



OPPOSING TRENDS: THE RENEWED SALIENCE OF NUCLEAR WEAPONS AND NUCLEAR ABOLITIONISM

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I. Introduction

Nuclear weapons have returned to the forefront of international politics in recent years. First, the growing potential for conflict between nuclear-armed states has raised alarm about the risks of nuclear weapon use. Second, bilateral arms control between the possessors of the two largest nuclear arsenals, the United States and Russia, remains stalled. Instead of arms control, the focus of all nuclear-armed states is on the modernization and diversification of their arsenals.

At the same time, a completely opposing trend is emerging: the global anti-nuclear movement has been revived in a way not seen since the cold war. Renewed concern about the risks of continued reliance on nuclear weapons led to the negotiation of the Treaty on the Prohibition of Nuclear Weapons (TPNW), which was adopted by 122 governments at the United Nations on 7 July 2017. The TPNW was given an enhanced international profile by the award of the 2017 Nobel Peace Prize to the International Campaign to Abolish Nuclear Weapons (ICAN)—a civil society coalition that actively campaigned for the treaty. ICAN had also been a prominent voice in the so-called humanitarian process, which preceded the TPNW negotiations and highlighted the catastrophic consequences of nuclear weapon use.

The coexistence of these opposing trends is hardly a coincidence. Increasing doubts about the inclination of the two largest nuclear weapon states (NWS) to respect shared norms and commitments under the 1968 Non-Proliferation Treaty (NPT) have added to the widespread frustration among non-nuclear armed states regarding the slow pace of disarmament. The behaviour of the two states has also fed public anxiety about nuclear threats, boosting collective efforts to remedy and protest against the existing nuclear order. However, the humanitarian process and particularly the TPNW have been criticized by the nuclear-armed states and their allies as naive and potentially destabilizing. They believe that current security challenges require a credible nuclear deterrent, which would be undermined by utopian nuclear abolitionism.

Both the nuclear-armed states and the nuclear abolitionists claim to share the same goal of reducing nuclear threats, but their strategies are markedly different. While the former believe that their own nuclear weapons are essential to deterring others from acquiring and using a nuclear arsenal, from

SUMMARY

● This paper discusses two opposing trends defining the current nuclear order: the renewed salience of nuclear weapons and nuclear abolitionism. Whereas nuclear weapon states and their allies have put increasing value on nuclear deterrence in recent years, several non-nuclear-armed states and civil society highlight the urgency of nuclear disarmament. The latter trend culminated in 2017 with the negotiation of the Treaty on the Prohibition of Nuclear Weapons (TPNW), which seeks to promote disarmament by strengthening the global stigma on nuclear weapons.

Most nuclear weapon states have rejected this approach and have identified the treaty itself as a threat. This paper argues that focus should shift from disagreements over the TPNW to the shared goal of reducing nuclear threats. The most urgent issue facing the Non-Proliferation Treaty (NPT) is the lack of progress on the implementation of its disarmament pillar, which puts the onus on nuclear weapon states to start tackling the security-related obstacles to disarmament.



an abolitionist perspective the nuclear-armed states' fixation with nuclear deterrence puts the rest of the world at unacceptable risk. Are these different viewpoints reconcilable, and what is their likely impact on the NPT-based nuclear order and the future of arms control?

II. Legitimacy crisis of the NPT

Since its entry into force in 1970, the NPT has been the primary legal instrument for dealing with the control of nuclear arms. Over the years it has acquired near-universal membership. The NPT consists of three pillars—non-proliferation, peaceful use and disarmament—the first two of which have been implemented with considerable success

The International Atomic Energy Agency (IAEA) is mandated to verify the commitment of the non-nuclear weapon states not to develop nuclear weapons. This, in turn, has enabled cooperation on the peaceful uses of nuclear energy. However, the third pillar, disarmament, which is enshrined in Article VI of the treaty, lacks both a verification mechanism and time limits. In Article VI, the five legally recognized nuclear weapon states (China, France, Russia, the United Kingdom and the USA) merely agree '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'.

