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**Nuclear Deterrence and Disarmament:
*Conflicting perspectives in an age of tension***

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Abstract

In August 2023, the NZ Centre for Global Studies, in collaboration with Toda Peace Institute (Tokyo), convened a symposium on '*Nuclear Deterrence and Disarmament: Conflicting Perspectives in an Age of Tension*'.

Held at the University of Auckland, the symposium featured a range of international policymakers, practitioners, and academic experts on contemporary challenges to global peace and security. This report presents a summary, and review, of their contributions.

The paper first reviews the risk of use of nuclear weapons and the stake involved (scale of the event).

It then explores the three main areas of nuclear disarmament policy explored at the symposium: political-legal considerations, central concepts, and the role of institutions.

The paper concludes by highlighting some of the recommendations for addressing the issues identified in the symposium discussion and in the resulting reports.

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1. Introduction

Since their inception in 1945, nuclear weapons have posed a perilous threat to the global community, as evidenced in a number of major UN declarations, statements and resolutions.¹

This paper reviews the seven reports published by the NZ Centre for Global Studies reflecting on the discussion from the August 2023 Symposium “*Nuclear Deterrence and Disarmament: Conflicting Perspectives in an Age of Tension*”.²

The reports discussed the current state of nuclear disarmament and possible paths forward – highlighting the difference between the traditional, security-focused approach espoused by nuclear-weapon states, on the one hand, and the application of international humanitarian law on the other. This paper pulls together the analysis from the symposium and the seven published contributions, advancing specific prescriptions for the future of nuclear disarmament. The degree of threat should first be judged on the basis of two dimensions: risk and stake.

(a) Risk

While it is largely accepted that nuclear weapons pose a grave risk to humanity, categorising that risk is challenging. The Bulletin of Atomic Scientists created the Doomsday Clock, the most easily understood indicator of nuclear risk. As of January 2024, the Clock is set to 90 seconds to midnight, the closest it has ever been to disaster.³ This simple and iconic depiction of nuclear risk represents the political and military complexities of nuclear weapons, the attempts to control their use, and the global context in which these efforts take place.

The threat posed by nuclear weapons is exacerbated by the many types of risk inherent in their existence, identified as accidental, escalatory and doctrinal, plus unauthorised acquisition.⁴ The risk of a nuclear accident has been well-documented, from the accidental transportation and load-shedding of nuclear weapons to false alarms of incoming attacks. These accidents highlight that even under the so-called best of circumstances, when nuclear weapons are controlled by ‘responsible states’, the potential for nuclear catastrophe remains significant.

Even if nuclear weapons are kept under the control of nation-states, escalatory risk remains high. Escalatory risk describes the possibility that a crisis or conflict involving conventional weapons may escalate to nuclear war. Not only do historical events such as the Cuban missile crisis (1962) demonstrate the real possibility of this risk, but as recently as 2003, Russia’s Defence Ministry reportedly posed the idea of using tactical weapons as a means of de-escalation.⁵ In reality, this would likely broaden any conflict and result in the retaliatory use of further nuclear weapons. If this kind of threat to make tactical nuclear weapons a part of basic military operations is realised, the risk of miscalculation, miscommunication, misperception, misrepresentation, misunderstanding, and mistake only increases.⁶

Closely related to this is doctrinal risk. Nuclear states maintain, modernise, and expand their arsenals based on their belief in nuclear deterrence theory: an adequate nuclear arsenal will dissuade other states from launching a nuclear attack. It is only through the credible threat to use nuclear weapons that deterrence works. If we are to take nuclear deterrence seriously, we must assume that all nuclear-weapon states stand ready to use them. One does not have to look far to see this idea borne out – whether it is an invasion of Iraq or Ukraine – to use nuclear weapons to reinforce the involvement of other states or alliances. These threats must be taken at face value. The possession of nuclear weapons by the five nuclear-weapon states

