that first enforcement measures are taken years after break out was detected by the relevant organisations and authorities, as in the case of Iran. In other words, today we have a “strictly legal system” which however prevents action and hence unilateral action is the only possible means of enforcement, which on the other hand is strictly illegal, threatening the viability of international law (Muller, 2011, p.11).

2) The New Enforcement System Needed for a NWFW

- One possible solution to the shortcomings of the current system is to put more authority into the hands of the IAEA, as well as make enforcement more automatized.
- There is no sub-state or state organisation in the world more adequate in determining whether a state is seeking nuclear weapons than the IAEA. Furthermore, tasking the IAEA with this important mission would avoid the inevitable biases of national intelligence agencies (Muller, 2011, p.11). The added value of the renewed role of the IAEA would be that it would avoid disagreements between states over determining non-compliance. Consequently, if the IAEA would determine non-compliance, there would be a higher chance of a relevant action. As Muller writes, “the determination of a serious breach of the rules and an imminent danger then triggers the right of preventive self-defence for states and their coalitions of the willing under Art. 51 of the UN Charter, pending the preparation of collective action. This enhances the likelihood of action as well as of a serious attempt by the UNSC to tackle the problem.
Unilateral action as an interim measure is legalised and thus not a fundamental challenge to the whole system.

- In order to ensure enforcement action of the international community, emergency meeting of the UNSC to decide on collective action would have to be held. “It is likely that the permanent members are motivated to act seriously, as unilateral action is always detrimental to their status as the guardians of global peace and security, and as their own interests are at stake if somebody goes nuclear” (Muller, 2011, p.12).

- In the case of the UNSC being blocked by the veto, meeting of the UNGA under the Uniting for Peace procedure.
III. Conclusions

The presentation aimed to build a case for a Nuclear Weapons Free World by putting forward effective arguments which should project the idea of a Nuclear Weapons Free World to the negotiation tables. The presentation has also highlighted the exchange of arguments between the proponents and sceptics of the NWFW with conclusions in favour of eliminating nuclear weapons. Possibilities of improvement for verification and enforcement measures of compliance have also been offered with the intention these two vital means of halting proliferation work more effectively and conjointly.

As Stephen Hawking said, “Although September 11 was horrible, it didn't threaten the survival of the human race, like nuclear weapons do”. Like minded leaders are needed to entirely eliminate the nuclear threat. The obstacles in achieving this goal may to one seem insurmountable, such as the fact of not having nearly perfect verification measures or high costs of dissolving nuclear stockpiles. Nevertheless, as George Schultz suggests “if a few leaders of nuclear-armed states stepped forward with conviction and determination to seek the prohibition of nuclear weapons, many obstacles that seem immovable today might become movable.” (Schultz, 2008, Oslo Conference).
IV. References


Simpson, J., 2011. Is the Nuclear Non-Proliferation Treaty Fit its Purpose?. UNA-UK.

