

Policy Paper

# Actions that States Should Take in Support of the **Treaty on the Prohibition of Nuclear Weapons**





## Permeable

The acquisition and proliferation of nuclear weapons is at the center of the world's attention because it is closely linked to international peace and security. This means that the continued increase of the number of States having the expertise, skills, means, and capabilities that help them produce nuclear energy whether for peaceful applications, military purposes, or both, entails huge risks for the future of international peace and security.

Hence, the international community represented by the UN and its member states has given the highest priority to reducing and eventually eliminating nuclear weapons. The dangers of such weapons arise from their very existence. Despite the several bilateral and plurilateral treaties and arrangements to reduce or eliminate certain categories of nuclear weapons, this issue has been of major concern for the UN since the 1960s. Disarmament-related treaties and conventions are considered the best protection against nuclear weapons dangers and they offer good opportunities for limiting the use of these weapons to peaceful endeavors under the slogan “clean nuclear energy for construction, not for killing and destruction”. Despite the importance of this humanitarian objective, achieving this goal has been a tremendously difficult challenge.

Based on this, this joint paper presented **by Maat for Peace, Development and Human Rights and the GCLA** discusses the importance of nuclear disarmament through the efforts of the UN and its member states, as well as the major obstacles facing it. This paper also addresses some of the risks that nuclear weapons pose to the environment, and also attempts to put forward policies that could be a step in the field of nuclear disarmament.



## The Importance of Nuclear Disarmament

At the outset, it must be emphasized that the negotiating States of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) are fully aware that in order for the treaty to be sustainable, nuclear weapon states (NWS) must understand that 'non-proliferation' is not the goal intended, it is only a step towards the complete disarmament.

Therefore, Nuclear weapons must not proliferate beyond the level reached at the time of signing the Treaty. This is based on the assumption that further proliferation would destabilize international relations and negatively affect international peace and security, especially since the expansion of the proliferation of nuclear weapons will increase international instability and threaten the international peace and security, particularly in light of the growing number of states-funded terrorist organizations. Under this situation, all States parties to the NPT must, upon accession, fulfill their non-proliferation obligations as a matter of priority.



It shall be emphasized that the commitment to non-proliferation requires the development of a nuclear weapons convention, and acquiring more information from the nuclear-weapon states on the active and reserve status of nuclear arsenals, and increased transparency and accountability regarding nuclear weapons capabilities, such as annual briefings and the Secretariat's compilation of a comparative table that records the measures taken by the nuclear-weapon state in compliance with its obligations under Article 6 of the Convention.<sup>1</sup>

However, on August 2, 2019, the international arms control framework, which has contributed to the establishment of some kind of international security since the Cold War, faced considerable pressure when the U.S. announced withdrawal from

<sup>1</sup> هل بإمكان العالم التخلص من السلاح النووي، اندبنت عربية، 16 أكتوبر 2021، الرابط، <https://bit.ly/35Cacu2>





the INF Treaty, during former President Donald Trump's term of office. However, during this year, the Treaty between Washington and Moscow on the Reduction and Limitation of Strategic Offensive Arms Treaty was extended until February 2026. This extension between the world's two largest nuclear arsenals provides an opportunity to agree on further arms control measures.

But the world's States or the international community is no longer satisfied with the repeated and duplicated treaties and agreements that aim to control armaments. It has become a requirement to completely eliminate nuclear weapons. Therefore, the General Assembly commemorated 26 September as the International Day for the Total Elimination of Nuclear Weapons. This Day provides an occasion for the world community to reaffirm its commitment to global nuclear disarmament as a priority, being one of the greatest challenges facing the world and threatening its peace and stability.<sup>2</sup>

The threat of the use of nuclear weapons continues to increase, fueled by international and regional tensions and the modernization of nuclear arsenals, including the development of smaller nuclear weapons said to be more usable, and technological advances that make such weapons and their command and control systems vulnerable to cyberattacks. Concerted efforts are urgently needed to reduce the threat of the use of nuclear weapons<sup>3</sup>, especially since the use of these weapons violates international humanitarian law because they are dangerous weapons and became illegal to manufacture, stockpile, or use in targeting cities with military interests. According to the advisory opinion on the legality of the manufacture of nuclear weapons, if there is a belief that a State is in danger, it is illegal to threaten and use nuclear weapons, because any use would have catastrophic humanitarian consequences and contravene international humanitarian law.<sup>4</sup>