¹ See, for example: Final Document of the 10th Special Session of the General Assembly: “*The General Assembly, ... Alarmed by the threat to the very survival of mankind posed by the existence of nuclear weapons ...*” (S-10/2, 30 June 1978); and Statement by the Security Council (3046th meeting, held at the level of Heads of State and Government): “*The proliferation of all weapons of mass destruction constitutes a threat to international peace and security.*” (S/23500, 31 January 1992); and United Nations Millennium Declaration 2000: “8. *We will also seek to eliminate the dangers posed by weapons of mass destruction. 9. We resolve therefore: To strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers.*” (A/RES/55/2, 18 September 2000)

² <https://nzcgs.org.nz/publications/> The seven reports are identified in the Annex to this paper.

³ John Mecklin, “*A moment of historic danger: It is still 90 seconds to midnight*”. The origin and purpose of the Doomsday Clock is explained in the introduction to the article: <https://thebulletin.org/doomsday-clock/current-time/>

⁴ Tim Caughley, “*The Risk of Nuclear Conflict: Calculating the Unthinkable*” 5

⁵ Caughley, 5

⁶ Caughley, 6

recognised in the NPT is itself a nuclear risk. Possession by four non-NPT nuclear powers poses at least as great an additional risk.

The final risk contributing to the nuclear-weapon threat is of a different type – unauthorised acquisition. It cannot be assumed that nuclear weapons or nuclear material will always remain in the hands of nation-states. The risk of non-state actors gaining access to nuclear weapons and/or their delivery systems is remote, but instances of political instability or insecurity heighten that risk.⁷ Physical possession or physical access to nuclear weapons in order to sabotage or detonate them may no longer be necessary. Digital sabotage, including a variety of methods of cyber-attack, is a new source of risk, and one of increasing concern.

(b) **Stake**

The risk posed by nuclear weapons is potentially catastrophic because of what is at stake. Despite the resurgence of concepts such as ‘tactical’ nuclear weapons, the use of any nuclear weapon would lead to uncontrollable nuclear fallout and large swaths of contamination that would leave the affected areas uninhabitable for decades. As the world is already bracing itself for the unprecedented global disaster posed by climate change, the atmospheric chaos that would be unleashed by a nuclear conflict adds an unfathomable dimension. It remains as true today, as it was four decades ago, that a nuclear war “can never be won and must never be fought”.⁸

The problem statement of this paper is therefore the following:

How is the international community of states to judge and manage the theory of nuclear deterrence and associated prospects of nuclear disarmament in the 21st century, having regard to the risk and stake of nuclear conflict and the current decade of heightened strategic tension?

2. Analysis

In addressing the stated problem, this analysis explores three associated dimensions: the political-legal considerations of nuclear weapons; the central concepts of contemporary international peace and security, and the role of international institutions in handling the challenge.

(a) **Political-Legal Considerations**

The maintenance of international peace and security

The UN Charter is the foundation of the current political-legal landscape of the international community. Chapter 1 lays out the four purposes of the UN – primarily the maintenance of international peace and security (Art. 1).⁹ Its seven principles include the protection of sovereign equality of all Member States, and the obligation to refrain from threatening or using unlawful force and to fulfil the obligations assumed in good faith. (Art. 2).

Nuclear weapons and nuclear deterrence theory

As noted above, the deterrence doctrine of nuclear weapons requires that states be ready and willing to use their nuclear arsenals.¹⁰ It is the credible fear of use or retaliation that prevents nuclear states from using their arsenals. With this understanding, to possess a nuclear weapon is to threaten its use. The contemporary political-legal order has attempted to address this threat since its inception. Yet the continued possession of nuclear weapons stands in defiance of the Charter obligations. Over the past half-century, two major legal instruments have been completed and brought into force that reflect the bipolar approach to the issue: non-proliferation beyond a few powers, and complete nuclear-weapon disarmament.

