Responsible Nuclear Sovereignty and the Future of the Global Nuclear Order

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Introduction

In November 2016, the British American Security Information Council (BASIC) and the Institute for Conflict, Cooperation, and Security (ICCS), at the University of Birmingham, held a London roundtable to consider the findings of an ESRC/AHRC project on 'Nuclear Ethics and Global Security' that has been led by Professor Nicholas Wheeler (Director of the ICCS) and Professor Anthony Burke of the University of New South Wales, Canberra. The key question that the workshop explored concerned the role of responsibility in nuclear weapons possession. A number of international experts gathered to consider how far the concept of responsibility could breathe new life into debates over disarmament and non-proliferation within the existing nuclear order, and thereby help states break existing political deadlocks and engender fruitful discussions about the reduction of nuclear dangers. This report draws upon those discussions to express the motivations, challenges and opportunities of the responsibility framing, and is offered as a foundation stone for future work on this subject.

This report considers the different meanings of 'responsibility' according to context, culture and language, and how these alternative meanings might be both complementary or misleading in discussions. It goes on to outline key discourses on nuclear weapons policy that could benefit from a greater emphasis on responsibility, and asks how best to frame this concept to ensure maximum participation from the nine nuclear-armed states (the N9).

Why responsibility?

International politics is not conducted solely in terms of naked self-interest, but also in terms of a fabric of rules, norms, and principles that create a sense of responsibility within and between states. At the international level, being seen as a responsible actor – by exhibiting 'reasonable' behaviours and adhering to widely-accepted norms – can help states build soft power and secure outcomes in their interests. At the domestic level, demonstrating a level of responsibility internationally helps governments develop legitimacy with their publics. In respect of nuclear weapons – which carry additional meaning as symbols of status, statehood and sovereignty, that are used to further political aims both domestically and internationally – demonstrating responsibility can help to neutralise dangerous behaviours and improve security for all. This report hopes to demonstrate the value of emphasising responsibility to encourage good state behaviour around nuclear weapons.

Context

2016 was one of a sequence of tough years for the disarmament and non-proliferation community. Some have started to view the era of progress in the 1990s as a historical blip, rather than the first decade of global disarmament. The Non-Proliferation Treaty (NPT) regime, itself not universal, has faltered since the 2010 Review Conference, and failure to reach consensus in 2015 makes the 2020 RevCon feel to some like a make-or-break moment. Relations between the United States and Russia have been in freefall, and a number of hard-earned arms control agreements have been or are in danger of being lost. Without progress between the two states that drove the arms race throughout the twentieth century, and which still possess around 95% of the world's nuclear weapons, there seems little hope elsewhere.

Yet, political progress is all the more important in the face of worldwide nuclear weapons modernisation plans and the emergence of new technologies such as missile defence, prompt global strike, and space weapons that threaten to disrupt established balances. The thresholds of nuclear use also appear to be lowering. And the election of Donald Trump and the rise of far right 'post truth' politics across Europe, both a cause and symptom to Brexit, have heavily dampened optimism for international cooperation.

Meanwhile, the Non-Aligned Movement (NAM), which has by and large kept to its side of the NPT bargain, is increasingly expressing frustration at the Nuclear Weapon States (the US, UK, France, Russia and China, or NWS) for their failure to disarm. This frustration is evidenced by their widespread engagement with the proposed Nuclear Ban Treaty process, modelled on the landmines and cluster munitions bans and led by a number of INGOs and Non-Nuclear Weapon States (NNWS), which seeks to develop a legally binding prohibition through the UN on the development, possession and use of nuclear weapons. The Ban Treaty has proved controversial among some thought leaders in both the deterrence and disarmament communities, primarily on the grounds that the process has failed to meaningfully attain the support of the Nuclear Weapon States and might cause harm to the existing non-proliferation regime, but also offers opportunities. Bridging the divides of opinion around responsibilities on these matters could be essential to the future of international regimes essential to global security.

How could a responsibility framing help?

