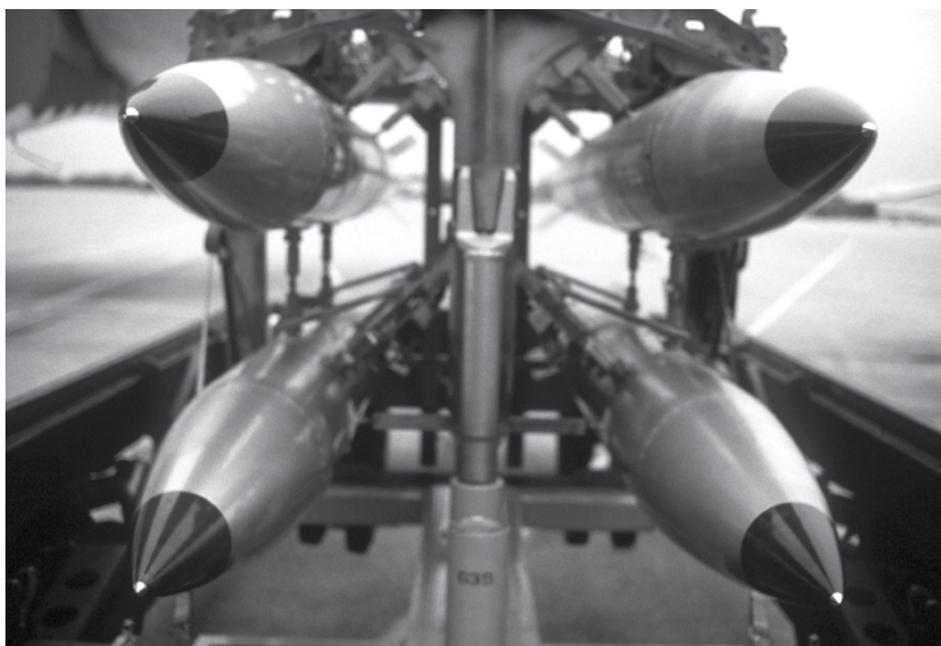


Disarmament Times

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Analysis | *Susi Snyder & Wilbert van der Zeijden*

WITHDRAWAL ISSUES Getting Over Tactical Nuclear Weapons in Europe



U.S. Department of Defense Photo / SSGT Phil Schmitt

NATO Members Discuss U.S. Tactical Nuclear Weapons in Europe

1 December 1986. A front view of four nuclear free-fall bombs (B61) on a bomb cart. BARKSDALE AIR FORCE BASE, LOUISIANA, USA. (Photo released to public.) The continued deployment of U.S. tactical nuclear weapons in Europe has come into question recently. Story here and continued on page 3.

Between October 2009 and summer 2010, discussions within NATO on the deployment of U.S. tactical nuclear weapons (TNW) in Europe intensified in a way that took many off guard.¹ The new German coalition government openly spoke out against ongoing deployment in Germany. Several countries followed, including two more “host countries” of U.S. TNW — Belgium and the Netherlands — albeit with various conditions. Opponents of TNW withdrawal responded as well, as did those worried that the debate might undermine stability or solidarity within NATO. The TNW issue became one of the most contentious debates in the consultation process leading to the November 2010 adoption of the NATO Strategic Concept.

Within this context, and amidst contradictory reports from both inside and outside NATO on the viability of proposals for withdrawal of TNW, IKV Pax Christi, a Dutch peace and security NGO, set out to interview all 28 NATO member delegations to find out exactly what they think about the withdrawal of U.S. tactical nuclear weapons.² What opportunities do they see for removal, and what obstacles? The resulting report, *Withdrawal Issues*, demonstrates only three countries (France, Hungary and Lithuania) support the continued forward deployment of the 180 U.S. B61 gravity bombs in Europe. Many NATO members view these aging weapons as redundant, or obsolete, and 14 (or half) of the Alliance are seeking ways to change NATO’s nuclear situation. With growing momentum towards a world without nuclear weapons, many regard the TNW as the low-hanging fruit, “the first ones to go.”

