

# AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN

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# INFORMATION ON THE DOCUMENT "NUCLEAR POSTURE REVIEW" (NPR) ISSUED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON FEBRUARY 2<sup>nd</sup>, 2018

#### INTRODUCTION

This information document was prepared by the Secretary-General in accordance with the faculties given by the Treaty of Tlatelolco. Its purpose is to bring to the attention of Member States some of the relevant aspects of the NPR taking into account the positions taken by OPANAL Member States in recent Declarations and Communiqués of OPANAL.

The NPR is a document of the Executive Power of the USA. It is not submitted to or depends on approval by the Legislative Power. It has no fixed periodicity, dating the latest one of 2010, in the second year of the mandate of President Barack Obama. It could be added that the NPR is a measure of transparency directed not only to the citizens of the USA but also to the world at large. The nature and motivation of the NPR can be perceived in the following quotation:

"Each previous NPR emphasizes that changes in the international security environment shape US policy, strategy and posture" (pg.6).

It may be useful to revisit the meaning of these three concepts. **Policy** relates to the interests or purposes to be pursued. **Strategy** implies the use of forces – in this case: military – in order to achieve the adopted policies. **Posture** refers to the attitudes taken as a consequence of a given strategy. These three elements reflect the actual powers – economic, military, etc. – of the country concerned. The policies of the United States are not different from those of other countries. They aim at assuring security, increasing wealth and well-being, pursuing the country's interests anywhere. The strategy to guarantee those

policies is directly influenced by the "international security environment". In the last seven decades a determinant factor in this environment has been the existence of nuclear weapons and their possession by a number of countries. Alliances and war hypotheses are mainly, but not only, based in this factor. The central conceptual instrument of the strategy is **deterrence**, meaning to discourage an attack from any adversary by having the capacity to inflict an unacceptable damage, by means of nuclear weapons.

#### **DETERRENCE**

"Effective deterrence is the foundation for effective assurance. Allies under the U.S. nuclear umbrella, and potential adversaries, should not doubt our extended deterrence commitments or our ability and willingness to fulfill them". (pg. 35)<sup>1</sup>

The actual application of the strategy is explained in the **Posture**, a rather extensive document presented in 74 pages. Among other topics, the NPR deals with the beneficiaries of the strategy, which are, in addition to the USA itself, its allies and partners. The allies are the countries, over 30, which maintain with the USA arrangements that include the possible employment of nuclear weapons for their defense. Only three of those countries also possess nuclear weapons. Five other countries have in their territories nuclear weapons deposited and controlled by the USA. What countries belong to the category of "partners" is less precise.

This Information document does not intend to compare the 2018 NPR with the 2010 edition. However, a number of main differences should be highlighted.

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<sup>&</sup>lt;sup>1</sup> Secretary of Defense (2018). Nuclear Posture Review. Washington, D.C., United States. Retrieved from ttps://media.defense.gov/2018/Feb/02/2001872886/-1/-1/1/2018-NUCLEAR-POSTURE-REVIEW-FINAL-REPORT.PDF

Many comments made since the issuance of the 2018 NPR refer to the question of using nuclear weapons to deter and respond to non-nuclear attacks by conventional or by chemical or biological weapons. The 2010 NPR stated that:

"The United States is therefore not prepared at the present time to adopt a universal policy that the "sole purpose" of U.S. nuclear weapons is to deter nuclear attack on the United States and our allies or partners". (pg. 16)<sup>2</sup>

Nevertheless, it qualified that assertion with a pledge to:

"continue to reduce the role of nuclear weapons to deterring non-nuclear attacks". (pg. 15)

The policy then could be understood in a descending bias whereas in 2018 nothing points in the direction of diminishing the eventual role of nuclear weapons in the case that:

"extreme circumstances [this being the threshold to use nuclear weapons] could include significant non-nuclear strategic attacks". (pg. 21)

The matter is of special interest to OPANAL Member States in what respects to assurances of not using or threatening to use nuclear weapons against non-nuclear-weapon States (negative security assurances). The reservation made by the USA to Additional Protocols I and II to the Treaty of Tlatelolco, which relativizes such guarantee, still remains unsolved.