The framing of responsibility offers a means by which to break out of circular and grinding security logics. Nuclear weapons decisions are almost always state-centric and largely informed by experts of national security and the military. This has roots in the work of Albert Wohlstetter, the RAND Corporation, and others in the 1950s which formulated game-theoretic logics of deterrence heavily based upon the numbers and types of nuclear weapons possessed by each state, many of which were classified; accordingly, discussion of nuclear weapons doctrines by anyone without top-level security clearances was often discredited. Wider legitimate considerations such as, 'is this action internationally responsible?' have been increasingly obscured by the single consideration: 'does this action enhance our state's capabilities to deliver national security (even at the expense of the security of others)?' A greater focus on responsibility could be used to promote better security outcomes for all through a more cooperative security framework.

A deep investigation into the responsibilities around nuclear weapons would also help clearly delineate what states mean when they declare a position or action to be responsible behaviour. Conceptions of responsibility are complex and contested – yet, this ambiguity has its advantages. Most (if not all) states and state leaders claim to act responsibly, and wish to be viewed as doing so by others. Such a dialogue could clarify existing positions and bridge cultural impasses, which might in turn help overcome the current, blame-filled political deadlock around nuclear weapons, by offering a more constructive and pluralistic approach that recognises that responsibility is inherently interpreted in alternative ways.

In a similar way, such an initiative could help separate good faith statements about responsibility from bad faith invocations that seek to use accusations of irresponsibility to undermine opponents, often to mask irresponsible actions by the accuser. Moreover, without mapped and contiguous conceptions of what full responsibility means, even good faith assertions only show snapshots of deeper unconscious beliefs. This project offers an opportunity to step back and consider what responsibility with nuclear weapons means, beyond the propaganda purposes of particular states.

Participants at the roundtable were largely enthusiastic about this approach. However, one participant expressed scepticism about the responsibility frame, on the basis that there already exists strong, clear legal obligations on states that ought to frame state actions more effectively than vague and contested beliefs around responsibility. One response might be that these legal structures,

often themselves ambiguously interpreted and highly contested, are under threat today, and were these legal structures to fail, a sense of responsibility might be the only thing standing in the way of anarchy.

Defining responsibility

At the roundtable, an expert observer for each of the nine nuclear-armed states and one for the non-aligned states was asked to present on how responsibilities around the possession of nuclear weapons are understood within those states. As expected, this surfaced a number of perspectives, which widened discussion and helped draw out the different instinctive and cultural understandings of 'responsibility'. It became evident how important it was to have a constructive discussion to limit the divergence in understandings of 'responsibility'.

It is necessary to identify whose responsibilities are in question, and what they are responsible for. States are clearly not homogenous entities. They comprise various actors, institutions and emergent forces that exist in a state of tension; responsibilities may be spread among these factors or centralised, and may be harmonious or discordant. Where responsibilities fall between stalls, responsibility deficits can emerge. Clarity about responsibilities requires a level of state transparency and structures of accountability.

The discussion identified a number of different types of responsibilities, often interrelated, and it was clear that associated beliefs depend upon status within the international community. The following list is not exhaustive, and does not express universal support, but gives a flavour of possible avenues and tensions to explore.

Responsibility for an entity (e.g. children or citizens)

Officials often consider that their role assigns them particular responsibility for difficult or complex decisions to be made on behalf of society, particularly when matters of existential risk and the protection of citizens and allies are involved. The legitimacy of governments, democratic or otherwise, rests upon national narratives and rituals, such as elections or monarchy, and the legitimacy of international alliances depend upon mutual understanding of shared threats, burdens and promises of mutual protection.

Although internally considered chivalrous, such approaches can lead to a paternalistic attitude akin to priesthood, which to the outside world can appear unjustified or even an outrageous colonisation of power without consent. Such responsibilities are often about preserving the established order and its institutions (such as the NPT or the CD), but sometimes actors feel a sense of responsibility to manage change for a wider benefit: for example, disarmament advocates tend to act out of a sense of responsibility to society, though this understanding of society might be global rather than national.

