

BASIC BRIEFINGS

29 June 2004

NATO Nuclear Doctrine and the NPT

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In the many presentations made to the Nuclear Non-proliferation Treaty (NPT) PrepCom last April in New York, few references were made to urgently needed practical steps towards nuclear disarmament. The Canadian government, for example, only referred briefly to NATO nuclear policy. That is most peculiar, since there is a glaring contradiction between the commitments made by NATO states towards nuclear disarmament and the continued reliance of official NATO doctrine on nuclear weapons. For example, the Final Communiqué of the NATO Ministerial Meeting of the Defence Planning Committee and the Nuclear Planning Group held in Brussels on 1 December 2003 stated:

The nuclear forces based in Europe and committed to NATO continue to provide an essential political and military link between the European and North American members of the Alliance. They are maintained at readiness levels consistent with the prevailing security environment. We noted with appreciation the continuing contribution made by the United Kingdom's independent nuclear forces to deterrence and the overall security of the Allies, and reaffirmed the value of this capability.^[1]

NATO diplomats routinely refer to this reliance as 'minimal'. The fact is that one of the cornerstones of NATO security continues to be the maintenance of a nuclear deterrent, consisting of between 150 and 180 US-owned gravity bombs dispersed at airfields in six NATO member states: Belgium, Netherlands, Germany, Greece, Turkey, Italy (it has been suggested in the media that the weapons at Araxos airbase in Greece have been withdrawn).^[2] In time of war, the bombs would be transferred from US custodial units at these bases to NATO tactical aircraft flown by the pilots of the nations listed above. In peacetime, these crews are trained to deliver the weapons, while almost all the NATO member states are involved in developing the plans to use them, including targeting.

The basic schizophrenia between the commitments by the NATO states to the NPT on the one hand, and their continued deployment of nuclear weapons, on the other, came to the fore especially in the so-called 'paragraph 32' report of December 2000.^[3] Included in this document were the 'thirteen steps towards nuclear disarmament', an intrinsic part of the final document of the 2000 NPT Review Conference^[4], as well as the continued commitment to a nuclear strike doctrine: "To protect peace and to prevent war or any kind of coercion, the Alliance will maintain for the foreseeable future an appropriate mix of nuclear and conventional forces based in Europe and kept up to date where necessary, although at a minimum sufficient level".^[5]

NATO comments on nuclear sharing

One of the few NATO documents where the contradiction is addressed directly is in a fact sheet published this year that states:

"NATO's Nuclear Sharing Arrangements:

- The Alliance's arrangements for basing US nuclear gravity bombs in Europe are in compliance with the NPT. When the Treaty was negotiated, these arrangements were already in place. Their nature was made clear to key delegations and subsequently made public. They were not challenged.
- The US nuclear weapons based in Europe are in the sole possession and under constant and complete custody and control of the United States. They are fitted with sophisticated Permissive Action Links (PAL) that guarantee absolute positive control by the US and prevent unauthorized use".^[6]

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The second point is not denied by anyone, although the author could have added: 'in time of peace' to the first sentence. The area of controversy concerns the first point.

Research carried out some years ago by analysts from the NGO community indicated that at the time the NPT was ratified, an exception was claimed by the United States for the situation described above, i.e. the prohibition to transfer nuclear weapons, as defined in Articles I and II. This exception applied when: "A decision had been made to go to war, at which time the Treaty would no longer be controlling" (from: Questions on the draft Non-proliferation Treaty asked by US allies together with answers given by the United States (cited in: NPT Hearing, US Senate, 90-2, p.262, note 35 in the *PENN Research Report 2000.1*).

There are indications that at the time of ratification by the United States, this exception was not widely known, because it was not laid down in an explicit official US statement, but in a note in the US Senate records prior to ratification. According to sources consulted by the authors of the PENN report: "non-NATO diplomatic sources who confirmed knowledge of the nuclear planning group have also stated that they knew nothing about nuclear sharing arrangements at the time of signing and ratifying the NPT" (p. 22). Some of the signatories may not have known that in wartime the Treaty would no longer be binding as far as the United States was concerned (p. 23 of the PENN report). The implication of this is that once a war has started, nuclear weapons could be transferred to the sharing member-state and used in any situation which the NATO command deemed necessary, including first use against an enemy using any type of conventional or mass destruction weapon. Whether this exception was well known or not, it has far-reaching ramifications: it means that a state of war creates a situation of possible nuclear release. The definition of war – this is a key point – then gains crucial importance. If NATO itself were to initiate the war situation, then the alliance has the possibility to use nuclear weapons simply by declaring a war and thus create the conditions for the NPT exception.^[7]

US policy change?

Parts of the NATO leadership (the United States perhaps) seem to have accepted that something should be done about the contradiction. General Jones, NATO's Supreme Allied Commander as well as commander of US forces in Europe, announced on 9 March in the Belgian Senate that the United States would reduce its nuclear weapons in Europe. A report on the Shape website ^[8] (no longer accessible) stated:

Gen. Jones' remarks, in a testimony to a Belgian Senate Committee Tuesday, are generating interest. "Gen. Jones said in Brussels Tuesday the United States will significantly reduce its nuclear weapons in Europe, reports La Libre Belgique. The article adds that responding to queries by Belgian senators regarding the presence of nuclear weapons in Belgium and the risk of a US plane carrying nuclear weapons crashing on Belgian soil, Gen. Jones said: "The reduction will be significant. Good news is on the way".

