

THE IMPERATIVE FOR PARLIAMENTARY ACTION

“The destructive power of nuclear weapons cannot be contained in either space or time.”

International Court of Justice, 1996

In 1996, the International Court of Justice affirmed that the threat or use of nuclear weapons is generally incompatible with international laws governing warfare, including international humanitarian law. Recognizing that a number of States still relied on nuclear deterrence for their security, the Court was divided and inconclusive regarding the role of nuclear weapons in the specific circumstance of securing the very survival of a State threatened with nuclear attack. However, the Court was unanimous in its conclusion that there is an obligation by all States to remove the threat of nuclear weapons by negotiating to eliminate them under strict and effective international control (see Annex V: International Court of Justice Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons).

Where are we now with respect to nuclear weapons and nuclear disarmament?

In his 2004 memoirs, US President Ronald Reagan noted that, as US Commander-in-Chief, he was faced with the prospect of having only “**Six minutes**, to decide how to respond to a blip on a radar scope and decide whether to release Armageddon! How could anyone apply reason at a time like that?”³

Most people are oblivious to the fact that over a decade into the 21st century, approximately 19,000 nuclear weapons remain in the stockpiles of the nuclear-weapon States, thousands of which are ready to fire within minutes under “launch-on-warning” policies, boxing the US and Russian Presidents into the same potential six-minutes-to-decide-on-Armageddon corner as the one described by President Reagan (warning times in some other nuclear-armed States, such as India and Pakistan, are even shorter, verging on non-existent).



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A de-commissioned Titan ICBM in its silo. Titan Missile Museum, Sahuarita, Arizona, USA, November 2003.

Former nuclear-missile controller Bruce Blair notes that virtually every day of the week, every week of the year, incidents like missile launches are assessed by the US nuclear weapons command and control structure. Decisions on whether or not these are possibly incoming nuclear attacks requiring notification to the President have to be made in three minutes. The President then has between six and eight minutes to decide whether or not to launch a retaliatory attack. Several times in the past, innocent incidents, such as the launch of a weather satellite or confusion over a war-games exercise, have nearly triggered a nuclear exchange.⁴

According to Gareth Evans, Convenor of the Asia-Pacific Leadership Network for Nuclear Non-proliferation and Disarmament and former Australian Foreign Minister, the fact that the world has not yet disappeared in a nuclear Armageddon is more attributable to good luck than good management. “In a world, now, of multiple nuclear-armed States, significant regional tensions, command and control systems of varying sophistication, potentially destabilizing new cyber technology, and continuing development of more modern (including smaller and

potentially more usable weapons), it cannot be assumed that such luck will continue.”⁵

Hans Blix, Chair of the Weapons of Mass Destruction Commission, has said that the failure to end such dangerous Cold War policies and practices is “a sign of collective incompetence”.⁶

Of equal, if not greater concern, are the proliferation of nuclear weapons to additional States and the growing capacity of even non-State actors to possibly acquire or produce a nuclear or radiological weapon. Emerging nuclear-weapon-possessing States are less likely to have the safety mechanisms and confidence-building measures that the current nuclear-weapon States have developed to at least lower the possibility of a nuclear holocaust by accident or miscalculation. Similarly, non-State actors are less likely to adhere to the legal and moral constraints that have prevented the intentional use of nuclear weapons in wartime since 1945.

Nuclear disarmament and nuclear non-proliferation are two sides of the same coin – one cannot be achieved without the other. In the polarized world of the 20th century, nuclear disarmament was perhaps a pipe dream, and the only thing governments could do was minimize nuclear proliferation and control the nuclear arms race.

In the interconnected world of the 21st century, parliamentarians have both a responsibility and the capacity to work nationally and across borders to help build the political commitment and security frameworks to reverse proliferation and abolish nuclear weapons globally under strict and effective international control.

In October 1986, the world came very close to the complete elimination of all nuclear weapons. At the historic Reykjavik summit, US President Ronald Reagan and Secretary General Mikhail Gorbachev of the Soviet Union – who both had become convinced that “a nuclear war cannot be won and must never be fought”⁷ – unexpectedly moved away from classical arms control and set out the vision of a world free of nuclear weapons.

Unfortunately, their inability to resolve key issues – such as Soviet concern over the US “Star Wars” ballistic missile defence programme – prevented any deal involving a move away from nuclear deterrence. All that could be achieved at the time was a treaty on intermediate nuclear forces and agreements on reducing the numbers of delivery vehicles.

Parliamentarians can work to ensure that this time the opportunity is not lost, and that the rhetoric is turned into action to develop the legal, technical, institutional and political framework to phase out nuclear deterrence and achieve a nuclear-weapon-free world.

Both sides retreated from grand visions and adopted a gradualist, step-by-step approach to nuclear disarmament which has achieved very little in the subsequent 25 years.