Since the report was first published, responses from NATO delegations and capitals, as well as from disarmament experts have, by and large, been very positive. The report has encouraged questions from parliamentarians towards their foreign ministries, and during parliamentary discussions in Germany, Belgium and the Netherlands. Parliamen-

tarians in NATO countries recognize that the Defense and Deterrence Posture Review taking place during the coming months could decide the fate of the U.S. TNW in Europe.³

Withdrawal Issues – Findings and Recommendations

The *Withdrawal Issues* report analyzes individual country positions and debunks oft-repeated myths in the process. It has long been stated that so-called “new” NATO countries are more reluctant to have the bombs removed, but the report shows that is not the case. Neither are countries closer to Russia more likely to want to keep these nuclear weapons. Nor was the persistent assumption that Turkey would build its own nuclear bomb if the TNW are withdrawn mentioned by any delegation. In fact, the report demonstrates that there are no easy formulae for determining a country’s position on the TNW issue.

The report shows half the Alliance is actively seeking scenarios to remove TNW from Europe. Ten more will not object to their removal. Only three countries are currently hoping to keep TNW in Europe. Countries looking for ways to remove the TNW generally do not expect them to be out today, or tomorrow. Above all, NATO countries see that consensus and Alliance solidarity are crucial to making any changes. NATO countries list a number of obstacles that need to be cleared prior to a decision to remove the TNW, most frequently citing Alliance cohesion, reciprocity with Russia and overcoming French resistance.

The most strongly identified security concern mentioned in interviews in the run-up to NATO’s new Strategic Concept was the need to reaffirm Alliance commitment to Article 5 of the founding treaty, that is collective defense.⁴ TNW withdrawal, it was stressed, should not undermine Alliance cohesion. The visibility of the transatlantic bond needs to be guaranteed. In addition, some members noted that the “burden sharing” connected to TNW should be replaced.⁵ The shape of new burden sharing agreements to replace the nuclear agreement will be difficult to find consensus on, but as many countries have already suggested alternatives, it should not be impossible. Countries have already suggested “more practical” or “more useful” forms of burden sharing, and the report recommends that this should be further elaborated during the ongoing Defense and Deterrence

Posture Review

At the Lisbon Summit, NATO and Russia agreed to “bolster a NATO-Russia partnership that enhances security for all in the Euro-Atlantic areas and beyond.”⁶ Yet in the new Strategic Concept, NATO agreed that its “aim should be to seek Russian agreement to increase transparency on its nuclear weapons in Europe and relocate these weapons away from the territory of NATO members.”⁷ Reciprocity with Russia, in some form, is a necessity for half of NATO delegations for TNW withdrawal. Six NATO countries say they will only agree to TNW withdrawal if Russia relocates (at least part of) its TNW arsenal. Others are less attached to the reciprocity idea, saying that some form of reciprocity “would be preferred” or “would help to speed along the debate within NATO.” Only one country admitted to being disappointed about the link made with Russia, reasoning that this way Russia and NATO are offering each other excuses to keep the status quo.

France is mentioned as a key obstacle by 10 NATO delegations. In the run up to the November 2010 NATO Strategic Concept, a number of countries described how France

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DISARMAMENT TIMES is available online at <http://disarm.igc.org>.

A New Agenda on Explosive Force

by Thomas Nash & Richard Moyes

In the first half of this year, Libya and Cote d'Ivoire have provided high-profile examples of explosive force being used where civilians are concentrated, but this pattern of violence is being repeated on a daily basis in both conflict and non-conflict environments.

Between October 2010 and May 2011, researchers at the United Kingdom-based Action on Armed Violence recorded 18,360 deaths and injuries from the use of explosive weapons globally.¹ Of these, 13,875 were civilians. A vast majority of these civilian casualties — 87% — occurred when the explosive weapons were used in populated areas. The figures are a conservative estimate, since they are based only on English language media reports and apply a restrictive methodology in counting the casualties.

Explosive weapons include both conventional explosive ordnance (such as mortars, rockets and high explosive artillery) and improvised explosive devices (such as car bombs and roadside bombs). Such weapons generally use a combination of blast and fast flying fragments, projected out from the point where they detonate, to damage material and to kill and injure people in the surrounding area. They are weapons of conflict rather than policing.

Depending on the weapon type, the radius of effect can be very large. For example, according to U.S. "danger close" policies, a person some 250 meters from a Mk-82 500-pound bomb strike has a 10 percent chance of being incapacitated. So when they are used in built up areas they can cause severe harm. They kill and injure people who are within the radius of effect; they destroy buildings and vital infrastructure damaging livelihoods and economies. This destruction often forces people to leave their homes, causing widespread displacement. Survivors can be left to overcome long-term physical disabilities, and the particular psychological effects of exposure to bombing are not yet fully understood.