In a plenary meeting of the Belgian parliament on 1 April, Foreign Minister Louis Michel stated (also on behalf of Defence Minister Flahaut): "...in the first place, there was a meeting concerning NATO. In the second I can confirm that the USA is withdrawing part of its nuclear weapons arsenal from Europe. In the third place defence policy planning does not assume any changes for the air force base in Kleine Brogel."^[9]

The Dutch government responded to similar parliamentary questions with the standard formula on all matters related to NATO nuclear weapons:

The 1999 NATO Strategic Concept states that NATO's nuclear forces in Europe are an essential part of the political and military ties between the European and American allies. For this purpose, the Alliance will maintain sufficient nuclear forces in Europe, at a minimum level necessary for the maintenance of peace and stability. No information can be given regarding numbers and locations of the American nuclear weapons deployed in Europe.^[10]

NATO sources later claimed that General Jones did not mention nuclear weapons at the Belgian Senate meeting. Nevertheless, if the Belgian parliament reported his comments accurately, they were perhaps not made off the cuff. A US report to the Pentagon on "Future Strategic Strike Forces" by the Defense Science Board Task Force, published in February 2004, suggested eliminating the nuclear role for forward-based, tactical dual

Force, published in February 2004, suggested eliminating the nuclear role for forward-based, tactical dual capable aircraft.[11] Other sources suggested that this plan fitted in nicely with oft-repeated Russian complaints about NATO enlargement.[12] Speculation in the UN corridors during the PrepCom was that in this way the Russians would be compensated to some degree for the enlargement of NATO eastwards.

Nuclear doctrine without nuclear weapons

If this withdrawal were to be carried through, it would not necessarily imply a far-reaching change in NATO nuclear doctrine. There is a clear distinction between withdrawing part (or even all) of the tactical nuclear weapons on the one hand, and abandoning NATO nuclear policy, on the other. The latter would only be the case if the NATO leaders at the summit in Istanbul, for example, were to agree to take up a statement in the summit communiqué abandoning the nuclear doctrine.

The political implications of the existing doctrine are far reaching. After all, the alliance is continually enlarging eastwards, essentially creating a Nuclear Weapons Free Zone-in-reverse: the number of countries committed to supporting and planning the use of nuclear weapons is actually increasing. There is a sharp contrast between the policy of involving an increasing number of NATO member states in counter-proliferation efforts, such as the Proliferation Security Initiative, on the one hand, while maintaining the nuclear doctrine, on the other.

This glaring policy contradiction has not escaped the attention of the International Atomic Energy Agency (IAEA) Secretary General El-Baradei, who at a meeting organised by the Council on Foreign Relations on 14 May in New York stated that "... We need to do better in terms of protecting ourselves, and we cannot just continue to say, well, we have 25 countries, say, the NATO countries, who are relying on the nuclear umbrella, and everyone else should sit quietly in the cold, you know. That, as I said, in the long run, is not sustainable ...". [13]

Ignoring such warnings would seem to be folly, in the light of the efforts by the member states of the Alliance to convince the rest of the world that non-proliferation policies should be strengthened.

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NOTES

[1] *NATO Press Release* (2003)147, 1 December 2003.

[2] *Athens News*, 18 January 2001.

[3] "Report on Options for Confidence and Security Building Measures (CSBMs), Verification, Non-Proliferation, Arms Control and Disarmament", December 2000, *NATO Press Release*, 13 December 2000 (Excerpts) M-NAC-2(2000)121.

[4] "Final Document, 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", NPT/CONF.2000/28 (Vol. I, Part I and II), 22 May 2000.

[5] In the NATO document - note 3: (...) 4.2.1, paragraph 72.

[6] "NATO's Positions Regarding Nuclear Non-Proliferation, Arms Control and Disarmament and Related Issues", *NATO Fact Sheet*, 27 April 2004 update, URL <<http://www.nato.int/issues/nuclear/position.htm>>. A note in the document points out that this is **not regarded as "a formally agreed NATO document"**.

[7] "Questions of Command and Control – NATO, Nuclear Sharing and the NPT", *PENN Research Report 2000.1*.

[8] *Shape News*, 10 March 2004, URL <<http://www.nato.int/shape/news/2004/03/s040310.htm>>, (no longer accessible).

accessible).

[9] Unofficial translation by K. Koster from the parliamentary report (p. 9, p. 15 of the electronic version), URL <http://www.dekamer.be/doc/PCRI/pdf/51/ip058.pdf>.

[10] Answer by Minister of Defence Kamp, also on behalf of minister of foreign affairs Bot, in response to questions by Member van Bommel (SP) regarding American nuclear weapons in Europe (sent in 15 March 2004, nr 1244, 2003-2004). Unofficial translation by Karel Koster.

[11] Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, "Report of the Defense Science Board Task Force on Future Strategic Strike Forces", February 2004, URL <http://www.acq.osd.mil/dsb/fssf.pdf>.

[12] Blagov, Sergei, "Russia Prepares to Vent Irritation Over NATO Expansion", *CNSNews.com*, 1 April 2004, URL <http://www.cnsnews.com>; "Russia Warns NATO It May 'Re-evaluate' Nuclear Defenses", 26 March 2004, URL <http://www.isn.ethz.ch/infoservice/secwatch/index.cfm?service=cwn&parent=detail&sNewsID=8573&menu=1>.

[13] URL

http://www.cfr.org/pub7032/graham_t_allison_mohamed_elbaradei/the_challenges_facing_nonproliferation.php#.