Hierarchical or 'special responsibilities' in the international community

Just as officials might feel responsibilities to citizens, so some more powerful states may feel responsibilities to less powerful states in the international community (so-called 'Great Power responsibilities'), as could be evident in the doctrines of extended deterrence or Responsibility to Protect (R2P). This also underlies the permanent membership of the UN Security Council, which comes with the heavy burden of maintaining international peace and security. The powerful's responsibilities are not always fully defined, but may be invoked by less powerful states as a means to ensure certain behaviours and accountability. However, powerful states can also frame their actions around notions of responsibility only to facilitate their freedom of action.

Responsibility as legal accountability

An entity can be held responsible for a wrongful act, including one in which they were not directly involved, if they have chain-of-command responsibility. In such a reading, the actor's sense of moral duty is of lesser importance than the rules that determine who is legally responsible for an action's effects, which may be constructed through a positivist system of law. Different participants brought different perspectives in respect of whether a state's responsibility should be measured more according to its actions or its defined legal commitments. This question lies at the heart, for instance, of whether it is possible to judge a non-NPT signatory to be a responsible nuclear-armed state.

Retrospective responsibilities arising from harmful legacies or shared histories

Some would argue that harmful past actions entail present day responsibilities to amend for them. Examples would include the legal cases for reparations against former slave-trading nations from former colonies, the history of carbon emissions by industrialised states, and the assertion that the United States bares a particular responsibility to leave Iraq in a peaceful state having overthrown the existing government and social order in 2003. Questions

remain as to how long such responsibilities last, and the degree to which they are intergenerational. Similarly, responsibilities may emerge from shared histories, whereby states have 'grown up' together.

Responsibility of individuals and leaders

It would appear impossible to discuss the responsibilities entailed by nuclear weapons possession without considering the specific individuals – such as state leaders or military commanders – who must take nuclear decisions. This is especially pertinent in crises, and because leaders can have a huge impact in delivering on national responsibilities such as progress in disarmament (Reagan and Gorbachev are clear examples). Some roundtable participants strongly believed that these individuals, as the final decisionmakers in a (potential) nuclear war, should be the primary focus of this project.

One key question, which has attracted considerable attention since during Donald Trump's Presidential candidacy and election, is: should responsibility over nuclear weapons decisions ever lie only with one or even just a handful of people? The difficulty of psychologically comprehending the catastrophic humanitarian consequences of nuclear weapons use means that leaders are often inclined to defer such responsibilities to their advisory teams, only truly confronting the issue in a time of crisis. In Israel, leaders are unable to use nuclear weapons unilaterally and are constitutionally forced to deliberate with other senior establishment figures before nuclear use. It was suggested that leaders take full responsibility for their nuclear arsenals, and should play a full role in all strategic exercises, such as gaming and training, in recognition of their unique and particular responsibilities.

Stewardship as responsibility

Stewardship refers to the assumed duty of care entailed by the possession of weapons that present an existential threat, and might be either temporary or permanent. This goes beyond the US doctrine of stockpile stewardship (i.e. arsenal modernisation) to include additional safety and security measures; the maintenance of a high skills base; clarity in chain-of-command responsibilities; and minimisation of the arsenal (the principle of sufficiency), both to minimise the risk of arms racing and avoid surplus, particularly in a fragile economy. Stewardship tends to look inwards at the state, though might have international components. Empirically, it was observed that governments are often overconfident about their safety and security procedures, in part as

they seek to reassure their publics, which can create an illusion of control and lead to additional dangers. Risk management requires regular assessment and challenge at every level to be credibly resilient against emerging threats, proliferation and instabilities. However, though important for harm reduction, stewardship as responsibility is an inherently conservative position founded upon the continued existence of nuclear weapons, and alone would be likely to entrench possession and existing notions of nuclear sovereignty and identity.