In the 2010 and 2018 NPR, as well in the policy declarations of other nuclear weapons possessors, the nuclear threshold is established at "extreme circumstances" that threaten "vital interests", expressions that are never concretely explained or defined. The quotation above includes as an extreme circumstance "significant non-nuclear strategic attacks". These are currently deemed to be attacks with other weapons of mass destruction – chemical or biological/bacteriological – or cyber-attacks. However, the phrase "strategic attacks" would imply the long-range, which excludes conflicts that are limited in terms of space. At the same time, the use of the term "strategic" in this context could be

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<sup>&</sup>lt;sup>2</sup> Department of Defense (2010). Nuclear Posture Review. Washington, D.C., United States. Retrieved from https://www.defense.gov/Portals/1/features/defenseReviews/NPR/2010 Nuclear Posture Review Report.pdf

disingenuous since the text appears to imply that the use of low-yield nuclear warheads in theater situations is possible. Non-strategic nuclear weapons delivered by new dual-capacity aircrafts (DCA) will reinforce those already deployed in NATO European Member States and perhaps in other regions, like Northeast Asia (pg. 48).

#### TO WHOM DETERRENCE IS ADDRESSED

The 2018 NPR stresses the need for a "tailored deterrence", a concept that, at least in a document of the level of the NPR, is a novelty. The capacity of nuclear deterrence means that a country has nuclear weapons, in terms of number and yield, deployed and targeted so as to convince a potential adversary that it will suffer unacceptable damage in case it attacks with nuclear weapons that first country or its allies. A whole library on nuclear deterrence has not entirely succeeded in proving its value as a cornerstone of global stability and peace. One example of the difficulties involved in the concept is the different perceptions of unacceptability. A more powerful country may inflict severe damage to an adversary which will stand such damage. On its turn, that more resilient adversary might cause a less severe damage but such damage may be felt as unacceptable by the more powerful country.

Connected to the question of "when to use" is the possibility of launching nuclear weapons not necessarily as a riposte to a similar attack. The question of first-use is also worth mentioning. The 2010 and 2018 NPRs do not rule out first-use, which could result from miscalculation of threat or from indifference to the principle of proportionality.

"To help preserve deterrence and the assurance of allies and partners, the United States has never adopted a "no first use" policy and, given the contemporary threat environment, such a policy is not justified today. It remains the policy of the United States to retain some ambiguity regarding the precise circumstances that might lead to a U.S. nuclear response.

In addition, the United States will maintain a portion of its nuclear forces on alert day-to-day, and retain the option of launching these forces promptly". (2018 pg. 22)

These considerations become more real since the 2018 NPR identifies adversaries and the respective "tailoring". In 2010 the NPR clearly stated:

"Russia is not an enemy and is increasingly a partner in confronting proliferation and other emerging threats. And all of the non-Soviet former members of the Warsaw Pact are now members of the North Atlantic Treaty Organization (NATO)". (Pg. 15)

Eight years later the situation and the tone changed, presenting Russia as an imminent aggressor:

"Russia is not the Soviet Union and the Cold War is long over. However, despite our best efforts to sustain a positive relationship, Russia now perceives the United States and NATO as its principal opponent and impediment to realizing its destabilizing geopolitical goals in Eurasia". (pg. 30)

The strategy attributed to Russia is named "escalate to de-escalate". This means making:

"coercive nuclear threats or limited first-use in order to paralyze the United States and NATO and thereby end a conflict on terms favorable to Russia". (pg. 30)

"To correct any Russian misperceptions of advantage and credibly deter Russian nuclear or non-nuclear strategic attack - which could now include attacks against US NC3 [nuclear command, control and communications] - the President must have a range of limited and graduated options, including a variety of delivery systems and explosive yields. These requirements put a premium on the survivability, flexibility and readiness of Western nuclear and non-nuclear capabilities to hold diverse types of Russian targets at risk throughout a crisis or conflict and point to the continuing great value and flexibility inherent in the combination of the US nuclear triad, US and other NATO non-strategic nuclear forces deployed in Europe, and the nuclear forces of our British and French allies". (pg. 31)

The next adversary is China, whose:

"military modernization and pursuit of regional dominance have emerged as a major challenge to U.S. interests in Asia". (pg. 31)

"China is developing capabilities to counter U.S. power projection operations in the region and to deny the United States the capability and freedom of action to protect U.S. allied and partner interests". (pg. 32)

In this case the threat seems not directed against the USA itself but against its interests in Asia. It looks like a dispute over preeminence in the region:

"Our tailored strategy for China is designed to prevent Beijing from mistakenly concluding that it could secure an advantage through the limited use of its theater nuclear capabilities or that any use of nuclear weapons, however limited, is acceptable". (pg. 32)

The preoccupation regarding Iran is similar:

"Iran views U.S. influence in the Middle East as the foremost threat to Iran's goal to establish itself as the dominant regional power. Iran is committed to increasing its influence over neighboring countries and countering U.S. influence". (pg. 34)

The difference, however, is that Iran is not a possessor of nuclear weapons.

