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# United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination

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English only

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New York, 27-31 March 2017 and 15 June-7 July 2017

## Never Forget the Good

Submitted by Global Security Institute<sup>1</sup>

### Gratitude and Encouragement:

1. We call on governments to welcome and thank the numerous civil society organizations and networks working tirelessly for nuclear disarmament,<sup>1</sup> and to strongly encourage civil society activism and government support to achieve a nuclear-weapon-free world.
2. We suggest the inclusion of the following:

*“Welcoming and encouraging the engagement of civil society in education and advocacy to obtain a nuclear weapons free world, we call upon all governments to support such efforts.”*

### Morality of Nuclear Weapons

3. Albert Einstein said: *“Bullets kill men, but atomic bombs kill cities. A tank is a defense against a bullet, but there is no defense against a weapon that can destroy civilization. . . . Our defense is law and order.”*<sup>ii</sup> However, law without a moral foundation lacks coherence and stability and can lead to improved means to unimproved ends. Modernization and improvement of the arsenals is an obvious example. The abolition of nuclear weapons represents a conjunction of practicality, law, morality, and necessity.

### Government’s Perspective

4. On December 5, 2016 the UN General Assembly adopted a unique and extremely important resolution raising the duty to negotiate the elimination of nuclear weapons above geo-politics, placing the issue squarely upon a moral footing. The Ethical Imperatives for A Nuclear Weapons Free World (A/RES/71/55) Declares in relevant part:

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*(h) Given the humanitarian impact of nuclear weapons, it is inconceivable that any use of nuclear weapons, irrespective of the cause, would be compatible with the requirements of international humanitarian law or international law, or the laws of morality, or the dictates of public conscience;*

*(i) Given their indiscriminate nature and potential to annihilate humanity, nuclear weapons are inherently immoral;*

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<sup>1</sup> Short Presentation Regarding The Treaty to Prohibit Nuclear Weapons; Global Security Institute (GSI); Presented by Jonathan Granoff, President of GSI

**Scientific Perspective:**

5. Recent studies by eminent scientists Alan Robock, Richard Turco, Brian Toon, and Georgiy Stenchikov, of a limited first use of nuclear weapons or a limited exchange, demonstrate the need for a new description. We realize now that we are not dealing with MAD, Mutual Assured Destruction, but rather SAD, Self Assured Destruction. The debris and soot rising into the atmosphere, resulting from the explosions of less than 1% of the current arsenals of over 15,000 nuclear weapons, would so adversely impact the world's climate and cause so much agricultural disruption that any semblance of modern civilization would be obliterated.<sup>iii</sup>

6. The World Commission on the Environment and Development stated bluntly:

*The likely consequences of nuclear war make other threats to the environment pale into insignificance. Nuclear weapons represent a qualitatively new step in the development of warfare. One thermo-nuclear bomb can have an explosive power greater than all the explosives used in wars since the invention of gunpowder. In addition to the destructive effects of blast and heat, immensely magnified by these weapons, they introduce a new lethal agent—ionizing radiation—that extends lethal effects over both space and time.<sup>iv</sup>*

7. At a minimum in the second preambular paragraph of the current draft treaty, we suggest adding the words “and climate” after “environment.” This would highlight the unique impact of nuclear weapons use upon cities presented at the conferences on the humanitarian impact of nuclear weapons and help build coalitions with millions of informed citizens already cognizant of the importance of stabilizing the climate.

**Religious Perspective:**

8. Archbishop Desmond Tutu recently addressed the core issue:

*“To realize a nuclear weapon-free world, we must acknowledge that nuclear weapons serve no legitimate, lawful purpose. All of those who wield nuclear weapons are deserving of our scorn. The development and stockpiling of weapons of mass destruction by any state is morally indefensible. It breeds enmity and mistrust and threatens peace. The radiation unleashed by an American or British or French nuclear bomb is just as deadly as that from a North Korean one. The inferno and shock waves kill and maim no less indiscriminately. With sabers rattling and the specter of nuclear war looming large, the imperative to abolish man's most evil creation—before it abolishes us—is as urgent as ever. Further arms races and provocations will lead us inexorably to catastrophe.”<sup>v</sup>*