Trustworthiness as responsibility

In statecraft, a degree of deception and manipulation is generally understood to be fair game. However, too much manipulative behaviour undermines states' trust and ability to cooperate. What is understood to be an appropriate and responsible level of deception varies from state to state, much as families might permit vastly different levels of dirty play around the Monopoly board. This view of responsibility incorporates a state's accountability to the commitments it makes, such as to legal treaties, holding it to account to explain why it does not or cannot meet obligations and to find some way of compensating. An example might be states' nuclear modernisation plans, which have frustrated the international community for appearing to be at odds with the spirit of the NPT.

Objective vs. subjective conceptualisations of responsibility

Some experts implicitly conceptualised a single objective measure of responsibility, running on a spectrum from fully responsible behaviour to fully irresponsible behaviour, upon which all of the nuclear-armed states could be scored. They also tended to believe that all states ought to be working towards fully responsible behaviour. However, others saw responsibility as a much more subjective matter, and had no such teleology in mind, in some cases adding that their state had not been rewarded even when trying to act according to foreign visions of responsibility.

Responsibility today vs. responsibility over time

Most experts believed that the measure of a state's responsibility applies principally to its nuclear posture at present. However, the experts on India and China at the workshop suggested that those states put far greater emphasis on the whole history of a state's nuclear weapons possession, citing the fact that they had not started the Cold War arms race, kept their arsenals in a state of low alert, and have not threatened nuclear weapons use. It is easy to see how this kind of difference might lead two opposing states to believe they are more

responsible nuclear powers than each other.

Domestic vs. international responsibilities

While most participants felt states were obliged on both domestic and international relationships, some spoke as if the primary responsibilities entailed by nuclear weapons were owed to the international community, while others put responsibilities to domestic publics first. This closely tracked people's viewpoints on the morality of nuclear deterrence, and would be important when discussing a policy of deliberate ambiguity, for instance, which could be seen as irresponsible to the international community but highly responsible as a means of ensuring the security of one's own citizens.

Proposals of specific responsibilities

Numerous specific responsibilities were proposed, many of which seemed self-evident, but as normative proposals might be contested. This list might be greatly expanded but included the responsibility:

- to reduce nuclear risks or dangers;
- to act on existing commitments in good faith;
- to the elimination of nuclear weapons;
- to non-proliferation;
- to strengthen transparency and CBMs;
- to build empathy;
- to manage the security dilemma according to the principle of reasonableness and sufficiency;
- to admit to accidents and unintended consequences;
- to proactively develop the conditions or means for progress;
- to communicate clearly the purpose and posture of one's nuclear weapons;
- not to use nuclear weapons first;
- not to use nuclear weapons where conventional weaponry can be used (the 'nuclear necessity principle');
- not to use nuclear weapons at all;
- not to test nuclear weapons; and
- to refrain from destabilising strategic relations or arms racing.

Case study: India

One expert present gave his view of India's historical understanding of its responsibilities around the possession of nuclear weapons. Under Nehru, he suggested, India looked to play the role of a responsible, internationalist, third-world leader and challenger to the bipolar world order. This is evidenced by Nehru's core role in the foundation of the Non-Aligned Movement (NAM), which underscored and sought to protect the sovereignty of its member nations. Responsibility and norm entrepreneurship, he suggested, ranked highly in Indian foreign policy during this period.

Following Nehru's death and China's first nuclear weapons test in 1964, India was confronted with the choice of how to balance Nehru's idealism with future pragmatism. It opted to oppose the NPT, on the basis that it legitimised discrimination within the international community, but simultaneously to develop a nuclear capability, first demonstrated in 1974. However, in the years following, there was a growing sense in India that there was little advantage to be gained in being a responsible outsider nation, and India's idealism waned.

In spite of its strategic restraint between 1974 and 1998, India was considered a rogue state by most of the international community for its non-membership of the NPT, and later for its nuclear weapons tests in 1998. This view has only partially shifted since the US-India deal in 2006, deemed by some to have (for many, wrongfully) legitimised India as a responsible nuclear power, but viewed by others as a deft manoeuvre that has imposed nuclear responsibilities on India.