It is certainly true that the USA and Russia have cut their nuclear arsenals by over two-thirds since the height of the cold war.¹ However, the pace of reduction has slowed since the implementation of the 1987 Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF Treaty), the 1991 Treaty on the Reduction and Limitation of Strategic Offensive Arms (START Treaty) and unilateral cuts in the 1990s. There are still almost 15 000 nuclear weapons in the world, of which the USA and Russia possess 93 per cent.² The 2010 Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START Treaty) reduced the number of deployed strategic warheads on both sides to 1550 but, like its predecessor, did not reduce the stockpiles of non-deployed warheads. There have been no further arms control talks between the USA and Russia since New START was signed. Nor have the NWS implemented the 13 concrete disarmament steps agreed at the 2000 NPT Review Conference, or the 64-point action plan of 2010.

Worse still, the INF Treaty has been on the verge of collapse since the reported deployment by Russia of proscribed cruise missiles beginning in December 2016.³ The demise of the treaty could create an insurmountable obstacle to further US-Russian nuclear arms control. It might also give rise to a new kind of arms race dynamic in Europe.

¹ 'World Nuclear Weapon Stockpile', Ploughshares Fund, updated 2 Mar. 2016

² 'Global nuclear weapons: Modernization remains the priority', SIPRI, Press release, 3 July 2017

³ Woolf, A. F., *Russian Compliance with the Intermediate Range Nuclear Forces (INF) Treaty: Background and Issues for Congress*, Congressional Research Service (CRS) Report for Congress R43832 (CRS: Washington, DC, 25 Apr. 2018).

Investments on modernization extend the lifetime of existing arsenals and create an additional political obstacle to disarmament



At the same time, all the nuclear-armed states are either modernizing or planning to modernize their nuclear weapons, delivery systems and related infrastructure, while also developing or deploying new weapon systems. Huge investments in modernization extend the lifetime of existing arsenals to the indefinite future and create an additional political obstacle to future reductions.

The non-nuclear weapon states' frustration with the situation was clearly visible at the 2015 NPT Review Conference (RevCon). While the conference was marked by stark divisions over disarmament, the main issue of contention was the failure to follow through on the 2010 plan to implement the 1995 Middle East resolution. Unlike after 2010, when a UN-appointed facilitator was mandated to engage in regional consultations to convene a conference on the establishment of a Weapons of Mass Destruction (WMD)-Free Zone in the Middle East, no international efforts to achieve such an objective are currently under way. The NPT seems to be heading for a deepening crisis.

III. Increased salience of nuclear threats

While the slowly deepening crisis in the NPT might not be apparent to all, public anxieties have been heightened in recent years by the increased salience of nuclear threats. In 2017, the threat of nuclear use seemed to increase significantly due to the escalation of tensions between the USA and the Democratic People's Republic of Korea (DPRK, North Korea) following the latter's intercontinental ballistic missile (ICBM) tests. This was one of the primary reasons for moving the Doomsday Clock to 'two minutes to midnight' in the January 2018 statement by the *Bulletin of the Atomic Scientists*.⁴

Although the development of a North Korean ICBM had been anticipated for many years, it triggered a change in the US assessment of the North Korean threat.⁵ According to North Korea's leader, Kim Jong Un, the entire US mainland was within range of the new missiles, sending a 'serious warning' to the USA not to attack North Korea.⁶

Regardless of the actual capability of North Korean ICBMs, about which there are still doubts, their strategic potential increasingly affects global and US, rather than just regional, threat perceptions.⁷ This is in spite of the fact that, like other nuclear-armed states, North Korea views its nuclear capabilities first and foremost as a deterrent. Rather than deterring the USA, however, its new capabilities initially seemed to stimulate US President Donald J. Trump's administration's interest in developing US military options for conducting preventive strikes against North Korea's missile launch sites. As several commentators warned, any resort to counter-force options could have disastrous consequences given North Korea's conventional military

⁴ Mecklin, J. (ed.), 'It is now two minutes to midnight', 2018 Doomsday Clock Statement, Science and Security Board, *Bulletin of the Atomic Scientists*.