⁷ Caughley, 5

⁸ President Ronald Reagan and President Mikhail Gorbachev, Geneva Summit 1985;

<https://www.reaganlibrary.gov/archives/speech/joint-soviet-united-states-statement-summit-meeting-geneva>

⁹ Charter of the United Nations 1 UNTS 16 (signed 26 June 1945, entered into force 24 October 1945),

See: <https://www.un.org/en/about-us/un-charter/chapter-1>

¹⁰ Caughley, 6

Nuclear-weapons non-proliferation

The Non-Proliferation Treaty (NPT) focuses primarily on preventing horizontal proliferation (the acquisition of nuclear weapons by non-nuclear weapons states).¹¹ The resultant establishment of a group of accepted nuclear powers reflected the status of the two countries with the most influence on Cold War negotiations: the USSR and the United States.

While the NPT initially allowed for the Security Council's permanent five (China, France, United Kingdom, United States, USSR/Russia) to maintain their nuclear arsenals, Article VI requires that all parties "pursue negotiations in good faith on effective measures relating to the 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."

There has, however, been little progress toward this goal.¹² Instead, the two classes of states (nuclear-weapon states; non-nuclear-weapon states) remain a distinct challenge to the principle of sovereign equality. The way that the NPT has evolved, with the nuclear-weapon states showing no clear intent to disarm, has created two unequal tiers of states, in direct contradiction to the principle.

Nuclear weapon disarmament

The second legal instrument, the Treaty on the Prohibition of Nuclear Weapons (TPNW) is the ultimate nuclear disarmament document, declaring all nuclear weapons to be illegal and committing States Parties to non-possession.¹³ The Treaty is regarded as a fulfilment of the anticipation laid out in the ICJ Advisory Opinion (1996) on the Legality of the Use or Threat of Nuclear Weapons.¹⁴ The specific design and prescriptive purpose of the TPNW is explored below.

(b) Central Concepts

The UN Charter, as noted, incorporates a medley of security concepts, some of which are mutually reconcilable, some of which impose difficulty to that end.

Collective security

The concept of collective security was first brought into international law by the League of Nations Covenant (1920).¹⁵ A quarter of a century later, the UN Charter strengthened the concept, and also introduced regional collective security arrangements. Critically, however, the Charter failed to define either.¹⁶ The lack of clear meaning for either of these concepts weakens both as a means to maintain international peace and security.¹⁷ The initial weakness of these concepts, due to their failure to be adequately defined, is exacerbated by the inclusion of the concept of 'collective self-defence'.

Self-defence

Under international law, all states have an inherent right to individual self-defence.¹⁸ 'Collective self-defence', however, was a political provision inserted into the United Nations late in negotiations for the Charter in 1945.¹⁹

Regional collective self-defence (as opposed to regional collective security) is at odds with the concept of collective global security in that it either explicitly or implicitly identifies an aggressor to the global collective group. Collective security requires that all states work toward international peace and security, not arranging themselves into sub-global adversarial alliances.

While the world has struggled since the 1940s to progress toward global nuclear disarmament, collective self-defence arrangements flourished, at least during the Cold War (1948-90). Although collective self-defence may not be an inherent right under international law, there has been no shortage of examples of organisations that have laid claim to this purpose.

¹¹ Treaty on the Non-Proliferation of Nuclear Weapons: Article VI (signed 1968; entered into force 1970).

<https://treaties.un.org/pages/showDetails.aspx?objid=08000002801d56c5>

¹² Hanson, *Reshaping the Global Security Order: Can the Prohibition Treaty build a framework for eliminating nuclear weapons?* 7

¹³ Treaty on the Prohibition of Nuclear Weapons (signed 2017; entered into force 2021)

<https://disarmament.unoda.org/wmd/nuclear/tpnw/>

¹⁴ International Court of Justice, Advisory Opinion on the Legality of the Use or Threat of Nuclear Weapons (1996)

<https://www.icj-cij.org/case/95>

¹⁵ <https://www.ungeneva.org/en/about/league-of-nations/covenant>

¹⁶ Kennedy Graham, "Collective Security and Self-Defence: The Challenge to the United Nations" 5

¹⁷ Graham, 5

¹⁸ UN Charter: Art. 51.