## UN Nuclear Disarmament Efforts

Although armament is an inherent right of State sovereignty guaranteed by international law and international relations, there are some controls that have been put in place and terms that have been coined, including disarmament, arms control, non-proliferation among others. They all relate to actions to curb the proliferation of dangerous weapons in the international community and to reduce the potential for a devastating war. Hence, states have sought an agreed definition of

<sup>2</sup> هل بإمكان العالم التخلص من السلاح النووي، اندبنت عربية، 16 أكتوبر 2021، الرابط، <https://bit.ly/35Cacu2>  
<sup>3</sup> نزع السلاح والامن النووي: تحديات التوسع الحضري المتزايد والتطور التكنولوجي، اللجنة الدولية للصليب الاحمر، 21 أكتوبر 2021، الرابط، <https://bit.ly/35JzaYF>  
<sup>4</sup> ما معني نزع السلاح النووي، موقع المرسل، 9 فبراير 2020، الرابط، <https://www.almrsal.com/post/891802>

disarmament operation so that progress could be made in the proliferation of nuclear weapons. Moreover, there is no legitimate use of nuclear weapons and peace will come only with complete disarmament.

**Therefore, nuclear disarmament is defined as the process of reducing and eliminating nuclear weapons, as well as ensuring that States possessing not nuclear weapons cannot develop them.**



As a result of the developments and the large spread of weapons of all kinds, the increase in the arms race and the possession of nuclear weapons by some states, countries rushed to find solutions by concluding agreements and treaties and holding conferences to organize the problem of armaments and reduce the possibilities of war and disarmament.<sup>5</sup>

However, the arms race and the non-criminalization of the explicit use of force in the League's Charter contributed to the outbreak of the World War II and the ensuing mass destruction, particularly after the bombing of Japan's Hiroshima and Nagasaki by the United States during the World War II, with the use of nuclear weapons, resulting in grave consequences for all humanity as well as environment.

Therefore, The United Nations has endeavored to eliminate and prohibit nuclear weapons since their inception and thus has played a prominent role in the processes of nuclear non-proliferation control in general and nuclear weapons in particular. The UN Charter emphasized the importance of disarmament and arms control and established a number of institutions and organizations specializing in disarmament and arms control:

- In 1946, the UN General Assembly issued its first decree on the establishment of a committee specialized in dealing with the problems that arose as a result of the discovery of nuclear energy. This committee was assigned to work on eliminating all weapons of mass destruction from the international armed

<sup>5</sup> قراءة في نظريات نزع السلاح، الموسوعة الجزائرية للدراسات السياسية والاستراتيجية، أكتوبر 2018، الرابط، <https://bit.ly/35bt9nK>



forces<sup>6</sup>. It established a committee to deal with problems related to the discovery of atomic energy and others in 1946, which should have put forward proposals for the control of atomic energy to the extent necessary and to ensure that it was used solely for peaceful purposes. The UN's decree included that the commission submit proposals to eliminate nuclear weapons and all other weapons that could cause mass destruction.<sup>7</sup>

- In 1947, the UN Security Council established Conventional Arms Committee in order to examine the problems of d conventional disarmament, but the work of the two committees was not reconciled as a result of increasing tension between the United States and the Soviet Union in the framework of the Cold War.
- In 1952, the UN established the Disarmament Committee, whose functions were limited to the examination of both conventional weapons and weapons of mass destruction. A separate Disarmament Commission was also established outside the official organizational structure of the UN. In 1984, it was decided to designate this Committee as the Conference on Disarmament. The main purpose of these committees and institutions was to study global arms control and the exchange of information.
- The UN participated in the conclusion of a number of international conventions that aim to work on the control, prevention, disarmament and exchange of information. The NPT is one of the most important adopted by the UN on 12 June 1968 and entered into force in March 1970. That Convention, which aims to prevent non-nuclear States' access to nuclear technology and its proliferation.<sup>8</sup>
- The UN has also participated in the conclusion of several multilateral treaties aimed at preventing nuclear proliferation and promoting disarmament, including the NPT, treaties banning nuclear weapons tests in the atmosphere, in outer space or under water known as the Partial Nuclear-Test-Ban Treaty (PTBT), comprehensive nuclear testing and the Comprehensive Nuclear-Test-Ban Treaty (CTBT), signed in 1996 and not immediately implemented.<sup>9</sup>

**Treaty on the Prohibition of Nuclear Weapons (TPNW)** signed in 2017, was adopted by 122 countries in the United States. On January 22, 2021 the TPNW entered into force. So far, 86 countries have signed it, and 61 others have ratified it.