9. The Holy See has clarified the implications of using nuclear weapons as a tool of deterrence:

*It is now time to question the distinction between possession and use, which has long been a governing assumption of much ethical discourse on nuclear deterrence. Use of nuclear weapons is absolutely prohibited, but their possession is judged acceptable on condition that the weapons are held solely for deterrent purposes, that is, to dissuade adversaries from employing them.*

*The language of intention obscures the fact that nuclear armories, as instruments of military strategy, inherently bear active disposition for use. Nuclear weaponry does not simply lie dormant until the conditional intention is converted into an actual one at the moment when a nuclear attack is launched by one's adversary. The machinery of nuclear deterrence does not work that way. It involves a whole set of acts that are pre-disposed to use: strategic designs, targeting plans, training drills, readiness checks, alerts, screening for conscientious objectors among operators, and so on.*

*The political and military officials of nuclear possessing states assume the responsibility to use these weapons if deterrence fails. But since what is intended is mass destruction—with extensive and lasting collateral damage, inhumane suffering, and the risk of escalation—the system of nuclear deterrence can no longer be deemed a policy that stands firmly on moral ground.*<sup>vi</sup>

10. Deterrence is not an abstract endeavor, but involves making thousands of people ready and able to annihilate humanity. It rests on making the threat to use nuclear weapons present, credible and real.<sup>vii</sup>

11. Preparing human beings and institutions to unleash such destruction robs them of their humanity in the name of protecting humanity in the most inhumane of human endeavors ever created. To rest global security on such flawed moral footing is the pinnacle of folly.

#### **Military Perspective:**

12. It is worth noting what General Lee Butler, former Commander in Chief of the US Strategic Command said regarding the present posture of nuclear weapons: “Despite all the evidence, we have yet to fully grasp the monstrous effect of these weapons, that the consequences of their use defy reason, transcending time and space, poisoning the Earth and deforming its inhabitants.” Nuclear weapons are “inherently dangerous, hugely expensive and militarily inefficient.” General Butler stated that “accepting nuclear weapons as the ultimate arbiter of conflict condemns the world to live under a dark cloud of perpetual anxiety. Worse, it codifies mankind’s most murderous instincts as an acceptable resort when other options for resolving conflict fail.” He added, “I have spent years studying nuclear weapons effects . . . have investigated a distressing array of accidents and incidents involving strategic weapons and forces . . . I came away from that experience deeply troubled by what I see as the burden of building and maintaining nuclear arsenals . . . the grotesquely destructive war plans, the daily operational risks, and the constant prospect of a crisis that would hold the fate of entire societies at risk.”<sup>viii</sup>

#### **Realist’s Perspective:**

13. George Kennan, the distinguished American diplomat who originated the Cold War containment policy toward the Soviet Union, stated:

*The readiness to use nuclear weapons against other human beings – against people we do not know, whom we have never seen, and whose guilt or innocence is not for us to establish – and, in doing so, to place in jeopardy the natural structure upon which all civilization rests, as though the safety and perceived interests of our own generation were more important than everything that has taken place or could take place in civilization: this is nothing less than a presumption, a blasphemy, an indignity – an indignity of monstrous dimensions – offered to God!*<sup>ix</sup>

14. If the knowing annihilation of civilization is not considered morally unacceptable then what moral standards could we apply to anything? Preparing thousands of people to annihilate civilization as the method through which security is to be pursued is nothing less than absurd and must be condemned forcefully. Threatening to annihilate millions, if not billions of innocent people, poison the environment, destroy thousands of other species and rob generations yet unborn of the gifts of this majestic glorious creation is horrific beyond adequate description. Thus we suggest the inclusion of the following:

***Asserting that given their indiscriminate nature and potential to annihilate humanity, nuclear weapons are inherently immoral;***

***Condemning the immorality of knowingly causing or threatening to cause irreparable environmental damage, devastating climactic change, or horrific suffering and death to***