With respect to ongoing stability, India does not consider Pakistan a peer power, meaning its responsibilities are therefore primarily domestic; however, it was said to understand the need for confidence-building measures to reduce nuclear dangers, such as notifications of missile launches or agreement not to target nuclear facilities.

Framing an initiative on responsibility

In diplomacy, the way an idea is framed and the process by which it is advanced, can be more important than the idea itself. Much roundtable discussion was devoted to the question of how to best frame a future international programme of work around nuclear responsibilities, which needs to be both inclusive and engaging for the nuclear-armed states, and meaningful in promoting global security and community. In other words, the framing needs to encompass both how states understand their responsibilities at present, and how responsibilities might be more normatively formulated to maximise the benefits to all.

A number of questions were considered. Is it preferable to have a single framing, or should the conversation be framed differently in different countries? Should an academic framing be brought into the diplomatic sphere, or should new framing, that might be more readily absorbed by diplomats, be constructed to run in parallel? Should the framing be relatively ambiguous in order to maximise participation in the discourse, or should it be specific and self-explanatory, and lay out the conditions of the discourse? Would any kind of normative tint deter participation by nuclear-armed states? The following are some of the suggested framings, and no firm decisions were taken on which was the preferred term.

Responsible Nuclear Sovereignty

Originally coined by Professor William Walker (2010), and later developed in collaboration with Professor Nicholas Wheeler (2013), the concept of 'Responsible Nuclear Sovereignty' was borne out of the 1990s 'sovereignty as responsibility' doctrine and was the primary inspiration for the roundtable discussion.

Responsible Nuclear Sovereignty is an attempt to bridge the cosmopolitan ethical position on security – the theory of 'security cosmopolitanism' expounded by Professor Anthony Burke – and the idea that international politics is conducted under anarchy (absence of world government), where the threat or the use of force is a key instrument of interstate relations. In short, it seeks to expand the definition of what counts as security by bridging realist and cosmopolitan conceptions, with the bridge being provided through the idea of a solidarist international society.

This approach is premised on the idea that there exists an international society

in which states have responsibilities towards each other by virtue of their being in relation to one another, and that states that act recklessly and anti-socially in a manner that undermines the security of others are obliged to reign back their impulses. It advocates for a sustainable and cooperative security agenda, and is likely to strengthen arguments that the long-term antagonistic possession of nuclear weapons is irreconcilable with these aims.

Nevertheless, the normative contents of Responsible Nuclear Sovereignty are not agreed and the project invites a new global dialogue to outline what it should entail. For example, it might encompass a range of responsibilities built upon the security of a state's citizens, restraint, reasonable behaviour, effective governance of stockpiles, and international obligations to disarm, though all of these responsibilities would need to be agreed through open discussions including both nuclear and non nuclear-armed states. In constructing a project on nuclear responsibilities, this framing has strengths and weaknesses.

First, by working within the existing international norm of sovereignty as responsibility, responsible nuclear sovereignty could be fast tracked into existing institutions and mechanisms. However, the core doctrine of Responsibility to Protect (R2P) has been partially discredited in much of the world by perceived abuse as a mask for western state intervention, particularly in Libya. Its future is uncertain, meaning that association could be harmful. Trust in the institutions associated with a cosmopolitan approach requires a cleaner, more universal application that receives the explicit support from the international community.

Second, it is not clear whether the concept of responsible nuclear sovereignty, which is a product of Western academic thought and which has already been partially developed, would be viewed as a legitimate framing for those states that are new to the conversation, and whether it might be preferable to adopt a new framing altogether. Security cosmopolitanism has been influential in academic circles and among some more progressive states (especially within NAM), but in recent years growing international instabilities and uncertainties, and a reversal in trends away from globalisation, have caused many states to revert to more traditional realpolitik. Since delineating nuclear responsibilities is imperative in such circumstances, it may be desirable to frame a dialogue about responsibility as a realist imperative, rather than a cosmopolitan ideal.