It is against this background, that eight non-governmental organizations came together to establish the **International Network on Explosive Weapons (INEW)** on 29 March 2011 in Geneva, Switzerland. Action on Armed Violence, Handicap International, Human Rights Watch, IKV Pax

Christi, Medact, Norwegian People's Aid, Oxfam and Save the Children will work to build up a civil society platform capable of bringing about changes to the policy and practice of states and other actors using explosive weapons in populated areas.

The founding INEW call, which will be further developed as the network grows, is "for immediate action to prevent human suffering from the use of explosive weapons in populated areas." Over the months and years ahead, INEW will be building on the research of its members and undertaking advocacy with NGOs, international organizations, states and other users of explosive weapons to develop concrete measures to enhance protection.

Of course, the bombing of urban ar-

Between October 2010 and May 2011, researchers at Action on Armed Violence recorded 18,360 deaths and injuries from the use of explosive weapons. Of these, 13,875 (or 75 percent) were civilians, most in populated areas.

reas is not a new phenomenon, nor is public disquiet about it. Since the bombing of major European cities during the Second World War and the massive bombardment of Lao People's Democratic Republic, Cambodia and Vietnam in the 1960s and 1970s, there has been a growing stigma against the widespread use of explosive weapons in populated areas. Terms such as "carpet-bombing" conjure up images of total war and the Additional Protocols added to the Geneva Conventions in 1977 specifically restrict "bombardment" within urban areas and concentrations of civilians.

Away from conflict, it is generally accepted that explosive weapons should not be used in domestic policing. Whereas lethal force through firearms might be acceptable, the use of explosive force presents wider risks that would place the population in danger and indicate a breakdown of the state's commitment to protect its citizens.

The explosive weapons agenda provides an opportunity to strengthen these



U.N. Photo / David Ohana

Refugees from Libya at Egyptian-Libyan Border

28 February 2011. A Bangladeshi man stranded at the Egyptian-Libyan border sits in the waiting hall where he has spent the last five days, after fleeing ongoing violence in Libya. Human Rights Watch has documented the use of cluster munitions and other explosive devices in populated areas by forces loyal to Col. Muammar Gaddafi.

norms proscribing the use of explosive weapons in situations other than armed conflict and restricting their use in populated areas. The first step towards this is to build recognition of the particular humanitarian and moral challenges around this category of technology.

In a number of recent conflicts where fighting has taken place in populated areas, specific problematic weapons such as cluster munitions, incendiary weapons and uranium weapons (whether they are actually used or not) have been a focus of

concern over the use of explosive weapons in populated areas in Libya and Cote d'Ivoire. So we are beginning to see an acknowledgement that explosive weapons as a category pose particular problems and require certain responses.

Although some explosive weapons have been banned outright due to their effects on civilians (such as cluster munitions and antipersonnel landmines) this effort on explosive weapons is not focused on the prohibition of particular types of weapons. Rather it is questioning in what contexts their use should be considered unacceptable. While concerned with a category of weapons, it is focused on changes to practice based on humanitarian evidence rather than on "disarmament" as a model. Explosive weapons form a broad category and states will argue that they have many legitimate uses in certain circumstances. This agenda should establish greater scrutiny around when and in what forms explosive weapon use is considered acceptable.

What is needed now is for governments and other actors to acknowledge the suffering caused by explosive weapons used in populated areas, to work to fulfil the human rights of victims of explosive weapons, to share data on the use and impact of explosive weapons, and to strengthen their policies and practice on use in order to enhance the protection of civilians. Beyond that, consideration will need to be given to the need for certain prohibitions and restrictions on the use of explosive weapons, in particular in populated areas.

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Notes

1. See Action on Armed Violence's Explosive Violence Monitoring Project at <http://landmineaction.org/issues/page.asp?PLID=1017&pageID=1068>.

concern. Yet in many of these conflicts it is the widespread use of conventional high explosive weapons that has caused the majority of the harm to civilians. By shining a spotlight on this pattern, we can start to address what has been called a "moral outrage gap," where the general use of explosive weapons in populated areas has tended to escape the scrutiny of humanitarian organizations, governments and the media.