<sup>6</sup> نشاط الأمم المتحدة في مجال نزع السلاح وتصفية الاستعمار ، موقع مقاتل، الرابط، [http://www.mogatel.com/openshare/Behoth/Monzmat3/UN/sec12.doc\\_cvt.htm](http://www.mogatel.com/openshare/Behoth/Monzmat3/UN/sec12.doc_cvt.htm)  
<sup>7</sup> - ما معنى نزع السلاح النووي، موقع المرسل، 9 فبراير 2020، الرابط، <https://www.almrsal.com/post/891802>  
<sup>8</sup> نشاط الأمم المتحدة في مجال نزع السلاح وتصفية الاستعمار ، موقع مقاتل، الرابط، [http://www.mogatel.com/openshare/Behoth/Monzmat3/UN/sec12.doc\\_cvt.htm](http://www.mogatel.com/openshare/Behoth/Monzmat3/UN/sec12.doc_cvt.htm)  
<sup>9</sup> ما معنى نزع السلاح النووي، موقع المرسل، 9 فبراير 2020، الرابط، <https://www.almrsal.com/post/891802>



Although the treaty is not expected to eliminate the world's current nuclear arsenal by a magic strike. Rather, the new treaty shall be seen as a moral and legal starting point for a long-term effort to eliminate it. Only work can be done to broaden adherence to the Treaty's prohibitions to the extent possible.<sup>10</sup>

A number of bilateral and multilateral arrangements and treaties also seek to reduce or eliminate certain categories of nuclear weapons, to help prevent the proliferation of these weapons and their means of delivery. This ranges from several treaties between the Russian Federation and the U.S., in addition to various other initiatives undertaken between a group of material suppliers of Nuclear Weapons, the Missile Technology Control Regime, as well as The Hague Code of Conduct for the Non-Proliferation of Ballistic Missiles.<sup>11</sup>

## Legal Framework for the Operation of the Treaty

The Treaty on the Prohibition of Nuclear Weapons contains a comprehensive ban and provides a framework to push the process of elimination. It also includes provisions to assist those affected by the use or testing of nuclear weapons and the restoration of the affected environment. This treaty has also been prepared with a view to addressing the concerns of the catastrophic consequences of any use of nuclear weapons and the growing risk of intentional or miscalculation of a nuclear explosion. Ensuring the fulfilment of the Treaty's promised commitments requires that as many States as possible accede to it and ensure its widest possible implementation.

### - **Implementation at the national level**

In accordance with article 5, each State Party shall take the necessary measures to implement its obligations under this Agreement. Each State Party shall take all appropriate legal, administrative and other measures, including penal sanctions, to prevent and suppress any activity prohibited to any State Party under this Treaty by persons under its jurisdiction, control or in territory under its jurisdiction or control. According to national laws or procedures, a special criminal code may have to be enacted to impose legal penalties

<sup>10</sup> هل بإمكان العالم التخلص من السلاح النووي، اندبنت عربية، 16 أكتوبر 2021، الرابط، <https://bit.ly/35Cacu2>  
<sup>11</sup> ما معنى نزع السلاح النووي، موقع المرسل، 9 فبراير 2020، الرابط، <https://www.almrsal.com/post/891802>





**In addition to preventing and punishing who is responsible, the states should consider a series of positive measures to ensure the Convention's implementation. Such measures may include:**

1. Develop and implement plans to destroy stockpiles of nuclear weapons, in accordance with article 4 if the State party possesses, used to have or controls nuclear weapons.
2. Develop and implement plans for assistance to persons affected by the use and testing of nuclear weapons, including medical care, rehabilitation, psychological support and social and economic integration in accordance with Article 6.
3. Develop and implement plans to advance the process of rehabilitation of the natural environment contaminated by the use or testing of nuclear weapons in accordance with Article 6.
4. Develop and implement cooperation and assistance programs to support other States Parties in accordance with Article 7 in the areas specified in paragraphs 1 and 2.<sup>12</sup>

## **Obstacles of the global treaty**

The treaty included a text urging states to join, as Article 12 states that the treaty encourages states not party to it to sign, ratify, accept, approve or accede to it in order to achieve the accession of all states to this treaty.<sup>13</sup>

The treaty was adopted at a United Nations diplomatic conference on July 7, 2017, and opened for signature on September 20, 2017. It was agreed that the treaty would enter into force after 50 countries ratified it, which happened in October 2020 after Honduras ratified the convention. However, according to the treaty's website, the number of signatories to the treaty reached 86, and the number of parties to the treaty reached 61. **As for the Arab countries, there is one ratifying country, which is the Comoros, and three signatory countries, namely Algeria, Libya and Sudan, while the rest of the countries have not joined.**<sup>14</sup>