⁵ Sanger, D. E., 'Intelligence agencies say North Korean missile could reach US in a year', *New York Times*, 25 July 2017.

⁶ Phillips, T., 'North Korea missile test shows it could reach New York, say experts', *The Guardian*, 29 July 2017.

⁷ Kristensen, H. M. and Norris, R. N., 'North Korean nuclear capabilities, 2018' *Bulletin of the Atomic Scientists*, vol. 74, no. 1 (Jan. 2018).



capabilities and the vulnerability of South Korea in any confrontation with its neighbour.⁸

However, largely due to South Korean efforts, US-North Korean dynamics were reversed in 2018. At the 12 June summit, Trump and Kim Jong Un committed themselves to ambitious goals that have long evaded diplomatic efforts, notably the denuclearization of the Korean peninsula and the provision of US security guarantees to North Korea. An apparent divergence of views regarding the practical implementation of these goals, however, has since highlighted the risk of regression to the previous negative dynamics.

Nuclear threats have also continued to influence European threat perceptions with regard to Russia. Russia's annexation of Crimea and its loose nuclear rhetoric in recent years have increased the perceived value of nuclear deterrence among North Atlantic Treaty Organization (NATO) member states. Although the threat of nuclear use in Europe still appears low, military exercises involving nuclear-capable missiles and strategic bombers have continued, involving the risk of miscalculation and potential escalation.⁹ The INF Treaty crisis could be exacerbated in this context, as there might be more NATO support for the USA bringing new weapons to Europe in response to the alleged Russian violations.

Although the confrontation between India and Pakistan has been largely overshadowed by other issues, it too remains of ongoing concern. India and Pakistan are two nuclear-armed states with a recent history of armed conflict, low levels of trust, and an absence of appropriate risk reduction mechanisms. There is a danger that a future war between them could escalate to a level at which either side might be tempted to resort to the nuclear option in order to avoid defeat.¹⁰ It is no coincidence that South Asia was chosen

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as the focus of the 2014 case study that informed the international process highlighting the humanitarian consequences of nuclear weapon use—a study that found that even a limited nuclear war could lead to global nuclear winter and famine.¹¹

Finally, there are indications that the threshold for nuclear weapon use may be lowering. Some of the alarmism around Russia's so-called escalate-to-de-escalate doctrine has been questioned.¹² Nonetheless, there is widespread concern that Russia might be ready to use its tactical nuclear weapons in a potential future conflict with NATO. Largely in response to such concerns, the Trump administration's 2018 Nuclear Posture Review (NPR) puts more emphasis on lower-yield nuclear weapons that might be more usable in conflict. The NPR also expands the options for retaliatory nuclear strikes against major non-nuclear attacks.¹³

⁸ Fitzpatrick, M., 'Think military strikes could stop North Korea? Try it and see' *New York Times*, 24 May 2018.

⁹ Emmott, R. and Styas, A., 'Russia's Zapad war games unnerve the West' Reuters, 13 Sep. 2017; and Cohen, Z., 'US bombers arrive in Europe as Russia preps for war games', CNN, 24 Aug. 2017.

¹⁰ Mizokami, K., 'Forget North Korea: This is the most likely place a nuclear war could break out', *The National Interest* 19 May 2017.

¹¹ Mills, M. et al., 'Multidecadal global cooling and unprecedented ozone loss following a regional nuclear conflict', *Earth's Future*, 14 Apr. 2014.

¹² Ven Bruusgaard, K., 'The myth of Russia's lowered nuclear threshold', *War On the Rocks*, 22 Sep. 2017.

¹³ US Nuclear Posture Review, US Department of Defense, Feb. 2018.



IV. The revival of nuclear abolitionism

At the same time, a completely opposite trend—a revival of the global anti-nuclear weapon movement, or nuclear abolitionism—has been gathering pace. This trend culminated in the historic negotiations that led to the adoption of the TPNW in July 2017—the first multilateral treaty to clearly make the possession, use or threat of use of nuclear weapons illegal under international law.