¹⁹ Graham, 5

- In the Cold War era, the concept of collective self-defence gave rise to two principal opposing security pacts essentially governing Europe: the North Atlantic Treaty Organisation (1949) for the defence of North America and Western Europe (with notable ‘neutral state’ exceptions such as Ireland, Austria, Finland, Sweden), and the Warsaw Pact (1955-91) for the defence of the USSR and Eastern Europe. For its part, NATO continues to exist, three decades after the Cold War. It has, at least somewhat deliberately, maintained a lack of clarity regarding its status as a defence pact, behaving as if it has a global collective security role.²⁰ It has also recently increased in membership (Sweden, Finland), in response to Russia’s aggression against Ukraine.
- During the Cold War other regional self-defence alliances for the Middle East / West Asia (CENTO; 1955-79) and Southeast Asia (SEATO; 1954-77) were maintained but terminated well before the end of the era.
- ANZUS began as a trilateral alliance among the US, Australia and New Zealand, but in the late 1980s, New Zealand’s nuclear-free policy resulted in the Treaty becoming a bilateral pact. It purportedly covers the entire ‘Pacific area’ and, similar to NATO, ANZUS also declares itself to be both an instrument of regional self-defence and regional collective security. ANZUS highlights a growing challenge for collective security due in part to the tensions created by regional self-defence.
- Also in the Asia-Pacific region, bilateral collective self-defence alliances are maintained by the US with South Korea (1953) and Japan (1960).

Since the end of the Cold War, the role of NATO, along with other self-defence arrangements, occasions a differentiation of view across the international community, reflected also in the symposium discussion. At a theoretical level of global strategy, they can be seen as a standing critique of the UN Charter itself – that is, that a collective self-defence arrangement under Art. 51 stands to undermine the principle of global (and regional) collective security in Arts. 1 and 42. Such a view has relevance to the issue of UN reform or a new, post-UN, theoretical framework. An associated view, which is not necessarily incompatible, maintains that such self-defence alliances under the Charter are of critical importance in a world of strategic tension, and that NATO is effective to that end in the view of its Member States.²¹ This is a dilemma which is, in fact, reflected in the title of the symposium itself.

The ‘Indo-Asia-Pacific’ region

The Indo-Asia Pacific (IAP) has, it is contended, become the “global epicentre of nuclear threats.”²² Eight of the nine nuclear-armed powers operate in the region.²³ The United States has maintained a presence since the bombing of Hiroshima and Nagasaki, and NATO’s ‘look-east policy’ has France maintaining its strategic interest in the region and the UK re-committed.²⁴ Tensions persist between the US and Russia, and the US and China, paired with regional tensions between India and Pakistan, and to some extent China and Russia.²⁵

The IAP thus has the attention of nearly all the nuclear-weapon states. The region is a clear example of how collective self-defence has reinforced not collective security but a complex web of adversaries, all vying to maintain their own strategic posture in the region.

Despite the exaggerated nuclear threat and the array of actors involved in the region, neither of the nuclear disarmament mechanisms that had proved most productive in the past (bilateral agreements and the multilateral NPT) seems prepared to deliver an immediate change in the severity of threat within the IAP region.

(c) The role of institutions

The United Nations has struggled to produce tangible progress toward nuclear disarmament, and its various institutions interact to that end with only modest efficacy. Unlike national jurisdictions, the UN as the primary international organisation lacks a clear layout of the ‘constitutional’ roles of its six principal organs.

- The UN General Assembly, as the main body with universal membership, along with its three original councils (Security, Economic and Social, Trusteeship) act as the loose ‘legislature’, calling for member states to draft and sign a treaty, subsequently adopting it by resolution calling for widespread ratification and entry-into-force.
- The secretariats of the UN and its specialised agencies, act as the executive, to implement the decisions made.

²⁰ Graham, 7

²¹ The symposium, and therefore this analysis, does not explore the issue of whether all of NATO’s actions have been compatible with international law – those which have caused concern over its role go back beyond ‘the current decade’, i.e. to 1999 in Kosovo and 2011 in Libya.