The Treaty on the Prohibition of Nuclear Weapons is the first multilateral agreement to be applied globally and aims to comprehensively ban nuclear weapons

<sup>12</sup> - راجع نصوص المواد المذكورة من المعاهدة على الرابط، [https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch\\_XXVI\\_9.pdf](https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch_XXVI_9.pdf)

<sup>13</sup> - راجع نص المادة 12 من المعاهدة على الرابط، [https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch\\_XXVI\\_9.pdf](https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch_XXVI_9.pdf)

- Treaty on the Prohibition of Nuclear Weapons, UN Treaty Collection, link, <sup>14</sup>

راجع نص المادة 12 من المعاهدة على الرابط، [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVI-9&chapter=26&](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-9&chapter=26&)

[https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch\\_XXVI\\_9.pdf?clang=en](https://treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch_XXVI_9.pdf?clang=en)



based on international humanitarian law, in recognition of the dire humanitarian consequences resulting from these weapons. It is also the first treaty to include provisions to help address the humanitarian consequences of the use and testing of nuclear weapons.<sup>15</sup> However, this ban has highlighted the tension between nuclear disarmament and nuclear deterrence, as civil society and many non-nuclear-weapon states have welcomed the entry into force of the treaty, the nuclear-weapon states (China, France, Russia, the United Kingdom and the United States) and their allies see this as undermining the nuclear order based on the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT - Treaty on the Non-Proliferation of Nuclear Weapons).<sup>16</sup>

Whereas the reaction of the nuclear-weapon states was limited to deafening silence or expressing their dissatisfaction with this treaty. This treaty came as a result of international conferences on the humanitarian consequences of every nuclear explosion and the talks that lasted for several weeks in Geneva. Most of the countries with nuclear weapons boycotted these meetings and opposed the negotiations that took place in New York. Whereas the five nuclear-weapon states (China, the United States, France, the United Kingdom and Russia) claimed that their legitimate right to possess nuclear weapons is mentioned in this treaty without any time restrictions, while the non-nuclear-weapon states are considered to have renounced possession of these weapons in exchange for a pledge by all states with nuclear disarmament half a century ago. The non-member nuclear powers of the Treaty on the Non-Proliferation of Nuclear Weapons, such as India and Pakistan, regretted losing the veto granted by the Conference on Disarmament during the negotiation of the treaty.<sup>17</sup>

For five decades, the Non-Proliferation Treaty has been the centerpiece of global efforts to prevent the further spread of nuclear weapons by preventing, not prohibiting and promoting the peaceful uses of nuclear energy, this treaty entered into force in July 1970. Under this treaty, non-nuclear-weapon states are obligated not to manufacture nuclear weapons or otherwise acquire nuclear weapons or other nuclear explosive devices, while nuclear-weapon states parties are obligated not to assist, encourage or induce any non-nuclear-weapon state party to the treaty in any way to manufacture nuclear weapons, or otherwise acquire nuclear weapons or other nuclear explosive devices.<sup>18</sup>

<sup>3</sup> - انتصار للبشرية.. معاهدة حظر الأسلحة النووية تدخل حيز التنفيذ، مجلة الإنساني، 22 يناير 2021، الرابط، <https://blogs.icrc.org/alinsani/2021/01/22/4167/>

<sup>16</sup> - Nuclear disarmament, arms control and non-proliferation, SIPRI, Yearbook 2021, link, <https://www.sipri.org/yearbook/2021/11>

<sup>17</sup> - هل أصبحت الأسلحة النووية حقا محرمة، Swiss info، الرابط، <https://bit.ly/3Ntxpzf>

<sup>18</sup> - انتصار للبشرية.. معاهدة حظر الأسلحة النووية تدخل حيز التنفيذ، مجلة الإنساني، 22 يناير 2021، الرابط، <https://blogs.icrc.org/alinsani/2021/01/22/4167/>



Also, despite the treaty having been boycotted by nuclear states, it not only has a symbolic character, but also sets a trend for the majority of states who view the argument for deterrence paradoxically and try not to separate nuclear weapons from conventional weapons, as both have a devastating effect on the civilian population. The nuclear escalation between Pakistan, India or North Korea and its enemies has dire consequences, but this also applies to the many wars fought with conventional weapons, as in Syria, Yemen, Afghanistan, Ukraine, and Libya.<sup>19</sup>