This abolitionist momentum was largely created through the process of highlighting the humanitarian consequences of the use of nuclear weapons. While the application of the perspective of international humanitarian law to nuclear weapons had been advocated previously by organizations such as the International Committee of the Red Cross and International Physicians for the Prevention of Nuclear War, it first found its way into the NPT context at the 2010 RevCon. This led to a number of humanitarian statements, which were issued in the context of the NPT review and the United Nations General Assembly in 2012–15, as well as three consecutive conferences highlighting the humanitarian impact of nuclear weapons. The focus of these conferences, which were held in Oslo, Nayarit and Vienna in 2013–14, was on the catastrophic humanitarian and environmental consequences of nuclear weapon use, the lack of adequate response capacity to assist victims of nuclear war and the risk of unintentional use. The Vienna conference also produced the Austria-sponsored ‘humanitarian pledge’ of international cooperation ‘to fill the legal gap for the prohibition and elimination of nuclear weapons’.¹⁴

Through this process, the idea that new legal measures were necessary to address the risks posed by nuclear weapons gained ground. The humanitarian conferences also mobilized international civil society, and ICAN actively campaigned for a new treaty to prohibit nuclear weapons. In subsequent discussions in a UN open-ended working group in 2016, the majority of states agreed that a prohibition treaty, even without the nuclear-armed states, would be the best way forward.¹⁵

Beatrice Fihn, the executive director of ICAN, argues that although the TPNW ‘won’t eliminate nuclear weapons overnight . . . it will establish a powerful new international legal standard, stigmatizing nuclear weapons and compelling nations to take urgent action on disarmament’.¹⁶ The expectation is that this stigmatization will weaken the association between nuclear weapons and prestige, and thus create a new kind of pressure for disarmament. Or, in the words of the Ireland’s ambassador to the UN, ‘change only comes about when the status quo becomes less comfortable, when the discomfort of doing something new becomes less than keeping things the same’.¹⁷ Ireland actively supported the treaty—and signed it too.

The expectation is that the association between nuclear weapons and prestige will be weakened, creating a new kind of pressure for disarmament

¹⁴ Kile, S. N., ‘Treaty on the Prohibition of Nuclear Weapons’, *SIPRI Yearbook 2018: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2018), p. 308.

¹⁵ Kile (note 14), pp. 308–10.

¹⁶ Högsta, D., ‘ICAN at the UNGA’ Heinrich Böll Stiftung, 16 Nov. 2016.

¹⁷ Statement by Ambassador Patricia O’Brien, Permanent Representative of Ireland to the United Nations and other international organisations at Geneva, at the United Nations conference to negotiate a binding instrument to prohibit nuclear weapons, leading toward their total elimination, New York, 27–31 Mar. 2017.



Deterrence is essentially dependent on convincing an adversary of one's own readiness to use nuclear weapons—despite the horrendous effects

While the long-term effect of the TPNW on perceptions is difficult to predict, the treaty has already succeeded in shaping the debate on nuclear weapons to some extent. On the one hand, it has revealed conflicting interpretations of the NPT's disarmament pillar. The consensus documents at the 2000 and 2010 NPT RevCons reaffirmed that NPT Article VI was a legal obligation on the nuclear-armed states.¹⁸ However, the subsequent lack of implementation of the disarmament steps endorsed in the same RevCon documents led to a growing perception that the nuclear-armed states were treating disarmament as merely an aspirational goal, rather than a binding commitment. The nuclear-armed states' opposition to the TPNW has reinforced this view, raising questions about the extent to which disarmament really is a shared goal. Here, it should be noted that the 'Non-Proliferation and Arms Control' section of the 2018 US NPR appears to completely ignore the disarmament pillar by criticizing the TPNW on the basis that it 'seeks to inject disarmament issues into non-proliferation fora, potentially damaging the non-proliferation regime'.¹⁹