²² John Tilemann, “*Australia, US, China and the Pacific: Cooperation or Competition*” 5

²³ Tilemann, 7

²⁴ Tilemann, 5

²⁵ Tilemann, 7

- The International Court of Justice acts as the judiciary for disputes among member states, including contentious cases and advisory opinions.

The handling of ‘international peace and security’ and ‘universal peace’ on the one hand,²⁶ and ‘possible disarmament’ on the other,²⁷ is thus a complicated exercise.

General Assembly and Security Council

The General Assembly and the Security Council were broadly responsible for the Non-Proliferation Treaty (negotiated through the Eighteen Nation Committee on Disarmament). It has, for the most part, successfully prevented horizontal proliferation despite the clear language in Article VI calling on all parties to pursue negotiations and effective measures toward nuclear disarmament.

Of all the agreements, unilateral and bilateral, that have helped reduce nuclear stockpiles, not one has been the result of the NPT.²⁸ The failure to uphold Article VI has created a deep divide within the international community and forced the non-nuclear-weapon states committed to disarmament to seek alternative ways to hold the nuclear-weapon states accountable for their commitments.

The UN Security Council, as currently composed, has in fact become a barrier to the goal of addressing the threats of nuclear weapons.²⁹ The Council and its ability to act is controlled by the P5 through their veto power. This veto power, paired with the permanent member structure, renders the UN Security Council (and, by extension, the UN) increasingly ineffective.³⁰ Despite their many differences and, in some cases, outright hostility toward one another, the P5 are united in their belief that their security is ensured by nuclear weapons.³¹ This belief puts them inherently at odds with the majority of the rest of the world, who continue to actively seek security through the elimination of nuclear weapons through the TPNW. But the Council is supposed to function as the enforcement arm of the United Nations. With the P5’s perceived sense of security reliant on the bomb, there is no reason to expect that it will take any meaningful steps toward disarmament.

The P5’s opposition to nuclear disarmament has put the Council at odds with the larger UN General Assembly. Non-nuclear-weapon states were able to leverage the democratic body of the UN to negotiate and adopt the TPNW, shifting the dynamics of who leads and controls the outcomes of nuclear disarmament initiatives. Whereas the NPT was largely negotiated by nuclear- weapon states, and its permanent extension also reflected their priorities and ability to sway the international arms control regime, the TPNW negotiations were nonetheless led by the non-nuclear-weapon states.

The TPNW addresses the non-nuclear-weapon states’ perception that the NPT has failed to uphold its disarmament provisions. It was thus unsurprising that the non-nuclear-weapon states used the deliberative body of the United Nations to advance their calls for nuclear disarmament. The non-nuclear-weapon states have long been calling on the nuclear-weapon states to uphold their obligation under Article VI of the NPT and have used international institutions to back their appeals.

International Court of Justice

The International Court of Justice (ICJ) adjudicates legal obligations that bind states under international law. Its landmark 1996 Advisory Opinion examined the legality of the threat or use of nuclear weapons and found that the use of nuclear weapons, including threat of use, was generally illegal.³² The ruling resulted from the request for an advisory opinion submitted by 28 states, who filed the request over frustrations that the P5 had taken no real steps toward nuclear disarmament. In its Advisory Opinion, the Court also found that there was a binding obligation not only to ‘pursue in good faith’ but also to ‘conclude’ negotiations leading to nuclear disarmament.³³ The ICJ offered a clear opinion that called for the nuclear-armed states to disarm. Four decades later, the P5 and the Security Council have still failed to act.

²⁶ UN Charter, Article 1

²⁷ UN Charter, Article 47

²⁸ Ramesh Thakur, “*Self-Defence and Nuclear Deterrence: The Challenge for the UN Security Council*”, 7

²⁹ Ramesh Thakur, 4

³⁰ Graham, 4

³¹ Thakur, 4

³² ICJ Advisory Opinion (1996), <https://www.icj-cij.org/case/95>

³³ Ibid.