This lack of effective focus on the impact of explosive weapons in populated areas is already being addressed. The U.N. Secretary General's report on the Protection of Civilians published in November 2010 asks member states to look into the use of explosive weapons in populated areas in order to enhance protection for civilians. When the U.N. Security Council last debated the issue of Protection of Civilians, a number of states, as well as the European Union, highlighted the problem. Earlier this year, the U.N.'s Emergency Relief Coordinator expressed her grave con-

Getting Over Tactical Nuclear Weapons in Europe

Continued from page 1.

went out of its way to make sure that both the nuclear posture (force deployment, numbers and locations) and nuclear sharing policy of the Alliance remained unchanged. No NATO members offered suggestions on how to overcome this obstacle during the interviews, although some non-NATO members have suggested that reminding the French of their obligations under the nuclear Non-Proliferation Treaty, specifically to reduce the reliance on nuclear weapons in security policies and doctrines, might be a way forward.

The Months Ahead

NATO's trouble finding a new consensus on its nuclear policies and posture is reflected in the November 2010 Strategic Concept. Unable to take a clear position on TNW, the text remains vague and effectively pushed the issue onto the Defence and Deterrence Posture Review (DDPR) that should conclude by the 2012 NATO Summit in the U.S.

Withdrawal Issues is written to inform and influence that DDPR process. The report confirms that the Russian reciprocity issue is the biggest concern. The process of "aiming to seek" Russian reciprocity is currently at an impasse. NATO says it will relocate the TNW back to the U.S. only if Russia "gives something" too. Russia says it will not even start talking about its TNW until the U.S. brings its nukes home. The U.S. basically says it would be willing to do so, but only if backed by NATO consensus. Moving beyond this Russia-NATO reciprocal loop will be the biggest challenge in the months ahead.

While the U.S. took a backseat in the TNW discussions in 2010, in 2011 it seems determined to regain a leadership role. In his message to the U.S. Senate, on the occasion of the new START ratification, President Obama wrote that he will seek to initiate negotiations with Russia on TNW "following consultation with NATO allies but not later than one year after entry into force of the New START treaty." The deadline is clear: European allies have one year to deal with their internal divisions on TNW.

The April 2011 "non-paper" (that is, discussion paper) presented by 10 European NATO members (Belgium, the Czech Republic, Germany, Hungary, Iceland, Luxembourg, the Netherlands, Norway, Poland and Slovenia) is a first serious attempt by the Europeans to live up to the challenge of finding a European common position. An initiative of Norway and Poland, the non-paper focuses primarily on the question how NATO can engage with Russia in a cooperative and reciprocal scenario, starting with mutual transparency measures, and ending, if all goes according to plan, with agreed reductions or withdrawal of TNW on both sides. The proposals are rather modest and limited to incremental or even purely symbolic steps. The importance of the document, however, is not so much in the content, but in the list of states parties that signed it. For the first time, some of the most vocal advocates for TNW with-



Official White House Photo / Pete Souza
20 November 2010. Russian President Dmitry Medvedev (left), U.S. President Barack Obama (center) and French President Nicolas Sarkozy (right) at the NATO Summit in Lisbon, Portugal.

drawal, such as Germany, Iceland, Norway and The Netherlands, managed to engage more reluctant countries like Hungary in the process of establishing a common position.

That said, regarding Russia the non-paper fails to address the biggest questions currently on the table:

First, why would Russia go along with any of this? Russia's defense posture is much more reliant on nuclear deterrence, including non-strategic nuclear deterrence. Furthermore, Russia maintains that it keeps TNW not to counter NATO TNW, but to counter NATO's overwhelming conventional superiority. Even more problematic is that the plans presented in the non-paper fail to address Russia's oft repeated demand that before Russian TNW can be discussed the U.S. should do what Russia did in the 1990s: Stop deploying nuclear weapons in other countries. It is hard to see how NATO would be able to convince Russia to let go of that particular demand.

Second, what will NATO do if no Russian reciprocity is found? It might provide an excuse to not withdraw U.S. TNW, but it wouldn't change the military redundancy or even obsolescence of the weapons. Furthermore, Germany's choice not to invest any longer in maintaining the capability to fly nuclear missions in the future could result in a de facto ending of NATO nuclear sharing within 10 years, regardless of NATO consensus, and regardless of Russian reciprocity.