On the other hand, the TPNW has brought to light deep philosophical differences regarding the relationship between nuclear weapons and international security. In contrast to the nuclear-armed states' views on the essential role of nuclear deterrence for security (see below), advocates of the TPNW argue that it is precisely such logic that is putting the rest of the world at unacceptable risk. Based on the premise that the complete elimination of nuclear weapons 'remains the only way to guarantee that nuclear weapons are never used again under any circumstances', the treaty defines a nuclear-free world as a 'global public good of the highest order, serving both national and collective security interests'.²⁰

V. Obstacles to disarmament: security and status concerns

Apart from some doctrinal changes over the years, the basic purpose of nuclear weapons in the strategies of the NWS has remained relatively unchanged since the time of the cold war. Despite broadening the range of 'extreme circumstances' that could trigger US nuclear retaliation, the US NPR states that the 'highest US nuclear policy and strategy priority is to deter potential adversaries from nuclear attack of any scale'.²¹ NATO's 2010 Strategic Concept, in turn, describes the nuclear weapons held by three of its members, and US strategic nuclear forces in particular, as 'the supreme guarantee' of its members' security.²² According to Russia's 2010 military doctrine, the purpose of its nuclear weapons is the 'prevention of nuclear military conflict or any other military conflict' where 'the very existence of

¹⁸ See e.g. Acronym Institute for Disarmament Diplomacy, '2000 NPT Review Conference: Final Document (13 Steps)', 20 May 2000.

¹⁹ US Nuclear Posture Review (note 13).

²⁰ The Treaty on the Prohibition of Nuclear Weapons.

²¹ Feinberg, A., 'Exclusive: Here is a draft of Trump's nuclear review. He wants a lot more nukes', Huffington Post, 11 Jan. 2018.

²² NATO, 'Strategic Concept For the Defence and Security of The Members of the North Atlantic Treaty Organisation', Adopted by Heads of State and Government in Lisbon, 19 Nov. 2000.



(Russia) is under threat'.²³ Similarly, the long-term purpose of the Chinese nuclear arsenal is 'to deter other countries from using or threatening to use nuclear weapons against China'.²⁴

Deterrence is essentially dependent on convincing an adversary of one's own readiness to use nuclear weapons—despite the horrendous and genocidal effects that have given rise to the so-called nuclear taboo. As James E. Doyle has noted, 'potentially lethal tension exists between nuclear deterrence and the nuclear taboo because the effectiveness of a nation's nuclear deterrent depends on the credibility of its threat to use those weapons'.²⁵ This tension is arguably a key reason why nuclear-armed states view the TPNW as a threat, as demonstrated in an October 2016 memo from the USA to all NATO members, urging them to vote against starting TPNW negotiations at the General Assembly:

efforts to ... delegitimize nuclear deterrence are fundamentally at odds with NATO's basic policies on deterrence and our shared security interests. In light of the current security environment, it is important for us to avoid introducing any doubt regarding Alliance unity or the Alliance's commitment to deter and defend against any threat to the safety and security of NATO populations.²⁶

The UK and France share the US view that any attempt to prohibit nuclear weapons is premature in the current circumstances. According to a joint statement by the three countries on the adoption of the TPNW on 7 July 2017:

A purported ban on nuclear weapons that does not address the security concerns that continue to make nuclear deterrence necessary cannot result in the elimination of a single nuclear weapon and will not enhance any country's security, nor international peace and security. It will do the exact opposite by creating even more divisions at a time when the world needs to remain united in the face of growing threats, including those from the DPRK's ongoing proliferation efforts.²⁷

All three states therefore invoke the Realist deterrence argument to justify their possession of nuclear weapons, referring in general terms to security threats.²⁸ At the same time, they criticize the TPNW for undermining a concerted response to the North Korean threat—a country that rejects disarmament based on the very same Realist logic that the more established nuclear states apply to themselves. As the North Korean foreign minister explained in August 2017, his country's possession of nuclear weapons and long-range missiles is 'a legitimate option for self-defence in the face of clear

²³ Sokov, N., 'The new, 2010 Russian Military Doctrine: The nuclear angle', James Martin Center for Nonproliferation Studies, 5 Feb. 2010.