C. Recommendations

(a) Political-Legal

The nuclear-weapon states vocally opposed the TPNW,³⁴ but the Treaty was, nonetheless, successfully negotiated and signed, and has entered into force under international law. The message is clear: the non-nuclear-weapon states are no longer willing to let the nuclear-weapon states dominate the nuclear discourse with their focus on self-defence (both individual and collective), governed by subjective perceptions of strategic necessity.

The humanitarian perspective has, accordingly, entered the narrative around nuclear weapons and its associated legal framework. In response to the TPNW, the UN membership has essentially constructed itself into two groups: the nuclear-weapon states (nine) plus the nuclear-weapon reliant states (about 34), arranged against the non-nuclear-weapon reliant states (about 150).

It is unlikely, in fact logically impossible, that the nuclear-weapon states will accept or join the TPNW as long as they retain nuclear deterrence theory. However, the P5 nuclear powers should at least use their preferred vehicle, the NPT, to acknowledge and work toward complete nuclear disarmament as enshrined in the TPNW. It is time for them to honour their commitment to disarmament under Article VI and use the NPT review cycle to demonstrate their commitment toward this goal.³⁵ This does, however, require a concomitant surrender of nuclear deterrence theory.

One of the confidence-building measures that the nuclear-weapon states could adopt to demonstrate a renewed commitment to nuclear disarmament is the No First Use policy (NFU). Unilateral, and voluntary, No First Use declarations would serve to counteract the alarming collapse of arms control treaties and the escalating nuclear rhetoric.

- This approach has already been adopted by India, with exceptions for biological or chemical attacks:³⁶
- China also adopted this policy, although its credibility has been questioned by some.³⁷
- There was hope that the policy would receive fair consideration in the United States under the Biden Administration, but it was ultimately rejected in the 2022 nuclear posture review.³⁸

It is clear that adopting NFU policies will take considerable moral courage on behalf of the leaders of the nuclear-weapon states, although perhaps not as much as was once thought. No First Use policy continues to gain advocates – in the United States, multiple cities and localities have adopted resolutions calling on the US government to adopt the policy. No First Use is one way that nuclear states can show that they intend to live up to not only their obligations under the NPT but to their obligations under international law not to threaten the use of nuclear weapons.

Nuclear-weapon states must come to terms with the fact that the perspective of international law is changing. International law is increasingly being written from a humanitarian perspective. The Paris Agreement of 2015 is a clear example,³⁹ while the TPNW is another example of humanitarian-informed international law. Both have helped establish non-state entities as subjects of international law, not just in terms of rights but also as entities that can hold others accountable.⁴⁰ The nuclear-weapon states must expect that the same entities that helped push for the TPNW will use this positioning to continue to question the state-centric approaches to international law, especially when it comes to nuclear weapons, and instead continue to push for humanitarian initiatives.⁴¹ Nuclear-weapon states must come to terms with this burgeoning approach to international law, or they will find themselves increasingly isolated and confronted by the entities now empowered to question their state-centric worldview.

(b) Conceptual

With the IAP now at the centre of nuclear threats, the region should not wait for the rest of the world to act through the existing frameworks for disarmament. While the collective self-defence pacts and organisations are unlikely to be changed in the near future, the region can choose to prioritise actions that serve their collective security over these pacts.

³⁴ Hanson, 6

³⁵ Tilemann, 7

³⁶ Thakur, 5

³⁷ Caughley, 8; and Tanya Ogilvie-White, “No-First Use: Current status, contemporary misconceptions?” 4

³⁸ Biden Nuclear Posture Review <https://media.defense.gov/2022/Oct/27/2003103845/-1/-1/1/2022-NATIONAL-DEFENSE-STRATEGY-NPR-MDR.PDF#page=33>

³⁹ Tuiloma Neroni Slade “*The Nuclear Prohibition Treaty: Where to from here?*” 6

⁴⁰ Slade 5

⁴¹ Hanson, 6

The IAP can engage in confidence-building measures to increase transparency and lower regional tensions. ASEAN and the East Asia Summit are potential venues for confidence-building measures related to nuclear threat-reduction. IAP efforts should focus on a short agenda of achievable but substantive policy objectives: leadership and high-level attention, dialogue channels, incident analysis and reporting, and Track 1 and Track 2 diplomacy to further generate agenda items.⁴²

Making threat-reduction a standing agenda item for the East Asia Summit will ensure that the issue is being addressed consistently at a high level. Dialogue channels between IAP countries should be made transparent, and be monitored.