*countless non-combatants through the use of nuclear weapons.*

<sup>i</sup> Here is a short alphabetical, and very incomplete, list to highlight the international scope of organizations working for the same goal: Abolition 2000, Arms Control Association, Campaign for Nuclear Disarmament, Gensuikyo, Global Security Institute, Global Zero, the International Association of Lawyers Against Nuclear Arms, International Campaign to Abolish Nuclear Weapons, International Peace Bureau, International Physicians for the Prevention of Nuclear War, Permanent Secretariat of the World Summit of Noble Peace Laureates, Mayors for Peace, Middle Powers Initiative, Nuclear Age Peace Foundation, Parliament of the World's Religions, Parliamentarians for Nuclear Nonproliferation and Disarmament, Ploughshares, Pax Christi, Pugwash, Religions for Peace, the United Religions Initiative, Western States Legal Foundation, Women's International League for Peace and Freedom, and the New York, Geneva and Vienna NGO Committees for Disarmament.

There are many more active organizations around the world and we owe them all a vote of thanks and an encouragement to keep going until we abolish nuclear weapons completely.

<sup>ii</sup> 1. **THE EXPANDED QUOTABLE EINSTEIN** 177 (Alice Calaprice ed., 2000).

<sup>iii</sup> Excellent web site <http://climate.envsci.rutgers.edu/nuclear/>

<sup>iv</sup> U.N. Secretary-General, Rep. of the World Commission on Environment and Development: Note by the Secretary-General, ¶ 18, U.N. Doc. A/42/427 (Aug. 4, 1987)

<sup>v</sup> Archbishop Desmond Tutu, **It's Time for a Disarmament Race**, The Nation, June 12, 2014

<sup>vi</sup> **Nuclear Disarmament: A Time for Abolition**, A Contribution of the Holy See, Vienna, December 8, 2017, at p.4.

<sup>vii</sup> It involves a variety of tasks:

*Train military personnel to use nuclear weapons; conduct regular exercises reinforcing the training; put the weapons and controls in the hands of the military personnel; provide them with contingency plans as to the circumstances in which they are to use the weapons; instill them with a sense of mission as to the lawful and significant purposes of such weapons in upholding the national defense and honor; make them part of an elite corps; have them stand at the ready for decades at a time waiting for the call; instill firm military discipline; make the weapons a publicly advertised centerpiece of the nation's military strategy; locate the weapons so as to leave them vulnerable to preemptive attack; villainize the enemy as godless and evil or as a rogue and terrorist nation; convey to military personnel that the weapons will be a major target of enemy attack and that it may be necessary to use them quickly before they can be destroyed; warn the enemy that, in the event of attack, the weapons may or will be used; inculcate in military personnel the notion of intra-war deterrence whereby nuclear weapons may need to be used following an enemy attack to deter further escalating attacks, give the military insufficient alternate conventional capacity to defeat the enemy attack; cut numerous nuclear weapons bearing units and control centers off from each other and from contact with higher authorities; create a situation of hopelessness where the whole society is about to be destroyed, at least unless these weapons can be gotten off fast to destroy and restrain the enemy; give the President and other upper level command authorities only an imperfect understanding of the options and repercussions and accord them only 5 to 10 minutes, or even a matter of seconds, to decide, against the background of SIOF [Single Integrated Operating Plan] based computer and other plans, decades in the making and ostensibly reflecting a broad historical consensus as to approach – do any number of these things, and the stage is set for the actual use of the nuclear weapons.* CHARLES J. MOXLEY, JR., NUCLEAR WEAPONS AND INTERNATIONAL LAW IN THE POST COLD WAR WORLD, 535-36.

<sup>viii</sup> Ibid at 535 (footnotes omitted) (quoting Otto Kreisher, **Retired Generals Urge End to Nuclear Arsenal**, SAN DIEGO UNION-TRIB., Dec. 5, 1996, at A1).

<sup>ix</sup> DOUGLAS ROCHE, **THE ULTIMATE EVIL** at 13 (1997); (quoting GEORGE F. KENNAN, **THE NUCLEAR DELUSION** 206-07 (1982)).