²⁴ Lipinhg Xia, 'China's Nuclear Doctrine: Debates and evolution', Carnegie Endowment for International Peace, Regional insight, 30 June 2016.

²⁵ Doyle, J. E., 'The psychology of nuclear survival', *Bulletin of the Atomic Scientists*, 6 Nov. 2015.

²⁶ NATO, 'United States non-paper: Defense impacts of potential United Nations General Assembly Nuclear Weapons Ban Treaty' 17 Oct. 2016.

²⁷ US mission to the United Nations, 'Joint press statement from the Permanent Representatives to the United Nations of the United States, United Kingdom, and France, following the adoption of a Treaty Banning Nuclear Weapons', New York, 7 July 2017.

²⁸ While political Realism is a diverse intellectual tradition that can also be seen to contain a critique of nuclear deterrence, here the authors refer to Jonathan Schell's use of the term as part of his three-part classification that includes 'nuclear Wilsonianism' and 'nuclear Romanticism'. This is also in line with Kenneth Waltz's neo-Realist view of nuclear weapons as a cost-effective means for states to increase their security and independence.



and real nuclear threat posed by the US'. 'Where there is nuclear threat', the minister noted, 'there is bound to be nuclear deterrence'.²⁹

Russia, too, has been clear in its opposition to the TPNW, which it similarly regards as a threat to the NPT. The Russian Foreign Minister, Sergey Lavrov, has described the rise of the abolitionist movement as a 'dangerous and delusive trend'. Whereas Western nuclear powers tend to highlight proliferation and unspecified security concerns as the main obstacle to disarmament, Russia typically invokes the idea of strategic stability. According to Lavrov, the TPNW 'disregards the importance of taking stock of all the current factors that influence strategic stability'.³⁰ This argument was explained in more detail in the Russian Foreign Ministry's comments on the TPNW in September:

The emergence of a Treaty for the prohibition of nuclear weapons will not change reality in the field of strategic stability that mandates us to exercise utmost caution and responsibility with our evaluations of the future of nuclear disarmament. We have always attached great importance to the factors affecting the situation in this sphere . . . Amongst them—the creation by the US of a Global Missile Defense system, the possibility of the deployment of weapons in outer space, non-ratification of the CTBT by the US and several other states, the plans of Washington for the creation of a potential for a 'Prompt Global Strike', continued imbalance in conventional weapons.³¹

Russia believes that strategic stability is being undermined by the USA developing missile defence systems and advanced conventional weapons. Of key concern is that further progress on disarmament might make Russia more vulnerable to a US first strike.³²

China, too, views US missile defence systems and the weaponization of outer space as 'detrimental to global stability', and as obstacles to nuclear disarmament.³³ At the same time, however, China has been the most sympathetic of all the P5 countries to the TPNW. Instead of voting against holding treaty negotiations at the General Assembly, China abstained. According a statement by the Chinese Foreign Ministry of March 2017, the Chinese goal of a 'final comprehensive ban on and total destruction of nuclear weapons' is 'fundamentally in line with the purposes of negotiations on the nuclear weapons ban treaty'.³⁴

Moreover, France, the UK and the USA, as well as Russia typically make what Jonathan Schell has called the nuclear Wilsonian argument that

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²⁹ Statement by HE Ri Yong Ho, Minister of Foreign Affairs, Democratic People's Republic of Korea, ASEAN Regional Forum, 7 Aug. 2017.

³⁰ Russian Ministry of Foreign Affairs, Foreign Minister Sergey Lavrov's remarks at a UN Security Council meeting on the Non-proliferation of Weapons of Mass Destruction: Confidence Building Measures, New York, 18 Jan. 2018.

³¹ Permanent Mission of the Russian Federation to the United Nations, 'Russian Mission's comments on the Treaty for the Prohibition of Nuclear Weapons', 27 Sep. 2017.

³² As Putin said in June 2016, 'some high-precision weapons are used to carry out a pre-emptive strike, while others serve as a shield against a retaliatory strike, and still others carry out nuclear strikes'. President of Russia, Meeting with heads of international news agencies, 17 June 2016.