Also, many countries opposed this treaty for reasons related to national security, such as Egypt's opposition and its refusal to join the treaty because of Israel's failure to disclose its nuclear activities. The continuation of the Arab-Israeli conflict or even Israel's struggles and attempts to extend them outside the Arab region, especially that indirect war with Iran, also complicated the issue of the response of countries in the region to international efforts to control armaments, particularly in light of Israel's qualitative superiority in the military field. All of this created a vision for the countries of the region in which Israel is the only and most important obstacle to evacuating the region from nuclear weapons, especially in light of the Israeli refusal to join the Nuclear Non-Proliferation Treaty of 1968, not to mention joining the Treaty on the Prohibition of Nuclear Weapons 2017, and its refusal to give up its nuclear weapons, which constitutes a shortcoming in the implementation of actual procedures to curb the armament race and achieve regional security, which poses a danger in turning the entire Middle East region into a focus that threatens international peace and security.<sup>20</sup>

Therefore, the continued existence of nuclear weapons carries incalculable risks and undermines efforts to prevent more state and non-state actors from acquiring the bomb. As nuclear deterrence strategies continue to be applied, the risks of nuclear war remain imminent. It also remains more than a thousand tons of materials usable in nuclear weapons, and with the expected increase in nuclear energy, the signs of development of nuclear weapons are increasing. Therefore, the possibility of nuclear weapons or sensitive nuclear materials falling into the hands of terrorists cannot be ruled out. Indeed, intelligence assessments consider such a scenario alarmingly plausible, mostly due to poor borders and poorly secured nuclear facilities and depots.<sup>21</sup>

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<sup>19</sup> - International Security & Disarmament, The International Institute for Peace, link, <https://www.iipvienna.com/international-security-disarmament>

<sup>20</sup> - نورة الحفيان، السلاح النووي في ضوء القانون الدولي، مجلة المنارة، 11 ابريل 2020، الرابط، <https://bit.ly/3t8Mk9r>

<sup>21</sup> - Jürgen Scheffran, Climate Change, Nuclear Risks and Nuclear Disarmament - from Security Threats to Sustainable Peace, Research Gate, May 2011, link, [https://www.researchgate.net/publication/280949331\\_Climate\\_Change\\_Nuclear\\_Risks\\_and\\_Nuclear\\_Disarmament\\_-\\_from\\_Security\\_Threats\\_to\\_Sustainable\\_Peace](https://www.researchgate.net/publication/280949331_Climate_Change_Nuclear_Risks_and_Nuclear_Disarmament_-_from_Security_Threats_to_Sustainable_Peace)



## The reality of nuclear disarmament

The legal and contractual restrictions imposed by international law have failed to limit nuclear proliferation or disarmament, and establish areas free of weapons of mass destruction. Since 1974 until now, international efforts to establish a zone free of weapons of mass destruction in the Middle East, for example, have failed, through international efforts to control armament, as most of them remained declarations on paper without being implemented, as attempts to establish a nuclear-weapon-free zone in the region did not stop through initiatives launched by the United Nations or the initiatives of some countries in the region - despite their success in other regions of the world - the failure of those attempts is due to describing the Middle East as one of the disputed areas of influence, in light of the huge profits achieved by countries and companies producing arms, considering that the region is the richest region in the world in primary resources, especially oil, which has gained the region increasing international attention.

The existence of nuclear weapons poses the greatest threat to humanity, as the stockpiles held by the United States, Russia, China, India, Pakistan, France, the United Kingdom and Israel have the potential to destroy the Earth hundreds of times, as the risk of the use of nuclear weapons continues to increase, fueled by international and regional tensions and the modernization of nuclear arsenals, including the development of smaller nuclear weapons that are said to be more usable, and the technological advances that make these weapons and their command and control systems vulnerable to cyber-attack. There is an urgent need for a concerted effort to reduce the risk of using the nuclear weapons,<sup>22</sup> especially that the use of these weapons constitutes a violation of international humanitarian law, because they are dangerous indiscriminate weapons and it is currently illegal to manufacture or store them or target a city that has a military interest. According to the advisory opinion on the legality of manufacturing nuclear weapons if there is a belief that the state is in danger, it is illegal to threaten and use nuclear weapons, because any use would have catastrophic humanitarian consequences and would be contrary to the international humanitarian law.<sup>23</sup>

It is worth noting that there are still 13,080,000 nuclear weapons in the world at the beginning of 2021, down from the 13,400 nuclear weapons estimated at the beginning of 2020. Despite this overall decrease, the estimated number of nuclear