Third, the framing of responsible nuclear sovereignty alone does

not necessarily imply obligations to disarm and therefore might be used to underpin the status quo. It is conceivable that states could coopt the phrase to justify their continued possession of nuclear weapons in well-managed stockpiles, quietly abandoning their wider responsibilities and leading to long-term undesirable effects.

Finally, there may be no single standard of responsible nuclear sovereignty. Rather, state responsibilities around the possession of nuclear weapons may be specific to their threat capacities. A framing that implies a wider approach may be more appropriate in bringing other nuclear-armed states on board.

One participant stated that in an initiative built around large normative 'shoulds', such as security cosmopolitanism, each day that passes in which these 'shoulds' are not achieved becomes a failure. By contrast, a pragmatic approach in which the bare essentials are achieved brings success each day. For instance, the CTBT has yet to be signed and ratified by the all the necessary states; the primary objective of entry into force has failed. Yet, the fact that no state except North Korea has tested a nuclear weapon since 1998 (the ultimate objective) should be counted as a success. Further examples include the norm against nuclear war-fighting; the norm against the most flagrant and egregious threats to use nuclear weapons; and the decreased perceived utility of nuclear weapons in most military situations. Of course, this perspective implies a bias towards the status quo.

Responsible Nuclear Stewardship

An alternative proposal was responsible nuclear stewardship, which has a strong association with stockpile stewardship, the phrase used to describe the US' reliability testing and maintenance programme for its nuclear warheads. This association may privilege one state too greatly, and deter participation from other states. Moreover, as for responsible nuclear sovereignty, this frame would appear to imply stasis and fails to naturally embrace disarmament.

Responsible Nuclear Initiative

Another participant put forwards the Responsible Nuclear Initiative, which could perhaps be shortened to the Responsibility Initiative. This framing is relatively ambiguous, which may be either beneficial or a weakness. There may also be advantages or disadvantages in using the term 'Initiative,' which has echoes of the Humanitarian Initiative.

Strategic Responsibility

The authors of this report favour the framing of 'strategic responsibility,' which could be broadly defined as 'acting responsibly and in accordance with international laws and norms that strengthen global security for all at a strategic level.'

The authors felt that this framing is more immediate and self-evident than responsible nuclear sovereignty, and encompasses a slightly broader set of dynamics that recognises that nuclear weapons cannot be considered in isolation from other capabilities that have a strategic impact, such as other weapons of mass destruction or non-military aspects of strategic stability. For example, it could encompass a range of responsibilities, from deterrence to stockpile stewardship to disarmament, and specific framings on particular issues or in particular regions could be sub-categorised within it. In addition, it was felt to be sufficiently neutral so as to be appealing to diplomats and not to deter states from engaging with the initiative, yet contains an implicit suggestion that displays of responsibility are not so forthcoming on a system-wide strategic level as to make such an initiative superfluous.

Multiple frames

Having said this, there was general consensus among the group that any one frame may be insufficient, as different framings are likely to appeal to different communities or states. Consequently, there was broad agreement that multiple frames may be required, even if the central tenets of the concept – such as the emphasis on international responsibility – remain the same. This might include using finding framings in different languages, such that the nuances are best represented domestically. Therefore, while strategic responsibility may be a useful new concept for the present, other concepts or framings around responsibility may emerge that complement or supplant it.

Reframing existing nuclear weapons discourses around responsibility

A responsibility framing could offer fresh perspectives and create new opportunities for progress in the core debates on nuclear policy. By increasing the perceived importance of international responsibilities among policymakers, positions based on cooperative security may become more attractive, while hard realpolitik may become less tenable in the long-term. The current fears and uncertainties in today's political climate could see this approach attract broad support.

