

CONFERENCE ON DISARMAMENT

PLENARY SESSION ON “EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS”

(28 June 2019)

Remarks by Mr Marc Finaud, Invited Expert from the Geneva Centre for Security Policy (GCSP), Delegation of Viet Nam

Excellencies, Ladies and Gentlemen,

It is a great honour for me to be invited again to speak as an independent expert in this Chamber on the issue of negative security assurances. I wish to express my sincere gratitude to His Excellency Mr Duong Chi Dung, Permanent Representative of Viet Nam and President of the Conference, for this opportunity.

You may remember that last year, I had a chance to address this topic and present a background paper co-authored with my colleague John Borrie from UNIDIR to the then-Subsidiary Group 4. The purpose of that paper was to map all the existing unilateral statements or legally binding commitments made by the nuclear-armed states regarding assurances of non-use or non-threat of use of nuclear weapons against non-nuclear weapon-states.

I don't wish to repeat the detailed findings of that paper, but just to recall our main conclusion: this mapping demonstrates the diversity of positions of nuclear-armed states, including changes over time, and in particular the variety of conditions required by such states to implement their assurances. Moreover, this exercise revealed a number of points that would need to be clarified because of the ambiguity of the way they are formulated.

Because not much has been achieved within the Conference since last year on this topic, I will limit my remarks to reminding some basic points.

- 1) The issue of negative security assurances has been on the agenda of this Conference and the whole international community for decades now without real progress since the 1995 United Nations Security Council Resolution that endorsed the unilateral declarations of the five NPT-nuclear weapon states. Today it takes a new importance and urgency with the growing recognition that the risk of use of nuclear weapons has never been so high since the Cold War. This has been stated by former leaders who were once in charge of the nuclear deterrent of their countries such as Mikhail Gorbachev or William Perry; and it has been confirmed by the recent study published by UNIDIR presented by its Director, Renata Dwan.
- 2) Even if the international community is divided on the question of the legality or legitimacy of nuclear weapons addressed in the Treaty on the Prohibition of Nuclear Weapons (TPNW), there is no doubt that the whole world, including all nuclear-armed states, has a vital interest in preventing the use of nuclear weapons and therefore to work together for reducing this risk.
- 3) The most effective and radical means of eliminating the risk of use of nuclear weapons would of course be their total elimination. However, in the meantime, if all states that have verifiably renounced nuclear weapons are protected against the use or threat of use of nuclear weapons, this will greatly contribute to this goal of lowering the risk of a nuclear war.

- 4) Dealing with negative security assurances as an effective means of nuclear risk reduction has the advantage of overcoming the current divisions on the legality of nuclear weapons without prejudice to the respective approaches to nuclear disarmament, either through the TPNW or through the so-called progressive approach or other interim steps.
- 5) There is no doubt that the most comprehensive negative security assurance would be a non-first use policy, i.e. the commitment by all nuclear-armed states to assign deterrence of a nuclear attack by another nuclear-armed state as the sole purpose of their nuclear weapons. This is the policy proclaimed by China and India, and they should be encouraged to maintain it. In the United States, the previous administration came close to adopting that policy, now required by a draft bill in Congress and supported by leading think tanks and experts. Unfortunately, we now also witness discussions and doctrines calling for nuclear war-fighting scenarios, threats of 'obliteration' of a non-nuclear weapon state, early escalation in case of conventional attack, or the introduction of more useable, so-called low-yield, nuclear weapons as well as hypersonic missiles into nuclear arsenals, contributing to lowering the threshold of nuclear war dangerously.
- 6) The alternative solution to a non-first use policy would be to clarify once and for all the conditions under which non-nuclear weapon states can benefit from negative security assurances. Indeed, when you read some of the declarations of the nuclear-armed states, as recalled in the background paper of last year, you discover gaps or grey zones that do not constitute assurances but on the contrary create unwarranted uncertainties and doubts. When a state claims that it would not use nuclear weapons against non-nuclear weapon states but reserves the right to use them in case of use of other weapons of mass destruction against it or its allies or in case of aggression involving conventional weapons that would threaten the very existence of the state, does this mean that it also includes attacks by non-nuclear weapon states? When another state declares that it will not use nuclear weapons against non-nuclear weapon states parties to the NPT and complying with their international non-proliferation commitments in terms of weapons of mass destruction, does this mean that it could use nuclear weapons against a non-nuclear weapon state that had violated the Biological Weapons Convention or the Chemical Weapons Convention, not necessarily in an attack against that state?
- 7) Finally, when we discuss the risk of use of nuclear weapons, we should be aware of the continuity between conventional and nuclear weapons. This is explicit or implicit in the doctrine of nuclear-armed states that have not embraced the non-first use policy. In Europe, it is related to the current tensions between NATO and Russia. In this respect, may I take this opportunity to flag a study published at the end of last year on "Reducing the Risks of Conventional Deterrence in Europe" by the OSCE Network, to which I contributed along with other experts from Europe, the US and Russia? We advocate using and adapting the existing regional instruments of conventional arms control to reduce the risk of escalation to a nuclear conflict. In the same spirit, it would be useful if Russia could review its unilateral security assurance and drop the exclusion of non-nuclear weapon states that are members of a military alliance with nuclear-weapon states, as France, the UK, and the US already did for their part at the end of the Cold War.

Thank you for your attention.