<sup>20</sup>- نزاع السلاح والامن النووي: تحديات التوسع الحضري المتزايد والتطور التكنولوجي، اللجنة الدولية للصليب الاحمر، 21 اكتوبر 2021، الرابط، <https://bit.ly/35JzaYF>  
<sup>21</sup>- ما معنى نزاع السلاح النووي، موقع المرسل، 9 فبراير 2020، الرابط، <https://www.almsal.com/post/891802>





weapons currently deployed with the operational forces has increased to 3,825 from 3,720 last year. About 2,000 of those - almost all of them belong to Russia or the United States - have been kept at high operational alert.<sup>24</sup> This is a large number that contradicts the efforts made to limit the manufacture and spread of these weapons, and the worst is that the countries that own the weapons have plans to modernize their nuclear arsenals with large funding, rather than aiming to get rid of these weapons, even though the population of this nuclear-armed country is equivalent to half the world's population, and thus poses a threat to their own citizens and the citizens of countries that have not yet gone nuclear.

While the United States and Russia continued to reduce their overall stockpiles of nuclear weapons by dismantling retired warheads in 2020. It is estimated that both had about 50 additional nuclear warheads under operational deployment at the beginning of 2021 compared to the previous year. Russia has also increased its total military nuclear stockpile by about 180 warheads, mainly due to the deployment of more multi-headed Intercontinental Ballistic Missiles (ICBMs) and sea-launched ballistic missiles. Both countries' deployed strategic nuclear forces remained within the limits established by the 2010 Treaty, on measures for further reduction and limitation of strategic offensive arms (New START), although the treaty does not limit the total nuclear warhead stockpiles.<sup>25</sup>

The reason for this is that the nuclear deterrence doctrine is still an essential part of the security, military and strategic policies of competing or warring countries, or those in an armament race to secure their interests around the world. The United States and Russia, along with China and the European Union, are still at the top of the countries that establish this competition, which does not stop at borders except by returning to agreements that were not previously applied, or by finding formulas for agreements to stop the armament race, which quickly become unimplemented. The declared intentions in general do not resemble what is happening on the ground. This has many reasons, foremost of which is the lack of mutual trust between the major powers or the conflict of interests that results in violations of the agreements that are often hidden, only to be revealed after it is too late, which means a return to the new agreements and treaties whose fate is often the same as the previous ones.<sup>26</sup>

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- Global nuclear arsenals grow as states continue to modernize, SIPRI, 14 June 2021, link, <https://www.sipri.org/media/press-release/2021/global-nuclear-arsenals-grow-states-continue-modernize-new-sipri-yearbook-out-now><sup>24</sup>

- ibid, link, <https://www.sipri.org/media/press-release/2021/global-nuclear-arsenals-grow-states-continue-modernize-new-sipri-yearbook-out-now><sup>25</sup>  
<https://bit.ly/35Cacu2>، الرابط، اندبنت عربية، 16 أكتوبر 2021،



Therefore, the continued existence of nuclear weapons carries incalculable risks and undermines efforts to prevent more state and non-state actors from acquiring a nuclear bomb. As nuclear deterrence strategies continue to be applied, the risks of nuclear war remain imminent. It also remains more than a thousand tons of materials usable in nuclear weapons and with the expected increase in nuclear energy, the signs of developing nuclear weapons are increasing. Therefore, the possibility of nuclear weapons or sensitive nuclear materials falling into the hands of terrorists cannot be ruled out. Indeed, intelligence assessments consider such a scenario alarmingly plausible, mostly due to poor borders and poorly secured nuclear facilities and depots, especially that the fight against proliferation and nuclear weapons fuels the armament race and undermines the political stability necessary to maintain controlled nuclear weapons, which cannot be guaranteed in the long run by any means. Fatal accidents are still possible without the systematic and controlled elimination of the nuclear threat; the intentional or accidental use of nuclear weapons becomes a matter of time. Therefore, to move away from the nuclear abyss, the world needs to destroy and prohibit the production of all the nuclear weapons.<sup>27</sup>

## **Nuclear Weapons and their Environmental Risks**

Preventing nuclear war, avoiding its environmental risks and its impact on climate change are the most significant challenges facing human civilization in the twenty-first century. The horrific destruction of nuclear war can set humanity back centuries. Failure to sufficiently mitigate climate change can also cause human suffering. These two challenges must be faced so that we may build a just and peaceful world by states' agreed goals for sustainable development.

