

ARMS RACES AMONG THE RUINS OF TREATIES AND IMPUNITY

I. The Ruins of Treaties

- Collapses/cancellations/abrogations since 2017
 - ➡ Joint Comprehensive Plan of Action a/k/a the “Iran Nuclear Deal”), the Intermediate-Range Nuclear Forces (INF) Treaty, and the Open Skies Treaty.
 - ➡ Strategic Arms Reduction Treaty of 2011 (NewSTART) expires February 2026 and Russia refuses to negotiate to extend

II. Impunity: A Cynical NPT Interpretation Boomerangs

- The Russian government in 2024 began to install tactical (“battlefield-usable” or “theater”) nuclear weapons in underground bunkers in Belarus; does that violate the Nuclear Non-Proliferation Treaty (NPT)?
 - ➡ NATO maintains about 180 B-61 series nuclear bombs under Air Force guard at six airbases in five European countries, to load onto fighter-bomber planes to targets co-selected by nuclear weapons states US, Britain, and France, and nonweapons states Belgium, Germany, Italy, the Netherlands and Turkey
 - ➡ NATO claims no nuclear sharing occurs only at the time the bombs are loaded onto bombers, “unlocked” by U.S. military and readied for a mission; at that point of arming the NPT is deemed void and no longer restrains use of bombs
 - ➡ This interpretation appears to violate unambiguous wording of Articles I and II of the NPT
 - ➡ The U.S. circulated its interpretation to only a handful of other nations in 1968; it is not binding and became publicly known only during the 1968 U.S. Senate hearings to ratify the NPT

III. More Impunity: ‘Thinkable’ Nuclear War

- There is a longstanding belief among U.S. war planners that nuclear war is thinkable.
 - ➡ Recent Biden administration permission to Ukraine to allow Ukraine to fire U.S.-provided rocket systems into Russia.

➡ 2019 Pentagon “Nuclear Operations” policy explains that US plan is to design control structures to survive enemy attacks and convince potential aggressors that, in any scenario, sufficient US capability will remain to deliver a retaliatory strike.”

➡ There is a question whether so-called “nonstrategic” or “tactical” nuclear weapons such as the 1000 B61 gravity bombs and air-launched low-yield missiles of the U.S., and the 2000 Russian “tactical” weapons are *covered by any treaty at all*. Pentagon says any nuclear weapon, regardless of yield, is “strategic” but they possess unknowns and contribute to uncertainty of deterrence

IV. Nonenforcement of Key U.S. Nuclear Proliferation Curb

➤ Israel is presently violating, and has for at least 47 years violated, the “Glenn Amendment” 22 U.S.C. § 2799aa-1(b)(1)(B), part of the Arms Control Export Act, which makes cutoff of military aid mandatory if a country refusing to sign the NPT either “receives a nuclear explosive device, or . . . detonates a nuclear explosive device . . .”

➡ Israel is believed to possess from 90 to 200 nuclear warheads and is capable of delivering a nuclear blast from 4000 miles away. Israel acquired its weapons wholly outside of international legal controls. Its rogue nuclear weapons state status is of grave concern as it prosecutes a genocidal war in the Gaza Strip and openly considers invasion of Lebanon.

➡ Considerable public domain evidence shows Israel produced nuclear weapons as long ago as the late 1960s and performed a test detonation on a South African atoll in the Indian Ocean in 1979

➡ In the 1980’s, now Prime Minister of Israel Benjamin Netanyahu allegedly was directly involved in an Israeli international smuggling ring that resulted in the theft of 800 nuclear weapons trigger components from a U.S. firm.

➡ There is serious talk of a “limited” invasion of Lebanon by Israel, which could begin within days.

➡ Domestic American politics are preventing President Biden from invoking the option of using Israel’s noncompliance with the Nuclear Nonproliferation Treaty to curb its military ambitions.

V. The Return of Nuclear Arms Races With China and Russia

➤ China has been engaged in a dramatic expansion of its nuclear weapons production capacity and plans to have 700 strategic nuclear warheads by 2027 and 1,000 by 2030

➤ Russia has raised the specter of nuclear weapons use several times during the Russo-Ukrainian war and has demonstrated its ability to successfully destroy in-space satellites

➤ China, Russia and the U.S. are all preparing to resume more intrusive nuclear weapons tests at remote sites within their countries. None of it is legal under the NPT

VI. Next-Generation Reactors Are Proliferation Machines

➤ So-called “small modular reactors,” also called “advanced reactors,” are being designed and marketed in multiple countries. SMRs range from less than 10 megawatts electric (MWe) up to 300 MWe and are fission reactors that can use a range of possible coolants including light water, liquid metal or molten salt. There are more than 80 SMR designs at different stages of development across 18 countries

➡ Many of the designs are nuclear weapons proliferation factories or require a complex that amounts to such. The National Academies of Science worry about the weapons proliferation potential of some of the designs

➡ On June 18, 2024 Congress passed the “Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy” (ADVANCE) Act, which departs from 50 years of U.S. nuclear power regulation where public safety and health were the mission priority. Congress added the requirement that the U.S. Nuclear Regulatory Commission must not “unnecessarily limit (1) the civilian use of radioactive materials and deployment of nuclear energy; or (2) the benefits of civilian use of radioactive materials and nuclear energy technology to society.”

➡ The ADVANCE Act also eases restrictions on export transfers and sales of nuclear technology to expand global sales of SMRs

➡ Globalized sales of SMRs will bring nuclear weapons proliferation within the reach of authoritarians and autocratic governmental leaders. Saudi Arabia is close to completion of an experimental reactor and is considering

building its first SMR. The United Arab Emirates has a four-unit reactor complex nearing completion with 3 units connected to the grid.

VII. Conclusions

➤ Nuclear power generation is recognized as a right of nations under the NPT and the 2021 Treaty on the Prohibition of Nuclear Weapons (TPNW)

➤ Nuclear weapons nonproliferation is not the same as disarmament. In 1996, the International Court of Justice issued a much-heralded advisory opinion mandating all nations to work immediately toward complete abolition of nuclear weapons, yet abolition remains almost completely absent from mainstream policymaking and there has been no progress in disarmament for the past decade amid many formal U.S. retreats

➤ Pervasive U.S. cynicism is retarding the renegotiation of treaties to replace the abandonments of the Anti-Ballistic Missile Treaty, Intermediate-range Nuclear Forces Treaty, and the Iran nuclear deal. There is astonishing U.S. naivete and arrogance about the genuine prospects of nuclear war posed by Russia and Israel. Having more and better less-regulated nuclear power plant systems, nuclear weapons and nuclear weapons delivery systems available is a suicidal outlook

➤ There are ways to move the world away from possible nuclear conflict and toward serious discussions about disarmament. “Jaw, jaw is better than war, war.”