The IAP could also adopt a formal means of tracking and analysing nuclear incidents. With so many nuclear actors at play in the region, it is critical to ensure that communication is possible and that any incidents are understood in the hopes of avoiding their recurrence.

(c) Institutional

The UN Security Council, in its current form, is a barrier to the elimination of nuclear weapons, and thus faces a dilemma: adapt or die.⁴³ The current model allowing any of the P5 countries to use their veto power to stonewall arms control is unsustainable, reflecting a 20th c. national strategic, rather than a 21st c. humanitarian, outlook.

The increasing ratification of the TPNW (currently by 70 UN Member States with 23 further signatories) is clear evidence that the rest of the world is no longer willing to have their priorities held hostage by the P5. The TPNW advanced into international law through the General Assembly over the direct objections of P5 states.⁴⁴ Should the Security Council continue to refuse to address the threat of nuclear weapons and the calls to disarm, it is possible that the majority of the international community will build on the lessons learned from the TPNW, pursuing additional measures that augment the strengths of the TPNW and add to the body of international humanitarian law, regardless of the opinion of the Council.

The Security Council must become a body capable of true debate. To do this, the composition of the Council must change. Certain countries from the global South, frequently the source of leadership on nuclear disarmament, must be included as permanent members.⁴⁵ In order to prevent the Council from becoming unwieldy, it may be necessary to drop some members – though the inclusion of such a provision could make any attempt at reform ‘dead-on-arrival’. Certainly, the inclusion of India as a permanent member, while deferring any further decisions on other potentials, may be justified in the 21st century. The addition of new permanent members cannot include veto powers. Adding more veto-equipped members to the Council will only further stall future action of the Council. Instead, the addition of new permanent members must be accompanied by the observation of clear, circumscribed rules on the use of veto power.

Adding new members to the Security Council from the global South would also help ensure that reforms do not further perpetuate historically-based power dynamics inherent in the UN’s expansion since its inception. The expansion of the United Nations and its operations thus far have heavily reflected Western values and the principles of liberal governance.⁴⁶ This evolution has allowed the narrative and priorities of the global North to prevail, even as the global South has grown in power and influence. Expanding the Security Council with a focus on incorporating countries outside of the ‘traditional powers’ would benefit not just nuclear disarmament but the larger perception of the United Nations and the values and interests it represents.

Previous proposals to add permanent members have floundered.⁴⁷ Despite advocating for it, it is critical to note the improbability of UN reform, especially Security Council reform, succeeding. But without it, the legitimacy of the United Nations will continue to erode, leaving not only disarmament efforts but also many of the other critical UN missions in peril.

⁴² Tilemann, 9

⁴³ Thakur, 4

⁴⁴ Thakur, 5

⁴⁵ Thakur, 9

⁴⁶ Sinclair, Guy Fiti. *To reform the world: International organizations and the making of modern states* (Oxford University Press, 2017).

⁴⁷ Thakur, 9

Annex:
Reports published by the Centre from the August 2023 Symposium

Cover Note (2023) regarding papers (Reports 11-17) published from the Symposium.
[“Nuclear Deterrence and Disarmament: Conflicting perspectives in an age of tension”](#)

Report 11 (2023) [The Risk of Nuclear Conflict: Calculating the Unthinkable](#),
Tim Caughley (ISBN 978-1-99-118750-5)

Report 12 (2023) [Australia, US, China and the Pacific: Cooperation or Competition](#),
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