THE HEART OF THE MATTER is that, if getting Russia to give up much or all of its TNW capabilities is the main aim of the exercise, then holding on to the U.S. deployment of TNW in Europe may actually make progress on the Russian side entirely impossible. To get Russia to move on its TNW, NATO needs to be bold enough to think beyond Cold War logic of disarmament

through bilateral paring of numbers. What it needs to do is show Russia that it feels secure enough about alliance security that it can get over the reliance on TNW and invite Russia to do the same.

The coming months could decide the future of TNW. A single minded focus on Russian reciprocity will do more harm than good. NATO needs to work internally to reach consensus on what it means by "an appropriate mix of nuclear and conventional weapons." It needs to focus on achieving consensus on new, non-nuclear forms of burden sharing that allow allies across the board to pitch in on missions and infrastructure that are – as many countries called it – more practical, more visible and more useful.

Regarding Russia, perhaps the last, best thing that can be squeezed out of the redundant TNW system is to propose a quid pro quo arrangement with Russia. How would this work? As the IKV Pax Christi report argues, the best way is for the U.S. to be given a mandate by NATO to approach Russia and offer immediate withdrawal of the TNW back to U.S. territory, if Russia promises to allow NATO concerns about the Russian TNW arsenal to be part of upcoming bilateral talks with the U.S. That would change the game from Cold War-style reductions negotiations to Presidential Nuclear Initiatives-style cooperative reductions.⁷ It would do justice to the wishes of 24 of the 28 NATO member states. And most important, it would result in a real, and much needed improvement of security across the North Atlantic.

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Susi Snyder is the program leader for IKV Pax Christi's Nuclear Disarmament program.

Withdrawal Issues — What NATO countries say about the future of tactical nuclear weapons in Europe can be downloaded from www.NoNukes.nl.

Notes

1. In the context of this article, tactical nuclear weapons or TNW refers to the forward deployed U.S. B61 gravity bombs located in five European states – Belgium, Germany, Italy, the Netherlands, and Turkey. (In some literature, the phrase "substrategic" or "non-strategic" weapons is used.) These weapons do not fall under any current bilateral arms reduction treaties between the U.S. and Russia.
2. Interviews were completed between July and December 2010. In addition to meeting with all 28 NATO delegations, we also interviewed several NATO staffers concerned with nuclear planning and deployment.
3. In Lisbon, the North Atlantic Council, NATO's principal political body, was given the task of conducting an Alliance-wide Defence and Deterrence Posture Review, which is likely to be completed in 2012. It will likely consider a broad range of issues, including the balance between conventional and nuclear weapons as well as missile defense elements in NATO's defense posture.
4. Article 5 provides that if a NATO ally is the victim of an armed attack, each and every other member of the Alliance will consider this act of violence as an armed attack against all members and will take the actions it deems necessary to assist the ally attacked. NATO invoked Article 5 of the Washington Treaty for the first time in its history following the 9/11 terrorist attacks against the United States.
5. Burden sharing refers to the idea that NATO allies collectively shoulder the costs, risks, and responsibilities of maintaining adequate defenses.
6. NATO- Russia Joint Council Statement, 20 November 2010.
7. "Active Engagement, Modern Defence" NATO Strategic Concept adopted in Lisbon, 2010. Russia maintains a large number of TNW that could hit NATO member states bordering or close to Russia. Estimates vary, but it seems certain Russia has at least 2,000 operational TNW.
8. The 1991-1992 Presidential Nuclear Initiatives (PNI) were "unilateral/reciprocal measures" that allowed fast and dramatic reductions, removing half of U.S. tactical nuclear weapons, without a formal arms control agreement or verification.

For additional information

U.S. Tactical Nuclear Weapons in Europe after NATO's Lisbon Summit: Why Their Withdrawal Is Desirable and Feasible. Published by the Belfer Center, Harvard University, 2011
http://belfercenter.ksg.harvard.edu/publication/21074/us_tactical_nuclear_weapons_in_europe_after_natos_lisbon_summit.html.

News in brief

Russia and U.S. Will Not Meet 2012 Deadline to Eliminate Chemical Weapons Stockpiles

The clock is ticking on efforts by the United States and Russia to eliminate their respective stockpiles of chemical warfare materials. The two countries have less than a year remaining to fulfill their obligations under the terms of the Chemical Weapons Convention (CWC), to which they are both parties. Those familiar with the ongoing efforts, however, have known for some time that neither country would be able to meet the April 2012 deadline, according to the Global Security Newswire.