The purpose of the present Information document is not to comment on these situations and perceptions - to which the Korean Peninsula and terrorism are added - but to bring into light the danger of a nuclear weapon conflict. On March 1<sup>st</sup> 2018, President Putin of Russia, probably as a reaction to the NPR, made a presentation of new weapons. These scenarios fully justify the concerns that OPANAL Member States have been voicing in repeated documents.

### THE NPR AND NUCLEAR DISARMAMENT

The 2010 NPR was emphatic concerning the ratification by the USA and early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The 2018 NPR points in the opposite direction:

"Along with its nuclear weapon development and production infrastructure, NNSA [National Nuclear Security Administration] will maintain the capability to resume underground nuclear explosive testing if called upon to do so. The United States will not seek Senate ratification of the Comprehensive Nuclear Test Ban Treaty, but will continue to observe a nuclear test moratorium that began in 1992". (pg. 63)

Another notable difference between the two latest NPRs relates to nuclear weapons infrastructure. The 2010 edition defended:

"commencement of negotiations on a verifiable Fissile Material Cut-off Treaty (FMCT) to halt production of fissile material for use in nuclear weapons". (pg. 13)

## In addition, it pledged to work:

"with the Russian Federation to jointly eliminate 68 tons of weapons grade plutonium no longer needed for defense purposes". (pg. 13)

#### The 2018 NPR omits any reference to a FMCT and, for instance, plans to:

"Provide the enduring capability and capacity to produce plutonium pits [core of warheads] at a rate of no less than 80 pits per year by 2030".

"Ensure the current plans to reconstitute the U.S. capability to produce lithium compounds are sufficient to meet military requirements".

"Fully fund the Uranium Processing Facility and ensure availability of sufficient low-enriched uranium to meet military requirements". (pg. 64)

It is important to quote the passage on the Treaty on the Prohibition of Nuclear Weapons:

"Finally, it is important to recognize that the Nuclear Weapons Ban Treaty, opened for signature at the U.N. in 2017, is fueled by wholly unrealistic expectations of the elimination of nuclear arsenals without the prerequisite transformation of the international security environment. This effort has polarized the international community and seeks to inject disarmament issues into non-proliferation fora, potentially damaging the non-proliferation regime. The Treaty could damage U.S. security and the security of many allies and partners who rely on U.S. extended nuclear deterrence. The terms of the Nuclear Weapons Ban Treaty also could undermine ongoing and prospective military cooperation between the United States and signatory states, cooperation that is critical to the maintenance of credible extended nuclear deterrence". (pg. 72)

Some comments are warranted by this passage of the NPR 2018:

- The Prohibition Treaty is a legal instrument of International Law that establishes a standard; it is not a document expressing expectations;
- Those supporting the Treaty, the ample majority of the international community, believe that it will be beneficial to the international security environment;
- The Prohibition Treaty was adopted with 122 votes in favor, 1 against and 1 abstention, a normal form of multilateral decision in the United Nations which cannot be considered as polarization;
- The Prohibition Treaty is fully compatible and explicitly respectful of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);
- Disarmament issues cannot be "injected into" non-proliferation for since they
  are an integral element of the non-proliferation regime, as attested by Article VI
  of the NPT;
- It would be desirable that allies and partners who rely on U.S. extended nuclear deterrence realized that the elimination of nuclear weapons would be a better protection.

The last sentence of the paragraph quoted above corresponds to a blunt menace: "The terms of the Nuclear Weapons Ban Treaty also could undermine ongoing and prospective military cooperation between the United States and signatory states, cooperation that is critical to the maintenance of credible extended nuclear deterrence".

A considerable portion of the NPR deals with the expansion and modernization of the strategic nuclear triad which:

"consists of: nuclear ballistic missile submarines (SSBNs) armed with SLBMs; land-based ICBMs; and strategic bombers carrying gravity bombs and air-launched cruise missiles (ALCMs)". (pg. 42)

The hardware of nuclear strategy is the aspect of the NPR that has been attracting most of the attention of experts in the United States and elsewhere, starting with the criticism on maintaining the triad itself. Many respected experts do not see any need, for example, of keeping the bombers leg. The present paper chooses not to enter in the discussion of the nuclear paraphernalia.

As a final comment, it should be noticed that the United States is, among the nuclear weapons possessors, the only one to present an extensive explanation of its strategic intentions, means and motivations. Other countries owning large arsenals prefer to show them in impressive military parades.