³³ Preparatory Committee for the 2020 Review Conference, 'Nuclear disarmament and reducing the danger of nuclear war', Working Paper Submitted by China, 9 May 2017.

³⁴ Tong Zhao and Wang, R., 'China and the Nuclear Weapons Prohibition Treaty', Carnegie-Tsinghua, Center for Global Policy, 21 Sep. 2017.



their possession of nuclear weapons is contributing to global stability.³⁵ The argument is based on ‘nuclear peace theory’, which explains the absence of open confrontation among major powers since 1945 in terms of the political restraint induced by nuclear deterrence, particularly the principle of mutually assured destruction.³⁶ For example, the USA, the UK and France argue that ‘the policy of nuclear deterrence . . . has been essential to keeping the peace in Europe and North Asia for over 70 years’.³⁷ Similarly, the president of Russia, Vladimir Putin, while highlighting the importance of parity vis-à-vis the USA, has said that strategic stability has ‘allowed the world to avoid major armed conflicts’ since the 1940s and 1950s.³⁸

It would be helpful to acknowledge the TPNW as a reality of international law and to think about how it could best be used to promote shared goals

Many of the stated security concerns and beliefs of the nuclear-armed states are undoubtedly genuine. However, they arguably also disguise another driver that tends not to be explicitly stated—prestige considerations, or ‘nuclear romanticism’.³⁹ The way in which the NWS set themselves apart from North Korea is a case in point. They tend to see themselves as having a special status given by the NPT, while viewing North Korea as a pariah not worthy of the label nuclear weapon state. While diplomatic courtesy usually prevents overt boasting about nuclear weapons, President Trump has been exceptionally candid about his personal ideas about US nuclear greatness.⁴⁰

VI. Future prospects

The world is currently deeply divided on the question of nuclear disarmament and the controversy over the TPNW can be seen as the culmination of this rift. However, rather than being the cause of polarization, the new treaty should be seen as a symptom of the non-nuclear armed states’ long-term discontent with the status quo. From the perspective of TPNW negotiators, positive change required stepping outside the consensus-based NPT framework and shaking up the existing order. Instead of dismantling that order, the aim was to rectify it by reinforcing the disarmament pillar. Nonetheless, the nuclear-armed states and their allies have viewed this diversion in exclusively negative terms, as potentially threatening the entire non-proliferation regime.

It would be helpful to collectively acknowledge the TPNW as a reality of international law and move on from being either for or against the treaty to thinking about how it could best be used to promote shared goals. After all, the impact of the TPNW will ultimately depend on how it is perceived

³⁵ Schell, J., *The Seventh Decade: The New Shape of the Nuclear Danger* (Metropolitan Books: New York, 2007), pp. 69–70.

³⁶ For an in-depth discussion and criticism of this argument, see Rauchhaus, R., ‘Evaluating the nuclear peace hypothesis: a quantitative approach’, *Journal of Conflict Resolution*, vol. 53, no. 2 (Apr. 2009), pp. 258–77.

³⁷ US mission to the United Nations (note 27).

³⁸ President of Russia, ‘Meeting on developing new types of weapons: Vladimir Putin chaired the last in a series of meetings on Armed Forces development’, 18 Nov. 2016.

³⁹ Schell (note 35), p. 53.

⁴⁰ See e.g. Holland, S., ‘Trump wants to make sure US nuclear arsenal at “top of the pack”’, Reuters, 23 Feb. 2017.



and what kind of political processes it gives rise to both domestically and globally.

The 2020 NPT RevCon is seen by many as a crucial test case in determining whether the future of NPT deliberations will be marked by increased polarization or bridge-building. With this in mind, the nuclear weapon states would do well to shift the focus from the imperfections of the TPNW to the shared longer-term goal of disarmament. Even if they view the TPNW as unrealistic and believe that no concrete disarmament steps can be taken in the short term, the nuclear-armed states could put more focus on disarmament verification as part of efforts to lay the groundwork for a future Nuclear Weapons Convention, which could coexist with both the NPT and the TPNW. As part of such an undertaking, the states could begin to tackle the difficult technical questions left unaddressed by the TPNW, such as how to manage and monitor dual-use activities after disarmament has taken place.