Recently, the vision for a nuclear-weapon-free world has re-emerged, first in the 2007 *Wall Street Journal* op-ed “A world free of nuclear weapons”, written by four high-level former US officials (Henry Kissinger, Sam Nunn, George Shultz and William Perry). Since then, the vision has been promoted by US President Barack Obama and reinforced by numerous statements from Heads of State and former officials of nuclear-weapon States and their allies. It is high time to rekindle the spirit of Reykjavik and capitalize on this momentum.

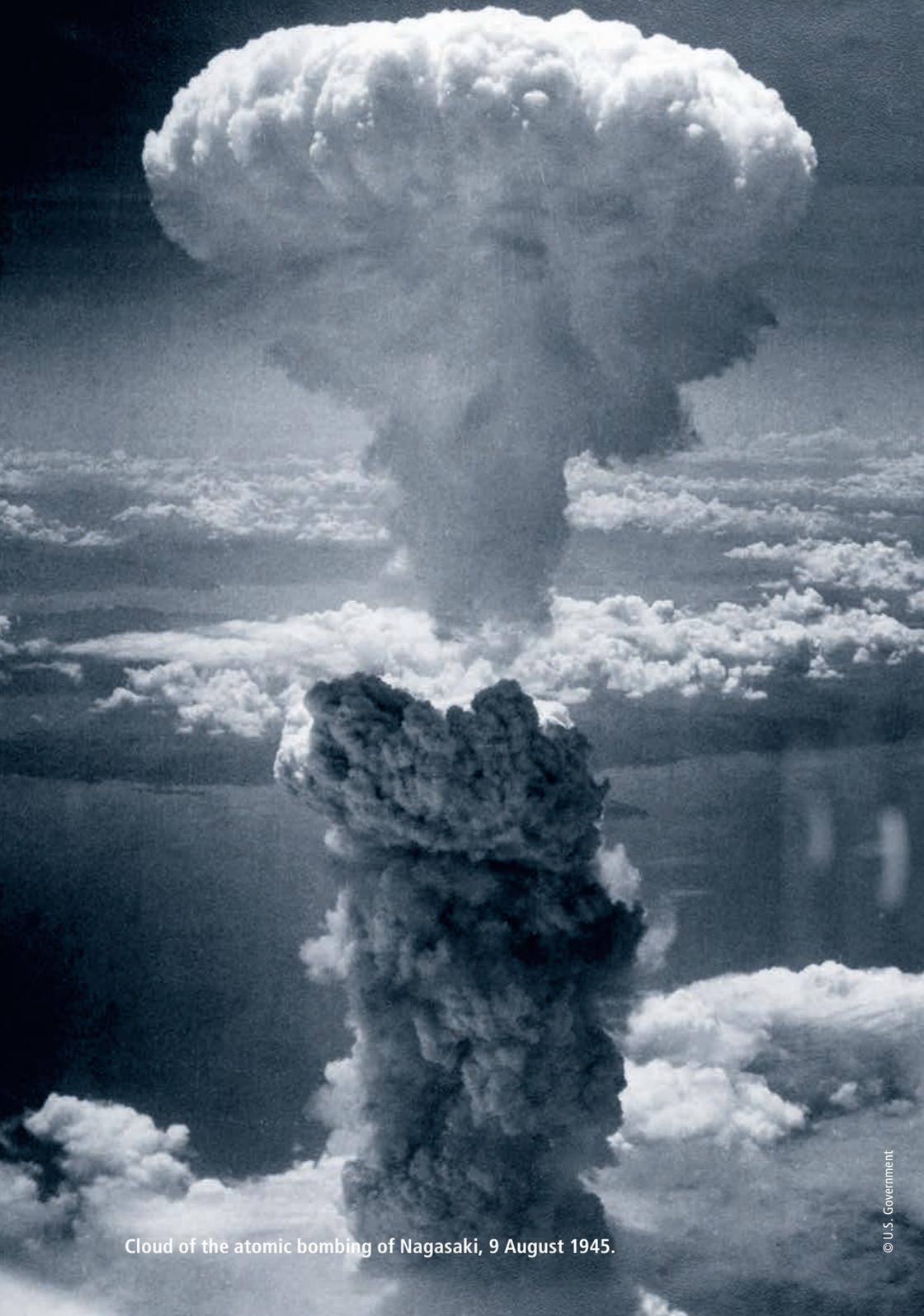


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United Nations Secretary-General Ban Ki-moon presents his Five-Point Project on Nuclear Disarmament at the UN. New York, USA, 24 October 2008.

UN Secretary-General Ban Ki-moon has put forward a plan to implement the vision, building on non-proliferation and disarmament steps already taken, and including a combination of incremental measures and a comprehensive programme to achieve a nuclear weapons convention or package of agreements to prohibit and eliminate nuclear weapons globally.

It is our hope that this Handbook will assist parliamentarians to seize this opportunity and make strides towards a nuclear-weapon-free world.



Cloud of the atomic bombing of Nagasaki, 9 August 1945.