In the future, nuclear dangers may overlap. Climate change conflicts can contribute to global insecurity, leading States to rely on military power, including nuclear weapons. Climate change significantly affects the delicate balance between social and environmental systems that undermines human security and societal stability with potential consequences for international security rather than being a direct cause of war. Increased reliance on nuclear energy to reduce carbon emissions will contribute to nuclear proliferation risks. A renewed nuclear arms race would consume considerable resources and undermine the conditions for addressing the problem of climate change in a cooperative manner. Nuclear war

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- Jürgen Scheffran, Climate Change, Nuclear Risks and Nuclear Disarmament - from Security Threats to Sustainable Peace, Research Gate, May 2011, <sup>27</sup> link, [https://www.researchgate.net/publication/280949331\\_Climate\\_Change\\_Nuclear\\_Risks\\_and\\_Nuclear\\_Disarmament\\_-\\_from\\_Security\\_Threats\\_to\\_Sustainable\\_Peace](https://www.researchgate.net/publication/280949331_Climate_Change_Nuclear_Risks_and_Nuclear_Disarmament_-_from_Security_Threats_to_Sustainable_Peace)



would destabilize human societies and the environment, and potentially a nuclear winter that would disrupt the atmosphere. On the other hand, finding solutions to one problem in one area can help get another in the other one.

**Preventing the climate change and nuclear war risks requires an integrated set of strategies that address causes and impacts on the natural and social environment.**

- Institutions are needed to promote common, ecological, and human security.
- Building and strengthening conflict resolution mechanisms and low-carbon energy alternatives.
- Creating sustainable life cycles that respect the world's living capacities.

**The international community must take several steps to lay the foundation for nuclear energy's long-term contribution to climate change mitigation.**

- Assessments of the potential role of nuclear and other low-carbon uninterrupted energy sources as backups of intermittent sources in future carbon-neutral energy systems are needed in-depth, taking into account cost, reliability, and other factors.
- It is necessary to avoid further disasters such as the Fukushima accident and to build international approaches that focus on continuous improvement towards excellence in both safety and security.
- Governments should provide research and development support and adequate clarity and focus on research and development on those systems that have the greatest possible economic, safety, security, and non-proliferation benefits.
- Governments and companies must design all future nuclear facilities to build high safety standards, security, proliferation resistance, and provisions for international safeguards.

To survive and achieve sustainable world, humanity must strike a balance between avoiding nuclear war and powering the world without causing catastrophic climate change. While these problems are separate in many ways, there are important links. In particular, while large-scale growth of nuclear energy can be a tool for meeting the climate challenge, growth on this scale, if not well managed, can pose challenges to nuclear non-proliferation and disarmament. Establishing all necessary steps for a secure future of nuclear energy and nuclear weapons is beyond the scope of this chapter. However, a few steps are needed to address the immediate risks and lay the long-term foundations for future successes.





**Nuclear weapons are unique and unparalleled weapons due to the destructive power they possess and the enormous human suffering that result from them due to high temperature, explosion, and radiation resulting from the nuclear explosion and the extent to which it reaches. The detonation of a nuclear weapon in or near a residential area could cause massive casualties and massive destruction of civilian infrastructure, as happened in Hiroshima and Nagasaki. The consequences of nuclear weapons on human health, the environment, the climate, food production, and social and economic development can last for decades. It can also affect the children of survivors through the genetic damage it inflicts on the parents. That is evident in the places where nuclear weapons were used and where they were tested or tried.**

## **Actions to be taken by the International Community for Nuclear Disarmament and Elimination**

The nuclear-weapon States with the largest nuclear arsenals have a special responsibility for nuclear disarmament. They should continue to reduce their nuclear arsenals on the basis of the principle of irreversibility; Hence:

- All nuclear-weapon states should abandon their policy of nuclear deterrence based on the first use of nuclear weapons and undertake unconditionally not to be the first to use nuclear weapons and to conclude an international legal instrument for that purpose.
- The United States and Russia must negotiate a solution to accusations of violating the INF Treaty and extending New START until 2026.
- All nuclear-weapon States should unconditionally commit themselves not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones.
- The nuclear-weapon States concerned should undertake to withdraw all nuclear weapons deployed outside their territories.
- All nuclear-weapon States should support efforts to establish nuclear-weapon-free zones, respect their status and undertake relevant commitments.



