The Beginning of the End of Nuclear Weapons?

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Negotiations over a ban on nuclear weapons are likely to be given the go-ahead at the UN General Assembly. Nuclear weapon states and those under their umbrella will face challenges reducing its impact.

In 1959, during the discussions which led to the formation of the Non-Proliferation Treaty (NPT), Irish Foreign Minister Frank Aiken recognised that the abolition of nuclear weapons was ‘hardly realistic’ in the near term. Instead of banning the bomb outright, he urged the UN General Assembly (UNGA) to ‘reduce the risks which the spread of these weapons involves for this generation, and not to hand to our children a problem even more difficult to solve than that with which we are now confronted’.

Fifty-seven years later the mood has changed substantially, with Ireland and 126 other nations signing the ‘Humanitarian Pledge’, calling on states to ‘identify and pursue effective measures to fill the legal gap for the prohibition and elimination of nuclear weapons’. The pledge reflects support among a majority of UN member states for closing the legal gap with a treaty banning nuclear weapons. These states are now expected to mandate negotiations on such a legal instrument at the 71st session of the UNGA, which begins on 13 September.

The road to this vote has been paved by a series of conferences and working groups focused on disarmament and the humanitarian impact of nuclear weapons. Between 2013 and 2014, a small group of like-minded states organised three high-profile and well-attended conferences in Norway, Mexico and Austria on the subject. The common view was that the most logical approach to reducing nuclear dangers would be to ban and thereby delegitimise nuclear weapons.

While highly controversial, this idea has gained further momentum through a recent Open-Ended Working Group of interested states and civil society organisations. The Working Group was created by a UNGA resolution in October 2015, supported by 138 states, and was tasked with taking forward nuclear disarmament and discussions over approaches to filling a perceived legal gap. No nuclear weapon possessor state (except North Korea) or nuclear umbrella states supported the resolution. Most of these states also refused to participate in the Group’s discussions – a pattern reflected in participation and voting patterns within the initiative.

The movement that is pushing for the ban represents a body of opinion among some members of the Non-Aligned Movement and other non-nuclear weapons states that the pace of progress on nuclear disarmament has been too slow. Many feel this is borne out by the 20-year deadlock of the Conference on Disarmament, caused by an absence of consensus on the negotiation of a fissile material cut-off treaty, and the lack of far-reaching reductions in the number and role of nuclear weapons in national doctrines during a period in which disarmament issues have assumed great rhetorical prominence.

The Working Group’s report has been marred by disagreements between the participating umbrella states and advocates of a nuclear weapons prohibition. It highlights the view held among participants that there is a legal gap in relation to the prohibition and elimination of nuclear weapons, with the NPT itself falling short of offering ‘specific effective measures that should be pursued in fulfilment’ of disarmament obligations under the Treaty.

Views on how to address the legal gap – what to prohibit, how to do so and who should be targeted – are divergent. Umbrella states participating in the initiative advocate a continued focus on a step-by-step approach, which holds that steps towards the ‘ultimate objective’ of disarmament should be pursued (with the overriding ‘highest priority’ being the avoidance of nuclear war) as and when the security environment allows. This approach also continues to be the only satisfactory option for nuclear weapon states, owing to the difficulties of disarming without complementary progress in the interstate security relations that have driven the development and maintenance of nuclear weapons capabilities in the first place.

An alternative approach, favoured by smaller coalitions of non-nuclear weapon states, is that states should pursue negotiations on a nuclear weapons convention in the near term, irrespective of the global security situation. A convention, as distinguished from a ban, contains not only a prohibition on the weapons but also a framework for accession and disarmament by nuclear weapon
In recent conflicts, this was then coverage of the experience of victims of munitions followed extensive media involvement of huge coalitions of civil society groups and the use of first-hand victim testimony. A further strategic similarity between the movements to ban nuclear weapons and those to ban land mines and cluster munitions fulfilled functions which were either readily performed or indirectly. It now seems inevitable that a group of non-nuclear states will sponsor a resolution at the coming session of the UNGA to commence negotiations on a nuclear weapons ban, and a cursory assessment of the likely supporters of this motion suggest it will pass.