Non-Proliferation Treaty (NPT)

The NPT is often interpreted as a strategic bargain that gave less powerful states access to nuclear power while denying them any right to develop nuclear weapons, in exchange for which the five Nuclear Weapon States agreed under Article VI to pursue a cessation to the Cold War arms race, nuclear disarmament, and a treaty on general and complete disarmament. Today, there is a perception among many non nuclear-armed states that while they have acted responsibly and in good faith, the Nuclear Weapon States have failed to keep to their side of the bargain by failing to disarm. Even if the Treaty is not interpreted as a bargain, but rather an attempt to overcome an anarchic self-help system with a mutual agreement not to proliferate, the inability of the Nuclear Weapon States to fulfil their responsibilities under the Treaty undermines the security the Treaty would otherwise deliver, and weakens the incentive for other states to abide by it.

Rather than considering the legality of the current situation, which is vehemently defended by the Nuclear Weapon States, a more productive approach might be to question whether this is responsible behaviour (including according to their own definitions) and hold states to account over it. The NPT is valued by very different types of state, but is clearly of particular value to those perceived to benefit most unambiguously from its (temporary) discriminatory provisions (namely the Nuclear Weapon States and their allies).

Comprehensive Test Ban Treaty (CTBT)

The 1990s offered a window of opportunity to make progress on a number of

international mechanisms to reduce nuclear dangers, and the failure to bring the CTBT into force at that point (and the reasons given by members of Congress in opposition: that the US might need to test in future to maintain confidence in its arsenal) was a blow to the non-proliferation and disarmament regimes. Progress on the CTBT was seen as a crucial piece in the jigsaw that saw the indefinite extension of the NPT in 1995. In spite of this, a self-imposed moratorium by most nuclear-armed states has been viewed as a partial success, that might ultimately help states formalise the moratorium in the treaty.

Some nuclear-armed states continue to argue that future weapons testing might be necessary to ensure that their systems are credible deterrents. Without a legal obligation to sign or adhere to the CTBT, it might rather be said that a sense of responsibility (as well as the development of computer simulations) is what holds states back from testing today. A conversation about the responsibility to attain full signature of the CTBT – perhaps one that looks more broadly at the environmental and negative health consequences of testing – may galvanise states and diplomats to 'finish the job'.

WMD Free Zone in the Middle East

The WMD Free Zone was seen by many Arab states in particular as another essential part of the 1995 agreement to indefinitely extend the NPT. Their arguments were taken seriously at the 2010 NPT Review Conference, leading to a commitment to hold a conference by 2012. That conference was never held, despite extensive efforts to convene it by the appointed facilitator. This has been portrayed as a conflict between the US' responsibilities towards the Treaty and towards its closest regional ally, Israel, which is not a member. This could become an important battleground in the future, with responsibility and accountability at its heart.

Ban Treaty

When nuclear weapons are deployed, one would hope that all responsible agents would desire access to information about the likely impacts of deployment and use. This was the focus of the important Humanitarian Initiative, that highlighted the lack of response options to mitigate the impacts of use. The initiative successfully merged security and ethical considerations.

By contrast, the Ban Treaty, which arose out of the Humanitarian Initiative, aims to spread and strengthen a norm against nuclear deterrence, and is a manifestation of the cleavage within the international community between those 'defended' by nuclear weapons and those who exist without them but co-exist with nuclear risk. This process is based on a strong perception that Nuclear Weapon States display a willful blindness to the impacts of their failure to deliver on their commitments and that their defence of the step-by-step approach (including the CTBT and FMCT), which is currently stalled, is seen as an excuse for inaction. Two particular areas of grievance stand out.

First, there is a strong sense that the NPT is at its heart unjust, and that discrimination is exacerbated by the lack of enforcement within the disarmament pillar. This leads to an obsession at NPT meetings with Article VI as a measure to correct this injustice. One unintended consequence is the implication that nuclear weapons hold significant security and political benefits.