- Nuclear-weapon states and non-nuclear-weapon States should abandon the nuclear umbrella policy and practice of nuclear partnership.
- The Treaty on the Non-Proliferation of Nuclear Weapons should fully adhere honestly. Countries that have not yet done so should accede to the Arms Embargo Treaty without delay and conditions so that the Treaty becomes universal.
- States that have not yet done so should sign or ratify the Comprehensive Nuclear-Test-Ban Treaty as soon as possible to promote the entry into force of the Comprehensive Nuclear-Test-Ban Treaty by the Treaty's provisions.
- A universal and verifiable fissile material cut-off treaty should be negotiated and concluded; a convention on the total prohibition of nuclear weapons should be negotiated and concluded based on the above.
- All arms transfer agreements and arrangements, particularly between Governments, should be designed to reduce the possibility of diverting weapons to unauthorized actors and persons.
- It is necessary to consider all binding obligations under the provisions of the Arms Trade Treaty, including the international obligations of States parties to the Arms Trade Treaty dealing with aspects of arms diversion, to develop effective measures to prevent arms diversions, and examination of the different types of diversion involving actors and how they were addressed through states' measures.
- States parties must work to preserve and strengthen the Treaty on the Non-Proliferation of Nuclear Weapons and the broader non-proliferation regime.
- States, corporations, and civil society organizations must reduce the chance of reprocessing and enrichment spreading to other countries.
- The same institutions must promote nuclear safety and security and reduce the risk of accidental or deliberate disasters as close to zero as reasonably achievable.
- The states concerned must reduce the risk of unintended conflicts and escalation between nuclear-armed States, including the United States, Russia, the United States, North Korea, the United States, China, India, and Pakistan.

In conclusion, maintaining peace and promoting security in the world can only be achieved through disarmament, or at least strict control of its production, as



believed by the international community. However, achieving this on ground is a big challenge, due to several reasons including the imbalance of military and sovereignty, mistrust among members of the international community, lack of agreement on identifying the weapon that should be banned or controlled, as well as the difficulty of applying control and inspection mechanisms. Disarmament means to stop nuclear weapons production and destroy existing ones, but the international community defines disarmament as limiting weapons production or making it exclusive to certain types that do not have a destructive power. The disarmament theories prove this as it shows and explains the difficulty of the process of disarming, limiting, or controlling weapons. Despite the great efforts to disarm these weapons because of their danger, countries compete to strengthen their military capacity and build their arsenal.

Hence, **Maat for Peace, Development and Human Rights and the Global Coalition for Limitation of Armaments** affirm that a violent, non-peaceful world shall never be sustainable and just, and vice versa. Strategies to prevent the causes of violent conflict must include a range of measures, including the conservation and efficient use of natural resources, the implementation of the principles of equity and justice, enhanced cooperation, and changing lifestyles. Therefore, peace concepts that depend on avoiding serious conflict, preventive control of armaments, reduction of violence, elimination of nuclear weapons, compliance with human rights, and cooperation will improve the cooperative implementation of sustainable development. Deep-rooted connections need to develop in a mutually motivational manner for an integrated concept of sustainable peace. By doing so, nuclear weapons will not play a role in a peaceful and sustainable world, but on the contrary: they prevent that because it is based on principles that fundamentally violate the conditions for peace and sustainable development.

This paper also recommends that the world should abolish and ban these weapons that negatively symbolize the past century of violence; they belong to the past, not to the future. International law provides the framework to prevent the dangers of nuclear war and climate change through a double-zero approach to nuclear disarmament and carbon emission reduction. Hence, it is significant to develop and consolidate cooperative security and sustainable peace to create a basis for peace that prevents climate change and nuclear war.

**In the end, Maat for Peace, Development, Human Rights, and the Global Coalition for the Limitation of Armament affirm that nuclear disarmament does not solve the nuclear proliferation problems we face today. Nevertheless, nuclear disarmament initiatives can promote the long-term restoration of confidence in the treaty, which will combat proliferation. The having and**





having-nots bargain require the nuclear-weapon states to do more efforts to ensure nuclear disarmament. On the other hand, the non-proliferation initiatives launched by the non-nuclear-weapon States would make a significant contribution to nuclear disarmament as they would create the conditions for further nuclear disarmament. Maat recommends that:

- The role of nuclear weapons in security policies must also be reduced by the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the resumption of substantive work in the Conference on Disarmament, and the immediate commencement of negotiations on a fissile material cut-off treaty.
- The States concerned must strictly adhere to existing arms control treaties based on global strategic balance and stability.
- The need to immediately cease the development, deployment, and proliferation of sophisticated missile defence systems and outer space weapons, jeopardizing the nuclear disarmament process and even launching a new round of the nuclear arms race.
- Any action on nuclear disarmament must follow the principle of undiminished security for all States.

Of course, the basic step in both non-proliferation and nuclear disarmament may be to work towards the resolution of international disputes that may help drive the demand for nuclear weapons. If the Arab-Israeli conflict and other conflicts that had set the Middle East on fire were resolved, India and Pakistan lived together in peace in South Asia, and the division of the Korean peninsula ended, the prospects for non-proliferation and disarmament could be improved.