But of what use would such a treaty be without the support of those states which either possess or benefit from others’ nuclear weapon possession? States supporting the move along with the many vocal civil society organisations which back it are unanimous: the treaty seeks not to eliminate but to stigmatise and delegitimise these weapons and their role in the security doctrine of nuclear weapon states and umbrella countries. Advocates highlight that this approach has preceded in the stigmatisation and banning of land mines and cluster munitions, which, while still existing today, form a less prominent role in militaries across the world, including in non-signatories, due to the potential reputational consequences of their use.

A further strategic similarity between the movements to ban nuclear weapons and those to ban land mines and cluster munitions can be seen in the involvement of huge coalitions of civil society groups and the use of first-hand victim testimony. The bans on land mines and cluster munitions followed extensive media coverage of the experience of victims in recent conflicts. This was then utilised in the campaigns, with personal testimony of survivors and their relatives being included in the process. The same pattern has been established within both the Humanitarian Initiative and the Open-Ended Working Group, incorporating testimony from the hibakusha – the survivors of Hiroshima and Nagasaki bombings – and those affected by the legacy of nuclear testing. Initial signs suggest that this approach has not been as effective in the nuclear arena as in others, with public mobilisation limited only to groups within civil society that already have an interest in nuclear weapons abolition. Whether public engagement will accelerate in the run-up to formal negotiations remains to be seen, but it will arguably be a critical barometer of the success of the movement in establishing norms against possession of these weapons.

What the slippery-slope approach to disarmament does not take into account, however, is the strategic significance and centrality that nuclear weapons assume in the militaries of possessor states. Both land mines and cluster munitions fulfilled functions which were either readily performed by other types of weapon or became redundant in the post-Cold War period. By comparison, nuclear weapons – in their war-prevention role – are in the near-term irreplaceable for those who hold them. This point forms the basis of the nuclear weapon states’ opposition to the march towards a treaty: moves towards nuclear disarmament will be potentially destabilising if they do not consider the strategic context in which the weapons are held, something which neither the proposed ban nor the nuclear weapons convention consider. As such, blanket approaches to prohibition, which push for steps irrespective of strategic context, are incompatible with the nuclear weapon states’ policy of prioritising the avoidance of nuclear war, and will therefore likely lead to no actual reduction in the number of nuclear weapons in the world.

This view is especially pertinent for states benefiting from extended deterrence, many of which have crafted militaries and security doctrines around such assurances. It leaves a number of these states – such as those which called for a ban on cluster and land mine munitions – in a conflicted position. Countries that were once allied in that fight now find themselves on opposite sides because they benefit from the nuclear umbrella, potentially challenging their image as humanitarian powers.
Somali jihadist terror group Harakat al-Shabaab al-Mujahideen, commonly known as Al-Shabaab (AS), appears to have shifted away from targeting civilians, largely due to local pressure. The group began to fight an insurgency against the Transitional Federal Government of Somalia and its allies in 2006. Since 2011, it has also been involved in attacks in neighbouring Kenya after the country’s government decided to invade and occupy Southern Somalia. AS also pledged allegiance to Al-Qa’ida in 2012.

Initially, AS’s target selection in Kenya followed the theory of ‘categorical terrorism’, according to which attacks on civilians are prioritised in countries – such as Kenya – where citizens are perceived to have extensive democratic rights and an ability to influence the political process. Consequently, AS began to indiscriminately target Kenyan civilians in 2011 as ‘punishment’ for their perceived reluctance to invoke their democratic rights to stop atrocities committed by the Kenya Defence Forces (KDF) in Somalia, or the widespread state violence carried out against Kenya’s ethnic Somalis and larger Muslim population. AS also targeted civilians as a show of force aimed at pressuring Kenya to reconsider its military engagement in Somalia.

The degree to which AS targeted Kenyan civilians increased dramatically since December 2015, Al-Shabaab appears to have stopped intentionally targeting civilians in Kenya in an effort to win the hearts and minds of local Muslims.

Has Al-Shabaab Stopped Targeting Civilians in Kenya?

Andrés Pérez

Since December 2015, Al-Shabaab appears to have stopped intentionally targeting civilians in Kenya in an effort to win the hearts and minds of local Muslims.