



# The Non-Proliferation Treaty Review Conference: Breakthrough or Bust in '05?

A BASIC/ORG project - Briefing 8

## NATO: Nuclear Sharing or Proliferation?

*“A credible Alliance nuclear posture and the demonstration of Alliance solidarity and common commitment to war prevention continue to require widespread participation by European Allies involved in collective defence planning in nuclear roles, in peacetime basing of nuclear forces on their territory and in command, control and consultation arrangements.”*

NATO's Strategic Concept

<http://www.nato.int/docu/pr/1999/p99-065e.htm>

### Background

Nuclear weapons have played a key role in NATO's military strategy since its inception in 1949. NATO's current Strategic Concept (1999) states that the:

*Fundamental purpose of the nuclear forces of the Allies is political: to preserve peace and prevent coercion and any kind of war.*

NATO nuclear forces include strategic weapons provided by the United States, France, and the United Kingdom, along with US 'sub-strategic' or 'tactical' nuclear weapons deployed in Europe. Within NATO these sub-strategic weapons are seen as symbolic of the transatlantic link between the United States and its European allies.

Five Non Nuclear-Weapon States (NNWS) parties to the Non-Proliferation Treaty (NPT) – **Belgium, Germany, Italy, The Netherlands and Turkey** – participate in nuclear sharing arrangements with the United States. These countries host US B61 'gravity' bombs that, in the event of nuclear war, could be delivered by aircraft and pilots belonging to the host nation. Previously Greece also participated in nuclear sharing, but in 2003 US nuclear weapons were reportedly withdrawn from the country. The **United Kingdom** also hosts US nuclear weapons, USAF aircraft and pilots.

[http://www.thebulletin.org/article\\_nn.php?art\\_ofn=nd04norris](http://www.thebulletin.org/article_nn.php?art_ofn=nd04norris)

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photo: NATO

## Does NATO nuclear sharing breach the NPT?

NATO's nuclear sharing arrangements were at the centre of negotiations between the United States and Russia on Articles I and II of the NPT in the mid-1960s. Article I of the NPT states that:

*Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly.*

Article II imposes a complementary obligation on NNWS not to “receive the transfer” of nuclear weapons.

NATO nuclear sharing appears to breach these obligations as it is intended to allow the transfer of US nuclear weapons to non-nuclear Allies to deliver in time of war. NATO asserts that nuclear sharing is compatible with the NPT, based on a US interpretation that it does “not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling”.

<http://www.basicint.org/pubs/Research/2000nuclearsharing5.htm#Annex%201>

In the past ten years, this interpretation has become increasingly controversial. At the 1995 NPT Review Conference, Mexico asked in Main Committee I for clarification on whether nuclear sharing breached Articles I and II. Mexico's concerns were taken up by the Non-Aligned Movement. As a result several proposals for language questioning the US interpretation were put forward for inclusion in the Committee's final report, including:

*The Conference notes that among States parties there are various interpretations of the implementation of certain aspects of articles I and II which need clarification, especially regarding the obligations of nuclear weapon States parties...when acting in cooperation with groups of nuclear-weapon States parties under regional arrangements...*

In 1998, Egypt proposed a way to close the loophole on nuclear sharing by suggesting that:

*The PrepCom recommend that the 2000 Review Conference state in clear and unambiguous terms that Articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons allow for no exceptions and that the NPT is binding on States Parties at all times.*

*At the 1999 PrepCom, a statement on behalf of the New Agenda Coalition (NAC) stated that, “all the articles of the NPT are binding on all States Parties and at all times and in all circumstances”.*

NATO also asserts that nuclear sharing is in compliance with the NPT because it pre-dates the NPT. However, not all parties to the NPT were made aware of the NATO arrangements at that time. Although nuclear



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sharing was not challenged in the 1960s, it is being questioned today. Is it really desirable for the NPT to be non-binding during wartime? It is time for this ambiguous loophole to be closed.



A diminishing  
role for nuclear  
weapons  
in security  
policies

## Developments since the 2000 Review Conference

The 1995 NPT Principles and Objectives for Nuclear Non-Proliferation and Disarmament contain a number of commitments relevant to NATO, such as the establishment of additional Nuclear Weapon-Free Zones (NWFZs), and the need for strengthened security assurances for NNWS. Similarly, the 2000 NPT Final Document includes:

- the need for further unilateral reductions in nuclear arsenals;
- increased transparency;
- further reduction of non-strategic nuclear weapons;
- measures to reduce the operational status of nuclear weapons systems; and
- a diminishing role for nuclear weapons in security policies.

This call for a “diminishing role for nuclear weapons in security policies” followed concerns about NATO’s Strategic Concept, which describes nuclear weapons as the “supreme guarantee” of Allied security.

In June 2004, NATO published two fact sheets, which it claims demonstrate the “radical” and “far reaching” steps the Alliance has taken to adapt its nuclear policy, by reducing the number of nuclear weapons in Europe since the end of the Cold War.

<http://www.nato.int/issues/nuclear/index.html>

However, recent figures published by the US-based National Resources Defense Council (NRDC) indicate that the number of US nuclear warheads based in Europe has remained static at about 480 since the 1994 US Nuclear Posture Review. ***Since 2000, therefore, there has been no positive change to Alliance nuclear posture.***

Far from reducing the role of nuclear weapons, the United States is now pursuing development of weapons such as ‘bunker busters’ and ‘mini-nukes’, and enhancing the role of nuclear weapons in counter-proliferation and preventive war strategies. NATO may come under pressure to adopt similar policies.

## Prospects for Progress

NATO does not publish details on the number of nuclear weapons remaining in Europe, despite the member states’ commitment to transparency in the 2000 NPT Final Document. The continued presence of US nuclear weapons has, in part, also resulted in Russia declining to discuss their ‘tactical’ nuclear weapon holdings and dismantlement.



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NATO claims that it is in “full compliance” with the NSAs issued by the United States, the United Kingdom and France on the eve of the 1995 NPT Review Conference. However, NATO’s refusal to rule out first use of nuclear weapons is a major obstacle to further steps to strengthen NSAs. It also effectively gives a green light to NATO military planners to prepare for the option of using nuclear weapons first. NATO’s policies have also proved a serious obstacle to any possibility of a NWFZ in Central Europe.

NATO could play an important role in strengthening the NPT by supporting:

- ratification of the Comprehensive Test Ban Treaty (CTBT);
- efforts to negotiate a Fissile Material Cut-Off Treaty (FMCT); and
- the establishment of an ad hoc committee on nuclear disarmament at the Conference on Disarmament.

However, since the 2004 Istanbul summit, NATO communiqués have been silent on the subject of non-proliferation and disarmament.

## Recommendations

We urge that:

- 1. The remaining US nuclear weapons are withdrawn from Europe. These weapons are militarily obsolete and impede improved transatlantic relations.**
- 2. NATO seeks to negotiate a treaty with Russia on the verifiable elimination of sub-strategic nuclear weapons and on warhead accounting.**
- 3. NATO conducts a review of its Strategic Concept to include a diminished role for nuclear weapons, including a commitment to no first use of nuclear weapons.**
- 4. The NPT Review Conference agrees a statement that the Treaty is binding at all times and in all circumstances.**

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