The CWC, which was adopted in 1992 and entered into force in 1997, prohibits the development, production, stockpiling and use of chemical weapons, including mustard blister agent and the nerve agents VX and sarin. The pact originally called on member states to destroy all stockpiles of banned substances by April 29, 2007. However, countries could ask for extensions of up to five years, which Russia and the U.S. received in December 2006.

At one time the United States and Russia possessed 90 percent of the world's known chemical weapons. Moscow has said it needs until at least 2015 to completely destroy its stockpile, while Washington does not anticipate completing the task before 2021. Disposal has proven to be a highly complex matter, with high costs and environmental concerns contributing to delays.

Albania, India and South Korea have eliminated their declared stockpiles of chemical warfare materials. The only two other CWC "possessor" member states are Libya and Iraq. Angola, Egypt, North Korea, Somalia and Syria have yet to sign the pact while Israel and Myanmar have signed on but not yet ratified.

As of April 27, the United States had destroyed nearly 86 percent of the 29,918 tons of warfare agents it held when the treaty entered into force in 1997, according to Greg Mahall, spokesman for the U.S. Army's Chemical Materials Agency. The service is responsible for destroying 90 percent of the total U.S. stockpile of chemical warfare materials.

Meanwhile, Russia had destroyed about 49 percent of its stockpile as of February, according to Paul Walker, security and sustainability chief at the environmental organization Global Green USA. He noted that Russia's chemical arsenal constituted roughly 40,000 metric tons of materials at its peak.

Source: Global Security Newswire

Quote/Unquote

"I wish you could defeat terrorists with nuclear submarines, because we have a lot of nuclear submarines and they don't have any."

Representative Barney Frank (D-Mass)
May 2, 2011

Speech at the Center for American Progress, a Washington, DC-based think tank

Congressman Frank went on to say:

"Fear of terrorists has replaced the fear of the Nazis and the Soviets. [Terrorism] is a threat to our lives . . . but it does not threaten our very existence like the Soviets and the Nazis did."

Disarmament Times Melissa J. Gillis, editor

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Homer A. Jack founded **Disarmament Times** in 1978.

Biological Weapons Convention

The only Preparatory Committee for the upcoming Seventh Review Conference of the Biological Weapons Convention met 13-15 April 2011 in Geneva. Read about the results of the meeting:

Bioweapons Prevention Project

<http://www.bwpp.org/reports.html>

United Nations Office at Geneva

[http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/C4CB403B0044E0EDC1257873004FDAB7?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/C4CB403B0044E0EDC1257873004FDAB7?OpenDocument)

Harvard Sussex Program on Chemical and Biological Weapons

<http://www.sussex.ac.uk/Units/spru/hsp/index.html>

The Review Conference will be held in 5-22 December 2011. Read about the issues to be discussed in the spring issue of Disarmament Times, <http://disarm.igc.org>.

Further Reading Developments in Iran

IAEA Director General's Report on Iran

24 May 2011

"[T]he Agency [IAEA] remains concerned about the possible existence in Iran of past or current undisclosed nuclear related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile. . . the Agency has received further information related to such possible undisclosed nuclear related activities, which is currently being assessed by the Agency. As previously reported by the Director General, there are indications that certain of these activities may have continued beyond 2004."

<http://www.iaea.org/Publications/Documents/Board/2011/gov2011-29.pdf>

Daryl Kimball, Arms Control Association (U.S.)

on Iran's announcement it will triple production of 20 percent enriched uranium

11 June 2011

"One thing we know for sure from following the Iranians in this process since 2002 is that they have made a lot of announcements like this one, and some of the things they have done, and some they haven't. This is part bravado, and the statement being made at this time is clearly designed to shore up a government that is internally divided."

<http://www.csmonitor.com/USA/Foreign-Policy/2011/0611/Iran-accelerates-uranium-enrichment-Danger-or-bluff>

Seymour Hersh, The New Yorker

6 June 2011

Iran and the Bomb / Reassessing the nuclear threat

"The two most recent National Intelligence Estimates on Iranian nuclear progress [2007 and an update in 2011], representing the best judgment of the senior officers from all the major American intelligence agencies, have stated that there is no conclusive evidence that Iran has made any effort to build the bomb since 2003."

http://www.newyorker.com/reporting/2011/06/06/110606fa_fact_hersh

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