Second, there is strong communitarian resistance to perceived neo-imperialist intrusions upon sovereignty and an opposition to the establishment of international norms that justify them. This has led to push-back against globalisation and Responsibility to Protect, and a suspicion of transnational humanitarian civil society movements that back Western government initiatives on human rights. In the area of nuclear technology, it creates resistance to accepting additional burdens associated with non-proliferation mechanisms such as the Additional Protocol, or constraints agreed by the Nuclear Suppliers Group and the Proliferation Security Initiative. Many NAM states defended Iran's right to enrich, precisely because they distrusted the motives of the Great Powers in controlling the sovereignty of 'one of their own.' Yet, such grounds have also been used by local elites to protect their interests against domestic and international adversaries.

To date, the Ban process has been strongly resisted by those states invested in the practice of nuclear deterrence, who fear that those with apparently less at stake in the status quo could weaken the NPT, or even walk away from it – fears that are exacerbated by recent political developments that upend established trends, such as Brexit, the election of Donald Trump, and the apparent collapse of support for globalisation or cosmopolitanism. Such changes in the international system are an important constraint on the ambitions of those wishing to use a responsibility frame to bring about policy change.

Collective failure to reward good behaviour

States that have demonstrated some level of restraint, and may previously have had faith in the trend towards stronger international regimes resisting nuclear proliferation and moving towards disarmament, may be showing signs of disillusionment. For instance, there have been reports that states such as China and India, which have policies of no first use and on the non-deployment / de-alerting of nuclear systems, are now debating whether to abandon those constraints on their freedom of action, having gained little reward. Now is a good time to discuss how such responsibility might be rewarded, such that these kinds of policies (or for some, concessions) are sustainable.

Developing technologies

Whilst the nuclear age has seen numerous significant technical developments – such as the fusion hydrogen bomb, multiple independently targetable reentry vehicles (MIRVs), and Permissive Action Links (PALs) – the international system has enjoyed a remarkable degree of stability (to no small extent due to arms control, and blind luck). Nevertheless, there remains the threat of emerging technologies, among them missile defence, prompt strike, cyber hacking or jamming, and automated systems, that could rob the system of the stability it has apparently enjoyed. If nuclear systems become more vulnerable and decisionmaking more uncertain, this could have a major impact on crisis stability. To avoid the additional challenges thrown up by emerging technologies, leaders might be encouraged to preemptively discuss their responsibilities around maintaining system-wide stability.

Continued uncertainties around nuclear deterrence

The practice of nuclear deterrence has always appeared more stable than its theory would suggest; it has always been a risky venture, because of accidents, miscalculations, and crises spiralling out of control. Yet, the confidence of leaderships in nuclear deterrence could start to shift, and the perception that nuclear weapons are more of a liability than a defence could overtake the prevailing wisdom. A confluence of factors, including emerging technologies, increasing multipolarity, and deep political divides internationally could make continued dependence upon nuclear deterrence increasingly high risk. A discourse focused on responsibility could help facilitate an open discussion about the merits and drawbacks of continued possession towards the aim of building a safer world.

Conclusion

Contemporary global nuclear diplomacy holds a great deal of uncertainty. We appear to be experiencing a greater fracturing of international society, and deepening pressures on established norms and regimes. Domestic political movements are questioning traditional policies that seek to manage the situation, while traditional international legal and treaty-based talks have failed to deliver in recent years. New diplomatic initiatives offer both opportunities and risks.

Now is a good time to return to first principles, to assess what states and other actors are collectively trying to achieve within nuclear diplomacy. Whilst the responsibility frame has many challenges to it, and there are a diversity of opinions around operationalising it, it nevertheless holds promise in facilitating a useful cross-cultural dialogue and can breathe new life into numerous, tired discourses. It deserves study and discussion between practitioners, policy-makers and diplomats.

Thanks

BASIC and the University of Birmingham would like to thank all the participants at the roundtable again, and invite discussion from all quarters. You can email Sebastian Brixey-Williams at sbrixeywilliams@basicint.org and Paul Ingram at pingram@basicint.org.