Of course, the reality is that there appears to be little political will to initiate any such measures. In addition to the nuclear-armed states' greater reliance on nuclear deterrence and focus on nuclear modernization, arms control and disarmament seem to be mostly absent from their foreign policy agendas.

Indeed, while much of the current discussion focuses on how to 'deal with' the TPNW or bridge related disagreements, the real challenge will be to address the deeper malaise facing the NPT. The onus is necessarily on the nuclear-armed states, which will be expected to start implementing their much-discussed concrete steps towards disarmament. At a minimum, the USA and Russia should work to preserve existing arms control agreements by extending New START and making serious efforts to resolve their differences over the INF Treaty.

The rest of the world might be more sympathetic to the difficulties of the nuclear-armed states in making progress on disarmament if they put more effort into tackling, rather than just mentioning, the obstacles that stand in the way of each particular disarmament step. For example, what is it exactly

that prevents the ratification of the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) or negotiations on a fissile material cut-off treaty (FMCT), and how can these bottlenecks be addressed? To the extent that the obstacles are linked to security concerns about other nuclear-armed states, they could seek to address them collectively. Regarding North Korea, it would be important to apply the logic of

incremental arms control steps to that problem as well, instead of expecting North Korea—unlike all the other nuclear-armed states—to agree to disarm completely at the start of negotiations, without credible guarantees that its security concerns will be addressed.⁴¹

In addition to the lack of progress on disarmament and arms control, one particularly damaging backward step for the NPT was President Trump's May 2018 decision to pull out of the Joint Comprehensive Plan of Action agreed with Iran in 2015. In addition to risking the recreation of a

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⁴¹ For example, President Trump's National Security Advisor, John Bolton, has suggested a one-year time frame for denuclearization. Vasquez, M., 'Bolton says there's a one-year plan for North Korea to denuclearize, stays mum on WaPo report', CNN, 1 July 2018.



non-proliferation crisis with Iran, the decision also raises doubts about the durability of any potential denuclearization agreement with North Korea.

Continued deadlock in the implementation of the step-by-step approach and a lack of any visible efforts to remove the related obstacles—combined with backward steps and the ongoing criticisms of the TPNW by the nuclear-armed states and their allies—are likely to lead to further estrangement between the nuclear-armed states and a majority of the non-nuclear weapon states. While the most visible effect of this would be the failure of the 2020 NPT RevCon, the non-proliferation regime's weakening legitimacy could also be reflected in greater resistance by the non-nuclear-weapon states to any additional non-proliferation commitments, and their reduced involvement in the NPT process. Although the negotiators of the TPNW took care to emphasize that the aim of the new treaty was to complement rather than replace the NPT, in a context where collective trust in the NPT is weakened, the TPNW might become the preferred multilateral framework for upholding nuclear non-proliferation and disarmament norms.

While the current situation is not encouraging, it is still possible for some of the current negative trends to be reversed. For example, there is a chance that the diplomatic process between the USA and North Korea could ease tensions in the Korean peninsula and ultimately lead to a denuclearization. The 16 July summit between the USA and Russia also raised the prospect of new activity in nuclear arms control, although at the time of writing no concrete plans have emerged even regarding the relatively straightforward issue of New START extension.⁴² Domestic politics—possibly influenced by the rise of the anti-nuclear movement—could also help to put arms control and disarmament back on the foreign policy agendas of the nuclear-armed states.

The non-proliferation regime's weakening legitimacy may be reflected in resistance by the non-nuclear-weapon states to additional commitments

⁴² The White House, Remarks by President Trump and President Putin of the Russian Federation in Joint Press Conference, Helsinki, 16 July 2018.

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OPPOSING TRENDS: THE RENEWED SALIENCE OF NUCLEAR WEAPONS AND NUCLEAR ABOLITIONISM

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